

BOARD APPROVED

MEMORANDUM

MAY 16, 2019

**TO:** BOSTON REDEVELOPMENT AUTHORITY  
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY (BPDA)\*  
AND BRIAN P. GOLDEN, DIRECTOR

**FROM:** JONATHAN GREELEY, DIRECTOR OF DEVELOPMENT REVIEW  
MICHAEL CHRISTOPHER, DEPUTY DIRECTOR FOR DEVELOPMENT  
REVIEW/GOVERNMENT AFFAIRS  
AISLING KERR, PROJECT MANAGER

**SUBJECT:** 121 BROOKSIDE AVENUE, JAMAICA PLAIN

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**SUMMARY:** This Memorandum requests that the Boston Redevelopment Authority ("BRA") d/b/a Boston Planning & Development Agency ("BPDA") authorize the Director to: (1) issue a Certification of Approval for the proposed development located at 121 Brookside Avenue in Jamaica Plain (the "Proposed Project"), in accordance with Article 80E, Small Project Review, of the Boston Zoning Code (the "Code"); (2) enter into an Affordable Housing Agreement in connection with the Proposed Project; (3) enter into a Community Benefit Contribution Agreement and take any other actions and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project; and (4) recommend approval to the City of Boston Zoning Board of Appeal on Petition BOA-947520 for the zoning relief necessary to construct the Proposed Project.

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**PROJECT SITE**

121 Brookside Avenue, consists of two presently vacant parcels totaling approximately 8,679 square feet in central Jamaica Plain (the "Project Site"). The Project Site is 0.1 miles from the Green Street Orange Line MBTA station, in a neighborhood which provides a mix of residential mid-rise buildings, residential multi-family dwellings, light industrial buildings, and parking lots.

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\*Effective October 20, 2016, the BRA commenced doing business as the BPDA.

## **DEVELOPMENT TEAM**

**Proponent:**        121 Brookside Avenue, LLC  
                          c/o Cedar Hill Residential LLC  
                          Scott Johnson

**Legal Counsel:**    Rubin and Rudman LLP  
                          James H. Greene

**Architect:**        Spalding Tougias Architects, Inc.  
                          Cheryl Tougias

**Surveyor:**        Boston Survey, Inc.  
                          Ross Phillips  
                          George Collins

## **PROPOSED PROJECT**

121 Brookside Avenue, LLC (the "Proponent") proposes to construct a new, four (4)-story residential loft-style building totaling approximately 25,772 gross square feet, containing twenty-three (23) residential condominium units, of which two (2) will be Artist Live/Work condominium units on the ground-floor. The ground-floor parking garage holds eleven (11) vehicles and is accessed from a relocated curb cut on Brookside Avenue. The proposed units include the two (2) live/work studios, eleven (11) studios, eight (8) one-bedroom, and two (2) two-bedroom units.

A common roof deck is proposed to be available for use by residents, while some units on the building's 4<sup>th</sup> floor also have private outdoor space. Improvements along Brookside Avenue, including widened sidewalks and landscaping, are also proposed.

As proposed, the two (2) Artist Live/Work units will be provided in accordance with the Inclusionary Development Policy ("IDP") and reserved for certified artists, while two (2) of the one bedroom units will also be designated as IDP Units. Together, the four (4) units total satisfy the IDP requirements for the Proposed Project.

## **ARTICLE 80 REVIEW PROCESS**

On January 4, 2019, the Proponent filed a Small Project Review Application ("SPRA") with the BPDA for the Proposed Project, pursuant to Article 80E of the Code. The thirty (30)-day public comment period in connection with the Proponent's submission of the SPRA was scheduled to conclude on February 4, 2019, and the BPDA hosted a Public Meeting to discuss the Proposed Project on January 23, 2019 at the Brookside Community Health Center (3297 Washington Street, Jamaica Plain, 02130). This Public Meeting was advertised in the relevant neighborhood newspaper (*Jamaica Plain Gazette*), posted to the BPDA's website, and a calendar notification was sent to all subscribers of the BPDA's Jamaica Plain neighborhood updates. Local City and State elected officials and their staff also received notification of the Public Meeting via email.

On February 4, 2019, the Proponent submitted a request via email to the BPDA to extend the public comment period to February 28, 2019.

Prior to the BPDA-hosted Public Meeting on January 23, 2019, the Proponent met with abutters and the community, including most importantly, the Brookside Neighborhood Association ("BNA") to discuss the development of the Project Site. An initial project conceived in 2018 was for the construction of a nine (9)-unit building. After discussion with the BNA following a meeting on May 31, 2018, the Proponent substantially revised the plans to construct a project which would provide affordability and artist live/work space for the neighborhood. The new project was the direct result of community comments and concerns. On July 25, 2018 the Proponent met with the BNA to present the new twenty-three (23)-unit Proposed Project which consisted of artist live/work spaces and condominium homeownership units, and the BNA voted to support the new project. Additionally, with the assistance of the BPDA Project Manager, the Proponent met with the Jamaica Plain Neighborhood Council Housing Committee on February 19, 2019. At the request of the Jamaica Plain Neighborhood Council Housing Committee, the comment period for the project was extended, as noted above, from February 4, 2019 to February 28, 2019.

## **ZONING**

The Project Site is located within a Local Industrial subdistrict of the Jamaica Plain Neighborhood district, and is governed by Article 55 of the City of Boston Zoning Code (the "Code").

The Proposed Project will require zoning relief for the following zoning violations under Article 55, Sections 19, 20, and 40 of the Code:

1. Multi-family use is a forbidden use
2. Floor area is excessive
3. Height is excessive
4. Rear yard setback requirement is insufficient
5. Off street loading is insufficient
6. Off street parking is insufficient

On March 28, 2019 the Proponent submitted an Application for a Building Permit, ERT 935999, to the City of Boston Inspectional Services Department ("ISD"), which stated: "consolidate Parcels 1102217000 and 1102218000 for combined 8,679 square foot parcel. Erect a mixed-use 23-unit building with 2 live/work spaces and 21 residential condominiums. Project requires zoning relief." On April 22, 2019 ISD issued a Zoning Code Refusal Letter and the Proponent filed an Appeal on April 30, 2019 with the Zoning Board of Appeal ("ZBA"), BOA #947520.

#### **MITIGATION & COMMUNITY BENEFITS**

The Proposed Project will provide many community benefits for the Jamaica Plain neighborhood and the City of Boston. The Proponent has committed to a total of ten-thousand dollars (\$10,000) towards community benefits, which are described below.

The Proponent shall make a ten-thousand dollar (\$10,000) contribution to the Boston Parks and Recreation Department described below:

1. Recipient: Boston Parks and Recreation Department
2. Use: For improvements and maintenance at Johnson Playground in Jamaica Plain.
3. Amount: \$10,000
4. Timeline: Payment is due at issuance of initial building permit

In connection with the community benefits described above, the Proponent will enter into a Community Benefit Contribution Agreement. The community benefits contribution payment shall be made to the BPDA upon issuance of the building permit by the City of Boston Inspectional Services Department ("ISD") and will be distributed as outlined above.

**PLAN: JP/ROX**

The Proposed Project is located within the PLAN: JP/ROX Strategic Plan Area ("JP/ROX"). Adopted by the BPDA Board of Directors on March 2, 2017, JP/ROX provides recommendations, strategies, and guidelines for affordable housing, jobs and businesses, urban design, green buildings, and improvements to transportation, open space, and the public realm.

The Proposed Project successfully responds to many of the JP/ROX priorities for new housing, affordable housing, urban design, green building, open space and transportation.

To mitigate the adverse environmental impacts of the Proposed Project and in support of Mayor Walsh's Carbon Neutral Boston 2050 goals the Proponent is committed to achieving a minimum certifiable standard of LEED Silver in the design of the Proposed Project, which is designed to meet the requirements of the Stretch Energy Code and includes an approximately 7kW solar photo voltaic array on the roof.

**INCLUSIONARY DEVELOPMENT COMMITMENT**

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 ("IDP"), and is located within Zone B, as defined by the IDP. The IDP requires that 13% of the total number of units within the development be designated as IDP units. In addition, the Proposed Project is located within the PLAN: JP/ROX Strategic Plan Area ("JP/ROX"). In accordance with JP/ROX, the Proponent will create four (4) units within the Proposed Project as IDP homeownership units (the "IDP Units"), of which three (3) will be made affordable to households earning not more than 80% of the Area Median Income as based upon the United States Department of Housing and Urban Development ("HUD") ("AMI"), and one (1) will be made affordable to household earning more than 80% of AMI and less than 100% of AMI.

The proposed sizes, location and rents for the IDP Units are as follows:

<b>Number of Bedrooms</b>	<b>Square Footage</b>	<b>Unit Number and Location</b>	<b>Percentage of Area Median Income</b>	<b>Sales Price</b>
Live/Work Studio	920	101, Ground Floor	80%	\$182,100
Live/Work Studio	1005	102, Ground Floor	80%	\$182,100
One Bedroom	640	203, Second Floor	80%	\$182,100
One Bedroom	625	302, Third Floor	100%	\$243,200

The location of the IDP Units will be finalized in conjunction with BPDA staff and outlined in the Affordable Housing Agreement (“AHA”), and sales prices and income limits will be adjusted according to BPDA published maximum sales prices and income limits, as based on HUD AMIs, available at the time of the initial sale of the IDP Units. With the exception of the Artist live/work units, the IDP Units must be comparable in size, design, and quality to the market rate units in the Proposed Project, cannot be stacked or concentrated on the same floors, and must be consistent in bedroom count with the entire Proposed Project.

The AHA must be executed along with, or prior to, the issuance of the Certification of Approval for the Proposed Project. The Proponent must also register the Proposed Project with the Boston Fair Housing Commission upon issuance of the building permit. Applicants for the two (2) artist live/work units, must hold a City of Boston/BPDA Artist Certificate. Preference will be given to applicants who meet the following criteria, weighted in the order below:

- (1) Boston resident; and
- (2) Household size (a minimum of one (1) person per bedroom)
- (3) First time homebuyer

The IDP Units will not be marketed prior to the submission and approval of the Affirmative Marketing Plan (the “Plan”) by the Boston Fair Housing Commission and the BPDA. A deed restriction will be placed on each of the IDP Units to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with a BPDA option to extend for an additional period of twenty (20) years). The household income of the buyer and sales price of any subsequent sale of the IDP

Units during this fifty (50) year period must fall within the applicable income and sales price limits for each IDP Unit. The BPDA or its successors or assigns will monitor the ongoing affordability of the IDP Units.

The four (4) IDP Units, equaling 17% of the units, and 21% of the residential square footage satisfies the requirements of the December 10, 2015 IDP, and of PLAN:JP/ROX.

### **RECOMMENDATIONS**

The Proposed Project complies with the requirements set forth in Section 80E of the Code for Small Project Review. Therefore, BPDA staff recommends that the Director be authorized to: (1) issue a Certification of Approval for the Proposed Project located at 121 Brookside Avenue in Jamaica Plain, in accordance with Article 80E, Small Project Review, of the Code; (2) enter into an Affordable Housing Agreement in connection with the Proposed Project; (3) enter into a Community Benefit Contribution Agreement and take any other actions and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project; and (4) recommend approval to the City of Boston Zoning Board of Appeal on Petition BOA-947520 for the zoning relief necessary to construct the Proposed Project.

Appropriate votes follow:

**VOTED:** That the Director be, and hereby is, authorized to issue a Certification of Approval pursuant to Section 80E-6 of the Boston Zoning Code (the "Code"), approving the development consisting of a four (4)-story residential building containing twenty-three (23) residential condominium units, including two (2) Artist Live/Work units, and an at-grade garage with parking for approximately eleven (11) vehicles at 121 Brookside Avenue in Jamaica Plain (the "Proposed Project") in accordance with the requirements of Small Project Review, Article 80E, of the Code, subject to continuing design review by the Boston Redevelopment Authority ("BRA"); and

### **FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to execute an Affordable Housing Agreement for the creation of four (4) on-site Inclusionary Development Policy Units;

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to execute a Community Benefit Contribution Agreement and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project; and .

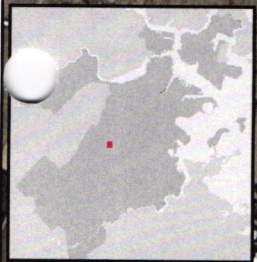
**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to issue recommendation to the City of Boston Zoning Board of Appeal on Petition BOA-947520 for the zoning relief necessary to construct the Proposed Project.



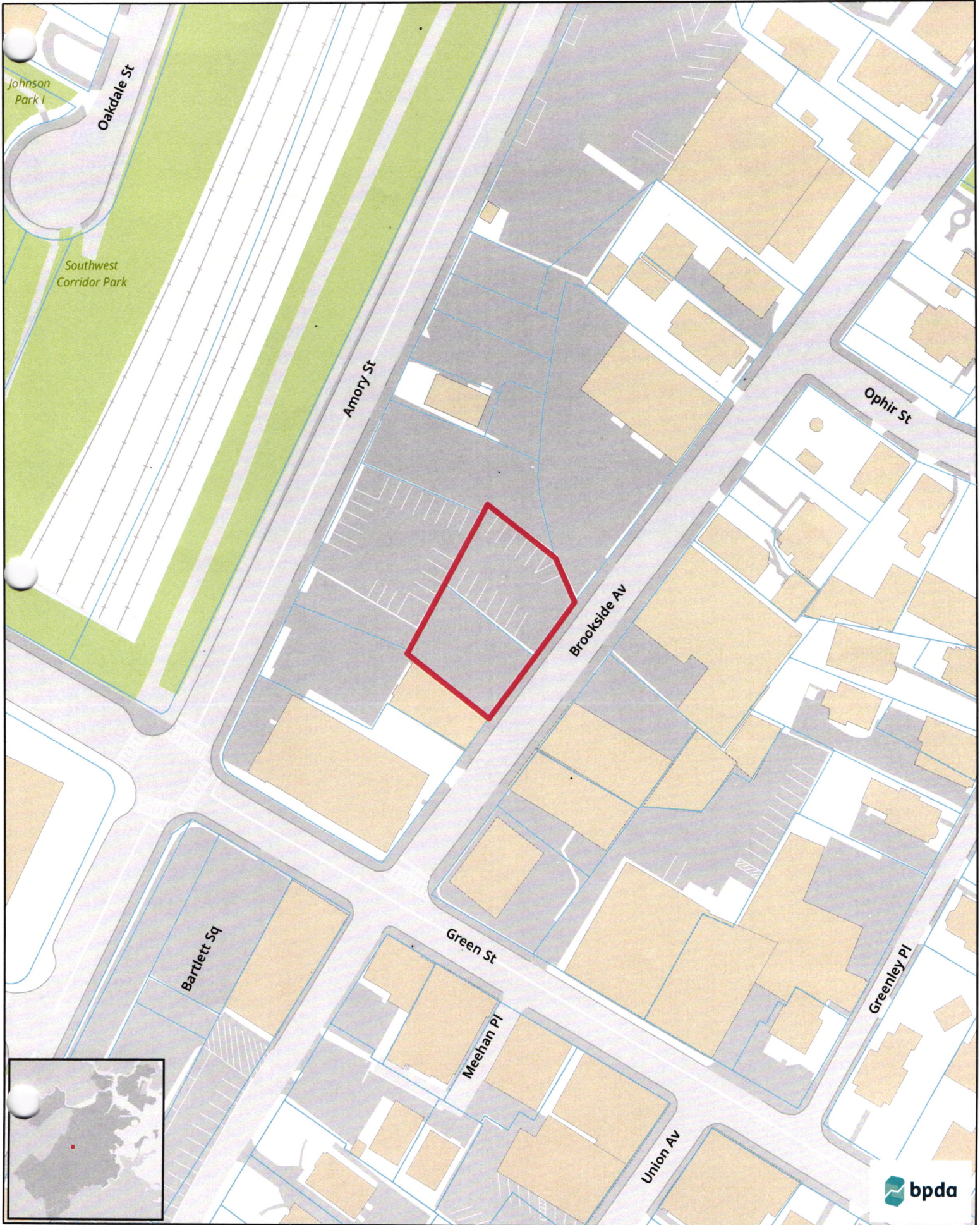
# 121 Brookside Avenue, Jamaica Plain

1:1,000



# 121 Brookside Avenue, Jamaica Plain

1:1,000



**Boston Water and  
Sewer Commission**



980 Harrison Avenue  
Boston, MA 02119-2540  
617-989-7000

February 7, 2019

Ms. Aisling Kerr, Assistant Project Manager  
Boston Planning and Development Agency  
One City Hall Square  
Boston, MA 02210

Re: 121 Brookside Avenue  
Small Project Review Application

Dear Ms. Kerr:

The Boston Water and Sewer Commission (Commission) has reviewed the Small Project Review Application (SPRA) for the proposed redevelopment project located at 121 Brookside Avenue in the Jamaica Plain neighborhood of Boston. The Commission's comments on the SPRA are included in this letter.

The project proposed by 121 Brookside Avenue LLC will be built on two parcels of land totaling approximately 8,679 square feet (sf). The site currently is a paved parking lot. The project proponent proposes to construct a four story, twenty-one unit condominium building containing 26,232 gsf. The ground floor will have two artist live and work condominiums and a parking garage for 11 vehicles.

For water service, the Commission owns and maintains a 12-inch cement lined ductile iron water in Brookside Avenue. The water main was installed in 1987 and is part of the Commission's Southern High Pressure Zone.

For sewer and drain service, the Commission owns and maintains two combined sewers in Brookside Avenue. The combined sewers are parallel in Brookside Avenue and at the northeast boundary of the project site, both sewers change direction and proceed across the parking lot of the adjacent parcel in an easement granted to the Commission. The larger combined sewer is a 204-inch by 186-inch conduit known as the Stony Brook Conduit. The other combined sewer is 24-inch by 42-inch is the West Roxbury Low Level Sewer. Both sewers were constructed as one structure. Commission records also show a 10-inch sewer in the easement that was installed in 1897. The sewer may have been installed to serve a building that has since been demolished.

Water usage and sewerage generation estimates were not provided in the SPRA.

The Commission has the following comments regarding the proposed project.



## General

1. The Boston Prior to the initial phase of the site plan development, 121 Brookside Avenue LLC, should meet with the Commission's Design and Engineering Customer Services to review water main, sewer and storm drainage system availability and potential upgrades that could impact the development.
2. All new or relocated water mains, sewers and storm drains must be designed and constructed at 121 Brookside Avenue LLC's, expense. They must be designed and constructed in conformance with the Commission's design standards, Water Distribution System and Sewer Use regulations, and Requirements for Site Plans. The site plan should include the locations of new, relocated and existing water mains, sewers and drains which serve the site, proposed service connections, water meter locations, as well as back flow prevention devices in the facilities that will require inspection. A General Service Application must also be submitted to the Commission with the site plan.
3. The Department of Environmental Protection (DEP), in cooperation with the Massachusetts Water Resources Authority and its member communities, is implementing a coordinated approach to flow control in the MWRA regional wastewater system, particularly the removal of extraneous clean water (e.g., infiltration/inflow (I/I)) in the system. In April of 2014, the Massachusetts DEP promulgated new regulations regarding wastewater. The Commission has a National Pollutant Discharge Elimination System (NPDES) Permit for its combined sewer overflows and is subject to these new regulations [314 CMR 12.00, section 12.04(2)(d)]. This section requires all new sewer connections with design flows exceeding 15,000 gpd to mitigate the impacts of the development by removing four gallons of infiltration and inflow (I/I) for each new gallon of wastewater flow. In this regard, any new connection or expansion of an existing connection that exceeds 15,000 gallons per day of wastewater shall assist in the I/I reduction effort to ensure that the additional wastewater flows are offset by the removal of I/I. Currently, a minimum ratio of 4:1 for I/I removal to new wastewater flow added is used. The Commission supports the policy and will require proponent to develop a consistent inflow reduction plan. The 4:1 requirement should be addressed at least 90 days prior to activation of water service and will be based on the estimated sewage generation provided on the project site plan.
4. The design of the project should comply with the City of Boston's Complete Streets Initiative, which requires incorporation of "green infrastructure" into street designs. Green infrastructure includes greenscapes, such as trees, shrubs, grasses and other landscape plantings, as well as rain gardens and vegetative swales, infiltration basins, and paving materials and permeable surfaces. The proponent must develop a maintenance plan for the proposed green infrastructure. For more information on the Complete Streets Initiative see the City's website at <http://bostoncompletestreets.org/>.



5. The water use and sewage generation estimates were not stated in the SPRA. The Commission requires that these values be calculated and submitted with the Site Plan. 121 Brookside Avenue LLC should provide separate estimates of peak and continuous maximum water demand for residential, irrigation and air-conditioning make-up water for the project. Estimates should be based on full-site build-out of the proposed project. 121 Brookside Avenue LLC should also provide the methodology used to estimate water demand for the proposed project.
6. 121 Brookside Avenue LLC is advised that the Commission will not allow buildings to be constructed over any of its water lines. Also, any plans to build over Commission sewer facilities are subject to review and approval by the Commission. The project must be designed so that access, including vehicular access, to the Commission's water and sewer lines for the purpose of operation and maintenance is not inhibited.
7. The Commission will require 121 Brookside Avenue LLC to undertake all necessary precautions to prevent damage or disruption of the existing active water and sewer lines on, or adjacent to, the project site during construction. 121 Brookside Avenue LLC shall, deploy and maintain vibration monitors during construction in accordance with Commission requirements.
8. It is 121 Brookside Avenue LLC's responsibility to evaluate the capacity of the water, sewer and storm drain systems serving the project site to determine if the systems are adequate to meet future project demands. With the site plan, must include a detailed capacity analysis for the water, sewer and storm drain systems serving the project site, as well as an analysis of the impacts the proposed project will have on the Commission's water, sewer and storm drainage systems.

#### Water

1. 121 Brookside Avenue LLC should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In particular, 121 Brookside Avenue LLC should consider outdoor landscaping which requires minimal use of water to maintain. If 121 Brookside Avenue LLC plans to install in-ground sprinkler systems, the Commission recommends that timers, soil moisture indicators and rainfall sensors be installed. The use of sensor-operated faucets and toilets in common areas of buildings should be considered.
2. 121 Brookside Avenue LLC is required to obtain a Hydrant Permit for use of any hydrant during the construction phase of this project. The water used from the hydrant must be metered. 121 Brookside Avenue LLC should contact the Commission's Meter Department for information on and to obtain a Hydrant Permit.



3. 121 Brookside Avenue LLC will be required to install approved backflow prevention devices on the water services for fire protection, mechanical equipment and any irrigation systems. 121 Brookside Avenue LLC is advised to consult with Mr. James Florentino, Manager of Engineering Code Enforcement, with regards to backflow prevention.
4. The Commission is utilizing a Fixed Radio Meter Reading System to obtain water meter readings. For new water meters, the Commission will provide a Meter Transmitter Unit (MTU) and connect the device to the meter. For information regarding the installation of MTUs, 121 Brookside Avenue LLC should contact the Commission's Meter Department.

#### Sewage / Drainage

1. The Stony Brook Culvert and West Roxbury Low Level Sewer are in an easement that abuts the northeast corner of the project site. Any excavation to a depth of five feet or more and within 10 feet of the Commission's easement must be supported in accordance with the Commission's requirement. 121 Brookside Avenue LLC will be required to engage a geotechnical engineer to design and monitor the construction of the trench support system. Design of the trench support system must be submitted to the Commission for approval with the site plan. Pre-construction CCTV inspection videos of both sewers must be submitted to and reviewed with the Commission prior to approval of the site plan. After construction is complete, a post construction CCTV inspection video must be submitted to the Commission. The CCTV inspection videos must meet Commission standards.
2. Wastewater generated from the proposed project must be routed to the West Roxbury Low Level Sewer. Stormwater that can't be infiltration on-site must be routed to the Stony Brook Conduit.
3. A Total Maximum Daily Load (TMDL) for Nutrients has been established for the Lower Charles River Watershed by the Massachusetts Department of Environmental Protection (MassDEP). In order to achieve the reductions in Phosphorus loading required by the TMDL, phosphorus concentrations in the lower Charles River from Boston must be reduced by 64%. To accomplish the necessary reductions in phosphorus, the Commission is requiring developers in the lower Charles River watershed to infiltrate stormwater discharging from impervious areas in compliance with MassDEP. 121 Brookside Avenue LLC will be required to submit with the site plan a phosphorus reduction plan for the proposed development.

In conjunction with the Site Plan and the General Service Application the 121 Brookside Avenue LLC will be required to submit a Stormwater Pollution Prevention Plan. The plan must:



- Identify best management practices for controlling erosion and for preventing the discharge of sediment and contaminated groundwater or stormwater runoff to the Commission's drainage system when the construction is underway.
  - Include a site map which shows, at a minimum, existing drainage patterns and areas used for storage or treatment of contaminated soils, groundwater or stormwater, and the location of major control or treatment structures to be utilized during construction.
  - Provide a stormwater management plan in compliance with the DEP standards mentioned above. The plan should include a description of the measures to control pollutants after construction is completed.
4. The Commission encourages 121 Brookside Avenue LLC to explore additional opportunities for protecting stormwater quality on site by minimizing sanding and the use of deicing chemicals, pesticides, and fertilizers.
  5. The discharge of dewatering drainage to a sanitary sewer is prohibited by the Commission. 121 Brookside Avenue LLC is advised that the discharge of any dewatering drainage to the storm drainage system requires a Drainage Discharge Permit from the Commission. If the dewatering drainage is contaminated with petroleum products, 121 Brookside Avenue LLC will be required to obtain a Remediation General Permit from the Environmental Protection Agency (EPA) for the discharge.
  6. 121 Brookside Avenue LLC must fully investigate methods for retaining stormwater on-site before the Commission will consider a request to discharge stormwater to the Commission's system. The site plan should indicate how storm drainage from roof drains will be handled and the feasibility of retaining their stormwater discharge on-site. Under no circumstances will stormwater be allowed to discharge to a sanitary sewer.
  7. Sanitary sewage must be kept separate from stormwater and separate sanitary sewer and storm drain service connections must be provided. The Commission requires that existing stormwater and sanitary sewer service connections, which are to be re-used by the proposed project, be dye tested to confirm they are connected to the appropriate system.
  8. The Commission requests that 121 Brookside Avenue LLC install a permanent casting stating "Don't Dump: Drains to Charles River" next to any catch basin created or modified as part of this project. 121 Brookside Avenue LLC should contact the Commission's Operations Division for information regarding the purchase of the castings.
  9. The enclosed floors of a parking garage must drain through oil separators into the sewer system in accordance with the Commission's Sewer Use Regulations. The Commission's



Requirements for Site Plans, available by contacting the Engineering Services Department, include requirements for separators.

Thank you for the opportunity to comment on this project.

Yours truly,

John P. Sullivan, P.E.  
Chief Engineer

JPS/RJA

cc: S. Johnson, 121 Brookside Avenue, LLC  
M. Zlody, BED by e-mail  
M. Nelson, BWSC by e-mail  
P. Larocque, BWSC by e-mail  
K. Ronan, MWRA by e-mail



To: Aisling Kerr, BPDA  
From: Zachary Wassmouth, PWD  
Date: February 4, 2019  
Subject: 121 Brookside Avenue SPRA - Boston Public Works Department Comments

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Included here are Boston Public Works Department comments for the 121 Brookside Avenue SPRA.

**Site Plan:**

The developer must provide an engineer's site plan at an appropriate engineering scale that shows curb functionality on both sides of all streets that abut the property.

**Construction Within The Public ROW:**

All proposed design and construction within the Public ROW shall conform to Boston Public Works Department (PWD) Design Standards. Any non-standard materials (i.e. pavers, landscaping, bike racks, etc.) proposed within the Public ROW will require approval through the Public Improvement Commission (PIC) process and a fully executed License, Maintenance and Indemnification (LM&I) Agreement with the PIC.

**Sidewalks:**

The developer is responsible for the reconstruction of the sidewalks abutting the project and, wherever possible, to extend the limits to the nearest intersection to encourage and compliment pedestrian improvements and travel along all sidewalks within the ROW within and beyond the project limits. The reconstruction effort also must meet current American's with Disabilities Act (ADA)/ Massachusetts Architectural Access Board (AAB) guidelines, including the installation of new or reconstruction of existing pedestrian ramps at all corners of all intersections. Plans showing the extents of the proposed sidewalk improvements associated with this project must be submitted to the Public Works Department (PWD) Engineering Division for review and approval.

The developer is encouraged to contact the City's Disabilities Commission to confirm compliant accessibility within the Public ROW.

**Driveway Curb Cuts:**

Any proposed driveway curb cuts will need to be reviewed and approved by the PIC.

**Discontinuances:**

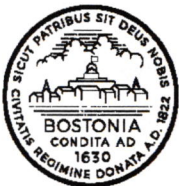
Any and all discontinuances (sub-surface, surface or above surface) within the Public ROW must be processed through the PIC.

**Easements:**

Any and all easements associated with this project must be processed through the PIC.

**Landscaping:**

Developer must seek approval from the Chief Landscape Architect with the Parks and Recreation Department for all landscape elements within the Public ROW. Program must accompany a LM&I with the PIC.



**PUBLIC WORKS DEPARTMENT**

Boston City Hall • 1 City Hall Sq Rm 714 • Boston MA 02201-2024  
**CHRIS OSGOOD** • Chief of Streets, Transportation, and Sanitation  
Phone (617) 635-2854 • Fax (617) 635-7499



# CITY *of* BOSTON

Martin J. Walsh, Mayor

## Street Lighting:

Developer must seek approval from the PWD Street Lighting Division, where needed, for all proposed street lighting to be installed by the developer, and must be consistent with the area lighting to provide a consistent urban design. The developer should coordinate with the PWD Street Lighting Division for an assessment of any street lighting upgrades that can be considered in conjunction with this project. All existing metal street light pull box covers within the limits of sidewalk construction to remain shall be replaced with new composite covers per PWD Street Lighting standards. Metal covers should remain for pull box covers in the roadway.

## Roadway:

Based on the extent of construction activity, including utility connections and taps, the developer will be responsible for the full restoration of the roadway sections that immediately abut the property and, in some cases, to extend the limits of roadway restoration to the nearest intersection. A plan showing the extents and methods for roadway restoration shall be submitted to the PWD Engineering Division for review and approval.

## Project Coordination:

All projects must be entered into the City of Boston Utility Coordination Software (COBUCS) to review for any conflicts with other proposed projects within the Public ROW. The Developer must coordinate with any existing projects within the same limits and receive clearance from PWD before commencing work.

## Green Infrastructure:

The Developer shall work with PWD and the Boston Water and Sewer Commission (BWSC) to determine appropriate methods of green infrastructure and/or stormwater management systems within the Public ROW. The ongoing maintenance of such systems shall require an LM&I Agreement with the PIC.

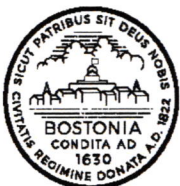
Please note that these are the general standard and somewhat specific PWD requirements applicable to every project, more detailed comments may follow and will be addressed during the PIC review process.

If you have any questions, please feel free to contact me at [zachary.wassmouth@boston.gov](mailto:zachary.wassmouth@boston.gov) or at 617-635-4953.

Sincerely,

**Zachary Wassmouth**  
Chief Design Engineer  
Boston Public Works Department  
Engineering Division

CC: Para Jayasinghe, PWD



## PUBLIC WORKS DEPARTMENT

Boston City Hall • 1 City Hall Sq Rm 714 • Boston MA 02201-2024  
**CHRIS OSGOOD** • Chief of Streets, Transportation, and Sanitation  
Phone (617) 635-2854 • Fax (617) 635-7499

Date	First Name	Last Name	Organization	Opinion	Comments
1/31/2019	Zack	DeClerck		Support	I am in full support of this much needed transit-oriented development and appreciate the developer's accommodations related to JP/ROX. I hope that this project moves forward swiftly, does not decrease in number of residential units, and does not increase in the current parking allotment, which I feel is already high for a property so close to Green St. Station and the SWCP.
1/18/2019	Robert	Orthman		Support	I write in strong support of this proposal. This is transit-oriented housing literally across the street from the Orange Line. The inclusion of artists housing is an added bonus. I do not live close to the site but new housing like this takes pressure of the market in southern Boston where I live. I hope the parking spots are not deeded to the units so as to not encourage car ownership for people who do not otherwise need one and want to live there. Please approve this development. Thank you.
1/16/2019	Elise	Harmon		Support	I would like to register my support of the project!

February 27, 2019

Brian Golden  
Director, Boston Planning & Development Agency  
City Hall, 9th Floor  
Boston, MA 02201

Re: 121 Brookside Ave., Jamaica Plain

Dear Director Golden,

The Jamaica Plain Neighborhood Council reviewed the current proposal for 121 Brookside Ave. This proposal is in the Plan JP/Rox area, and is for residential multifamily housing on two parcels currently zoned for light industrial. While we support the change to residential use, the project needs to increase affordability and should follow the guidelines in Plan JP/Rox for residential setbacks.

The proposal is for a 4-story building plus roof deck. The building will include 23 condo units comprised of 21 studios, 1-, and 2- bedroom units and 2 artist live-work units. The first-floor garage has parking for 11 cars and 8 bikes.

Here are our comments, including reference to Plan JP/Rox where applicable:

We support:

- use of this parcel for residential use and the increased density up from the developer's original proposal for 9 units;
- inclusion of artist live-work space;
- low parking ratio for this building so close to Green St. Station.

We request:

- increase in number of affordable units<sup>i</sup>;
- lower AMI for affordable units;
- building adherence to residential setbacks<sup>ii</sup>.

We note the developer's engagement with the Brookside Neighborhood Association, which resulted in some positive changes to his original proposal.

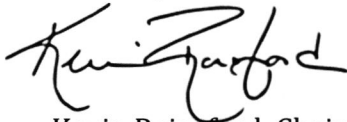
We ask that the project increase affordability in its number of affordable units and in its AMI limits. JPNC guidelines require that 25% of a project's units be affordable; close to 6 units here. Plan JP/Rox guideline for density bonus projects requires 5 affordable units. The developer proposes 4 affordable units: the 2 artist live-work spaces would be affordable, plus 2 other units. By counting the square footage in these 4 units (the artist live-work are somewhat larger), he believes he meets the requirement.

JPNC request that units be affordable at an average of 65% AMI. Plan JP/Rox AMI guidelines call for an average of 50% AMI for rentals; it's unclear what the guidelines are for ownership units. The developer proposes the 4 units be affordable at 80-100% AMI.

We ask that the project increase the affordability by both increasing the number of affordable units and by lowering the AMI.

We ask that the project follow the setbacks for multifamily residential zoning. Plan JP/Rox includes setback guidelines for new residential uses: front setbacks are 15', side setbacks are 10', rear setbacks are 20'. This project does not meet these setbacks. These setbacks are important to creating a residential feel, and in allowing future new buildings on other lots to have adequate setbacks.

Sincerely,



Kevin Rainsford, Chair  
Jamaica Plain Neighborhood Council

Cc: Scott Johnson, Developer  
Sen. Chang-Diaz  
Rep. Malia  
Councilor Essaibi-George  
Councilor Flaherty  
Councilor Garrison  
Councilor Wu  
Councilor O'Malley  
Aisling Kerr, BPDA Project Manager  
Alexandra Valdez, Office of Neighborhood Services  
Diane Simpson, Brookside Neighborhood Association,  
Scott Shear, Brookside Neighborhood Association

**i Density Bonus Incentive**

A density bonus is where a developer opts to incorporate public benefits into a project, such as affordable housing units, and in exchange is allowed to create additional density in a development. As new housing is built in JP/ROX, the community's stated preference is to capture as much of the benefits of this new investment as possible and turn it into affordable housing. The outcome is that each project that opts to seek a density bonus will result in additional affordable units, with a base affordability of 13% at 70% of AMI, plus an additional set-aside at an average of 50% of AMI. Developers would be allowed and actively encouraged to create units from the density bonus at up to three income tiers, with a minimum of 30% of AMI and a maximum of 70% of AMI, and an average of 50% of AMI.

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**ii Setbacks**

Front Setback - varied by area character:

1. Residential: 10' to 15' to allow landscaping and buffer ground floor residential uses.
2. Local Retail / Commercial: 0' to 15' to allow for both residential and retail uses including outdoor seating and unique conditions.
3. Main Street / Active Commercial: 0' to 10' to allow for out-door seating.

Side Yard and Rear Yard Setbacks - varied by area character:

1. Residential: Side 10' / Rear 20'.
2. Local Retail / Commercial (a): Side 0' / Rear 10' to 20'.
3. Main Street / Active Commercial (a): Side 0' / Rear 10' to 20'.

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Aisling Kerr <aisling.kerr@boston.gov>

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## Brookside Neighborhood Association

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Scott Shear <[REDACTED]>

Mon, Apr 22, 2019 at 6:27 AM

To: Aisling Kerr <aisling.kerr@boston.gov>

Cc: Scott Johnson <scott@cedarhillresidential.com>, Diane Simpson <[REDACTED]>, Omer Hecht <[REDACTED]>, William Poff-Webster <william.poff-webster@boston.gov>, helen matthews <[REDACTED]>, Tim Davis <tim.davis@boston.gov>, Alexandra Valdez <alexandra.valdez@boston.gov>, Matthew O'Malley <matthew.omalley@boston.gov>, Carolyn Royce/Olmstead <[REDACTED]>

Dear Ms Kerr,

Thank you for forwarding this information from Tim Davis confirming that BPDA has made the determination that the affordability levels proposed for the Scott Johnson's project at 121 Brookside do meet the Plan JP Rox affordability guidelines for both Boston's Inclusion and Density Bonus Programs (per email string below).

The Brookside Neighborhood Association (BNA) met with Scott Johnson on 3 occasions. At the last meeting on July 25th 2018 the Association voted to support Scott Johnson's new proposal to reconfigure the project from 9 units with zero affordability to a project with 23 units and 4 affordable units including two creative use work / live spaces. This change addressed the two major concerns that initiated BNA previous refusal to support Scott's proposal. In short the project now provided both the affordable housing community benefit and artist live work space.

We are aware that the project is far from perfect. A strong minority of members at the July BNA meeting and many others in the JP community feel that the AMI levels on the project should be lower and that the 20% affordable percentage should be reflected in 5 units instead of the proposed 4 units. They are not wrong and the BNA's support for this project is not a contradiction of their positions. It is rather a recognition that this developer reconfigured his proposed 9 unit project, designed at 9 units to specifically avoid Boston's affordability requirements, into a project that now meets the Plan JP Rox affordable guidelines and provides some support for the embattled JP Arts community.

Thank's for all your help!

Sincerely,  
Scott Shear  
Brookside Neighborhood Association

[Quoted text hidden]

Brian Golden  
Director, Boston Planning & Development Agency  
City Hall, 9th Floor  
Boston, MA 02201

February 28th, 2019

Regarding: 121-123 Brookside Ave., Jamaica Plain, MA 02130

Dear Director Golden,

We undersigned renters of the Green Street station area, near the site of Cedar Hill Residential LLC's proposed 23-unit residential building at 121-123 Brookside Ave., respectfully request that you consider the comments below regarding the project.

Cedar Hill Residential directly displaced working artists and small businesses (some owned by people of color) at 120 Brookside last year as part of redeveloping that parcel into a 9-unit condominium complex.

We believe that development should not cause displacement, and also that new developments should be accessible to our community.

In this context, we request that Cedar Hill's project at 121-123 Brookside:

**1) Include some or all rental units.**

The current proposal, in which there are 4 units deed-restricted as artist condominiums at 80% AMI, would not result in a building that's financially accessible to most of the remaining artists in the immediate area (who are at risk of displacement and earn less than 60k/year). Furthermore, a recent survey of Certified Artists in Boston by the City's Office of Arts and Culture shows that 89% of Certified Artists make less than \$60,000/year as their individual income (i.e. they would not qualify for Cedar Hill's proposed artist condos). In a rental scenario, Section 8 voucher holders would at least be able to combine the mobile subsidy with the deed-restriction, making the housing more accessible to the actual incomes of our historically redlined neighborhood.

**2) Align with the affordable housing requirements as outlined in Plan JP/Rox, i.e. 5 Units.**

We very much appreciate and see the value of having 2 of the deed-restricted artist units be larger in square footage, and we also believe that a fair development on this parcel will include 5 deed-restricted units per our neighborhood's master plan.

For these reasons, we ask that Cedar Hill and the BPDA explore these small but meaningful changes to the proposal for 121-123 Brookside Ave.

Signed,

Benji Mauer, Green St.  
Alexandria Petteruti, Green St.  
Brendan Wood, Green St.  
Amy Arrington, Green St.  
Helen Matthews, Green St.  
Suzanne Sobert, Green St.



February 28, 2019

Aisling Kerr  
Project Manager  
Boston Planning & Development Agency

RE: 121 Brookside Avenue, Jamaica Plain

Dear Ms. Kerr,

The current design of 121 Brookside Ave. does not meet the guidelines outlined in Plan JP/Rox in two significant ways: setbacks appropriate for residential development and affordability. This is a case of the developer picking and choosing which elements of Plan JP/Rox he wants to follow, while discarding others. He is applying for increased height and density, while not applying the required setbacks and affordability.

This is a residential building and should follow residential setbacks. The current design does not come close to meeting these setbacks on the front, one side, and rear. This is particularly important along the front, where the main entrance and main sidewalk are located. Plan JP/Rox states, "Front yard setbacks serve different functions for different uses and locations. In residential areas, setbacks provide areas for landscaping and buffer those residential uses, especially at the ground level, from street activities." (p. 138). Honoring the residential setbacks, particularly in the front, helps this property match the front yard setbacks that are further down the block, where 1-, 2-, and 3- family homes typically have a fence and front yard.

These setbacks are important to future building in the surrounding parcels. Future buildings should not be crowded by this project; residential setbacks allow future residential buildings to have adequate light and space.

The affordability offered by this project does not meet the affordability goals and intent of Plan JP/Rox. The project currently offers 4 affordable units, instead of 5, claiming the extra space in the two affordable artist live-work units counts for more. While we are glad to see some artist live-work space in the project, we do not believe that should cost the community an extra unit of affordable housing.

The 80-100% AMI for the affordable units is not consistent with Plan JP/Rox. The overall goal in Plan JP/Rox is for an average AMI of 50%. While we support the opportunity provided here for home ownership, and understand a rental AMI can be lower than a home ownership AMI, we feel the higher AMI of 80-100% is out of scale with the anti-displacement goals of Plan JP/Rox and is beyond the reach of many in the neighborhood.

In addition to these concerns, we would also like to see the following changes to the design:

- Provide a drop-off/delivery space; this is increasingly important as less parking is provided

- Provide a common area inside the building for residents; this is important to building community within the project.

We support the change of use from light industrial to residential. We are also glad to see the large number of 1-bedroom units and larger studio lofts – this may be appealing to single people and couples who don't want to buy extra space.

Sincerely,

Carolyn Royce, [REDACTED] Olmstead Street, Jamaica Plain  
Susan Pranger, [REDACTED] Chilcott Place, Jamaica Plain

Cc:

Alexandra Valdez, Office of Neighborhood Services  
Councilor O'Malley  
Rep. Malia  
Sen. Chang-Diaz