

Neighborhood
Association of the
Back Bay



Bulletin

October 2017

29 Commonwealth Avenue - A Critical Decision for the Back Bay

On September 19th, NABB's Executive Committee voted unanimously to oppose an application to convert 29 Commonwealth Avenue – Haddon Hall – into a for-profit private club. This decision is based on our mission over the past 60 years, namely the protection of the residential quality of the Back Bay. We concluded that the impact of this club on residents and the neighborhood would predictably be identical to, and equally substantial and disruptive as, the impact of a restaurant, bar and hotel if licensed to operate at this same location, even though those uses are forbidden in this residential zone. Moreover, approval of a for-profit private club at this location would establish a disturbing precedent in favor of future conversions of buildings in Back Bay's residential zones into establishments whose operations would imperil the unique residential character of this neighborhood.

NABB's Licensing and Building Use (LBU) Committee has held two hearings on this proposed private club, and the City has held an additional abutters meeting. All three meetings were well attended by residents. They included presentations by the proponent and opportunities for residents to express their concerns and opinions and ask questions. Residents' concerns focus especially on traffic along Berkeley Street and the adjacent Public Alley 423, as well as on issues of noise and the impact of activities in a building that would be in use 24 hours a day, 7 days a week. The dining, bar and other facilities proposed for the club would accommodate over 350 people. Events including musical entertainment on the roof deck are anticipated until 10:00pm on weekdays and 11:00 pm on weeknights. The club would also contain 17 luxury rooms for overnight guests and a gym. The repercussions of these extended hours of operation and the scope of the activities envisaged would frequently and persistently aggravate the daily experiences and activities of Back Bay residents most directly exposed and vulnerable to them.

To enable the club's operations six current metered parking spaces in front of Haddon Hall would be removed from the public sphere and converted into private valet parking, since the club has neither a delivery zone nor parking for guests or employees. Use of these spaces for valet parking would not only reduce the amount of on-street parking available to residents but would remove the third lane for traffic between Commonwealth Avenue and Beacon Street that is now open between the high volume hours of 4 to 6 pm on weekdays when use of these parking spaces is prohibited. The valet spaces would also be used in lieu of a loading zone, which this location does not have. All of these changes and activities would have predictably disruptive consequences for traffic along Berkeley and Beacon Streets, and would exacerbate access to and egress from Storrow Drive during already very congested peak hours.

The Boston Zoning Board of Appeals (ZBA) will hear this application on October 31st. **We urge you to contact our representatives about your views and concerns prior to that hearing. Time is of the essence.** Letters to the ZBA have to be physically mailed and should be addressed as follows:

Christine Araujo, Chairperson, c/o Matthew Fitzgerald, Zoning Board of Appeals, 1010 Massachusetts Ave., 4th Floor, Boston, MA 02118. These letters should also be emailed to Matthew.Fitzgerald@Boston.gov and the Mayor at Mayor@Boston.gov, as well as Back Bay's City Councilor, State Representative, the Mayor's Office of Neighborhood Services and, of course, NABB. Thank you.

Visit us on the web @ www.nabbonline.com

160 Commonwealth Avenue L8, Boston, MA 02116 Tel: 617.247.3961 Email: info@nabbonline.com

Licensing and Building Use Committee Report September 2017

The committee considered three applications. In all three cases, there was a unanimous vote not to oppose the applications, which are described below.

1. **CPCB, LLC, d/b/a Cornish Pasties, 51A Massachusetts Avenue** — This is a 49 seat, including 10 at the bar, restaurant proposing to serve Welsh style stuffed pastries called pasties. They have applied to transfer a beer and wine license from 782 Tremont St in the South End. They did not agree to food with drink, and the committee was not supportive of pushing for it. The restaurant proposes to close at 10 PM Sunday through Wednesday and midnight (midnight license) Thursday through Saturday. This would be the first location outside the Phoenix area of a chain that has three locations there. They have installed a new exhaust hood and repaired an existing exterior metal flue. They will have a locked dumpster and propose to sweep their sidewalk. They have not yet filed for the transfer, but are looking to secure a CV license so they can open by the end of the month. The location is the former Boston Indian Kitchen.
2. **Orangetheory Fitness Boston-Back Bay, 10 St James Avenue** — This is a cardio fitness operation in the office building owned (although to be sold) and occupied by Liberty Mutual. Classes would be conducted between 5:30 AM and 9:30 PM weekdays, with weekend hours dependent on demand. They require a conditional use permit and have a Board of Appeals date of October 4th.
3. **George Vinal, Jr, 495 Beacon Street** — This operator proposes to take over the existing Crossroads Pub space and 2 AM all-alcohol license and install a more food-oriented operation with a modestly higher price point. He expects the alcohol/food ratio to be about 50/50. The current operator is selling both the building (to another buyer) and the business and liquor license. Closing hours will remain the same although the operator plans to serve lunch. Mr. Vinal has substantial management experience at Legal Test Kitchen, Back Bay Restaurant Group, and Louis Café. There will be about 55 seats on each of two levels including about 20 at bars on each level. Current capacity is 98 per floor. It should be noted that the committee emailed information about this change to all NABB members in the area (over 50). Several members commented by email and one attended; all were supportive of the change.

MAKING BEACON STREET SAFER!

YOU'RE INVITED!

**6:00 PM TO 8:00 PM
Monday, October 2, 2017**

**Lower Lobby, Johnson Building
Boston Public Library
700 Boylston Street**

The City of Boston's Transportation Department is sharing its planned safety improvements for Beacon Street at a drop-in meeting on October 2, 2017. Stop by to see their proposed changes for Beacon Street and talk with their full team. They will not be giving a formal presentation, so you can join them when it is convenient for you.

You can also learn more about the project by going to boston.gov/beacon-street.

Architecture Committee Report September 2017

While there were a few noncontroversial applications this month, the committee was most concerned about three applications which were returning for further review:

At **349 Commonwealth Avenue** the owner is seeking to erect a penthouse. The project was approved in July with the stipulation that it not be visible from the public way. We had concerns that the mockup was indeed visible, and that the raising of chimneys and party walls, which were not mocked up, would exacerbate its impact. The Back Bay Architectural Commission (BBAC) agreed to continue the application until the next hearing, and to ask a subcommittee of Commissioners to evaluate its visibility.

At **329 Commonwealth Avenue** the proponent is developing the building as condominiums. In January, he asked permission to locate the condenser units on the roof of the new penthouse, contrary to the guidelines. The BBAC denied this application, and required him to locate the units on the proposed roof deck at the existing roof level. This month he returned, asking again that they be located on the upper roof. We agreed with the BBAC that the lower location was less intrusive. Because of abutter concerns, the proposed location was moved from the 333 to the 327 side of the front roof deck, where it will not be adjacent to any windows.

260-262 Commonwealth is a conversion from dormitory use to condominiums. It was reviewed on an advisory basis in June. The developers propose to repair the masonry and stonework on the front, construct a new penthouse spanning both buildings, and replace the original rear façades with a multi-story addition and garage entry.

Although within the zoning envelope, the project as proposed presents several problems. The proposed penthouse is clearly visible from the Mall, and is comprised of sliding glass doors with a copper arcade. Further, the proponent would like to demolish the rear façade of both buildings in order to install two three-story bays and a one story addition, add a below-grade garage, accessed by a ramp, and create two garden spaces at the rear.

Our committee supported the repairs to the front façade but was concerned that the proposed expansions of the buildings violate several guidelines relating to the visibility and design of penthouses and the retention of original material. Because the rear facades are essentially untouched, and are part of a series of five bays which are largely unchanged from their original design, we felt that the proposal was directly contrary to the guidelines and the BBAC's past decisions that, unless a façade has been previously altered, it should not be remodeled or obscured. The BBAC supported these contentions and denied the application without prejudice.

We encourage all NABB members to receive the Bulletin by email instead of by snail mail. If you do, you will also receive our weekly NABB e-News and other occasional electronic communications that provide you with more information about what is going on in the neighborhood. Simply contact the NABB office (by calling (617) 247-3961 or emailing info@nabbonline.com) and provide our Executive Administrator with your email address so that we can add you to our growing list of electronic Bulletin and e-News recipients!

Friends & Neighbors Events

MEN'S DISCUSSION GROUP - This group of working, semi-working and retired men with diverse backgrounds meets for lunch and discussion at noon on the 3rd Tuesday of the month (September 19). For more information, please contact Grant Schaumburg at mensgroup@nabbonline.com.

AUTUMN IN BOSTON

LET'S WINE AND DINE is having an array of Small Dinner Parties beginning at 7:00 p.m. on Saturday, October 28. For more information, please contact the NABB office or email Kris Field at lwad@nabbonline.com.

Important Meeting Dates

The **Architecture Committee** meets at 6:30 pm on the first Tuesday of each month in the Clausen Room of the New England College of Optometry, 424 Beacon Street. Next meeting: October 3. For more information contact Sue Prindle or Susan Shafer at architecture@nabbonline.com.

The **Licensing and Building Use Committee** meets on the first Monday of this month. Next meeting: October 2 at 7:00 pm at the Lenox Hotel. For more information contact Elliott Laffer at lbu@nabbonline.com.

The **Green Committee** meets at 5:30 pm on the second Wednesday of each month at the Learning Project, 107 Marlborough Street. Next meeting: October 10. For more information, please contact Michael McCord at green@nabbonline.com.

The next **Police Panel/Public Safety Forum** will take place at 6:00 pm on Thursday, October 26, in the Sanctuary of the First Church in Boston, located at 66 Marlborough Street. For more information, please contact Don Carlson at publicsafety@nabbonline.com.



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