

**HOUSE . . . . . No. 4565**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

*Jay D. Livingstone*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the Boston Landmarks Commission.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>	<i>3/10/2022</i>

**HOUSE . . . . . No. 4565**

---

By Mr. Livingstone of Boston, a petition (accompanied by bill, House, No. 4565) of Jay D. Livingstone (with the approval of the mayor and city council) relative to the Boston Landmarks Commission. Municipalities and Regional Government. [Local Approval Received.]

---

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

An Act relative to the Boston Landmarks Commission.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 2 of chapter 772 of the Acts of 1975, as most recently amended by  
2 Section 11 of Chapter 373 of the Acts of 2018, is hereby amended by striking the following  
3 language:

4           “‘Landmark’, any physical feature or improvement designated by the commission in  
5 accordance with section four as a physical feature or improvement which in whole or part has  
6 historical, social, cultural, architectural or aesthetic significance to the city and the  
7 commonwealth, the New England region or the nation.”

8           And replacing it with the following:

9           “‘Landmark’, any physical feature or improvement designated by the commission in  
10 accordance with section four as a physical feature or improvement which in whole or part has  
11 historical, social, cultural, architectural or aesthetic significance to the city, the commonwealth,  
12 the New England region or the nation.”

13           SECTION 2. Notwithstanding any other law, rule, regulation, or provision to the  
14 contrary, these sections shall apply to the Boston Landmarks Commission only. However, the  
15 substitution of language enacted by Section 1 to allow for the designation of a Landmark based  
16 on significance solely to the City of Boston shall not apply to any property where, upon the  
17 effective date of this Act, building permits approved by the City of Boston or zoning variances  
18 granted by the Boston Zoning Board of Appeals are in effect and unexpired, for so long as said  
19 building permits or zoning variances remain in effect and unexpired. Furthermore, in the case of  
20 any property with a Planned Development Area zoning overlay district approved by the Boston  
21 Zoning Commission by the effective date of this Act, the substitution of language enacted by  
22 Section 1 shall not apply until two years after the effective date of this Act, and thereafter shall  
23 continue not to apply to any portion of the property within a Planned Development Area where a  
24 building permit has been approved by the City of Boston during the two years following the  
25 effective date of this Act, for so long as said building permit remains in effect and unexpired.

26           SECTION 3. This act shall take effect upon the next July 1st following its passage.