



NORTH END/WATERFRONT RESIDENTS' ASSOCIATION

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Zoning, Licensing and Construction Committee Report June 13, 2013

Current Applications

The following applications are on NEWRA's June 13, 2013 meeting agenda for discussion and vote:

266 Commercial Street, Four Winds Restaurant, Thomas Gioia has applied to the Mayor's Office of Consumer Affairs and Licensing to amend its existing Live Entertainment License to include Karaoke and Disc Jockey. An initial request to present the application at NEWRA's ZLC meeting on May 28 and NEWRA's regular monthly meeting on June 13 was received from the owner's attorney on May 2, 2013. While the attorney later stated that the application would not be presented to the community (reportedly, community review is not necessary for Mayor's Office of Consumer Affairs and Licensing's review), an owner did attend the ZLC meeting on May 28, but NEWRA has not received confirmation of neighbor notification.

The business includes a restaurant and bar with a 60-person capacity on the first floor and a function room with a 100-person capacity on the second floor. The owner was operating Karaoke one night per week on the first floor until recently learning that the existing live entertainment license did not specifically permit Karaoke and that "Karaoke" would need to be added to the license. The application requests permission for Karaoke one night per week (the owner seeks to have this entertainment on Thursday nights, as earlier offered). Other forms of live entertainment occur once or twice a month, always on Saturday nights. The application also includes Disc Jockey to accompany the Karaoke on the first floor and to provide entertainment to service the functions in the in the second floor function. The establishment's current Live Entertainment License, which was issued many years ago, allows a vocalist and up to 5 instruments, dancing by patrons and games (such as trivia). The current license has a condition that windows and doors must be closed during live entertainment or no later than 11:00 PM. The establishment serves until the 2:00 AM closing hour, 7 days, as allowed by its separate C.V. alcohol license.

Strega Pizzeria and Cafe, 371-373 Hanover Street, Nicola Varano has filed an application with the Licensing Board for transfer of the Malt and Wine with Cordials License at the now-closed Nick's Famous Deli, 66 Cross Street, to 371-373 Hanover Street, related to the operation of a proposed pizzeria and café adjacent to Strega Restaurant, in the currently empty first floor space formerly "Casa di Stile." On February 9, 2012, NEWRA members voted to support the application by Mr. Varano for a new Malt and Wine with Cordials License at Nick's Famous Deli, 66 Cross Street, and the license was subsequently granted by the Licensing Board. On May 10, 2012, NEWRA members voted to oppose the rezoning of the first floor unit at 371-373 Hanover Street to allow restaurant use with take-out, for Strega Café, and the new zoning was subsequently approved by the Board of Appeal. Strega Café will have a seating capacity of 19 and will serve pizza, light Italian meals, sandwiches, appetizers and desserts, in addition to the beer, wine and cordials. The alcohol license application requests a closing time of 11:00 PM Sunday through Thursday and 12 midnight Friday and

Saturday, consistent with NEWRA policy. The owner has also agreed to include a condition in the license that alcohol be served only with food. Hearing date before the Licensing Board is Wednesday, June 19.

St. Joseph Society of Boston has approached City Hall and the Boston Parks and Recreation Department with a proposal to move its annual Feast of St. Joseph from Hanover Street into the Paul Revere Mall (“The Prado”). This year, the feast is scheduled to be held during the weekend of July 26-28. Members of St. Joseph Society will also describe proposed changes to the feast setup and activities. This application was not presented to the ZLC Committee, but has been added to the NEWRA meeting agenda for presentation and vote due to a tight timeframe for review before the July event. NEWRA’s Executive Committee requested that the St. Joseph Society notify all residents surrounding The Prado of the NEWRA meeting presentation, including residents on Hanover, Charter, Unity and Tileston streets.

Letter of “No Objection”

90-92 Endicott Street, Barry Samuels has filed a zoning appeal to change the legal occupancy from three apartments and store to four apartments, an existing condition. The owner’s attorney presented the appeal to the ZLC Committee at its meeting on May 28, 2013. Mr. Samuels has owned the four-floor building at 92 Endicott Street (in the block between Stillman and Cooper streets) less than two years ago. The long-existing first floor apartment, currently occupied by a tenant, was never legalized. The attorney stated that the appeal to convert from commercial to residential is associated with plans to renovate the units, which will remain apartments. No other building changes were presented. Neighborhood notification documentation was submitted to the ZLC Committee in conformance with NEWRA policy. No abutters were present, and no concerns were raised. On May 30th, NEWRA’s Executive Committee voted to accept the recommendation of the ZLC Committee to send a letter of “no objection” to the Board of Appeal and not bring the appeal to NEWRA members for a vote.

Update on Design of Proposed Building at 244-246R Hanover Street

20 Parmenter Street and 244-246R Hanover Street The BRA reports that its lead architect is reviewing the architectural plans for the new 6-story, 55-foot high building proposed to be constructed in the Hanover Street parcel formerly the site of the VFW Post, between La Famiglia Spagnuolo Restaurant and Ristorante Fiore. The BRA has met with the developer and architect apparently to modify the plans. The first floor of the building will be the entrance to the basement garage under the former North End Union (now Teatro residences). At the NEWRA meeting on April 11, 2013, NEWRA members voted to oppose an appeal to increase the number of residential units in the North End Union building and in the proposed building on Hanover Street, in part by converting formerly approved commercial space into residential space. NEWRA members also raised concern that the architectural design of the new building did not conform to the architectural context of Hanover Street and would set an unwelcome and unsightly precedent. After the meeting, NEWRA sent a letter to the BRA noting its concerns and asking the BRA to ensure that the design would conform to the general character of the existing Hanover Street buildings. The ZLC Committee will request that the developer present the final plans to the community prior to construction.

Major Redevelopment Projects

Several major redevelopment projects with building heights of up to 600 feet, millions of square feet of residential, office and commercial space and thousands of residential units are planned in the North Station,

Bulfinch Triangle and Government Center areas. The Committee will discuss NEWRA's participation in the public participation processes and reviews for some of these projects:

- Lovejoy Wharf: the BRA has issued a draft Cooperation Agreement establishing requirements for rehabilitation and expansion of the building at 160 N. Washington Street, including public access amenities and other mitigation requirements. Comments are due by June 5.
- Boston Garden Project: the developer of proposed mixed-use towers in front of Boston Garden on Causeway Street has filed an Environmental Notification Form with the Secretary of Environmental Affairs' MEPA office. The public comment period ends on June 11.
<http://www.env.state.ma.us/mepa/mepadocs/2013/052213em/nps/enf/15052.pdf>
- Government Center Garage: the developer is expected to file a Letter of Intent with the BRA soon. A 600-foot office tower and 400-foot residential towers are proposed, along with other buildings and a reconfiguration of the Haymarket bus terminal.
- Two more buildings will be constructed in the Bulfinch Triangle, alongside the Avenir apartment building and the Victor apartment building now in construction.
- Residential towers are also proposed behind North Station, along Nashua Street. One is proposed to be 400 feet tall and include 507 residential units.

On June 11, 2013, NEWRA sent a letter to the Secretary of the Massachusetts Executive Office of Energy and Environmental Affairs with comments on the Environmental Notification Form filed by the developer of the proposed Boston Garden Project on Causeway Street. A copy of the letter is attached to this report. The ZLC Committee will continue to track all of these projects for any opportunity for community review and input.

It is reported that the BRA will hold a public meeting on the Government Center Garage redevelopment project on Wednesday, June 19, 2013, but there is no formal announcement yet. NEWRA will inform its members when the announcement is received.

NEWRA Alcohol License Tracking Sheet and Alcohol License Policy

The ZLC Committee expects to complete its updated review of alcohol licenses in the area covered by NEWRA's Alcohol License Policy soon, then present the results at the ZLC Committee meeting on June 25, 2013, and the NEWRA regular monthly meeting on July 11, 2013. Licensing Board Chairperson Nicole Murati Ferrer recently informed the ZLC Committee that she is unable to meet with NEWRA to discuss its policies and position toward alcohol license applications, but that she is aware of those policies and positions, including NEWRA's position that the number of pouring licenses not be increased above 91. The ZLC Committee will discuss further strategies for outreach on this issue at its meeting on June 25, 2013.

Redevelopment of Central Artery Parcel 9

Still no decision from MassDOT's protracted review of the two shortlisted development proposals for the vacant "Central Artery Parcel 9," located at the corner of Hanover Street and Blackstone Street, adjacent to the

Rose Fitzgerald Kennedy Greenway and the Haymarket pushcart vendors. One proposal primarily involves a hotel, and the other proposal primarily involves residential apartments and large destination restaurants. Both proposals include food market venues in most of the first floor space. Both proposals include a higher (approx. 8-story) portion of the building adjacent to North Street and a lower (1 to 3-story) portion of the building adjacent to Hanover Street. The Parcel 7 & 9 Advisory Committee (a citizens' advocacy group) recently sent correspondence to MassDOT expressing concern and requesting a schedule for MassDOT's decision.

One Canal Project (Apartments) and Neighborhood Supermarket

Still no supermarket.

Next ZLC Committee Meeting: Tuesday, June 25, 2013, 7:00 PM, Mariners House, 11 North Square.

Tentative Agenda:

33 Snow Hill Street, Anthony Virgilio has filed a zoning appeal to change the legal occupancy from two residential units to four residential units as part of a recent purchase and full renovation of the building.

NEWRA's Updated Alcohol License Tracking Sheet and Alcohol License Policy: The Committee will discuss the results of its updated review of neighborhood alcohol licenses and strategies for promoting NEWRA's policies and positions on alcohol licenses.