



Zoning Appeals Process

Under Section 7, Article 54 of the Boston Zoning Code, entitled *Community Participation*, NEWRA advises the City of Boston's Board of Appeal regarding zoning issues in the North End/Waterfront area. Section 7 notes:

The role of community participation in determining appropriate land use regulations and zoning is critical to the success of any zoning article or development plan. To continue that role... the North End's civic associations, residents, and business and trade groups, shall continue to play an ongoing role in advising the City on land use planning for the North End.

NEWRA regularly reviews zoning appeals that are filed when a proposed building project or change of use violates one or more provisions of the Zoning Code, and the applicant subsequently seeks zoning relief from the Board of Appeal to secure a building permit. In these situations, the applicant first receives a Refusal Letter from the City's Inspectional Services Department identifying the zoning code violations that prevents the issuance of a building permit. The applicant then files an appeal seeking relief.

NEWRA follows a two-step procedure for reviewing zoning appeals:

- 1) The applicant seeking a zoning appeal will appear at a ZLC monthly meeting and describe the project or change of use to abutters, interested neighbors and other community members. The discussion format allows the applicant to discuss the impacts of the proposed project and address resident's concerns. Often issues raised can be reduced or eliminated by the applicant prior to step 2.
- 2) The applicant then presents the project at the next monthly NEWRA membership meeting and NEWRA members may vote to support or oppose the proposal.

Many applicants had concerns about having to potentially present before multiple groups including the Mayor's Office of Neighborhood Services, North End/Waterfront Neighborhood Council, NEWRA ZLC meeting, and NEWRA.

To help streamline the process, NEWRA's Executive Committee is authorized to send a "no objection" letter to the Board of Appeal without a vote of the full membership if they find that an appeal has not raised concerns among neighbors, the relief requested should not cause significant community impact, and the ZLC Committee has recommended the action.

The results of a NEWRA membership vote to support or oppose is quickly reported by letter to the Board of Appeal.

Getting the Process Started

To be placed on a ZLC Committee agenda, an applicant should email the following information to Victor Brogna, chair, ZLC Committee, zlc@newra.org:

- A copy of the refusal letter issued by Boston Inspectional Services Department
- A copy of the appeal filed
- The project plan
- A copy of the Neighborhood Notification that was mailed, a list of persons and addresses to whom the letter was sent, copy of the certified mail receipts or USPS certificates of mailing. NEWRA's Neighbor Notification Policy can be found via the link below.

The ZLC Committee agenda is prepared approximately four days before the meeting and a copy will be sent to each applicant who has requested to be on the committee's agenda.
