



**Fort Point Channel Landmark District Commission  
Public Hearing Minutes**

Boston City Hall, Piemonte Room  
Boston, MA, 02201

**DECEMBER 12, 2019**

**Commissioners Present:** David Berarducci, John Karoff, Susan Goganian

**Staff Present:** Mary Cirbus, Preservation Planner

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**6:04 PM** D. Berarducci called the public hearing to order.

**I. DESIGN REVIEW**

**APP # 20.546 FPC**

**374 CONGRESS STREET**

**Applicant:** Shaun Benesch, PT OPCO LLC

**Proposed Work:** At the Boston What Road façade patio, install six (6) planters; install a banner sign with wooden posts; ratify existing window cling signage and modify the size; and install one (1) new window cling sign.

**Staff notes the scope of work was changed to only include the installation of six planters.**

Mike Alasaad (Pink Taco) was the project representative. He explained that they were not aware that the appropriate permits had not been acquired. He also explained that the current business owners purchased the establishment in January 2019 and so there were communication issues. He also noted that the window clings were removed in response to the Notice of Violation.

Staff explained the nature of the issued violation, which was for the window cling signage. Although the applicant noted that the window cling had been removed, that black-out cling remains at the windows. The applicant explained that the black-out installation is in place to hide the backsides of the booths.

Staff further explained that other conditions at the site, determined during a site visit, are also in violation, and are discussed later.

The Commissioners decided that they would look at the proposed work before addressing the violations. The proposed work is limited to the installation of six



additional planters to be installed temporarily while the patio is under construction. The planters will line the existing ramp for safety.

S. Goganian noted that the following items are in violation: the planters; the string lights attached the building; the poles that are the wrong material; and the door.

Staff explained that the door that is installed on the Boston Wharf Road façade is not what was approved. The approved door was a metal door with three vertical panels and one side panel with six lites and an industrial feel. It was to fill the entire opening. The installed door is a metal door, centered in the opening, with surrounding vertical wood paneled infill. The Commissioners further discussed the existing conditions and what was approved at the previous hearings. The Commissioners encouraged the applicant to return to the Design Group listed on the original hearings. The applicant explained that the proposed planters that have been approved have not yet been built. In fact, all the items currently on the patio are going to be removed.

The Commissioners suggested that the applicant share the existing construction plans with staff to determine that the appropriate modifications have been made.

D. Berarducci asked about the canopy in the drawings. Staff explained that the Commission had approved the trellis but the applicants decided to remove it later from the scope of work.

The Commissioners also discussed the existing asphalt. Pavers were approved by the Commission. The applicant explained that everything on the patio, including the asphalt, will be torn up and replaced with the approved materials. D. Berarducci noted that the installation of the temporary planters will be allowed for safety, but that the approval will need to be specifically worded to include this proviso.

The Commissioners also discussed whether they had previously approved the installation of a curb. It is noted in the drawings. There was also a discussion as to where the property line is located. The patio design needs to lose 5 feet (per the city). The Commissioners expressed concern that this disputed area could become a weed bed. The applicants indicated that they would do whatever is needed. The city needs to sign off on the installation of concrete. There is also a dispute between the landlord and the city over this strip of land.

The planters will be mounted on top of the granite curbs.



The applicant turned the discussion back to the blacked-out windows. The Commissioners asked what will be seen if the black-out is removed and the applicant responded that the backside of pink banquetts will be visible. The Commissioners do not want to see the underside (raw structure) of the banquetts, or unsightly debris behind the banquetts. D. Berarducci suggested installing a curtain on the interior to hide the banquetts.

The Commissioners turned the conversation back to the temporary planters. These planters will only be installed until the work at the patio is over. D. Berarducci asked that staff write a letter spelling out all of the work that the Commission expects to be corrected as part of the work. Staff will then need to approve the drawings for the work to make sure it matches up with what was originally approved. S. Goganian suggested that the applicant get the exact drawings that were approved from the original architect and design group.

D. Berarducci reiterated that that the poles have to be I-beam style and other issues that need to be resolved.

S. Goganian reiterated that the former design group and architectural firm should have the designs.

The planters will be regularly monitored.

In conclusion, D. Berarducci formed a motion that the Commission will grant the temporary installation of the planters along the temporary ramp for safety reasons, until such time that the patio gets built out to what was originally supposed to be. Staff will formulate a violation package that will be descriptive of what work needs to be completed to correct all the violations.

There was no public comment.

**D. Berarducci motioned to approve the application with the above mentioned provisos, S. Goganian seconded the motion. The vote was 3-0 (DB, JK, SG).**

## **II. RATIFICATION OF HEARING MINUTES FROM 10/10/2019 AND 11/12/2019**

**J. Karoff motioned to approve the minutes, S. Goganian seconded the motion. The vote was 3-0 (DB, JK, SG).**

## **III. Staff Updates**



City of Boston  
Environment



City of Boston  
Mayor Martin J. Walsh

**IV. Adjourn – 6:50 PM**

**D. Berarducci motioned to adjourn the hearing. S. Goganian seconded the motion. The vote was 3-0 (DB, JK, SG).**