



BOSTON CITY COUNCIL

Committee on Government Operations
Ricardo Arroyo, Chair

One City Hall Square ♦ 5th Floor ♦ Boston, MA 02201 ♦ Phone: (617) 635-3040 ♦ Fax: (617) 635-4203

REPORT OF COMMITTEE CHAIR

March 21, 2023

Dear Councilors:

Docket #0453, An Ordinance amending the City of Boston Code, Ordinances, Section 7-3, Bay Village Historic District, was referred to the Committee on March 1, 2023, and was sponsored by Councilors Kenzie Bok and Ed Flynn; *Docket #0516, Petition for a Special Law re: An Act to Make Certain Changes in the Law Relative to the Historic Beacon Hill District*, was referred to the Committee on March 8, 2023, and was sponsored by Councilors Kenzie Bok and Ed Flynn. The Committee held a public hearing on March 20, 2023.

Summary of Legislation As Filed:

Docket #0453 is an amendment to the ordinance establishing the Bay Village Historic District, which makes two minor updates to exemptions from the authority of the District's Commission, based on recommendations from the Historic District Commission and the Neighborhood Association, in order to ensure a more cohesive review of matters regarding historical and architectural developments in the district.

Docket #0516 is a Home Rule Petition that relates to providing an extension of the Beacon Hill District to include several areas not initially included in the enabling act, specifically extending the Beacon Hill District down the North Slope of Beacon Hill to Cambridge Street. This extension would bring the historic buildings on the north Slope under the architectural protections afforded by the historic district. The Petition would also give the Beacon Hill Architectural Commission the specific authority to levy fines for violations of the historic preservation rules, and closes a loophole exempting additional reconstruction after exempted reconstruction due to a public safety need.

Information Gathered at Hearing:

City of Boston Chief of Environment, Energy and Open Space Reverend Mariama White-Hammond and Boston Landmarks Commission Senior Preservation Planner Nicholas Armata were present to testify on behalf of the Administration at the hearing.

At the hearing, concerns regarding a full extension of coverage along Cambridge Street were addressed. The Administration explained that coordination with the Streets Cabinet would be beneficial to ensure that the goals of historic preservation in the area would work in tandem with short and long term infrastructure goals, such as a potential street redesign to accommodate a Red Line/Blue Line connector.

Public testimony was heard in support of the two pieces of legislation. Councilors discussed the importance of historic preservation and city planning that accounts for resident quality of life and accommodations for those with disabilities.

Summary of Amendments

Following deliberations at the hearing, the following change is proposed to *Docket #0516*. The amendment addresses the concern about unintentionally constructing additional barriers for the City in the case of a necessary street redesign. The change expands the amendment in Section 3, by striking and replacing Section 9 (of Chapter 616 of the Acts of 1955) in full, in order to include an exemption for the sidewalks on the south side of Cambridge Street, at the City's direction.

Section 3 now reads as follows:

Said chapter 616 of the acts of 1955, as amended by chapters 314 and 315 of the acts of 1958, is hereby further amended by striking section 9 and inserting in place thereof the following section:

“Section 9. *Exclusions.* – Nothing in this act shall be construed to prevent any ordinary maintenance or repair of an exterior architectural feature now or hereafter in the historic Beacon Hill district which involves no change in design, material, color or outward appearance thereof, nor shall anything in this act preclude the full or partial alteration, demolition or reconstruction by or at the direction of the City of Boston, of the sidewalks running along the south side of Cambridge street, nor shall anything in this act be construed to prevent the full or partial alteration or demolition of any feature, which the building commissioner shall certify to the commission, with such advance notice as practicable, is immediately required on an emergency basis because of an imminent unsafe or dangerous condition; provided, however, that any reconstruction after full or partial alteration or demolition shall be otherwise subject to all of the requirements of this act.”

Rationale and Recommended Action:

These two pieces of legislation will update the authority of the Historic District Commissions in Bay Village and Beacon Hill to address concerns and suggestions of Commission members, City officials, and residents that reflect and balance the need for ongoing preservation, city planning, and public safety in historic districts.

The Chair of the Committee on Government Operations, to which the following was referred:

Docket #0453, An Ordinance amending the City of Boston Code, Ordinances, Section 7-3, Bay Village Historic District,

submits a report recommending that this docket ought to pass.

Furthermore, the Chair of the Committee on Government Operations, to which the following was referred:

Docket #0516, Petition for a Special Law re: An Act to Make Certain Changes in the Law Relative to the Historic Beacon Hill District,

submits a report recommending that this docket **ought to pass in an amended draft.**

For the Chair:

A handwritten signature in cursive script, appearing to read 'Ra', followed by a horizontal line extending to the right.

Ricardo Arroyo, Chair
Committee on Government Operations