



**APPLICATION
ARTICLE 85
DEMOLITION DELAY REVIEW**

Deliver or mail to:
Environment Dept
Boston City Hall, Rm 709
Boston, MA 02201

For Office Use Only

APPLICATION # _____

RECEIVED _____

SIGNIFICANT _____

HEARING DATE _____

DO NOT RETURN THIS FORM BY FAX OR EMAIL DO NOT STAMP THIS BOX

I. PROPERTY ADDRESS _____

NAME of BUSINESS/PROPERTY _____

The names, telephone numbers, postal and e-mail addresses requested below will be used for all subsequent communications relating to this application. Environment Department personnel cannot be responsible for illegible, incomplete or inaccurate contact information provided by applicants.

II. APPLICANT _____

CONTACT NAME _____ RELATIONSHIP TO PROPERTY _____

MAILING ADDRESS _____ CITY _____ STATE _____ ZIP CODE _____

PHONE _____ EMAIL _____

PROPERTY OWNER _____ CONTACT NAME _____

MAILING ADDRESS _____ CITY _____ STATE _____ ZIP CODE _____

PHONE _____ EMAIL _____

III. DOES THIS PROPOSED PROJECT REQUIRE ZONING RELIEF? _____

IF YES, PLEASE INDICATE STATUS OF ZBA PROCESS _____
(If necessary, attach additional pages to provide more information.)

IV. DESCRIPTION OF PROPOSED DEMOLITION:

A BRIEF OUTLINE OF THE PROPOSED WORK *MUST* BE GIVEN IN THE SPACE PROVIDED BELOW, OR THE APPLICATION WILL *NOT* BE ACCEPTED. This description should describe the structure(s) to be demolished and the proposed condition of the site after demolition, including any proposed new construction or site improvements. Additional pages may be attached if necessary to provide more detailed information. See also 4. on page two.

V. REQUIRED DOCUMENTATION: The following is a list of documents that **MUST** be submitted with this application. Failure to include adequate documentation will cause a delay in the review process and may result in a rejected application. All documents should be no larger than 11x17.

1. **PHOTOGRAPHS: 3x5 or larger current color photographs of the property, properties affected by the proposed demolition and surrounding areas must be labeled with addresses and dates.** Major elevations of the building(s) and any deterioration or reason for demolition should be documented. Photographs of the subject property seen from a distance with neighboring properties are required. All photographs must be keyed to a map (see below) to provide a thorough location description. **Images from the internet are not acceptable.**
2. **MAP:** A map showing the location of the property affected by the proposed demolition must be submitted with this application. The map must be an 8 ½ x 11 portion of a street map, such as from a BRA locus map or an internet mapping site.
3. **PLOT PLAN:** A plot plan showing the existing building footprint and those of buildings in the immediate vicinity must be submitted with this application. Assessing parcel maps will be accepted, if the footprint of the relevant structure(s) is illustrated.
4. **PLANS and ELEVATIONS:** If a new structure is being planned, a site plan, building plans and elevations of the new structure(s) must be submitted. If no new building is planned, submit plans for site improvements and/or describe the proposed use and treatment of parcel. (Parking, landscaping, clear debris, fill excavations, etc.) **Do not submit sheets larger than 11x17.**
5. **PROOF OF OWNERSHIP:** Proof of ownership must be submitted with the application. A copy of a property deed, property tax assessment bill, or other official documentation of property ownership is required.

NOTE: Copies of all documentation submitted with this application (photographs, maps, plot plans, etc.) should be retained by the applicant should additional copies be necessary for the commission hearing. Additional materials will be requested if a hearing is required see *Article 85 Demolition Delay Review Regulations and Community Meeting Requirements* on the BLC website.

VI. NOTARIZED SIGNATURES: Both the applicant’s and the legal property owner’s signatures must be notarized. In cases of multiple ownership, the chair of the condominium or cooperative association or authorized representative (such as a property manager) shall sign as owner; in cases of institutional ownership, an authorized representative of the organization shall sign as owner.

The facts set forth above in this application and accompanying documents are a true statement made under penalty of perjury.

APPLICANT _____ OWNER* _____

**(If building is a condominium or cooperative, the chairman must sign.)*

PRINT _____ PRINT _____

On this ___ day of _____, 20___, before me, the undersigned Notary Public, personally appeared _____ (name of document signer), proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding or attached document in my presence.

(official signature and seal of Notary)

My Commission expires:

On this ___ day of _____, 20___, before me, the undersigned Notary Public, personally appeared _____ (name of document signer), proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding or attached document in my presence.

(official signature and seal of Notary)

My Commission expires:

Environment Department personnel cannot be responsible for verifying the authority of the above individuals to sign this application. Misrepresentation of signatory authority may result in the invalidation of the application.

Please review all instructions and documentation requirements carefully before submitting your application. It is your responsibility to ensure the application is complete before submittal. **Incomplete applications will not be accepted.**

If you have questions or require consultation before submitting your application, please contact the commission staff at 617-635-3850 to make an appointment.



Article 85 Demolition Delay Review

Information, Application Instructions & Determination of Significance Process

To print the application, visit the website at: www.cityofboston.gov/landmarks/article85/
Contact Boston Landmarks Commission staff at (617-635-3850) Environment Department, Boston City Hall, Room 709, Boston, MA 02201

On February 6, 1995, the Boston Zoning Code was amended to include a demolition delay policy (Article 85, Chapter 665 of the Acts of 1956 as amended). Demolition Delay provides a predictable process for reviewing requests to demolish buildings by: 1) establishing an appropriate waiting period during which the City and the Applicant can propose and consider alternatives to the demolition of a building of historical, architectural, cultural or urban design value to the City; 2) providing an opportunity for the public to comment on the issues regarding the demolition of a particular building; and by 3) minimizing the number and extent of building demolition where no immediate re-use of the site is planned.

Article 85 Demolition Delay Review pertains to the demolition of buildings located within the city's limits, as defined below and is administered by the Boston Landmarks Commission (BLC). Proposed demolition of individually designated Boston Landmarks or buildings within a local historic district shall be reviewed by the BLC or appropriate District Commission.

Location and Age Criteria for Article 85 Demolition Delay Review

- All buildings located in either the Downtown or Harborpark.
- All neighborhood buildings at least fifty years of age.
- All buildings located in a Neighborhood Design Overlay District.

Application

It is the responsibility of the applicant to submit one complete, signed application with required documentation and to factor the review and potential delay period into the project schedule. City of Boston Inspectional Services Department (ISD) will not issue a demolition permit without a BLC Article 85 Determination or Exemption. Review carefully the application and required documentation before submitting. **Incomplete, faxed or emailed applications will not be accepted.**

Applications may be filed in person, by messenger, or by mail addressed to:

The Boston Landmarks Commission
Boston City Hall/Room 709
Boston, Massachusetts 02201

Article 85 Required Documentation

The following is a list of documents that **MUST** be submitted with this application. **Failure to provide accurate documentation will cause a delay in the review process and may result in a rejected application.** All documents should be no larger than 11x17.

1. **PHOTOGRAPHS:** 3x5 or larger *current* color photographs of the property, properties affected by the proposed demolition and surrounding areas must be labeled with addresses and dates. Major elevations of the building(s) and any deterioration or reason for demolition should be documented. Photographs of the subject property seen from a distance with neighboring properties are required. All photographs must be keyed to a map (see below) to provide a thorough location description. **Images from the internet are not acceptable.**
2. **MAP:** A map showing the location of the property affected by the proposed demolition must be submitted with this application. The map must be an 8 ½ x 11 portion of a street map, such as from a BRA locus map or an internet mapping site.
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4. **PLANS and ELEVATIONS:** If a new structure is being planned, a site plan, building plans and elevations of the new structure(s) must be submitted. **If no new building is planned**, submit plans for site improvements and/or describe the proposed use and treatment of parcel. (Parking, landscaping, clear debris, fill excavations, etc.) **Do not submit sheets larger than 11x17.**
5. **PROOF OF OWNERSHIP:** Proof of ownership must be submitted with the application. A copy of a property deed, property tax assessment bill, or other official documentation of property ownership is required.

NOTARIZED SIGNATURES (BOTH REQUIRED): Both the applicant's and the legal property owner's signatures must be notarized. Failure to supply notarized signature(s) will result in a rejected application. In cases of multiple ownership, the chair of the condominium or cooperative association or authorized representative (such as a property manager) shall sign as owner; in cases of institutional ownership, an authorized representative of the organization shall sign as owner. Environment Department personnel cannot be responsible for verifying the authority of the individuals to sign the application. Misrepresentation of signatory authority may result in the invalidation of the application or determination.

NOTE: Copies of all documentation submitted with this application (photographs, maps, plot plans, etc.) should be retained by the applicant should additional copies be necessary for the commission hearing. Additional materials will be requested if a hearing is required; see "Article 85 Demolition Delay Review Hearing Preparation" in this information packet.

Determination of Significance

The staff of the Boston Landmarks Commission shall have ten (10) days from the date of the submission of a complete application to apply the criteria below and determine whether a demolition permit may be issued or whether a public hearing before the Boston Landmarks Commission is required.

Article 85 Criteria for Determination of Significance

- A. The building is identified in the Landmarks Commission's Comprehensive Preservation Survey as: (i) listed on the National Register of Historic Places; (ii) recommended for such listing; or (iii) the subject of a pending application for such listing.
- B. The building is the subject of a petition to the Landmarks Commission for designation as a Boston Landmark.
- C. The building is historically or architecturally significant because of period, style, method of building construction, or important association with a famous architect or builder.
- D. The building has an important association with one or more historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the City.
- E. The building is one whose loss would have a significant negative impact on the historical or architectural integrity or urban design character of the neighborhood.

Please note that a determination of significance as described above does not necessarily mean the structure meets the criteria for local designation as a Boston Landmark.

Determination of "Not Significant"

If staff of the Boston Landmarks Commission finds the structure proposed for demolition does not meet any of the above criteria, a "Not Significant" determination letter will be issued; you must present this letter when applying for a demolition permit at the Inspectional Services Department. No further process under Article 85 is required.

Determination of Significance: Public Hearing for Significant Structures

If staff of the Boston Landmarks Commission (BLC) finds the structure meets any of the criteria above, a determination of significance will be issued. The BLC is then required to schedule an Article 85 Demolition Delay Review public hearing within forty (40) days of having received a complete application. See *Determination of Significance: Public Hearing for Significant Structures* document for more information about the required process. This document is available on the BLC website.



Top ten tips for your Article 85 application

- 1) No application will be accepted without plans for the property after demolition.
- 2) Staff of the BLC cannot review the status of a building until an application is filed.
- 3) Staff of the BLC is not available to review applications for completeness when they are delivered. If you follow these tips and review the application instructions and checklist you should be ready to file. If you have specific questions or concerns please contact staff before submitting an application.
- 4) Maps are available to print out at the City of Boston's Assessing Online website: <http://www.cityofboston.gov/assessing/search/>
- 5) Photographs are important to getting your application reviewed. See the example and information on required photos beginning on the next page.
- 6) Proof of ownership can be a copy of a property deed, a copy of the property tax assessment bill or other official document. Make sure that the documents match who is listed as owner on the application.
- 7) If the owner and applicant are the same please sign in both locations on page 2 of the application.
- 8) If a violation notice or other correspondence has been issued by the Inspectional Services Department include that with your application.
- 9) Article 85 review takes around 10 calendar days. Include an email address on your application. The result of the application will be emailed to you.
- 10) Read the instructions and double check that everything is filled out before submitting. Incomplete applications will be returned.

Article 85 Photographs

This example won't match every building but will give you an idea of what is required.

- Photographs may be printed on regular paper but must be in color and must be a minimum of 3" x 5".
- Include close up photos of damage or problems if they are applicable.
- All photographs must be keyed to a map. On the map mark where you were standing when the photograph was taken. Draw an arrow or triangle to show the direction you were facing.



- Photograph all sides of the building (the “elevations”). Key to the map as described above. Make sure to show the entire side, or as much as is possible.



1) Front of 5 Second Street



2) Left Side of 5 Second Street



3) Back of 5 Second Street



4) Right Side of 5 Second Street

- Photograph the building that you want to demolish from a distance with the buildings next to it in the same photo. It is most important to show the views from the street side of the building. Key these photos to the map. Include two or more of this kind of photo in your application.



5) View of 5 Second Street from the left.



6) View of 5 Second Street from the right.