



MassDOT Turnpike Air Rights Parcels 12-15
CAC Working Meeting #24
Tuesday, February 27, 2018, 6:00 p.m.
Location: Saint Cecilia's Parish Hall

CAC Attendees:

Brandon Beatty, Back Bay Neighborhood Resident
Fritz Casselman, Neighborhood Association of the Back Bay (NABB)
David Lapin, Community Music Center
Meg Mainzer-Cohen, Back Bay Association
Teri Malo, Fenway Studios
Gil Strickler, St. Cecilia's Parish
Steve Wolf, Fenway Community Development Corporation (FCDC)

Ex-Officio Attendees:

Kate Bell, Office of Boston City Councilor Josh Zakim

City of Boston Attendees:

Tim Davis, BPDA
Phillip Hu, BPDA
Michael Rooney, BPDA
Courtney Sharpe, BPDA
Lauren Shurtleff, BPDA
Josh Weiland, BTDA

Commonwealth of Massachusetts Attendees:

Mark Boyle, MassDOT

Development Team Attendees:

Dave Bohn, VHB
Tom Burroughs, WSP
Kevin Lennon, Elkus Manfredi Architects
Donny Levine, D. Levine Management, LLC
David Manfredi, Elkus Manfredi Architects
Marilyn Sticklor, Goulston & Storrs
Adam Weiner, Weiner Ventures

Public Attendees:

John Bookston, Fenway Civic Association
Alison Frazee, Boston Preservation Alliance

Mark Fuechec, Boston Guardian
Toni Gaspard, The First Church of Christ, Scientist
Jim Greene, Rubin & Rudman
Tim Horn, Fenway Civic Association
Lee Humphrey, NABB
Elliott Laffer, NABB
Pam LaRue, Fenway Resident
Brenda Lew, Fenway Resident
Kristen Mobilia, Fenway Resident
Sue Prindle, NABB
Martyn Roetter, NABB
Ellen Roonery, NABB
Jacqueline Royce, NABB
Bill Whitney, Berklee College of Music
Jackie Yessian, NABB

Project Website:

<http://www.bostonplans.org/projects/development-projects/1000-boylston-street>

Meeting Summary

On Tuesday, February 27, 2018, the 24th meeting of the MassDOT Turnpike Air Rights Parcels 12-15 Citizens Advisory Committee (CAC) commenced at approximately 6:08 p.m. with an introduction by Michael Rooney, Boston Planning and Development Agency (BPDA) Project Manager, at the Saint Cecilia's Parish Hall. After a round of introductions, Michael explained the purpose of the meeting — to explain where the 1000 Boylston Project is in the Article 80 process and the remaining process; have Tim Davis, BPDA Housing Policy Manager, explain the Inclusionary Development Policy (IDP); and have the development team provide any updates to the project. Michael explained that the project is scheduled to go to the March 15th BPDA Board for approval following a public hearing. The public hearing was advertised at the previous board meeting in February. The comment period ends on March 12th.

Michael then asked if anyone had questions about the process. A CAC member asked whether the development team has filed their final Environmental Impact Report with the State. A member of the development team responded that they had.

Adam Weiner, Weiner Ventures, explained what he would be presenting. He would like to first allow Tim Davis to give a brief presentation on IDP and then allow the CAC to ask questions about IDP. Then the CAC could discuss other lingering questions, comments, or concerns about the development project. He explained he will also present new updates and an overview of the necessary approvals on March 15th at the BPDA Board and on April 11th at the Boston Zoning Commission (BZC).

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Tim started his presentation and explained that the Inclusionary Development Policy was established in 2000 as an Executive Order of the Mayor, noting that the policy is not written into zoning. The presentation can be found on the [project website](#). A developer can meet the policy in three different ways or any combination thereof. The first way is that the developer create on-site affordable units, representing 13% of the project's residential units, scattered throughout the project. The second way is that the developer create off-site affordable units nearby, representing 15-18% of the project's residential units, depending on which Zone the project is located in. The third way is that the developer contributes to the IDP Fund, based on 15-18% of the project's residential units. The IDP Fund supports affordable housing creation throughout the City of Boston.

Tim continued his presentation with some information about whether recently completed projects created on-site affordable units, created off-site affordable units, or contributed to the IDP Fund. The total of these percentages adds to more than 100% because projects are allowed to do a combination. Tim then presented information on projects that were recently approved, permitted, or in construction.

Tim showed a map of Boston's IDP Zone Designations and explained that Boston is divided into three Zones to account for differences between Downtown and neighborhood development. Zone A, which includes Downtown neighborhoods, Fenway, and South End, represent the top third of Citywide Values (i.e., the median value per square foot of living area for condos, one-, two-, and three-family homes). Zone B represents the neighborhoods with the middle third of Citywide values. Zone C represents the bottom third of Citywide Values. Tim then explained the differences of how IDP applies to different Zones; details can be found in the presentation on Slide 8.

The 1000 Boylston Project is located in Zone A. The proponents have requested to create their IDP units off-site. Tim explained that he and Tai Lim, BPDA Finance Manager, looked at different options in their review of the project's finances and are prepared to allow this particular project to create off-site IDP units. Tim explained that due to the constrained area, he is exploring how the off-site units can be created in a nearby, central neighborhood, including Fenway, South End, and Back Bay. The proponents must have the building permit for the off-site affordable units before they can receive their Certificate of Occupancy for this project. Tim explained part of his role is to work with local nonprofits, such as an affordable housing developer, to match their needs with the off-site units proposed by this project. One example of a successful, recent project is The Beverly, next to North Station, which consists of 229 income-restricted units, targeted to a range of income levels (across five different tiers). The project combined resources from multiple sources, such as Low Income Housing Tax Credits (LIHTC) and off-site units and funds from nearby developments. Tim explained The Beverly is a good example of what the BPDA and proponent are hoping to replicate in this area. Another example is the forthcoming Parcel P-12 project in Chinatown. The BPDA is

actively looking at multiple sites in the immediate area and looking at other sites where there is a definite possibility but further away. Another potential use is to preserve existing affordable housing in expiring use projects.

Questions and comments from CAC members in response to Tim's presentation included:

- In response to a question from a CAC member, Tim replied that he and his other colleagues at the BPDA are committed to applying the IDP consistently and ensuring that developers comply with it, adding that the IDP was updated in 2015 to reflect the different contexts in which projects are developed across the City.
- A CAC member asked how many on-site units are located in downtown neighborhoods. Tim explained that a majority of projects with rental housing create on-site units. He added that in a rental residential project, costs and operating incomes are spread across the building. But in the case of a condominium project, such as this, where a market-rate unit could be sold for around \$2-3 million, but as an affordable unit, the condo must be marketed at \$250,000. A typical unit costs around \$300,000 - \$400,000 to build. The difference between the market price of the condo in a downtown neighborhood and the affordable price could be used to create more affordable units elsewhere, and is considered a better outcome for the City. Another challenge is for the buyers of the unit, where the condo fee is adjusted for affordability, and these fees typically go to paying for amenities such as a pool or concierge. Subsidizing this fee is not the best outcome. In other neighborhoods, where the price differential is less, the BPDA generally expects affordable units to be on-site.
- A CAC member asked whether the BPDA issues any reports or recommendations on the IDP. Tim explained that the BPDA published a report on IDP over the summer and will be publishing a similar report annually moving forward. The report can be found [here](#). The CAC member clarified the question and asked how the BPDA provides recommendations for a particular project. Tim replied that it would be found in the Board Memo for that particular project.
- In response to a question from a CAC member, Tim replied that he would be happy to be contacted about the progress of this project's IDP process moving forward, noting that there are a number of options that are currently being explored.
- A CAC member asked what distance is considered to be "in the vicinity." Tim replied that for this project, he would like to expand the radius from a ½ mile to ¾ of a mile, in order to include all of the Fenway, Back Bay, and the South End planning districts. Ultimately, the process for matching the committed off-site units of this project with another project will depend on timing, and with a small radius, this makes it difficult.
- A CAC member asked whether it is possible, given the three air rights parcel projects, to put all the IDP units on one of the other two parcels. Tim replied that that would be a potential conversation to have with the other two proponents, but to keep in mind that the sheer cost of building over the Turnpike is likely why these projects will pursue the creation of off-site units.

- A CAC member asked whether the sizes of the off-site condo units will be similarly sized, since the project is proposing 108 large condominiums, some around 3,000 square feet. Tim replied that in an off-site project, the BPDA is not only looking for a minimum number of units but also looking at square footage. The off-site units must be at least 18% of the units but also be 18% of the square footage. If the units in the off-site project are smaller, there could be 30 of them rather than only 19 units, which is considered a net benefit for the City.
- In response to a question from a CAC member, Tim replied that the BPDA partners with the Department of Neighborhood Development (DND) and uses their guidelines on unit size, finish level, etc., adding that the units do not need to have the exact same types of finishes as the market-rate units.
- In response to a follow-up question from a CAC member, Tim replied that the off-site units for this project could potentially total 50,000 square feet, or approximately fifty 1,000-square foot units.
- In response to a follow-up question from a CAC member, Tim replied that the proponent must have a permit for the off-site affordable units before getting the Certificate of Occupancy for the main project. In most cases, it is unlikely that the proponent is able to provide the funding for the off-site project until they have the permits for the actual project. Typically, there is a two-year window after the permits are secured for the main project to make sure there is a building permit for the off-site units. Tim clarified that if the podium was completed first, the off-site project permits do not have to be complete before retail tenants move in. But the off-site project must be permitted before anyone can move in to the residential component (the tower).

Next, Marilyn Sticklor, Goulston & Storrs, provided an overview of the next steps as they relate to process, explaining that on March 15th, there will be a public hearing at the BPDA Board. There will be three separate actions to be voted on. The first is the approval of the Planned Development Area (PDA) Development Plan and recommendation to the Boston Zoning Commission to approve a Map Amendment, as per Article 80C. The second action will conclude the Article 80B Large Project Review and authorization for the Director to issue an Adequacy Determination. The third action is a Minor Modification to the Fenway Urban Renewal Plan, a mechanism for air rights to be conveyed.

Questions and comments from CAC members and the public included:

- In response to a question from a CAC member about mitigation and community benefits, Marilyn replied that the Cooperation Agreement will spell out mitigation measures and will be provided to the CAC for comment before its execution. The BPDA Board action authorizes that the Director can execute the Cooperation Agreement.
- In response to a comment from a CAC member, Michael explained that with this being an air rights project, a large aspect of the project's mitigation will be to cover up an

unattractive area and improve the streetscape. Other mitigation measures will include transportation improvements as laid out in the Transportation Access Plan Agreement (TAPA) and associated public realm improvements.

- A CAC member commented that if there is to be an additional community benefit, the Back Bay Fens maintenance fund would be a good candidate, since the project does cast some occasional shadows on the park.
- A CAC member added that they had questions about the Scotia Street two-way improvement plan. They were concerned about the loss of on-street parking for St. Cecilia's Church. The CAC member asked whether this exact street design will be approved when the project is approved at the BPDA Board. Josh Weiland, Boston Transportation Department (BTD) planner, responded that the approval of the street/intersection improvement design will be part of the Transportation Access Plan Agreement (TAPA) process that trails the BPDA approvals process. Dave Bohn, VHB, added that as described in the Supplemental Information document, seven spaces would be lost, noting that the proponent is working with BTD to figure out the details of the design. All of these details and other transportation mitigation measures will be laid out as part of the TAPA.
- In response to a question from a CAC member, Josh Weiland responded that the project's Construction Management Plan will also be reviewed by BTD. BTD will not approve the Construction Management Plan without a TAPA in place. Dave added there are other details that still need to be resolved as well, such as any disruptions to the Turnpike below. These items must be completed before the issuance of a building permit.
- A CAC member brought up that a fully vetted bike lane concept on Boylston would be desired and was concerned about having a protected bike lane on only one block in front of the project. Josh replied that BTD would like to see a protected bike lane to create a new connection to Dalton Street and the South End.
- A CAC member raised concerns about a protected bike lane in front of the project on Boylston Street until there is a study on its effects on pedestrian safety, referring to two recent pedestrian fatalities at Massachusetts Avenue and Newbury Street. Josh replied that the City, through its Vision Zero process, has set up a rapid task force to respond to any traffic fatalities and that there is a detailed engineering study underway to understand the cause of those recent fatalities; the draft is currently being reviewed before implementation. Preliminary analysis shows that the one of the incidents involved a right turn onto the Turnpike freeway ramp, while the other was a left turn from Newbury onto Massachusetts, and the bike lanes were not involved. Josh added that transportation planners and engineers are in general consensus that protected bike lanes do not negatively impact pedestrians. Transportation planners and engineers also consider how intersections should work and take account of all modes, for example, should cars turn at the same time pedestrians are crossing.

- In response to a comment from a CAC member, Josh replied that the City is actively doing large scale, regional transportation planning, with GoBoston 2030 as the guiding framework. Creating improved multi-modal options such as biking and bus is a City priority, and for which this project may be able to help. The City is also working with the State to find ways to improve Green Line service, a project that is much larger in scope than one development.
- In response to a question from a CAC member about solar glare, Michael replied that BPDA staff review the proposals for mitigating solar glare as part of the design review process.
- In response to a question from a member of the public regarding the BPDA's Climate Resiliency Checklist, Lauren Shurtleff, BPDA Senior Planner, replied that the proponent has agreed to complete the updated checklist.

After confirming that no one else had more comments or questions, Michael adjourned the meeting at approximately 7:25 p.m.