

**BOSTON REDEVELOPMENT AUTHORITY
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY**

**SCOPING DETERMINATION
135 DUDLEY STREET**

**SUBMISSION REQUIREMENTS
FOR DRAFT PROJECT IMPACT REPORT (DPIR)**

PROPOSED PROJECT: 135 DUDLEY STREET

PROJECT SITE: 135 DUDLEY STREET, ROXBURY

PROPONENT: CRUZ DEVELOPMENT CORPORATION

DATE: JANUARY 7, 2020

The Boston Redevelopment Authority (“BRA”) d/b/a the Boston Planning & Development Agency (“BPDA”) is issuing this Scoping Determination pursuant to Section 80B-5.3 of the Boston Zoning Code (the “Code”) in response to and based on the review of the Project Notification Form (“PNF”) for the 135 Dudley Street project (the “Proposed Project”), which Cruz Development Corporation (the “Proponent”), submitted to the BPDA on September 27, 2019. Notice of the receipt by the BPDA of the PNF was published in the *Boston Herald* on September 27, 2019, which initiated a public comment period which was subsequently extended until October 28, 2019. The Scoping Determination requires the Proponent to respond to comments received from City and State agencies, elected officials, the Mayorally appointed Impact Advisory Group (the “IAG”), and the public.

On August 27, 2019, the Proponent filed a Letter of Intent (“LOI”) in accordance with the Executive Order regarding Provision of Mitigation by Development Projects in Boston. As proposed in the LOI the Proposed Project “involves an approximate 201,662 gross square feet of floor area (excluding the parking garage) for a multi-use development at 135 Dudley Street in the Dudley Square and Roxbury neighborhood, including 150 housing units, 10,727 square feet of street level /commercial space, including office space for the Boston Chapter of the NAACP (with the Proponent providing this space rent free for 10- years) and a restaurant flexible space-tenant amenities | art space, and a parking garage for approximately

245 vehicles. One of the buildings will be a six-story building containing 50 units of affordable rental housing for families at 30% and 50% of AMI, and the other, an eight-story building containing 100 condominium units, providing homeownership opportunities to 50 households at 70% and 80% of AMI, with the remaining 50 units proposed as market-rate. There will be a landscaped plaza between the two buildings, and one to the east of the retail affordable building adjacent to the Dudley BPL Branch Library, opening on Dudley Street. In addition, the Proposed Project will further the objectives of Mayor Martin J. Walsh's Housing Plan, Housing a Changing City: Boston 2030. In addition to Dudley Street, the approximate 69,835 SF (1.8-acre) project area is bordered by the Boston Police District B-2 Roxbury Station, The Roxbury Municipal Court, and the Dudley Literacy Center (the "Proposed Site"). The project area is vacant with no on-site buildings. The project will require Large Project Review and certain relief from the Boston Zoning Code. "

Members of the Project Review Committee ("PRC") of the Roxbury Strategic Master Plan Oversight Committee ("RSMPOC") will be serving as the Impact Advisory Group ("IAG") for this project.

Sixteen (16) individuals were appointed to the IAG from the PRC and have been invited to participate in advising BPDA staff on the determination and consideration of the impacts and appropriate mitigation regarding the Proposed Project. The following list includes the names of the IAG members:

1. Britton, Valeda
2. Fairfield, Fred
3. Nelson, Charlotte
4. Jones, Dorothea
5. Gordon, Art
6. Keith, Brian
7. Salpoglou, Demetrios
8. Esteves, Eric
9. Booth, Trayce
10. Transtamar, Sophia
11. Ali, Hussein
12. Ellertson, Jon
13. Stembridge, Norm
14. Wallace, Bridgette
15. Singleton, Rodney
16. Conrad, Katrina

The BPDA appreciates the efforts of the IAG and the members should be applauded for their commitment to the review of the Proposed Project.

The notice of receipt by the BPDA of the PNF and the PNF were sent to the City's public agencies pursuant to Section 80A-2 of the Code, as well as to the IAG members. Pursuant to Section 80B-5.3 of the Code, a Scoping Session was held on October 15, 2019 with the City of Boston's public agencies at which time the Proposed Project was reviewed and discussed. Members of the IAG were also invited to attend the scoping session.

The BPDA sponsored a Public Meeting to discuss the PNF on October 22, 2019 at the BCYF Shelburne Community Center (2730 Washington Street, Roxbury, MA 02119). The Public Meeting was duly advertised in the *Bay State Banner*, *Boston Guardian* and *Boston Sun* newspapers. Additionally, the public meeting was posted to the BPDA calendar, a notification was sent to all subscribers of the BPDA's Roslindale neighborhood updates, and local City and State elected officials and their staff members received notification via email. In addition, one (1) IAG working session was held on October 24, 2019.

Written comments in response to the PNF received by the BPDA from City of Boston agencies and elected officials are included in **Appendix A** and must be answered in their entirety. Written comments in response to the PNF received by the BPDA from the public are included in **Appendix B** and must be answered in their entirety. Written comments in response to the PNF received by the BPDA from the IAG are included in **Appendix C** and must be answered in their entirety. The Draft Project Impact Report ("DPIR") should include complete responses to all comments included in **Appendices A, B and C** within the framework of the criteria outlined in the Scoping Determination.

Comments received by the BPDA from agencies and departments of the City of Boston are included in **Appendix A** and must be answered in their entirety.

Specifically, they are from:

Katie Pedersen, BPDA Environment

John P. Sullivan, Boston Water & Sewer Commission

John (Tad) Read, Manuel Esquivel & Ryan Walker, BPDA Smart Utilities

Courtney D. Sharpe, Mayor's Office of Arts and Culture

Boston Civic Design Commission
Katie Pedersen, Interagency Green Building Committee
Sarah Leung, Mayor's Commission for Persons with Disabilities

Public comments received by the BPDA during the comment period are included in **Appendix B** and must be answered in their entirety.

Comments from IAG members that were received by the BPDA during the comment period are included in **Appendix C** and must be answered in their entirety.

The Scoping Determination requests information that the BPDA requires for its review of the Proposed Project in connection with Article 80 of the Code, Development Review and Approval and other applicable sections of the Code.

In addition to the specific submission requirements outlined in the sections below, the following points are highlighted for additional emphasis and consideration:

- Throughout the initial phase of review, the Proponent has taken steps to meet with local residents, elected officials, abutters, and City and State agencies. These conversations must continue, ensuring that the project that is presented in the DPIR is beneficial to the adjacent neighborhoods and the City of Boston as a whole.
- It is clear in reading through the comment letters that the Proposed Project has generated concern. While many of the letters show that there is a desire to see the redevelopment of the 135 Dudley Street site, numerous individuals request that additional studies occur in order to evaluate the potential impacts of a project of this magnitude, as well as the potential benefits. In order to minimize and mitigate the Proposed Project's impacts, the BPDA encourages the Proponent to continue to work with those parties, including the IAG and community, who have expressed concern.
- Above all, the key to the success of this design will be finding the right scale of the massing. As currently proposed, the project is very dense, and should consider slimming its proportions to reduce the negative impacts of its bulk.

- The Proponent should investigate transit improvements to mitigate traffic impacts of this project.
- All development projects have construction impacts. As with any urban development, there needs to be a balance of construction related inconveniences with the daily activities that will continue to occur adjacent to the project site. A detailed approach to the construction management must be included in the DPIR.
- Special attention should be given to the comment letters. The letters represent the opinions of the active residents, business leaders and elected officials of the community in which the Proponent intends to develop the Proposed Project.

These are just a few of the questions and areas that the Proponent must fully explore in the DPIR.

I. PROJECT SITE AND DESCRIPTION

Project Site

The 135 Dudley Street development site includes an approximate 69,835 SF (1.6-acre) project area bordered by the Boston Police District B-2 Roxbury Station, the Roxbury Municipal Court, and the Dudley Literacy Center (the “Proposed Site”). The project area is vacant with no on-site buildings.

Project Description

The Proposed Project involves construction of approximately 346,716 gross square feet of floor area (including an over-grade parking garage) and includes 160 housing units, 15,512 gross square feet of street level /commercial space, including office space for the Boston Chapter of the NAACP (with the Proponent providing this space rent free for 10-years) and a restaurant flexible space-tenant amenities / art space, and a structured parking garage for approximately 270 vehicles. One of the two proposed buildings (rental) will be six-stories containing 55 units of affordable rental housing for families starting at 30% of AMI, and the other building (condominiums) will be nine stories and contain 105 condominium units, providing homeownership opportunities to 50 households at 70% and 80% of AMI, with the remaining 55 units proposed as market-rate. There will be a landscaped plaza

between the two buildings, and one to the east of the rental units affordable building adjacent to the Dudley BPL Branch Library, both opening on Dudley Street.

II. PREAMBLE

The Proposed Project is being reviewed pursuant to Article 80, Development Review and Approval, which sets forth a comprehensive procedure for project review of the following components: transportation, environmental protection, urban design, historic resources, infrastructure systems, site plan, tidelands, and Development Impact Project, if any. The Proponent is required to prepare and submit to the BPDA, a DPIR that meets the requirements of the Scoping Determination by detailing the Proposed Project's impacts and proposed measures to mitigate, limit or minimize such impacts. The DPIR shall contain the information necessary to meet the specifications of Section 80B-3 (Scope of Large Project Review; Content of Reports) and Section 80B-4 (Standards for Large Project Review Approval), as required by the Scoping Determination. After submitting the DPIR, the Proponent shall publish notice of such submittal as required by Section 80A-2. Pursuant to Section 80B-5.4(c) (i) (3), the BPDA shall issue a written Preliminary Adequacy Determination ("PAD") within ninety (90) days. Public comments, including the comments of public agencies, shall be transmitted in writing to the BPDA no later than fifteen (15) days prior to the date by which the BPDA must issue its PAD. The PAD shall indicate the additional steps, if any, necessary for the Proponent to satisfy the requirements of the Scoping Determination. If the BPDA determines that the DPIR adequately describes the Proposed Project's impacts and, if appropriate, proposed measures to mitigate, limit or minimize such impacts, the PAD will announce such a determination and that the requirements of further review are waived pursuant to Section 80B-5.4(c) (iv). Section 80B-6 requires the Director of the BPDA to issue a Certification of Compliance indicating the successful completion of the Article 80 development review requirements before the Commissioner of Inspectional Services can issue any building permit for the Proposed Project.

III. REVIEW/SUBMISSION REQUIREMENTS

In addition to full-size scale drawings, 15 copies of a bound booklet and an electronic copy (PDF format) containing all submission materials reduced to size 8-1/2" x 11", except where otherwise specified are required. The electronic copy should be submitted to the BPDA via the following website:

<https://attachments.bostonredevelopmentauthority.org/>. The booklet should be

printed on both sides of the page. In addition, an adequate number of copies must be available for community review. A copy of this Scoping Determination should be included in the booklet for reference.

A. GENERAL INFORMATION

1. Applicant/Proponent Information
 - a. Development Team
 - (1) Names
 - (a) Proponent (including description of development entity and type of corporation, and the principals thereof)
 - (b) Attorney
 - (c) Project consultants and architects
 - (2) Business address, telephone number, FAX number and email, where available for each
 - (3) Designated contact for each
 - b. Legal Information
 - (1) Legal judgments or actions pending concerning the Proposed Project
 - (2) History of tax arrears on property owned in Boston by Applicant
 - (3) Evidence of site control over Project Site, including current ownership and purchase options, if any, for all parcels in the Proposed Project, all restrictive covenants and contractual restrictions affecting the Proponent's right or ability to accomplish the Proposed Project, and the nature of the agreements for securing parcels not owned by the Applicant.

- (4) Nature and extent of any and all public easements into, through, or surrounding the site.

2. Project Site

- a. An area map identifying the location of the Proposed Project
- b. Description of metes and bounds of Project Site or certified survey of the Project Site.
- c. Current zoning

3. Project Description and Alternatives

- a. The DPIR shall contain a full description of the Proposed Project and its components, including, its size, physical characteristics, development schedule, costs, and proposed uses. This section of the DPIR shall also present analysis of the development context of the Proposed Project. Appropriate site and building plans to illustrate clearly the Proposed Project shall be required.
- b. A description of alternatives to the Proposed Project that were considered shall be presented and primary differences among the alternatives, particularly as they may affect environmental and traffic/transportation conditions, shall be discussed.

4. Public Benefits

- a. Anticipated employment levels including the following:
 - (1) Estimated number of construction jobs
 - (2) Estimated number of permanent jobs
- b. Current and/or future activities and program which benefit adjacent neighborhoods of Boston and the city at large, such as, child care programs, scholarships, internships, elderly services, education and job training programs, etc.
- c. Other public benefits, if any, to be provided.

5. Community Process

- a. A list of meetings held and proposed with interested parties,

including public agencies, abutters, and business and community groups.

- b. Names and addresses of project area owners, abutters, and any community or business groups which, in the opinion of the applicant, may be substantially interested in or affected by the Proposed Project.

B. REGULATORY CONTROLS AND PERMITS

An updated listing of all anticipated permits or approvals required from other municipal, state or federal agencies, including a proposed application schedule shall be included in the DPIR.

A statement on the applicability of the Massachusetts Environmental Policy Act (“MEPA”) should be provided. If the Proposed Project is subject to MEPA, all required documentation should be provided to the BPDA, including, but not limited to, a copy of the Environmental Notification Form, decisions of the secretary of Environmental Affairs, and the proposed schedule for coordination with BPDA procedures.

C. TRANSPORTATION COMPONENT

Transportation Introduction

The City’s transportation policy is guided by Go Boston 2030. This document lays out the City’s planning and policy objectives for transportation using three primary goals: expanding access, improving safety, and ensuring reliability. Ultimately, these and other goals in Go Boston strive to encourage walking, biking, and transit trips while reducing automobile dependency. This planning and policy lens forms the foundation of the BPDA and BTB staff review of all proposed development projects. Given that 780 American Legion Highway is located in a transit-rich, high accident location in New England, transportation is a critical factor in the future success of this project.

Site Access and Circulation

The currently proposed access via the shared driveway off of Warren Street is the preferred point of vehicular access for the site. However, working with the Court House and Boys and Girls Club who are the abutting users that share access rights to this driveway is required.

Any modifications to this condition and the impacts of additional traffic on this driveway must be closely analyzed and any changes to current conditions need to be agreed upon with all parties. Coordination with the City's Dudley Square Complete Streets project is also critical as this project will be reconstructing and improving the driveway's intersection with Warren Street.

Parking

The current residential parking ratio is too high and should be unbundled from specific units. If possible, it may be advantageous to consider shared parking options during overnight hours to allow residents to utilize commercial and public parking spaces. Generally, the residential parking ratio should be aligned with the latest BTM draft ratios which for this site is a maximum of 0.55 spaces/unit, 0.75 spaces/3+ Bedroom unit. This may then impact the location and design and massing of the garage, which will need to be coordinated with the BPDA.

Transportation Demand Management

As noted, the proposed project is located in transit-rich, high accident location. We encourage the Proponent to more firmly commit to strategies that incentivize non-automobile commutes. The most impactful measures include transit pass subsidies, support for the Bike share network, bicycle parking/amenities and provisions for car sharing.

D. ENVIRONMENTAL PROTECTION COMPONENT

*The DPIR must address the comments of the BPDA Environment Department, dated November 1, 2019 and the Interagency Green Building Committee, dated November 4, 2019 and included in **Appendix A**.*

Wind

The wind tunnel analysis was conducted for the No Build Condition, a condition that assumed future/planned developments, or background projects, surrounding the project site. The proponent shall be required to submit a list of the future/planned developments and background projects.

Shadow

The shadow analysis was conducted for the No Build Condition but, it is unclear if this condition included future/planned developments or background projects surrounding the project site. Accordingly, the proponent shall be required to submit both a description of the No Build Condition and if appropriate the developments and/or projects that were included.

*The DPIR must address the comments of the Interagency Green Building Committee, dated December 4, 2019 and included in **Appendix A**.*

E. OPEN SPACE

There are **two distinct usable open spaces**, a publicly accessible plaza adjacent to the library and a second floor courtyard for use by the residents.

In its current iteration, the courtyard seems reasonably-planned to be green and private, but there are concerns regarding its quality. Successful plant growth may be difficult since not much sunlight will make it into the courtyard due to its directionality. Additionally, the exposed garage walls will impact the quality and experience of the courtyard space. It is recommended that the team explore this relationship further. Overall, the courtyard and its relationship with the proposed massing is not completely understood and sections, elevations, and shadow studies on the courtyard should also be included.

The **public plaza** design needs substantial modification. The public space is narrow and long, which is not conducive to a welcoming and safe environment. In the RFP and throughout the review process, the public plaza has been meant to serve as a lively, multi-programmed, public space that compliments the open space adjacent to the library. In its current iteration, the plaza is too narrow and the relationship between the library, plaza, and development is not clear. It is recommended that the ground floor abutting the public plaza be dedicated to active ground floor uses. The plaza design needs to better integrate circulation and uses with the abutting properties and their uses. In particular, the plaza should be designed in such a way that the plaza is continuously extended up to the entrance plaza of the courthouse,

removing the retaining wall condition to ensure uninterrupted physical and visual connections.

Circulation between the garage and the public plaza involves an outdoor elevator at the back of the site. This location will not have the best visibility or safety and may also pose issues to children who are meant to be playing towards the rear of the plaza. In addition, the location of the elevator requires persons with disabilities to have to travel through the entire open space to reach the accessible route to the courthouse above.

The lawn should be used as an opportunity for more planting instead of the proposed artificial turf.

F. URBAN DESIGN/PLANNING COMPONENT

In addition to the information required to meet the specifications of Section 80B-3 and Section 80B-4 of the Code, The Proponent must address the comments outlined in the minutes of the Boston Civic Design Commission Meeting, dated December 9, 2019. An excerpt of the comments are incorporated herein by reference and made a part hereof and must be addressed in their entirety in the DPIR.

Urban Design Introduction

Cruz Development Corporation proposes the redevelopment of 135 Dudley Street, which is one of the publicly-owned parcels discussed throughout the PLAN: Dudley Square process. The project is located on Dudley Street, at the corner of Dudley and Washington, extending down Dudley Street towards Warren. It is a prime site in the heart of Dudley Square, abutting the Boston Public Library, the Roxbury Municipal Courthouse, the B2 Police Station, and is across the street from Dudley Station. This development has the potential to bring many new homeowners, renters, businesses, and people to Dudley Square.

The proposal should reflect all aspects of the PLAN: Dudley Square process and the requirements outlined in the Request for Proposals, which was created with the community through a **three year long engagement process**. Due to the project's scale and potential to significantly transform the neighborhood, the BPDA Planning and Urban Design team, as well as colleagues at the Department of Neighborhood Development, have provided the below scoping comments in order to address

early issues pertaining to site design, access and circulation, and urban design. We will continue to provide feedback throughout an iterative and collaborative process with the development team, the community, and other city agencies.

Urban Design and Planning Comments

The building and public plaza designs need to be designed to fit the prominence of this location. Almost all aspects of the design need significant modification, particularly the building's exterior design and the unit sizes, which will also affect the massing.

The adjustment from below-grade to above-grade parking has a significant impact on the overall design. The development was originally designed as two buildings with a significant amount of open space throughout the site - the current iteration is a very large building with reduced open space and public access. As it stands, each part (i.e. buildings, courtyard, facades, garage screening, and 'pocket-park') of the development does not work to create a gateway building that acknowledges its key location within Dudley Square.

Site Design and Massing:

The overall building massing does not reflect a cohesive design direction and does not complement the surrounding context. The single building is divided by a second floor courtyard, which is not a substantial enough distinction between the two main components of the building. It is recommended that the building integrate appropriate setbacks based on adjacent programs and buildings. The proposed 5' setbacks are not adequate and do not provide substantial enough breaks in the building. Larger setbacks should be incorporated in order to change the overall perception of the building as 6 and 9 story towers.

A fundamental issue is that the entire massing is being driven by the structured parking. While parking in the original design in response to the RFP was below-grade, it has been brought above grade and into the building mass due to soil conditions. The currently proposed design, however, is not successful because it has resulted in a larger building mass, which does not contribute to the public realm. The shift from below-grade parking to at-and above-grade structured parking negatively impacts the site and building design, specifically the open space plaza adjacent to the library as well as the abutting developments and the nearby residential neighborhood due to the overly exposed garage walls. There needs to

be other solutions to address the parking needs and how it is integrated into the overall site and massing.

The community engagement and RFP both expressed the need for a diagonal visual and physical connection between the site and the courthouse parking area.

Currently this is not addressed in the site plan, and much of the overall connections appear to have been lost due to the above grade parking. Thought should be considered on all elevations, not just the Dudley Street facade, as future development on adjacent property may be considered in the future.

Building Envelope/Exterior Design:

The current building envelope design is very generic and does not relate to the Dudley Square context. It is important that this project uses high quality materials and details that complement the neighborhood context. The gap in the massing along Dudley Street is where a main lobby should be, but right now this area is rendered the same as every other part of the generic storefront at the ground floor. Since the building is long and large, certain portions of the exterior, both at the ground floor and above, should be treated with more prominence than others in order to activate spaces and create interest. The lobby entrances and the main corners should be special focal points.

Again, the facade of the above-ground garage needs to be addressed. While we recommend that the garage size be decreased overall (see transportation considerations), all exterior walls of the garage need to be addressed. The walls facing the courthouse, police station, their parking areas, and the buildings private and public open spaces need to be reconciled. It is recommended that there be an active ground floor created adjacent to the public plaza so the public plaza remains a space that all users can access.

Common Interior Space:

Plans for the interior common space are currently preliminary and undeveloped. The residential lobbies are designed too small and should be considered gateways between the neighborhood and the building. It is recommended that the development team address these concerns by further developing this concept.

Unit Sizes & Layouts:

The proposed units are 250-350 sf above DND's target sizes and should be reduced in size. The two-bedroom units do not meet DND's policy of having only one-full bathroom in the unit. Additionally, while the proposed units are large, they do not provide adequate space for the living/dining areas. In-unit laundry is only allowed in homeownership units and should be located in common spaces for rentals. All units must have comparable finishes regardless of whether they are income-restricted or market-value. Accessible units have not been indicated and it is required that 16 accessible units be distributed between the ownership and rental portions.

G. INFRASTRUCTURE SYSTEMS COMPONENT

*The DPIR must address the comments of the Boston Water and Sewer Commission, dated October 23, 2019 and BPDA Smart Utilities, dated October 28, 2019 included in **Appendix A.***

H. PUBLIC NOTICE

The Proponent will be responsible for preparing and publishing in one newspaper of general circulation in the City a Public Notice of the submission of the DPIR to the BPDA as required by Section 80A-2. This Public Notice shall be published within five (5) days after the receipt of the DPIR by the BPDA. Therefore, public comments shall be transmitted to the BPDA within forty five (45) days of the publication of this Public Notice. A sample form of the Public Notice are attached as **Appendix D.**

Following publication of the Public Notice, the Proponent shall submit to the BPDA a copy of the published Public Notice together with the date of publication.

I. ACCESSIBILITY CHECKLIST

*The DPIR must address the comments of the Mayor's Office for Persons with Disabilities, dated December 1, 2019 and included in **Appendix A.***

As part of the DPIR, the Proponent must include an up to date and completed Article 80 Accessibility Checklist for the Proposed Project. An Accessibility Checklist is attached to **Appendix E.**

J. BROADBAND READY BUILDINGS QUESTIONNAIRE

As part of the DPIR, the Proponent must include an up to date and completed Broadband Ready Buildings Questionnaire for the Proposed Project. A Questionnaire is attached to **Appendix F**.

APPENDIX A

COMMENTS FROM BPDA STAFF, PUBLIC AGENCIES/DEPARTMENTS, AND ELECTED OFFICIALS

Boston Planning & Development Agency Memorandum

TO: Mike Sinatra

FROM: Katie Pedersen

DATE: November 1, 2019

RE: 135 Dudley Street
Boston, Massachusetts
Project Notification Form

I have reviewed the Project Notification Form (the “PNF”) dated September 27, 2019 and submit the following comments for the Environmental Protection component. Cruz Development Corp (the “Proponent”) proposes the construction of an approximate 233,016 gross square foot project comprised of two buildings with 160 residential housing units and 15,512 square feet of commercial and office space as well as 270 parking spaces (the “Proposed Project”).

Wind

A qualitative analysis of the pedestrian level wind shall be conducted for existing (No-Build) and Build conditions. The analysis shall determine potential pedestrian level winds adjacent to and in the vicinity of the Proposed Project and shall identify wind velocities that are expected to exceed acceptable levels, including the Boston Planning & Development Agency’s (the “BPDA”) guideline of an effective gust velocity of 31 miles per hour (mph) not to be exceeded more than 1% of the time.

Particular attention shall be given to public and other areas of pedestrian use, including, but not limited to, entrances to the Proposed Project and existing and proposed buildings in the vicinity of the Proposed Project, the existing and proposed sidewalks and walkways within and adjacent to the Proposed Project and existing and proposed plazas, park areas and other open space areas within and in the vicinity of the Proposed Project.

The wind impact analysis shall evaluate the following conditions:

1. No-Build - the existing condition of the Proposed Project site and environs to establish the baseline condition.
2. Build Condition – the Proposed Project as described in the PNF
3. Alternative Build Condition – any alternative development concepts to the Preferred Build Condition required to be studied

Wind speeds shall be measured in miles per hour (mph) and for areas where wind speeds are projected to be dangerous or to exceed acceptable levels, measures to reduce wind speeds and to mitigate potential adverse impact(s) shall be identified and if appropriate,

tested. The Proponent shall be required to provide a list of all “planned” projects that have been included.

Shadow

The Proponent conducted a shadow analysis for the existing (No-Build) and Build Conditions for the hours of 9:00 a.m., 12:00 noon, and 3:00 p.m. for the vernal equinox, summer solstice, autumnal equinox, and winter solstice and for 6:00 p.m. in the summer and fall.

The shadow impact analysis examined the existing shadows and the incremental effects of the Proposed Project on existing and proposed public open spaces as well as sidewalks and pedestrian walkways adjacent to and in the vicinity of the Proposed Project site.

The shadow impact analysis evaluated the following conditions:

1. No-Build - the existing condition of the Proposed Project site and environs to establish the baseline condition.
2. Build Condition – the Proposed Project as described in the PNF.
3. Alternative Build Condition – any alternative development concepts to the Preferred Build Condition required to be studied.

Please provide a list of the projects that are “planned” projects that have been included.

Solar Glare

The Proponent has stated that the Proposed Project design does not include the use of highly reflective glass or other reflective materials on the building facades, those that would result in adverse impacts from reflected solar glare. Thus the Proponent shall not be required to conduct a solar glare analysis at this time.

Daylight

(Please refer to Urban Design’s comments)

Air Quality

The Proponent has stated that an air quality analysis shall be conducted to analyze the existing air quality in the Proposed Project area, predict the worst-case air quality impacts from the Proposed Project’s fuel combustion equipment and standby generators, and evaluate the potential impacts of the Proposed Project-generated traffic on the air quality at the most congested local intersections. The Proponent has further stated that the worst-case air quality impacts from the Proposed Project’s are found in the enclosed parking garage. However, the impacts are not expected to have an adverse impact on air quality.

Finally, if deemed necessary, mitigation measures designed to minimize or avoid any violation of state or federal ambient air quality standards shall be included and a description provided.

Noise

The Proponent has stated that a noise study will be conducted to determine whether the operation of the Proposed Project will comply with the Massachusetts Department of Environmental Protection (DEP) Noise Policy and City of Boston Noise Regulations. Further, the Proponent has committed to implementing mitigation measures, as deemed necessary, so as to comply with the applicable sound level limits. The Proponent shall be required to demonstrate that the Proposed Project will not create a noise nuisance condition and will fully comply with the sound level limits set by the Massachusetts DEP Noise Policy, City of Boston Noise Regulations, and Housing and Urban Development's (HUD) Residential Site Acceptability Standards.

Sustainable Design/Green Buildings

Article 37 to the Boston Zoning Code requires any proposed project which is subject to or shall elect to comply with Section 80B of Zoning Code of the City of Boston, Large Project Review, shall be subject to the requirements of Article 37. Proposed Projects shall be "certifiable" under the most appropriate United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Rating System. The purpose of Article 37 is to ensure that major building projects are planned, designed, constructed, and managed to minimize adverse environmental impacts; to conserve natural resources; to promote sustainable development; and to enhance the quality of life in the City of Boston.

Please see the letter from the Interagency Green Building Committee (IGBC).

**Boston Water and
Sewer Commission**



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

October 23, 2019

Mr. Michael Sinatra, Project Manager
Boston Planning & Development Agency
One City Hall Square, 9th Floor
Boston, MA. 02210

Re: 135 Dudley Street, Roxbury
Project Notification Form

Dear Mr. Sinatra:

The Boston Water and Sewer Commission (Commission) has reviewed the Project Notification Form (PNF) for the proposed redevelopment project located at 135 Dudley Street in the Roxbury neighborhood of Boston. This letter provides the Commission's comments on the PNF.

The proposed project site is located on a parcel of land totaling approximately 1.6 acres. The site is currently a vacant parking lot that was occupied by an electroplating facility from 1955 to 1994. The project proponent, Cruz Development Corporation (Cruz), proposes a mixed-use project consisting of 160 apartments in two separate buildings with an overall floor area of approximately 346,716 gross square feet (gsf). The buildings street level will have commercial space, office space, a restaurant and other tenant amenities. A parking garage for approximately 270 vehicles within the building is also proposed. The smaller, six-story, building will have 55 apartment units and the larger, nine-story building, will contain 105 condominium units. The apartment units in both building will have either one, two or three bedrooms.

For water service, the Commission owns and maintains two water main in Dudley Street. The first main is a 24-inch pit cast iron water transmission main that was installed in 1871 and cleaned and cement lined in 1976. This water main is part of the Commission's Southern Low pressure zone. The second water distribution main is a 16-inch ductile iron cement lined pipe that was installed in 1990. This water main is connected to the Southern High pressure zone.

The Commission's sewer and drain facilities in Dudley Street are a 48-inch by 32-inch sanitary sewer and a 24-inch storm drain. The Police Station also has private sewer and storm drain along the easterly side of the building that connects to the Commission's facilities in Dudley Street.

The PNF states that daily water demand for the proposed project is estimated to be 37,581 gallons per day (gpd) and wastewater generation will be 34,164 gpd.



General

1. Prior to the initial phase of the site plan development, Cruz 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 Cruz'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 green spaces, 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 Commission will require Cruz 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. As a condition of the site plan approval, the Commission will require Cruz to inspect the existing sewer lines on site by CCTV after site construction is complete, to confirm that the lines were not damaged from construction activity.
6. It is Cruz'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, Cruz 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. Cruz must provide separate estimates of peak and continuous maximum water demand for residential, commercial, industrial, irrigation of landscaped areas, and air-conditioning make-up water for the project with the site plan. Estimates should be based on full-site build-out of the proposed project. Cruz should also provide the methodology used to estimate water demand for the proposed project.
2. Cruz should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In particular, Cruz should consider outdoor landscaping which requires minimal use of water to maintain. If Cruz 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.
3. Cruz 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. Cruz should contact the Commission's Meter Department for information on and to obtain a Hydrant Permit.
4. Cruz will be required to install approved backflow prevention devices on the water services for fire protection, mechanical and any irrigation systems. Cruz is advised to consult with Mr. James Florentino, Manager of Engineering Code Enforcement, with regards to backflow prevention.
5. 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, Cruz should contact the Commission's Meter Department.

Sewage / Drainage



1. In conjunction with the Site Plan and the General Service Application Cruz will be required to submit a Stormwater Pollution Prevention Plan. The plan must:
 - Identify specific best management measures for controlling erosion and preventing the discharge of sediment, contaminated stormwater or construction debris to the Commission's drainage system when 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 structures or treatment structures to be utilized during the construction.
 - Specifically identify how the project will comply with the Department of Environmental Protection's Performance Standards for Stormwater Management both during construction and after construction is complete.
2. Developers of projects involving disturbances of land of one acre or more will be required to obtain an NPDES General Permit for Construction from the Environmental Protection Agency and the Massachusetts Department of Environmental Protection. Cruz is responsible for determining if such a permit is required and for obtaining the permit. If such a permit is required, it is required that a copy of the permit and any pollution prevention plan prepared pursuant to the permit be provided to the Commission's Engineering Services Department, prior to the commencement of construction. The pollution prevention plan submitted pursuant to a NPDES Permit may be submitted in place of the pollution prevention plan required by the Commission provided the Plan addresses the same components identified in item 1 above.
3. The Commission encourages Cruz to explore additional opportunities for protecting stormwater quality on site by minimizing sanding and the use of deicing chemicals, pesticides, and fertilizers.
4. The discharge of dewatering drainage to a sanitary sewer is prohibited by the Commission. Cruz 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, Cruz will be required to obtain a Remediation General Permit from the Environmental Protection Agency (EPA) for the discharge.
5. Cruz 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. All projects at or above 100,000 square feet of floor area are to retain, on site, a volume of runoff equal to 1.25

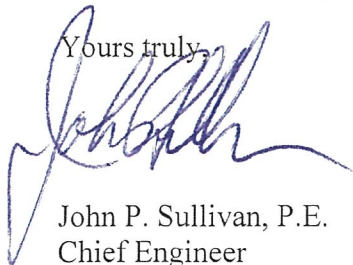


inches of rainfall times the impervious area. Under no circumstances will stormwater be allowed to discharge to a sanitary sewer.

6. The Massachusetts Department of Environmental Protection (MassDEP) established Stormwater Management Standards. The standards address water quality, water quantity and recharge. In addition to Commission standards, Cruz will be required to meet MassDEP Stormwater Management Standards.
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 Cruz install a permanent casting stating “Don’t Dump: Drains to Boston Harbor” next to any catch basin created or modified as part of this project. Cruz should contact the Commission’s Operations Division for information regarding the purchase of the castings.
9. If a cafeteria or food service facility is built as part of this project, grease traps will be required in accordance with the Commission’s Sewer Use Regulations. Cruz is advised to consult with the Commission’s Operations Department with regards to grease traps.
10. 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: J. Cruz, Cruz Development Corp.
M. Zlody, BED via e-mail
K. Ronan, MWRA via e-mail
C. McGuire, BWSC via e-mail
F. McLaughlin, BWSC via e-mail

MEMORANDUM

TO: Michael Sinatra, Project Manager
FROM: John (Tad) Read, Senior Deputy Director for Transportation & Infrastructure Planning
Manuel Esquivel, Senior Infrastructure & Energy Planning Fellow
Ryan Walker, Smart Utilities Program - Associate
DATE: October 28, 2019
SUBJECT: 135 Dudley Street - **Smart Utilities Comments – PNF**

Comments and request for additional information:

Thank you for your submission of a Smart Utilities Checklist for the 135 Dudley Street project. Below are our comments and requests for additional information. Please update the Checklist using the edit link and/or send any diagrams to manuel.esquivel@boston.gov.

- Green Infrastructure:
 - Please provide a diagram indicating where Green Infrastructure will be located and indicate the capacity associated with each installation. (See Checklist Part 4)
- Smart Street Lights:
 - We are looking for a Smart Street Lights diagram (See Checklist Parts 6 and 7) that indicates the following:
 - The main electricity loop that will power the lights and where the connection between this loop and the electricity in the right of way will occur.
 - "Shadow" conduits running next to the main electricity loop, with capacity for the additional electricity and fiber to comply with Smart Streetlight capability; and hand holes for access to these conduits.
 - Where these conduits would connect in the future to electricity and fiber in the right of way.
- Smart Utility Standards:
 - Please provide a diagram indicating where proposed utility infrastructure laterals will be located, showing how utilities will be extended into each building from the right of way. This includes: water, sewer, electric, gas and telecom. (See Checklist Part 7)

If you have any questions regarding these comments or would like to arrange a meeting to discuss the policy please feel free to contact Manuel Esquivel.

Context:

On June 14, 2018 the BPDA Board adopted the [Smart Utilities Policy for Article 80 Development Review](#). The policy (attached) calls for the incorporation of five (5) Smart Utility Technologies (SUTs) into new Article 80 developments. Table 1 describes these five (5) SUTs. Table 2 summarizes the key provisions and requirements of the policy, including the development project size thresholds that would trigger the incorporation of each SUT.

In general, conversations about and review of the incorporation of the applicable SUTs into new Article 80 developments will be carried out by the BPDA and City staff during every stage (as

applicable) of the review and permitting process, including a) prefile stage; b) initial filing; c) Article 80 development review prior to BPDA Board approval; d) prior to filing an application for a Building Permit; and e) prior to filing an application for a Certificate of Occupancy.

In conjunction with the SUTs contemplated in the *Smart Utilities Policy*, the BPDA and City staff will review the installation of SUTs and related infrastructure in right-of-ways in accordance with the *Smart Utility Standards* (“SUS”). The SUS set forth guidelines for planning and integration of SUTs with existing utility infrastructure in existing or new streets, including cross-section, lateral, and intersection diagrams. The *Smart Utility Standards* are intended to serve as guidelines for developers, architects, engineers, and utility providers for planning, designing, and locating utilities.

In order to facilitate the review of integration of the SUTs and the SUS, the BPDA and the Smart Utilities Steering Committee has put together a *Smart Utilities Checklist* that can be filled out and updated during the review process. Please fill out the parts of the *Checklist* that apply to your project. Make sure to review this *template* first, before submitting the *Smart Utilities Checklist*.

After submission, you will receive:

1. A confirmation email with a PDF of your completed checklist. Please include a copy of this document with your next filing with the BPDA.
2. A separate email with a link to update your initial submission. Please use ONLY this link for updating the Checklist associated with a specific project.

Note: Any documents submitted via email to Manuel.Esquivel@Boston.gov will not be attached to the PDF form generated after submission, but are available upon request.

The *Smart Utilities Policy for Article 80 Development Review*, the *Smart Utility Standards*, the *Smart Utilities Checklist*, and further information regarding the *Boston Smart Utilities Vision* project are available on the project’s website: <http://www.bostonplans.org/smart-utilities>.

Manuel Esquivel, BPDA Senior Infrastructure and Energy Planning Fellow, will soon follow up to schedule a meeting with the proponent to discuss the *Smart Utilities Policy*. For any questions, you can contact Manuel Esquivel at manuel.esquivel@boston.gov or 617.918.4382.

Table 1 - Summary description of 5 Smart Utility Technologies (SUTs) included in the *Smart Utilities Policy for Article 80 Development Review*

Smart Utility Technology (SUTs)	Summary Description
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District Energy Microgrid	Energy system for clusters of buildings. Produces electricity on development site and uses excess “heat” to serve heating/cooling needs. By combining these two energy loads, the energy efficiency of fuel consumed is increased. The system normally operates connected to main electric utility grid, but can disconnect (“island”) during power outages and continue providing electric/heating/cooling needs to end-users.
Green Infrastructure	Infrastructure that allows rainwater to percolate into the ground. Can prevent storm runoff and excessive diversion of stormwater into the water and sewer system.
Adaptive Signal Technology	Smart traffic signals and sensors that communicate with each other to make multimodal travel safer and more efficient.
Smart Street Lights	Traditional light poles that are equipped with smart sensors, wifi, cameras, etc. for health, equity, safety, traffic management, and other benefits.
Telecom Utilidor	An underground duct bank used to consolidate the wires and fiber optics installed for cable, internet, and other telecom services. Access to the duct bank is available through manholes. Significantly reduces the need for street openings to install telecom services.

Table 2 - Summary of size threshold and other specifications for the 5 SUTs advanced in the Smart Utilities Policy for Article 80 Development Review (Note: This table is only for informational purposes. Please refer to the complete Smart Utilities Policy for Article 80 Development Review to review the details.)

	Article 80 Size Threshold	Other specifications
District Energy Microgrid	>1.5 million SF	Feasibility Assessment; if feasible, then Master Plan & District Energy Microgrid-Ready design
Green Infrastructure	>100,000 SF	Install to retain 1.25" rainfall on impervious areas (Increase from 1" currently required by BWSC)
Adaptive Signal Technology	All projects requiring signal installation or improvements	Install AST & related components into the traffic signal system network
Smart Street Lights	All Projects requiring street light installation or improvements	Install additional electrical connection & fiber optics at pole

Telecom Utilidor	>1.5 million SF of development, or >0.5 miles of roadway	Install Telecom Utilidor
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Michael Sinatra <michael.a.sinatra@boston.gov>

Article 80 Large Project Review Submission: 135 Dudley Street- Roxbury

Courtney Sharpe <courtney.d.sharpe@boston.gov>
To: Michael Sinatra <michael.a.sinatra@boston.gov>
Cc: Kara Elliott-Ortega <kara.elliott-ortega@boston.gov>

Tue, Oct 15, 2019 at 1:35 PM

Hi Mike,

Thanks for putting this together. The comments I shared earlier today were:

- I have concerns about the perception of the side park it being a private space rather than open to the public and in coordination with the library (as is the stated objective of the developer).
- From a public safety perspective, I have concerns about the closed-off nature of the side park being inviting for persons engaging in illicit activities.
- From a programming perspective, I would like to know their plans for the programming and management of the window boxes for art use and the suggested stage use of the rear of the side park.
- Related to the rear/side exteriors of the garage, more detail is needed. It should not be just a blank wall that turns its back to residents and community members. With respect to it also abutting a courthouse, if a mural of a hopeful image could be incorporated that might also have more positive impacts than a multistory blank wall.
- Seconding other requests, sections/elevations of the front and rear of the side park as well as access from the driveway where the traffic light is (to enter the garage) should be provided.

Thank you,
Courtney

[Quoted text hidden]

--



Courtney D. Sharpe
Director of Cultural Planning
Mayor's Office of Arts and Culture, City of Boston

(e) courtney.d.sharpe@boston.gov
(w) 617.635.1461
(p) she/her/hers

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Michael Sinatra <michael.a.sinatra@boston.gov>

135 Dudley minutes

1 message

Natalie Punzak <natalie.punzak@boston.gov>
To: Michael Sinatra <michael.a.sinatra@boston.gov>

Mon, Dec 9, 2019 at 11:03 AM

Andrea Leers: This is an important development for this part of the city. I think your goals are right. That said, the massing is awkward. It looks too massive for this part of the city. There are other configurations that would achieve the same number of units but feel less bulky. You need to take a big step back and rethink the form. The lower part of the building works well for the street and neighborhood, but the upper portion does not.

David Hacin: A physical model with neighborhood context would be really helpful for us. I can only imagine that the demand for parking is driving the design of this project. Can the 120 parking spaces for the community be reduced to create a more elegant massing strategy for the site? I appreciate the homeownership, rental, and retail goals of this project. But I think the continuous retail wrapper on the building is detracting from the pedestrian experience. The green wall is not sufficient for the building condition along the park.

Deneen Crosby: The park is walled on two sides. To me, there is an opportunity to make this a better civic space that connects through to the courtyard.

Andrea Leers: I would like to restate that one of the Commission's Principles and Priorities is no visible above-ground parking.

Linda Eastley: This project has promise to create a grand civic square. Think about how to include the entry sequence to the courthouse, an active edge to your building, and function as a pedestrian passage to a future around the site.

William Rawn: It will be important to understand how the parking works in this scheme in terms of how it impacts the structural horizontal or diagonal lines on the building.

Community comment: We are excited by the proposal to reserve the local AMI. Parking is a major issue in this neighborhood. The planned height for this neighborhood is far beyond the existing context. Clarity around future plans at a large scale would better facilitate these projects and discussions.



Natalie Punzak

Urban Designer I
617.918.4471

Boston Planning & Development Agency (BPDA)

One City Hall Square | Boston, MA 02201
bostonplans.org



Martin J. Walsh
Mayor

Article 37 Interagency Green Building Committee

November 4, 2019

Mr. John B. Cruz, III
Cruz Development
1 John Eliot Square
Boston, MA 02119

Re: 135 Dudley Street- Article 37 Green Building – Comment Letter

Dear Mr. Cruz,

The Boston Interagency Green Building Committee (IGBC) has reviewed the Project Notification Form (PNF) submitted in conjunction with this project for compliance with Boston Zoning Article 37 Green Buildings.

Please amend Table 2-2 Anticipated Project Permits and Approvals to include Article 37 Compliance..

The PNF indicates that the project will use *the LEED v4 BD + C New Construction and Major Renovations* rating system and commits the project to *earning 64 points for a LEED Gold* rating. The IGBC accepts the rating system selection and green building LEED point commitment.

The project team is encouraged to demonstrate leadership in sustainability by achieving a LEED Platinum rating. Additionally, the IGBC requests that project team contact utility and state Department of Energy (DOE) representatives as soon as possible and to maximize utility and state-funding for energy efficiency and clean/renewable energy support of the project.

Greenhouse Gas Emissions

In support of the City of Boston's Resiliency and Green House Gas Emissions (GHG) emissions reduction goals including Carbon Neutral Boston 2050 the IGBC requests the project team prepare a project specific Carbon Neutral Building Assessment by modeling a Low Carbon Building design with an Enhanced Building Envelope and Optimized Building Systems strategies, All Electric Systems, Maximized Solar Energy Systems, and determine any amount of off-site renewable energy required for zero carbon performance including:

- Enhanced Building Envelope – reduced air infiltration air changes per hour (ACH below 0.6), increased opaque curtain wall insulation (below U-0.05), improved vision curtain

wall performance (below U-0.20), improved window performance (below U-0.20), reduced window to wall ratio, tuned glazing with Solar Heat Gain Coefficient (below SGHC 0.30), and increased insulation levels for roof (R-50 c.i.), wall (R-36 with c.i.), and slab (R-12 c.i.) conditions.

- Optimized and All Electric Mechanical Systems – smaller, more efficient and alternative systems for heating & cooling, and dedicated fresh air with Energy Recovery Ventilator (ERV) better 80% with MERV 8 filter) systems that fully consider the improved envelope performance and utilize advanced heat pump and hybrid heating technology and heat pump hot water equipment.
- Maximized Solar Energy System – optimize roof design and install Solar Photovoltaic (PV) and thermal systems.
- Renewable Energy Procurement – green renewable energy assets, renewable energy credits (RECs), credits, and carbon offsets.

Please follow up within three weeks (of the date of this letter) with your BPDA Project Manager in responding to IGBC comments.

Please let me know if you have any questions or if I can be of assistance.

Sincerely,

Katie Pedersen

On behalf of the Interagency Green Building Committee

Cc: *Michael Sinatra*, BPDA
IGBC



MAYOR'S COMMISSION FOR PERSONS WITH DISABILITIES

Martin J. Walsh, Mayor

December 1, 2019

**RE: 135 Dudley Street, Roxbury, MA 02119
Project Notification Form
Boston Planning and Development Agency**

The Disability Commission has reviewed the Project Notification Form that was submitted for 135 Dudley Street, in Roxbury, MA. Since the proposed project is planned to be a vibrant destination area for transit-oriented housing, retail and commercial space, I would like to encourage a scheme that allows full and equal participation of persons with disabilities through *ideal design which meets as well as exceeds compliance* with accessibility building code requirements. It is crucial that the site layout, buildings, open spaces, parking, and circulation routes be developed with access in mind.

Therefore, in order for my Commission to give its full support to this project, I would like to ask that the following accessibility issues be considered and/or explained:

▪ **ACCESSIBLE RESIDENTIAL UNITS:**

- We would like to request more details on the location and floor plans for the accessible Group 2 units within the Project. Per 521 CMR Section 9.4.2: *Group 2 Dwelling Units*, Group 2 units shall be proportionally distributed across the total number of units according to number of bedrooms, size, quality, price and location.
 - Should the Proponent seek City of Boston funding for construction and/or operation, 10% of the total amount of rental units would be required to be Group 2 accessible.
 - Per the Inclusionary Development Policy, 15% of the total IDP units would be required to be Group 2 units. This requirement does not increase the required number of Group 2 units in the development, but it does increase the number of Group 2 units that are part of the IDP allocation.
- The development is also described to have condominium units. Please consider including Group 2 units in the condominium portfolio, although not required by Massachusetts Architectural Access Board.
 - We would support the overlap of Group 2 condominium units and Inclusionary Development Policy units, to create access to affordable home-ownership opportunities for persons with disabilities.

▪ **ACCESSIBLE BUILDING AMENITIES:**

- The Commission encourages the Proponent to work with the potential office and retail tenants to incorporate the Universal Design principles in the tenant-fit-out design, as well as operations.
 - We would support the inclusion of a single stall accessible family/companion bathroom in the lobby of the building, even if not required by 248 CMR Section 10.00: *Uniform State Plumbing Code*.
 - We would support universal design principles be incorporated to the design and layout of service counters. For example, when multiple accessible service counters are provided, the tenant is able avoid operational issues, in the future.
- Per 521 CMR Section 35: *Tables and Seating*, we support the inclusion of wheelchair accessible and age-friendly furniture in all indoor common and outdoor patio spaces.

▪ **ACCESSIBLE PARKING AND VEHICULAR TRANSPORTATION:**

- Please confirm that the sidewalks adjacent to the all driveway curb cuts will be flush, to provide a safe and comfortable pedestrian experience across the entire length of the site.

▪ **ACCESSIBLE ROUTE AND SIDEWALKS:**

- Per 521 CMR Section 20.2: *Accessible Route - Location*, we would support the accessible route to coincide with the existing route of the general public that abuts the Boston Public Library.
- We support the use of cast-in-place concrete, in pedestrian areas, to ensure that the surface texture is smooth and continuous (minimize joints) and for the ease of maintenance.
- Updated plans should reflect bringing all reciprocal pedestrian ramps into City of Boston reconstruction standards.
- We would support ensuring that building setbacks allow for the installation of sidewalks that meet or exceed the design standards put forth by *Boston Complete Streets Design Guidelines* as well as other desired sidewalk uses (retail space, bus shelters or sidewalk cafes), so the site is accessible and functional for residents as well as visitors.
 - Should the Proponent have an interest in sponsoring a *BlueBikes* Station, please ensure that proposed locations are taken into consideration when determining streetscape dimensions. For sidewalk-level bike share locations, typically a minimum of 7ft of clear path of travel is recommended to minimize bike and pedestrian conflicts.
 - We support the granting of a pedestrian easement where required to bring the proposed sidewalk into compliance *with Boston Complete Streets Design Guidelines*.

▪ **COMMUNITY BENEFITS**

- Have you considered providing funding for accessibility improvements to Dudley Square Bus Station, and other bus stops adjacent to the project?
- Accessibility extends past compliance through building code requirements. For example, by providing employment and other opportunities for persons with disabilities, the development becomes an asset to the surrounding community. What opportunities (ex. employment, community support, social) will the development provide for persons with disabilities?



▪ **WAYFINDING**

- Given that the ground level of the building, facing Dudley Street, appears to be quite uniform in material and expression, please consider differentiating the canopy over the entrances of the building to signal to pedestrians and patrons where the entrances are located.
- Do you have a Wayfinding Package to better understand wayfinding strategies within the scope of the proposed project?

▪ **VARIANCES**

- Do you anticipate filing for any variances with the Massachusetts Architectural Access Board? If so, please identify and explain.

▪ **CONSTRUCTION**

- Should any City of Boston on-street HP-DV parking spaces be relocated due to construction activities, relocated areas will require approval from the Commissioner. Additionally, the Commission shall be notified two weeks before construction starts.
- Modifications to public transit infrastructure including but not limited to, bus shelter locations and operations during and post-construction should be considered and coordinated with the MBTA, before implementation.

COMMISSION'S GENERAL STATEMENT ON ACCESS:

The Mayor's Commission for Persons with Disabilities supports *ideal design for accessibility and inclusion*, which meets as well as exceeds compliance with local, state, and federal building codes, including the Boston Complete Streets Guidelines , Massachusetts Architectural Access Board 521 CMR, and the Americans with Disabilities Act.

Our priorities for accessibility other than building design and construction include: maintenance of accessible features; signage for way-finding; utilizing compliant barricades throughout construction; designating appropriate location and amount of accessible parking spaces; and removing barriers in existing buildings wherever "readily achievable" ("*easily accomplishable and able to be carried out without much difficulty or expense*").

The Commission is available for technical assistance and design review to help ensure that all buildings, sidewalks, parks, and open spaces are usable and welcoming to all of Boston's diverse residents, including those with physical, sensory, intellectual, and communication disabilities.

Thank You.



Kristen McCosh, Commissioner
Mayor's Commission for Persons with Disabilities
kristen.mccosh@boston.gov

REVIEWED BY:

Patricia Mendez AIA
Director of Architectural Access
patricia.mendez@boston.gov
617-635-2529

Sarah Leung
Architectural Access Specialist
sarah.leung@boston.gov
617-635-3746

APPENDIX B
COMMENTS FROM THE GENERAL PUBLIC



Fwd: 135 Dudley

1 message

From: **Rita Nethersole**
Date: Mon, Nov 18, 2019 at 11:48 AM
Subject: 135 Dudley
To: michael.a.sinatra@boston.gov <michael.a.sinatra@boston.gov>

I was out of the country during the comment period, but would like to add my comments.

I am concerned that the developer has not been in touch with the abutting neighborhood association, Tommy's Rock Neighborhood Association to discuss this. TRNA is an active and pro-active neighborhood association and has many concerns about this project and the impact that it will have upon our community.

I absolutely support more housing in our community, especially affordable home-ownership opportunities. However, it is important that these opportunities are provided in a way that supports the existing community, not destroy it. Plopping 160 families into Dudley/Nubian Square without significant infrastructure improvements and design adjustments is detrimental to both the business environment of Dudley as well as the neighborhoods around it.

I totally support development, but not overdevelopment, which this project is. It asks for a number of very significant variances. These are important because these variances were put in place to protect this community from rampant, profit-driven overdevelopment. The most serious variances are:

1. FAR – the proposal calls for a variance to the floor area ratio. The current limit is 2.0 and this proposal asks for 4.96, a 150% increase above the current zoning. This is absolutely excessive and needs to be brought back to around 2.0.
2. Height – the proposal call asks for a variance on building height. Current zoning allow 35 ft, and this proposal asks for 95. Again, this is almost double the current limit and is excessive and in combination with other construction in the area will create a canyon as you approach Dudley Square. The buildings will tower over everything else in the area including the Boys & Girls Club fields.
3. Rear Yard – the current zoning calls for 20ft, this proposal asks for 4ft and combined with the height, means these building will encroach on our homes.

I am also very concerned about parking and traffic. The proposal, in line with Transit Oriented Development, has few parking spaces, compared to the potential usage. While residents may not own cars, they will have family and friends who do and that parking will spill onto the nearby streets, and the search for parking will clog our streets, and create logjams on our streets. 160 families means a lot of Uber/Lyft/The Ride traffic, easily 60 a day, and there are no provisions along Washington Street to allow them to pull out of traffic to wait. A development like this needs rear loading space, but

in addition, needs front unloading space for passengers, otherwise they will simply stop on already gridlocked Washington Street to pick up and discharge passenger. It needs to be designed like a hotel, with room for 4-5 cars to wait.

I would like to support this proposal, but cannot as it stands. In order to get my support (and many of my neighbors'), the proposal needs to reduce the FAR, decrease overall height, increase the rear yard space, and provide hotel-like unloading space for passengers.

Sincerely,

Rita Poussaint Nethersole

--



Michael Sinatra, MPA

Project Manager
617-918-4280
michael.a.sinatra@boston.gov

Boston Planning & Development Agency (BPDA)
One City Hall Square, 9th Floor | Boston, MA 02201
bostonplans.org

Date	First Name	Last Name	Organization	Opinion	Comments
10/26/2019	Lorraine	Payne Wheeler	Roxbury Path Forward Neighborhood Association	Support	I am a member of the RSMPOC and attended the recent community meeting at the Shelburne Ctr. I join with other members of the Roxbury community in supporting this project above many others because of the developer's commitment to affordable homeownership and rental units. Homeownership is the best way to make sure that the present population is able to continue living here. There is also over \$100,000 in community benefits and 10 years of free rent for the NAACP. I do have some questions about the design, most of which the developer talked about at the meeting. 1) the design is a little boxy- Could the architect take on more influence from the historic, unique buildings in Dudley Sq. 2)the roof looks like a wide expanse of bland flatness- Could changes be made to make it look like the nearby historic buildings 3) the single private way entrance to the site from Warren St. is currently used by the police, courthouse judges and staff, and the employees and parents of the Boys and Girls Clubs (BGCB). It will be dangerous to add public parkers and more drivers by dividing the private way for the garage entrance. Frankly, the company preparing the traffic study and counting cars is not familiar with traffic in Roxbury and their statistics are not believable. If you drive in Roxbury, you have either been trapped behind a school bus near the BGCB or you've seen the way parents form a line of cars in the private way to wait for a school bus or pick up a child. Moving the parents out of the private way will just block Warren St. The private way is also used for sports at BGCB on the weekend. After construction, the residents will park there during the weekend. There is also a role for the Boston Transportation Dept. (BTD) because it looks like the on-street parking lane near the library and the courthouse is being replaced by a bike lane. Where will on-street parkers go? Will those cars park in the new garage adding to the cars using the private way? At the meeting Cruz committed to meeting with the courthouse, library and BGCB to ameliorate these issues.
10/18/2019	Giuseppe	Di Caprio		Oppose	In section "1.3.13 Construction Impacts Analysis" the proponents write "Construction is expected to commence in the 1st Quarter 2023 and to be completed in the 2nd Quarter of 2025." It is three and a half years from now!!! In the same round of applications, other applicants will begin construction in August 2020 for 75 Dudley, and Fall 2020 for 2147 Washington Street. I don't understand why this application was chosen to start with, the proponents have a terrible track record. Their proposal for 95 affordable units on 280-290 Warren was approved in 2016 and they haven't even started (http://www.bostonplans.org/projects/development-projects/280-290-warren-street).
10/5/2019	Carol	Dotten		Support	I love it
10/4/2019	solmon	chowdhury	shanti Acquisition Ilc.	Support	as board member and business owner in Dudley sq. i would like to strongly support this project. we need to bring more residence and foot traffic To Dudley sq. for the business to thrive.

TO: Roxbury Strategic Master Plan Oversight Committee
FROM: PLAN: Dudley Project Review Committee
DATE: June 3, 2019
SUBJECT: PRC Developer Proposal Recommendation for 135 Dudley Street (Former B-2 Site)

Having reviewed all eligible development proposals for the City-owned parcel at 135 Dudley Street, and evaluated each according to the criteria and objectives set forth in the Request For Proposals (RFPs) issued in the summer of 2018, **the PLAN: Dudley Square Project Review Committee (PRC) is recommending the developer designation of Cruz Development Corporation for 135 Dudley Street.** As discussed in further detail below, the proposal from Cruz Development was chosen for most effectively meeting affordability and homeownership objectives, while also bringing a very strong track record of development and construction, involving inclusion and diversity in both the formation of development teams and its construction hiring practices.

History and Context for PLAN: Dudley Square

The evaluation of development proposals submitted at the end of 2018 is only the latest step in a multi-year process of community engagement to drive development in Dudley Square that is consistent with the public's vision for the neighborhood. Beginning in early 2016, a series of workshops, open houses, walking tours, and other events took place to gather input from residents and develop a shared set of objectives for future development. This process helped to prioritize several key components included in the RFPs: housing, affordability, economic development, job training, education and employment, cultural identity, neighborhood amenities, transportation, open space, climate resiliency, and "green" building. The RFPs were drafted over the course of 2017 and 2018, with input from the public significantly shaping the final documents. With approval of the Roxbury Strategic Master Plan Oversight Committee (RSMOC), they were released on July 16, 2018 and all proposals were submitted by the deadline on October 30, 2018.

Public Engagement and Input Regarding the Four City-Owned Parcels

The PRC, with support from the Department of Development and the Boston Planning and Development Agency (BPDA), has worked diligently to promote transparency around the proposal evaluation process and offer multiple ways for Roxbury and Dudley residents and businesses to share their input. Since the submission of development proposals in October, 2018, these channels have included:

- **Public Meetings:** On February 23 and April 13, the PRC, DND, and BPDA hosted community meetings at the Bruce Bolling Municipal Building to hear presentations from each developer team. The teams were given time to present the details of their proposals and to field questions and comments from the public. Both meetings were well attended and allowed for many questions to be asked and answered. Public comment sheets were included in both meetings; meeting agendas noted the DND website so that the public could offer comment, in addition to listing DND Development Officers for public comment.
- **Filming of Developer Presentation:** The public developer presentation meetings were filmed by Boston City TV and live-streamed for those who could not make the meetings or who wanted to further review presentations. They have been added to DND's public website for viewing.
- **Public Outreach:** To publicize the developer presentations, on two occasions DND sent out mailings to area residents and businesses. On numerous occasions DND also emailed local resident groups such as the Garrison Trotter Neighborhood Association and the Highland Park Project Review Committee. Furthermore, the BPDA and Mayor's Office of Neighborhood Services issued multiple emails noticing the developer presentation public meetings.

APPENDIX C
COMMENTS FROM THE IMPACT ADVISORY GROUP

- **Public Display Boards:** Since February each of the four proposals for 135 Dudley Street (plus other applications for the 3 additional sites) have been shared publicly via display boards mounted in the lobby of the Bolling Building. Boards recounted the history of the planning and RFP process, listed the DND contact and captured the key components of each proposal.
- **Public Comment Period:** Consistent with DND's public engagement procedures, a public comment period followed the presentation of proposals by the developer teams, allowing residents to share thoughts, ideas, questions, and concerns with the City and PRC.
- **Online Repository:** DND and the BPDA created a set of webpages that have served as repositories of documents, events, and other information associated with the parcels and development proposals. These pages (accessible at bit.ly/PlanDudley) include the full set of proposal documents submitted in response to the RFPs, presentation files, and videos of the community meetings. Furthermore, the site has a public comment portal.
- **Media Coverage:** Additional information has been shared with the public via multiple news articles (Bay State Banner) covering the disposition process, responses to the RFP and the developer presentations.

The Project Review Committee and Evaluation Process

The PRC comprises 17 resident members, including 6 RSMOC members and 11 appointed Dudley residents and business supported by the Mayor. Beginning on January 8, the PRC met 2-3 times per month through May, for a total of 11 meetings, to review all eligible proposals for 135 Dudley Street, 2147 Washington Street, 40-50 Warren Street, and 75-81 Dudley Street. For each parcel, the PRC's evaluation followed a similar structure:

- Review the details of each developer's proposal according to the RFP Evaluation Criteria;
- Compile a set of strengths, weaknesses, and clarifying questions for each proposal;
- Meet separately with each development team, as needed, to ask clarifying questions;
- Build consensus among PRC members to select the proposal that best met the community-defined objectives of the RFP.

In evaluating the development proposals, the PRC sought to choose the best proposal for each parcel and also consider all four parcels in aggregate -- to understand the overall impact that the four chosen proposals will have on Dudley Square as they are implemented on parallel paths.

Strengths of Cruz Development Corporation's Proposal

Of the four eligible proposals that the PRC considered for 135 Dudley Street, the plan presented by Cruz Development was selected as the proposal that most effectively responded to the RFP objectives. In particular, the PRC noted several aspects of Cruz Development's proposal as being particularly beneficial for Dudley Square and the residents and businesses of Roxbury:

- **Diversity and Inclusion in Hiring and Team Composition:** Cruz Development has a strong track record in the Boston area of hiring construction workers in proportions that meet and exceed the Boston Residents Jobs Policy, and in the past has committed to involve minority and women owned subcontractors in construction work. Furthermore, Cruz Development prioritized assembling a development team that included many Minority-Owned Business Enterprises (MBEs), in keeping with the objectives of the RFP; and committed to very strong hiring and subcontracting standards for this project.
- **Homeownership:** This development program, totaling 150 rental and condominium units, was one of two proposals that includes 100 homeownership units and strikes a balance between market-rate and income-restricted ownership units. Increased opportunities for ownership in

Dudley Square and Roxbury was consistently highlighted as a leading housing priority at PLAN: Dudley community meetings.

- **Affordability:** This proposal also prioritized income-restricted units with deep affordability, both for homeownership and rental. Of the 150 units in the plan, 100 will be affordable. 45 condominium units will be deed-restricted to be affordable to households at or below 80% of Area Median Income (AMI) and 5 condo units will be deed-restricted at or below 70% of AMI. All 50 rental units will be deed-restricted at or below 50% of AMI.
- **Development and Construction Track Record:** The PRC acknowledged the many years of experience the Cruz team had in development and construction, with many examples of successful developments in Roxbury and Boston.
- **Community Benefits:** The Cruz Development proposal makes several commitments that the PRC assessed as beneficial to the Roxbury community: establishing the new headquarters of the Boston branch of the NAACP at 135 Dudley, rent-free for 10 years; partnering with Youth Build Boston to hire five trainees during construction, and contributing \$200,000 to Youth Build Boston over a five-year period; and establishing a \$5,000 annual college scholarship for a Roxbury student, for a minimum of ten years.

Development Questions Remaining to be Addressed

The PRC has prepared a detailed set of conditions (see attached Conditions) that it expects all development teams to acknowledge and address in collaboration with the PRC, the RSMOC, and the City of Boston. In addition to the proposal strengths enumerated above, the PRC highlighted several elements of Cruz Development's proposal in particular that will require a commitment from Cruz to address. Going forward, concerted effort will be directed to reduce development costs and subsidy request, while the Cruz team will work to improve aspects of the design site plan, building layout and public access.

Conditions to PRC & RSMPOC Recommendation

135 Dudley Street: Cruz Development Corporation

1. **Naming:** The naming of the development must respect place and reflect the historic importance of Roxbury and Dudley Square.
2. **Public Engagement:** The developer must engage with the RSMPOC/PRC and DND and other public groups, as appropriate, to address development items pertaining to advancing RFP Development Objectives, and to promote further public engagement in the development.
3. **Construction Jobs:** The developer must meet the Boston Resident Jobs policy at a minimum and strive to meet and exceed higher construction employment goals as outlined by the RSMPOC (51% Boston residents, 51% People of Color, 15% Women). During construction the developer and contractor must commit to meeting with the RSMPOC Construction Monitoring Committee (and PRC, if applicable), to evaluate and monitor hiring performance.
4. **General Contractor and Subcontractor Trades:** The developer must commit to prioritizing the participation of an MWBE general contractor and subcontractors. The developer will be expected to report on this item during the design and development process leading up to project closing.
5. **Project Affordability:** The affordability plan and income mix must meet or exceed the plan outlined in the Request for Proposals application.
6. **Development Budget:** The developer is expected to reduce development costs to levels acceptable to DND and the Massachusetts Department of Housing and Community Development (DHCD).
7. **Good Jobs Standards:** The developer will work with the RSMPOC/PRC and DND to: promote and address the Good Jobs Standards; include the standards in lease agreements as outlined in the RFP, and work with the RSMPOC to establish a workable reporting system.
8. **Public Subsidy:** The developer is expected to address development and operating costs, and maximize private financing to limit the request for DND subsidy and matching DHCD subsidy.
9. **Design Review:** The developer will work with DND, the Boston Planning and Development Agency (BPDA), the site Impact Advisory Group (IAG), and other agencies as required, as part of the Article 80 process, to reflect design comments and incorporate into the design plan.
10. **Development Timeline:** The developer must submit a detailed development timeline within 30 days of the date of the RSMPOC vote to approve developer designation. The timeline shall include key benchmarks for all aspects of the project: design, permitting and other regulatory approvals, financing, loan closing, key RSMPOC and PRC check-in points, construction start and completion, and occupancy. The developer, RSMPOC/PRC and DND will work together to review the timeline and performance after designation as a basis for evaluating possible extension(s) of the tentative developer designation. The developer must demonstrate evidence

of development progress to the RSMPOC/PRC and DND on an annual basis.

11. Funding Round: The developer must apply to the next DND and DHCD funding round, with budgets that address aforementioned cost, financing and subsidy items. Applicants not funded by DHCD in this funding round will be required to obtain new award letters from DND prior to reapplying to DHCD in subsequent funding rounds. Applicants seeking new award letters from DND must have advanced drawings to 70% and also obtain updated pricing.

Signed by:

RSMPOC Co-Chairs:

Date: 7/1/19

 Norman Standridge

Developer Signature:

Date: 7-10-19



APPENDIX D
EXAMPLE OF PUBLIC NOTICE

SAMPLE

PUBLIC NOTICE

The Boston Redevelopment Authority d/b/a Boston Planning & Development Agency (“BPDA”), acting pursuant to Article 80 of the Boston Zoning Code (“Code”), hereby gives notice that a Draft Project Impact Report (“DPIR”) for Large Project Review has been received from _____

(Name of Proponent)

for _____
(Brief Description of Proposed Project)

proposed at _____.
(Location of Proposed Project)

The DPIR may be reviewed on the BPDA website – www.bostonplans.org - or at the Office of the Secretary of the BPDA at Boston City Hall, Room 910, between 9:00 A.M. and 5:00 P.M., Monday through Friday, except legal holidays. Public comments on the DPIR, including the comments of public agencies, should be transmitted to Michael Sinatra, Project Manager, BPDA, Boston City Hall, Boston, MA, 02201 or via email at Michael.a.sinatra@Boston.gov within forty five (45) days of this notice or by _____.

The Proponent is seeking issuance of a Preliminary Adequacy Determination (“PAD”) by the Director of the BPDA pursuant to Section 80B-5 of the Code. The PAD may waive further review requirements pursuant to Section 80B-5.4(c) (iv), if, after reviewing public comments, the BPDA finds such DPIR adequately describes the Proposed Project’s impacts.

Teresa Polhemus, Secretary

APPENDIX E
ACCESSIBILITY CHECKLIST

ARTICLE 80 – ACCESSIBILITY CHECKLIST

A Requirement of the Boston Planning & Development Agency (BPDA) Article 80 Development Review Process

The Mayor's Commission for Persons with Disabilities works to reduce architectural barriers that impact accessibility in Boston's built environment. This Checklist is intended to ensure that accessibility is planned at the beginning of projects, rather than after a design is completed. It aims to ensure that projects not only meet minimum MAAB/ADA requirements, but that they create a built environment which provides equitable experiences for all people, regardless of age or ability.

All BPDA Small or Large Project Review, including Institutional Master Plan modifications, must complete this Checklist to provide specific detail and data on accessibility. An updated Checklist is required if any project plans change significantly.

For more information on compliance requirements, best practices, and creating ideal designs for accessibility throughout Boston's built environment, proponents are strongly encouraged to meet with Disability Commission staff prior to filing.

Accessibility Analysis Information Sources:

1. Age-Friendly Design Guidelines - Design features that allow residents to Age in Place
<https://www.enterprisecommunity.org/download?fid=6623&nid=3496>
2. Americans with Disabilities Act – 2010 ADA Standards for Accessible Design
http://www.ada.gov/2010ADASTandards_index.htm
3. Massachusetts Architectural Access Board 521 CMR
<http://www.mass.gov/eopss/consumer-prot-and-bus-lic/license-type/aab/aab-rules-and-regulations-pdf.html>
4. Massachusetts State Building Code 780 CMR
<http://www.mass.gov/eopss/consumer-prot-and-bus-lic/license-type/csl/building-codebbrs.html>
5. Massachusetts Office of Disability – Disabled Parking Regulations
<http://www.mass.gov/anf/docs/mod/hp-parking-regulations-summary-mod.pdf>
6. MBTA Fixed Route Accessible Transit Stations
http://www.mbt.com/riding_the_t/accessible_services/
7. City of Boston – Complete Street Guidelines
<http://bostoncompletestreets.org/>
8. City of Boston – Mayor's Commission for Persons with Disabilities
<http://www.boston.gov/disability>
9. City of Boston – Public Works Sidewalk Reconstruction Policy
http://www.cityofboston.gov/images_documents/sidewalk%20policy%200114_tcm3-41668.pdf
10. City of Boston – Public Improvement Commission Sidewalk Café Policy
http://www.cityofboston.gov/images_documents/Sidewalk_cafes_tcm3-1845.pdf
11. International Symbol of Accessibility (ISA)
<https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/guide-to-the-ada-standards/guidance-on-the-isa>
12. LEED – Pilot Credits for Social Equity and Inclusion
<https://www.usgbc.org/articles/social-equity-pilot-credits-added-leed-nd-and-leed-om>

Glossary of Terms:

1. **Accessible Route** – A continuous and unobstructed path of travel that meets or exceeds the dimensional requirements set forth by MAAB 521 CMR: Section 20
2. **Accessible Guestrooms** – Guestrooms with additional floor space, that meet or exceed the dimensional requirements set forth by MAAB 521 CMR: Section 8.4
3. **Age-Friendly** – Implementing structures, settings and policies that allow people to age with dignity and respect in their homes and communities
4. **Housing – Group 1 Units** – Residential Units that contain features which can be modified without structural change to meet the specific functional needs of an occupant with a disability, per MAAB 521 CMR: Section 9.3
5. **Housing – Group 2 Units** – Residential units with additional floor space that meet or exceed the dimensional and inclusionary requirements set forth by MAAB 521 CMR: Section 9.4
6. **Ideal Design for Accessibility** – Design which meets, as well as exceeds, compliance with AAB/ADA building code requirements
7. **Inclusionary Development Policy (IDP)** – Program run by the BPDA that preserves access to affordable housing opportunities in the City. For more information visit: <http://www.bostonplans.org/housing/overview>
8. **Public Improvement Commission (PIC)** – The regulatory body in charge of managing the public right of way in Boston. For more information visit: <https://www.boston.gov/pic>
9. **Social Equity LEED Credit** – Pilot LEED credit for projects that engage neighborhood residents and provide community benefits, particularly for persons with disabilities

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10. **Visibility** – A structure that is designed intentionally with no architectural barriers in its common spaces (entrances, doors openings, hallways, bathrooms), thereby allowing persons with disabilities who have functional limitations to visit

Today's Date:		Your Name and Title:		
1. Project Information: <i>If this is a multi-phased or multi-building project, fill out a separate Checklist for each phase/building.</i>				
Project Name:				
Project Address(es):				
Total Number of Phases/Buildings:				
Primary Contact: (Name / Title / Company / Email / Phone):				
Owner / Developer:				
Architect:				
Civil Engineer:				
Landscape Architect:				
Code Consultant:				
Accessibility Consultant (If you have one):				
What stage is the project on the date this checklist is being filled out?		SPRA / PNF / Expanded PNF Submitted	Draft / Final Project Impact Report Submitted	BPDA Board Approved or other: _____
2. Building Classification and Description: <i>This section identifies preliminary construction information about the project including size and uses.</i>				
What are the dimensions of the project? See below:				
Site Area:		SF	Building Area:	GSF
First Floor Elevation:			Any below-grade space	Yes / No
What is the construction classification?		New Construction	Renovation	Addition
				Change of Use
Do you anticipate filing any variances with the MAAB (Massachusetts Architectural Access Board) due to non-compliance with 521 CMR?		YES NO		
If yes, is the reason for your MAAB variance: (1) technical infeasibility, OR (2) excessive and unreasonable cost without substantial benefit for persons with disabilities? Have you met with an accessibility consultant or Disability Commission to try to achieve compliance rather than applying for a variance? Explain:		(1) OR (2)		

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What are principal building uses? (using IBC definitions, select all appropriate that apply):	Residential – One - Three Unit	Residential - Multi-unit, Four+	Institutional	Educational
	Business	Mercantile	Factory	Hospitality
	Laboratory / Medical	Storage, Utility and Other	Other:	
List street-level uses of the building:				
<p>3. Accessibility of Existing Infrastructure: <i>This section explores the proximity to accessible transit lines and institutions. Identify how the area surrounding the development is accessible for people with mobility impairments, and analyze the existing condition of the accessible routes to these sites through sidewalk and pedestrian ramp reports.</i></p>				
Provide a description of the neighborhood where this development is located and its identifying topographical characteristics:				
List the surrounding accessible MBTA transit lines and their proximity to development site, including commuter rail, subway stations, and bus stops:				
List surrounding institutions and their proximity: hospitals, public housing, elderly and disabled housing, educational facilities, others:				
List surrounding government buildings and their proximity: libraries, community centers, recreational facilities, and related facilities:				
<p>4. Surrounding Site Conditions – Existing: <i>This section identifies current condition of the sidewalks and pedestrian ramps at the development site.</i></p>				
Is the development site within a formally recognized historic district? <i>If yes</i> , which one?	YES NO			
Are there existing sidewalks and pedestrian	YES NO			

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<p>ramps at the development site? If yes, list the existing sidewalk and pedestrian ramp slopes, dimensions, materials, and physical condition:</p>	
<p>Are the sidewalks and pedestrian ramps existing-to-remain? If yes, have they been verified as ADA/MAAB compliant (with yellow composite detectable warnings, cast in concrete)? If yes, provide description and photos. If no, explain plans for compliance:</p>	<p>YES NO</p>
<p>5. Surrounding Site Conditions – Proposed <i>This section identifies the proposed condition of the sidewalks and pedestrian ramps around the development site. Ideal sidewalk width contributes to lively pedestrian activity, allowing people to walk side by side and pass each other comfortably walking alone, in pairs, or using a wheelchair or walker.</i></p>	
<p>Are the proposed sidewalks consistent with Boston Complete Streets? If yes, choose which Street Type was applied: Downtown Commercial, Downtown Mixed-use, Neighborhood Main, Connector, Residential, Industrial, Shared Street, Parkway, or Boulevard. Explain:</p>	<p>YES NO</p>
<p>What are the total dimensions and slopes of the proposed sidewalks? List the widths of each proposed zone: Frontage, Pedestrian and Furnishing Zone:</p>	<p>Frontage: Pedestrian: Furnishing:</p>
<p>List the proposed materials for each Zone. Will the proposed materials be on private property or will the proposed materials be on the City of Boston pedestrian right-of-way?</p>	<p>Frontage: Pedestrian: Furnishing:</p>
<p>Will sidewalk cafes or other furnishings be programmed for the pedestrian right-of-way? If yes, what are the proposed dimensions of the sidewalk café or furnishings and what will the remaining right-of-way clearance be?</p>	<p>YES NO</p>

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<p>If the pedestrian right-of-way is on private property, will the proponent seek a pedestrian easement with the Public Improvement Commission (PIC)?</p>	<p style="text-align: center;">YES NO</p>
<p>Will any portion of this project be going through the Public Improvement Commission (PIC)? If yes, identify PIC actions and provide details:</p>	<p style="text-align: center;">YES NO</p>
<p>6. Building Entrances, Vertical Connections, Accessible Routes, and Common Areas: <i>The primary objective in ideal accessible design is to build smooth, level, continuous routes and vertical connections that are integrated with standard routes, not relocated to alternate areas. This creates universal access to all entrances and spaces, and creates equity for persons of all ages and abilities by allowing for “aging in place” and “visitability” (visiting neighbors).</i></p>	
<p>Are all of the building entrances accessible? Describe the accessibility of each building entrance: flush condition, stairs, ramp, lift, elevator, or other. If all of the building entrances are not accessible, explain:</p>	<p style="text-align: center;">YES NO</p>
<p>Are all building entrances well-marked with signage, lighting, and protection from weather?</p>	<p style="text-align: center;">YES NO</p>
<p>Are all vertical connections located within the site (interior and exterior) integrated and accessible? Describe each vertical connection (interior and exterior): stairs, ramp, lift, elevator, or other. If all the vertical connections are not integrated and accessible, explain:</p>	<p style="text-align: center;">YES NO</p>
<p>Are all common spaces in the development located on an accessible route? Describe:</p>	<p style="text-align: center;">YES NO</p>
<p>Are all of the common spaces accessible for persons with mobility impairments? (Examples: community rooms, laundry areas, outdoor spaces, garages, decks/roof decks):</p>	<p style="text-align: center;">YES NO</p>
<p>What built-in features are provided in</p>	

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<p>common public spaces? (Examples: built-in furnishings such as tables, seating; countertop heights, outdoor grills and benches). Are these accessible? Do benches and seats have armrests? Describe:</p>	
<p>If this project is subject to Large Project Review/Institutional Master Plan, describe the accessible routes way-finding / signage package:</p>	
<p>7. Accessible Housing Units (If applicable) – Residential Group 1, Group 2, and Hospitality Guestrooms <i>In order to create accessible housing and hospitality rooms, this section addresses the number of accessible units that are proposed for barrier-free housing and hotel rooms in this development.</i></p>	
<p>What is the total number of proposed housing units or hotel rooms for this development?</p>	
<p>If a residential development, how many units are for sale? How many are for rent? What is the breakdown of market value units vs. IDP (Inclusionary Development Policy) units?</p>	
<p>If a residential development, will all units be constructed as MAAB Group 1* units, which have blocking and other built-in infrastructure that makes them adaptable for access modifications in the future? (*this is required in all new construction):</p>	<p>YES NO</p>
<p>If a residential development, how many fully built-out ADA (MAAB Group 2) units will there be? (requirement is 5%):</p>	
<p>If a residential development, how many units will be built-out as ADA/MAAB sensory units? (requirement is 2%):</p>	
<p>If a residential development, how many of the fully built-out ADA (MAAB Group 2) units will also be IDP units? If none, explain:</p>	
<p>If a hospitality development, how many of the accessible units will feature a wheel-in</p>	

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<p>shower? Will accessibility features and equipment be built in or provided (built-in bench, tub seat, etc.)? If yes, provide details and location of equipment:</p>	
<p>Do the proposed housing and hotel units that are standard, non-ADA units (MAAB Group 2) have any architectural barriers that would prevent entry or use of the space by persons with mobility impairments? (Example: stairs or thresholds within units, step up to balcony, etc.). If yes, explain:</p>	<p>YES NO</p>
<p>8. Accessible Parking: <i>See Massachusetts Architectural Access Board Rules and Regulations 521 CMR Section 23.00 regarding accessible parking requirements and the Massachusetts Office of Disability Disabled Parking Regulations.</i></p>	
<p>What is the total number of parking spaces provided at the development site? Will these be in a parking lot or garage? Will they be mechanically stacked? Explain:</p>	
<p>How many of these parking spaces will be designated as Accessible Parking Spaces? How many will be “Van Accessible” spaces with an 8 foot access aisle? Describe:</p>	
<p>Will visitor parking be provided? If yes, where will the accessible visitor parking be located?</p>	<p>YES NO</p>
<p>Has a drop-off area been identified? If yes, where is it located, and is it wheelchair accessible?</p>	<p>YES NO</p>
<p>9. Community Impact: <i>Accessibility and inclusion extend past required compliance with building codes to providing an overall development that allows full and equal participation of persons with disabilities and older adults.</i></p>	
<p>Has the proponent looked into either of the two new LEED Credit Pilots for (1) Inclusion, or (2) Social Equity – with a proposal that could increase inclusion of persons with disabilities? If yes, describe:</p>	<p>YES NO</p>

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<p>These new LEED Pilot Credits may be awarded for filling out this checklist and evaluating ways to add features to your design that will increase equity for persons with disabilities. Have you looked at this list to assess the feasibility of adding any of these features?</p>	<p>YES NO</p>
<p>Is this project providing funding or improvements to the surrounding neighborhood or to adjacent MBTA Station infrastructure? (Examples: adding street trees, building or refurbishing parks, adding an additional MBTA elevator or funding other accessibility improvements or other community initiatives)? If yes, describe:</p>	<p>YES NO</p>
<p>Will any public transportation infrastructure be affected by this development, during and/or post-construction (Examples: are any bus stops being removed or relocated)? If yes, has the proponent coordinated with the MBTA for mitigation? Explain:</p>	<p>YES NO</p>
<p>During construction, will any on-street accessible parking spaces be impacted (during and/or post-construction)? If yes, what is the plan for relocating the spaces?</p>	<p>YES NO</p>
<p>Has the proponent reviewed these plans with the City of Boston Disability Commission Architectural Access staff? If no, will you be setting up a meeting before filing?</p>	<p>YES NO</p>
<p>10. Attachments <i>Include a list of all documents you are submitting with this Checklist – drawings, diagrams, photos, or any other materials that describe the accessible and inclusive elements of this project.</i></p>	
<p>Provide a diagram of the accessible routes to and from the accessible parking lot/garage and drop-off areas to the development entry locations, including route distances.</p>	
<p>Provide a diagram of the accessible route connections through the site, including distances.</p>	
<p>Provide a diagram the accessible route to any roof decks or outdoor space (if applicable).</p>	
<p>Provide a plan and diagram of the accessible Group 2 units, including locations and route from accessible entry.</p>	

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Provide any additional drawings, diagrams, photos, or any other material that describes the inclusive and accessible elements of this project.

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This completes the Article 80 Accessibility Checklist required for your project. Prior to and during the review process, Commission staff are able to provide technical assistance and design review, in order to ensure that all buildings, sidewalks, parks, and open spaces are welcoming and usable to Boston's diverse residents and visitors, including those with physical, sensory, and other disabilities.

For questions about this checklist, or for more information on best practices for improving accessibility and inclusion, visit www.boston.gov/disability, or contact our Architectural Access staff at:

ADA@boston.gov | patricia.mendez@boston.gov | sarah.leung@boston.gov |
617-635-3682 (phone) | 617-635-2726 (fax) | 617-635-2541 (tty)

The Mayor's Commission for Persons with Disabilities
Boston City Hall, One City Hall Square, Room 967, Boston MA 02201

Updated: October, 2019

APPENDIX F
BROADBAND READY BUILDINGS QUESTIONNAIRE

**ARTICLE 80 DESIGN REVIEW
BROADBAND READY BUILDINGS QUESTIONNAIRE**

The City of Boston is working to cultivate a broadband ecosystem that serves the current and future connectivity needs of residents, businesses, and institutions. The real estate development process offers a unique opportunity to create a building stock in Boston that enables this vision. In partnership with the development community, the Boston Planning and Development Authority and the City of Boston will begin to leverage this opportunity by adding a broadband readiness component to the Article 80 Design Review. This component will take the form of a set of questions to be completed as part of the Project Notification Form. Thoughtful integration of future-looking broadband practices into this process will contribute to progress towards the following goals:

1. Enable an environment of competition and choice that results in all residents and businesses having a choice of 2 or more wireline or fixed wireless high-speed Internet providers
2. Create a built environment that is responsive to new and emerging connectivity technologies
3. Minimize disruption to the public right of way during and after construction of the building

The information that is shared through the Project Notification Form will help BPDA and the City understand how developers currently integrate telecommunications planning in their work and how this integration can be most responsive to a changing technological landscape.

Upon submission of this online form, a PDF of the responses provided will be sent to the email address of the individual entered as Project Contact. Please include this PDF in the Project Notification Form packet submitted to BPDA.

SECTION 1: GENERAL QUESTIONS

Project Information

- Project Name:
- Project Address Primary:
- Project Address Additional:
- Project Contact (name / Title / Company / email / phone):
- Expected completion date

Team Description

- Owner / Developer
- Architect
- Engineer (building systems):
- Permitting:
- Construction Management

SECTION 2: RIGHT OF WAY TO BUILDING

Point of Entry Planning

Point of entry planning has important implications for the ease with which your building's telecommunications services can be installed, maintained, and expanded over time.

#1: Please provide the following information for your building's point of entry planning (conduits from building to street for telecommunications). Please enter 'unknown' if these decisions have not yet been made or you are presently unsure.

- Number of Points of Entry
- Locations of Points of Entry
- Quantity and size of conduits
- Location where conduits connect (e.g. building-owned manhole, carrier-specific manhole or stubbed at property line)
- Other information/comments

#2: Do you plan to conduct a utility site assessment to identify where cabling is located within the street? This information can be helpful in determining the locations of POEs and telco rooms. Please enter 'unknown' if these decisions have not yet been made or you are presently unsure.

- Yes
- No
- Unknown

SECTION 3: INSIDE OF THE BUILDING

Riser Planning

Riser capacity can enable multiple telecom providers to serve tenants in your building.

#3: Please provide the following information about the riser plans throughout the building. Please enter 'unknown' if these decisions have not yet been made or you are presently unsure.

- Number of risers
- Distance between risers (if more than one)
- Dimensions of riser closets
- Riser or conduit will reach to top floor
- Number and size of conduits or sleeves within each riser
- Proximity to other utilities (e.g. electrical, heating)
- Other information/comments

Telecom Room

A well designed telecom room with appropriate security and resiliency measures can be an enabler of tenant choice and reduce the risk of service disruption and costly damage to telecom equipment.

#4: Please provide the following information about the telecom room plans. Please enter 'unknown' if these decisions have not yet been made or you are presently unsure.

- What is the size of the telecom room?

- Describe the electrical capacity of the telecom room (i.e. # and size of electrical circuits)

- Will the telecom room be located in an area of the building containing one or more load bearing walls?
- Will the telecom room be climate controlled?
 - Yes
 - No
 - Unknown

- If the building is within a flood-prone geographic area, will the telecom equipment will be located above the floodplain?
 - Yes
 - No
 - Unknown

- Will the telecom room be located on a floor where water or other liquid storage is present?
 - Yes
 - No
 - Unknown

- Will the telecom room contain a flood drain?
 - Yes
 - No
 - Unknown

- Will the telecom room be single use (telecom only) or shared with other utilities?
 - Telecom only
 - Shared with other utilities
 - Unknown

- Other information/comments

Delivery of Service Within Building (Residential Only)

Please enter 'unknown' if these decisions have not yet been made or you are presently unsure. Questions 5 through 8 are for residential development only.

#5: Will building/developer supply common inside wiring to all floors of the building?

- Yes
- No
- Unknown

#6: If so, what transmission medium (e.g. coax, fiber)? Please enter 'unknown' if these decisions have not yet been made or you are presently unsure.

#7: Is the building/developer providing wiring within each unit?

- Yes
- No
- Unknown

#8: If so, what transmission medium (e.g. coax, fiber)? Please enter 'unknown' if these decisions have not yet been made or you are presently unsure.

SECTION 4: ACCOMMODATION OF NEW AND EMERGING TECHNOLOGIES

Cellular Reception

The quality of cellular reception in your building can have major impacts on quality of life and business operations.

Please provide the following information on your plans to facilitate high quality cellular coverage in your building. Please enter 'unknown' if these decisions have not yet been made or you are presently unsure.

#9: Will the building conduct any RF benchmark testing to assess cellular coverage?

- Yes
- No
- Unknown

#10: Will the building allocate any floor space for future in-building wireless solutions (DAS/small cell/booster equipment)?

- Yes
- No
- Unknown

#11: Will the building be providing an in-building solution (DAS/ Small cell/ booster)?

- Yes
- No
- Unknown

#12: If so, are you partnering with a carrier, neutral host provider, or self-installing?

- Carrier
- Neutral host provider
- Self-installing

Rooftop Access

Building rooftops are frequently used by telecommunications providers to install equipment critical to the provision of service to tenants.

Please provide the following information regarding your plans for roof access and usage. Please enter 'unknown' if these decisions have not yet been made or you are presently unsure.

#13: Will you allow cellular providers to place equipment on the roof?

- Yes
- No
- Unknown

#14: Will you allow broadband providers (fixed wireless) to install equipment on the roof?

- Yes
- No
- Unknown

SECTION 5: TELECOM PROVIDER OUTREACH

Supporting Competition and Choice

Having a choice of broadband providers is a value add for property owners looking to attract tenants and for tenants in Boston seeking fast, affordable, and reliable broadband service. In addition to enabling tenant choice in your building, early outreach to telecom providers can also reduce cost and disruption to the public right of way. The following questions focus on steps that property owners can take to ensure that multiple wireline or fixed wireless broadband providers can access your building and provide service to your tenants.

#15: (Residential Only) Please provide the date upon which each of the below providers were successfully contacted, whether or not they will serve the building, what transmission medium they will use (e.g. coax, fiber) and the reason they provided if the answer was 'no'.

- Comcast
- RCN
- Verizon
- NetBlazr
- Starry

#16: Do you plan to abstain from exclusivity agreements with broadband and cable providers?

- Yes
- No
- Unknown

#17: Do you plan to make public to tenants and prospective tenants the list of broadband/cable providers who serve the building?

- Yes
- No
- Unknown

SECTION 6: FEEDBACK

The Boston Planning and Development Agency looks forward to supporting the developer community in enabling broadband choice for resident and businesses. Please provide feedback on your experience completing these questions.