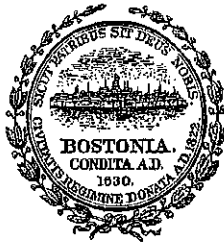


**APPENDIX I**  
**COMMENTS FROM ELECTED OFFICIALS**



**MICHAEL P. ROSS**  
**BOSTON CITY COUNCIL**

August 7, 2013

Katelyn Sullivan  
Project Manager  
Boston Redevelopment Authority  
One City Hall Plaza  
Boston, MA 02201

Dear Ms. Sullivan:

I am writing to express my strong concerns about the Institutional Master Plan Notification (IMPNF) filed by Fisher College on June 4, 2013 with the Boston Redevelopment Authority.

The most serious of these concerns is the proposed conversion of existing residential space that Fisher owns to institutional and dormitory space. While I have long been a proponent of universities and colleges increasing their on-campus housing, never have I been so for converting existing residential space and I am therefore in strong opposition of Fisher's proposed plan to add net-new dorm space. The precedent that would be set, should this change of use occur, would be potentially devastating to the Back Bay's community. I would request that Fisher explore the possibility of other locations in the city to use should they wish to expand their dorm space or negotiate to retain the space they currently lease from Hostelling International. Moreover, should Fisher wish to increase their institutional space, they should look at moving their existing dormitory space to another location.

Aside from just student housing, there are several other issues that have gone unresolved by Fisher that greatly impact the Back Bay and would be significantly exacerbated with expansion. At present, Fisher does not have a loading dock to service its needs now, nor does it include a plan to incorporate one in their IMPNF. I've hear numerous comments over the course of the Taskforce meetings about the disruptiveness of their deliveries. Fisher should work with their neighbors to better include a comprehensive plan to address this issue within the IMPNF.

Transportation issues must also be better addressed. Similar to their issues around deliveries, their lack of parking causes major traffic impacts by their athletic buses, by students and employees especially during transitional periods, and result in engine idling and frequent double parking. The daily congestion created by students and vendors creates dangerous conditions for anyone traveling on Beacon Street as well as for pedestrians, neighbors and Fisher's students and will only escalate with growth.

Also, Fisher has proposed a carriage house and the college terrace roof deck addition that will both have more negative impact than community benefit, especially for direct abutters. Fisher intends for the outdoor terrace to attract students to socialize and gather, not accounting for the constant noise, new net shadow impact and infringement of privacy for their neighbors. I would request that these two projects be removed or relocated to a more appropriate location that is not as impactful to surrounding residents.

DISTRICT 8

BOSTON CITY HALL, ONE CITY HALL PLAZA, BOSTON, MASSACHUSETTS 02201  
(617) 635-4225 FAX: (617) 635-4203 MICHAEL.ROSS@CI.BOSTON.MA.US

While I commend Fisher for their initiative in filing an IMPNF, the projects that have proposed are out of line with the surrounding character of the residential neighborhood in which they are located and should be reconsidered. Thank you for your attention to this letter and please do not hesitate to contact me if you have any questions or concerns.

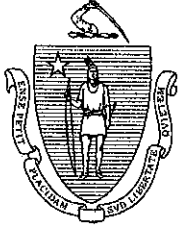
Best regards,

A handwritten signature in black ink, appearing to read "Michael P. Ross", with a long horizontal line extending to the right.

Michael P. Ross  
Boston City Councilor, District 8

**DISTRICT 8**

**BOSTON CITY HALL, ONE CITY HALL PLAZA, BOSTON, MASSACHUSETTS 02201  
(617) 635-4225 FAX: (617) 635-4203 MICHAEL.ROSS@CI.BOSTON.MA.US**



# The Commonwealth of Massachusetts

House of Representatives

State House, Boston 02133-1054

August 5, 2013

Katelyn Sullivan  
Boston Redevelopment Authority  
One City Hall Square, 9<sup>th</sup> Floor  
Boston, MA 02201

Re: Fisher College IMPNF

Dear Ms. Sullivan,

As the State Representative who represents the Back Bay and Beacon Hill, I am writing with comments regarding the proposed Fisher College Institutional Master Plan Notification Form.

## Construction of New Dormitory Beds

I am firmly opposed to Fisher College's proposal to convert buildings from residential use to dormitory space inside of the historic Back Bay neighborhood. Such conversion and subsequent use is at odds with long-standing zoning regulations and with the character of this unique, historic and residential neighborhood. For thirty-five years, institutional use by colleges and universities has been listed specifically as a forbidden use in the existing zoning code. Fisher College should withdraw its application to convert the buildings located at 115, 139, and 141 Beacon Street and should seek to expand and add new dormitory space outside of the Back Bay. If this conversion is allowed, it would mean that these properties would be removed from the tax rolls, causing the City to suffer a significant loss.

Fisher College's proposal to add 48 new student beds in existing dormitory space is also worrisome, particularly in light of the comments by many neighbors regarding problems with the existing student population residing on the block as well as with traffic, parking, and loading issues. I am encouraged by recent statements from Fisher College raising the possibility of an Institutional Master Plan with no conversion of residential space into dormitories, and wholeheartedly encourage the proponent to turn words into action.

## Historic Architecture of Back Bay

The Back Bay neighborhood has a unique and consistent architecture that adds greatly to the quality of life of residents and to property values in the area. The current proposal to increase building height and density, especially the rear yard addition at 118 Beacon Street, is at odds

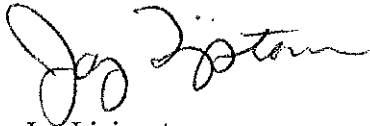
with the standards of the current architectural district. The BRA plays a crucial role in matters of exterior design and I urge the BRA to work closely with Fisher College to ensure consistency in exterior design with the historical standards of the neighborhood.

Roof Deck Spaces

The two proposed roof decks located on Back Street, if constructed, should be built in such a way to minimize any impact on the neighborhood. This includes a reduction in size, a larger setback space from Back Street, and design and standards of use that limit noise and light. I am particularly concerned about the roof deck on the back of 118 Beacon Street and its possible negative impact on the residences of 120 Beacon Street.

Please do not hesitate to contact me with any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jay Livingstone".

Jay Livingstone  
State Representative  
8th Suffolk District

**APPENDIX II**  
**COMMENTS FROM CITY PUBLIC AGENCIES**



BOSTON  
TRANSPORTATION  
DEPARTMENT

ONE CITY HALL SQUARE • ROOM 721  
BOSTON, MASSACHUSETTS 02201  
617-635-4680 • FAX 617-635-4295  
August 8, 2013

Katelyn Sullivan, Project Manger  
Boston Redevelopment Authority  
Boston City Hall, 9<sup>th</sup> Floor  
Boston, MA 02201

RE: Fisher College Institutional Master Plan Notification Form ("IMPNF")

Dear Ms. Sullivan:

Thank you for the opportunity to comment on the Fisher College Institutional Master Plan Notification Form (IMPNF) dated June 4, 2013. The Fisher College IMPNF describes existing facilities, forecasts future space requirements and identifies projects proposed to be developed during a 10-year term. The projects proposed include converting or reconfiguring existing institutional and dormitory uses at 102 to 116, 131 and 133 Beacon Street to create 48 replacement beds; converting the 17,500 square foot building at 10/11 Arlington Street to institutional use; building a 2,500 square foot addition to the rear of 118 Beacon Street for student services and library with terrace; building a 2,000 square foot outdoor open terrace on the roof of the addition at the rear of 112-114 Beacon Street; and converting from residential use to dormitory use the buildings at 115, 139 and 141 Beacon Street.

The IMPNF is implementing the seven proposed institutional projects in phases converting the institutional uses to dorm use in Projects 1 through 4, and creating 122 net new beds to its dormitory inventory. Projects 5 and 6 will build additions; while Project 7 building will be converted to institutional use.

Net increases in the proportion of students living on-campus will increase to 42% adding on average 28 students annually over the 10-year term of the IMP. BTD requests information stating the estimated change in the number of students travelling to/from the campus as well as any changes to commuter employees anticipated as support/maintenance staff to and from the seven sites. Analysis should cover anticipated daily trips made by vehicle, transit or bike. A map of the area sites should also indicate parking inventory, closest EV charging areas, transit and bus stops, as well as bike & care share locations.

The Boston Transportation Department (BTD) is required to comment on the combined impacts of all the components of the project. The proponent needs to address these comments and concerns when preparing future submissions as part of the Article 80 process as well as the Transportation Access Plan Agreement. Please note that upon BTD's final review and approval, a Transportation Access Plan Agreement codifying the transportation agreements and mitigation reached with BTD needs to be executed.

THOMAS M. MENINO, Mayor  
Thomas J. Tinlin, Commissioner

1

### **Parking**

The proponent currently has access to 46 public parking meters with a 2 hr parking limit, as well as paid parking at the Boston Common Garage (cap. 1362 spaces); and is proposing 4 new parking spaces, with a total inventory of 25 spaces in the parking supply at Fisher property. Boston's Climate Action Plan recommends an overall reduction in emissions of carbon dioxide and other GHG of 25 percent by 2020. In supporting this policy BTD requires proponents to install parking for clean-fuel and non-motorized vehicle parking. Current trends indicate that electric hybrids will soon be a significant percentage of all vehicles on the road. BTD is aggressively promoting the installation of a supporting infrastructure for these vehicles. BTD has requested a commitment to dedicate 5% of the total parking capacity to low-emitting and fuel efficient vehicle spaces for electric vehicle parking in addition to car-share to meet climate actions goals set forth by the City. The proponent will have 25 spaces remaining in their parking facilities BTD requests that at least 1 charging station be installed for charging in up to two spaces to allow electric car charging capabilities.

### *Bike Parking*

Bike parking and facilities will also be required to meet City of Boston's new bicycle parking guidelines that calls for one space for 15% of the planned institutional population or 0.5 parking spaces per 1,000 square feet of development with no fewer than four secure covered spaces per building. BTD asks the proponent to account for this in the IMPNF and looks forward to reviewing the site plan which should detail the bicycle parking facilities planned for new building conversions and/or new bike rack additions in front existing facilities.

### **Pedestrian Circulation**

The new building designs will physically change the functions of existing building allowing for gathering places and new living and administrative spaces. BTD will work with the proponent and its transportation consultant to identify areas where improved pedestrian crossings and where high counts of pedestrian activity take place to improve safety, reduce truck double parking and encourage slower driving speeds. BTD encourages the proponent to create a more pleasant continuous pedestrian path along the front of the buildings. Please refer to the City of Boston Complete Streets guidelines ([www.bostoncompletestreets.org](http://www.bostoncompletestreets.org)) to ensure any new improvements are consistent with current policies. A review of the detailed design with respect to the new guidelines will take place as part of the TAPA process.

### **Transportation Demand Management**

BTB asks that this information be provided to employees and residential persons accessing the school through a website, via hand held devices, or within the building lobby or transportation office. BTB would like to see more information on anticipated TDM measures including a transportation coordinator, commitment to EV charging, transit reimbursement, constrained parking, bike storage and orientation packet information.

### **Service and Loading**

BTB recognizes the need for a short-term curbside activity outside of the facilities. The proponent is required to setup a meeting with BTB and its transportation consultants to determine the scope of a transportation study for improved circulation, parking and loading. BTB will work with the proponent to identify metered parking spaces along Beacon Street and determine optimal curbside use of designated loading and pick-up/ drop-off zones as well as traffic flow changes based on anticipated site activity. Future plans will be subject to BTB approval based on study findings and further analysis.



BTD strongly encourages the proponents provide off-street facilities for loading, moving & garbage collection activity; this might be identified in the rear of 118 Beacon Street with the change in parking and acquiring new space.

BTD particularly encourages the appointment of a transportation coordinator to manage area move-in/out activities. We would like to also see posted "no idling" and "EV parking" signage in placed in all loading and parking areas to assist BTD's efforts of reducing emissions & traffic congestion caused by off-street truck maneuvering and loading.

**Site Plan**

The proponent needs to submit an engineered site plan within the context of the surrounding roadways at 1:20 scale depicting:

- Vehicular Access and Circulation
- Parking Layout and Circulation
- Pedestrian Access and Circulation
- Bicycle Access and Circulation
- Area Shuttle/Van Pool Pickup and Drop-off
- Parking Spaces for Car Sharing services
- Service and Loading\*
- Roadways and Sidewalks
- Building Layout
- Bicycle Parking Locations and Types (covered, indoor, bike share, etc)
- Transit Stops and Connections
- Electric Vehicle Charging Stations

*\* Trash compactors/dumpsters need to be depicted as well.*

**Construction Management Plan**

As the projects in the IMPNF advance, Fisher College and the other proponents will be required to develop and submit a detailed Construction Management Plan (CMP) to BTD for review and approval. The CMP will address TDM measures for construction workers, proposed street occupancies, equipment staging, sidewalk relocations and hours of construction work. BTD will work with the proponent to execute the CMP.

The issues raised above should be addressed in the TAPA to be provided for the projects in the IMPNF. BTD looks forward to working collaboratively with Fisher College and the community in review of these projects and to address any outstanding concerns in the permitting process.

Sincerely,



Rachel Szakmary  
Transportation Planner  
Boston Transportation Department  
Policy and Planning Division

Cc: Vinod Gupta, Director of Policy and Planning  
John DeBenedictis, Director of Engineering

## **BRA MEMORANDUM**

TO: Katelyn Sullivan, Project Manager  
FROM: David Grissino AIA, Senior Architect/Urban Designer  
DATE: August 5, 2013  
SUBJECT: **Fisher College**  
2013 Institutional Master Plan Notification Form

## **URBAN DESIGN SCOPING DETERMINATION COMMENTS**

### **Background**

On June 4, 2013, Fisher College (Fisher) filed its Institutional Master Plan Notification Form (IMPINF). The IMPINF described a series of strategic shifts in enrollment, degree program, and residence life goals which will guide the campus for the next 10 years. The IMPINF outlined seven Proposed IMP Projects. Those projects are the interior renovation and modifications to 102-118 Beacon Street, conversion of 115 Beacon Street to Dormitory use, conversion of 139 Beacon Street to Dormitory use, conversion of 141 Beacon Street to Dormitory use, a 2,500 square foot addition to the rear of 118 Beacon Street, a 2,500 square foot terrace on a portion of the existing roof at the rear of 112-114 Beacon Street, and the conversion of 10/11 Arlington Street to Institutional use.

Although Fisher is not undertaking any major new construction or significant exterior modification of existing buildings, the IMP will need to address a number of urban design issues that arise from the proposed consolidation of the institution's facilities and the anticipated growth defined in its Strategic Plan. These scoping comments will focus on several major areas for which additional analysis and discussion will be required, including pedestrian and vehicular circulation, student housing, institutional identity and the public realm, and historic resources. Comments are also provided regarding the two exterior construction projects located along Back Street.

These comments are in direct response to the IMPINF filing which is referenced above. As the review process moves forward, any significant change to the projects or their locations, as described, must be reviewed by BRA Urban Design staff in order to modify, add, or eliminate any specific requests for additional materials.

### **Institutional Master Plan comments**

#### *Pedestrian and vehicular circulation*

Many of the Proposed IMP Projects address the need to expand the inventory of on-campus student housing in order to maintain the current ratio of beds to students while increasing overall enrollment. The relocation of beds currently located at 19 Stuart Street, conversion of Fisher-owned rental properties into student housing, and the reconfiguration of existing dormitories will gradually increase the number of students residing on Beacon Street.

Historically, the majority of Fisher students lived, attended classes, and socialized within the cluster of interconnected buildings at 102-118 Beacon Street. The internal “Mall” which links together 104-116 Beacon Street allows many students to leave their bedroom, go to the cafeteria, access a range of student services, and attend classes without ever stepping outside onto Beacon Street. With the increased number of students now occupying both sides of Beacon Street and the addition of new uses along Arlington Street, the pedestrian circulation patterns will be affected as the students on the south side of Beacon Street move to access the amenities in the Mall or the services at 10/11 Arlington Street.

The IMP should provide a series of detailed site plans which define the major pedestrian routes between various existing and potential future Fisher facilities and the major activity centers and key destinations for students, faculty, and visitors. The IMP should describe these routes in terms of the current and anticipated pedestrian volumes and the times of day in which these volumes may be at their highest and lowest. Particular attention should be given to highlighting those places where increased volumes of pedestrians may impact vehicular circulation or pedestrian safety, such as the intersection at Beacon Street and David G. Mugar Way.

The reuse and repurposing of these buildings may also require modifications to the logistics of deliveries and building servicing. Detailed site plans should be submitted which describe the current and potential future locations and configurations of loading and other service functions, particularly those places which may have impacts on the broader traffic circulation in the area.

#### *Student Housing Plan*

As discussion continues regarding the conversion of properties along Beacon Street, additional information should be submitted regarding the overall residence life goals of the institution. As additional beds are added to the campus inventory, they will most likely be disconnected from the “Mall” referenced above and increase pedestrian circulation between student life amenities and housing sites. Information should be provided which outlines the types of social spaces which may be integrated into future housing, the anticipated demographic which will most likely be placed in future residence halls, and the criteria by which new sites for housing will be evaluated (i.e. distance from core campus, nearby amenities, access to transit, adjacencies, etc). A breakdown, by zip code, of all Fisher students housed either in college-owned or privately-owned properties should be submitted to understand the current distribution and clustering of students in the area.

#### *Institutional Identity and the Public Realm*

As Fisher considers gradually increasing the numbers of students living and attending classes along Beacon Street, the approach to balancing institutional and neighborhood identity will need to be described in detail. Fisher should outline its vision for its physical identity and the methods by which it hopes to achieve that vision relative to the public realm, key public spaces, and activity centers.

An inventory of all existing signs, banners, flags, and other graphics should be provided

concurrent with the IMP as part of a comprehensive signage plan. This plan should be developed in coordination with the Back Bay Historic Commission.

#### *Historic Resources and Preservation Plan*

It is typical for institutions to provide more detailed information about the historic resources in the area surrounding the campus so that they may be given consideration while the impacts of campus growth and change are assessed. This is of particular importance given the existing and potential future location of Fisher facilities within the Back Bay Historic District. A site plan and supporting narrative should be provided which describes the historic resources within ½ mile of the proposed IMP project sites.

Fisher should also submit a preservation plan which outlines those measures that the institution is undertaking to provide responsible stewardship for the buildings which it now occupies or may occupy as an outcome of this IMP. This may include information about current and anticipated use, physical upgrades and improvements to the interior or exterior, or other factors.

#### *Carriage House Addition*

While the scale and exterior appearance of the Carriage House addition will be reviewed by the Back Bay Architectural Commission, additional information should be provided in the IMP which addresses the anticipated use and access to the proposed roof and terrace. From the limited material presented in the IMPNF, it is unclear how the new space relates to the interior functions in 118 Beacon Street, how the new terrace is accessed, or the actual dimensions of the roof and terrace area. Floor plans for the project should be submitted which clarify these issues.

A discussion should also be provided regarding the range of activities anticipated and times of day during which the terrace will be used. Because additional outdoor uses will have an impact on the surrounding residential area, a detailed cross section should be submitted which describes the visual sightlines between the users of the terrace and the surrounding properties. The depiction on Figure 5 of the IMPNF suggests that the existing sidewalls of the existing carriage area are tall enough to block views of people using the terrace and people on the building's interior. This should be verified in scaled architectural drawings.

Figure 5 in the IMPNF also suggests that the roof level is landscaped. A roof plan should be provided which describes the extent of this planted area, the location and type of mechanical equipment (if any), and the means by which the roof will be accessed for maintenance (there is currently no doorway from the second floor of the existing building). The BRA's understanding is that the roof space is not permitted to be occupied and that the terrace at the first floor level is the only outdoor area proposed as part of this project.

#### *The College Terrace*

Similar to the issues raised for the Carriage House, additional information should be provided for the College Terrace with respect to the access to the terrace from the building interior, adjacent uses, sightlines, and anticipated hours of use. A floor plan should be provided which shows the interior layout of the building and the dimensions of the proposed terrace.

# BOSTON

Thomas M. Menino, Mayor

August 2, 2013

Mr. Brian Golden  
Boston Redevelopment Authority  
City Hall, Ninth Floor  
Boston, MA 02201

RE: Fisher College IMPNF

Dear Mr. Golden;

The Boston Parks and Recreation Department is responding herewith to the Article 80 Notice of Project Change for the project at 1480 Tremont Street in Mission Hill.

City Ordinance Section 7-4.11 requires the approval of the Boston Parks Commission for all buildings or structures constructed or altered within 100' of a park or parkway.

Proposed Projects 5 and 6, the Carriage House Addition and the new College Terrace, are within 100' of Storrow Drive and will therefore require approval of the Commission.

Proposed Project 7 at 10/11 Arlington Street is within 100' of the Public Garden. The IMPNF states that the proposed use is not anticipated to require construction. Any exterior work that might become necessary would be subject to Commission review.

The proponent is encouraged to contact this Department early in the review process, so that any concerns can be incorporated into the plans as the design is being developed.

If you have questions, please contact me at 617-961-3074, or [carrie.marsh@cityofboston.gov](mailto:carrie.marsh@cityofboston.gov).

Sincerely,

Carrie Marsh  
Executive Secretary, Boston Parks Commission

CC: Antonia M. Pollak, Commissioner, Boston Parks and Recreation Department  
Liza Meyer, Chief Landscape Architect, Boston Parks and Recreation Department  
Katelyn Sullivan, Boston Redevelopment Authority



**Boston Parks and Recreation Department**

Antonia M. Pollak, Commissioner

1010 Massachusetts Avenue, Boston MA 02118/ 617.635.4505

## BRA MEMORANDUM

TO: Katelyn Sullivan

FROM: Katie Pedersen

DATE: August 2, 2013

RE: Fisher College  
Boston, Massachusetts  
Comments on the Institutional Master Plan Notification Form

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I have reviewed the Institutional Master Plan Notification Form for Institutional Master Plan (IMPNF) dated June 4, 2013 and submit the following comments for the Environmental Protection Component. Fisher College (the "Proponent") submitted an Institutional Master Plan Notification Form for the Institutional Master Plan (IMPNF), which identifies its campus planning initiatives through the decade 2013 to 2023. The Proponent is proposing the conversion, to institutional use, of a recently purchased building located at 10/11 Arlington Street. This addition will increase the Proponent's dormitory bed inventory by 122 net new beds, done through small re-purposing projects as well as the conversion of rental properties to dormitory use. The Proponent also plans to add two small additions to the rear of 118 and 112-114 Beacon Street to be used for academic and student services space, library, and an outdoor terrace (the "Proposed Project").

### Wind

As described in the IMPNF, the Proposed Project design includes an interior conversion as well as two small additions to the rear of 118 and 112-144 Beacon Street. Due to the fact that the Proposed Project is of similar scale to the buildings in the surrounding area, wind impacts at the pedestrian level are not expected to be impacted by the Proposed Project. As a result, the Proponent shall not be required to conduct a wind analysis at this time.

### Shadow

The Proposed Project design does not add significant height to the existing structure and thus is not anticipated to adversely affect shadow conditions along any public area adjacent to the Proposed Project site. Accordingly, the Proponent shall not be required to conduct a shadow analysis.

### Daylight

Please see Urban Design's comments.

### Groundwater

Many of the Proponent's properties are located on the north side of Beacon Street between Arlington and Berkeley Streets; this is a particularly sensitive area, in which there have been significant problems with low groundwater levels.

The Proponent has stated in the IMPNF that the recharge requirements of the Boston Groundwater Overlay Conversation District (GCOD) will be met. In addition, the Proponent has stated that a written determination from the Boston Water and Sewer Commission (BWSC) certifying that the standard is met will be obtained. The Proponent will be required to provide a certification, stamped by a professional engineer registered in Massachusetts, demonstrating that the Proposed Project will have no negative impact on groundwater levels on the Proposed Project site or on adjoining lots. One of the IMPNF projects, as described in the IMPNF, "the carriage house addition" to 118 Beacon Street, is described as including a basement; this could extend space to elevations where there could be an impact on groundwater levels. Accordingly, the Proponent shall be required to take this into consideration both during the design as well as the construction phase of the Propose Project.

### Sustainability/ Article 37

The City of Boston expects a high level of dedication to principles of sustainable development from all developers and institutions. Fisher College's campus improvements and growth present exciting opportunities for innovation and distinction not simply in individual buildings, but across the campus as a whole.

Fisher College will be expected to work with the Boston Redevelopment Authority (BRA), the City of Boston Environment Department, and other entities as established by the BRA to set and attain ambitious environmental sustainability goals in both the 2012 Institutional Master Plan proposed projects as well as the previously approved projects that have yet to be constructed and/or completed.

Please also see the Interagency Green Building Committee comment letter.



## ASSESSING DEPARTMENT

Boston City Hall, Room 301, Boston, MA 02201

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TO: Katelyn Sullivan, Project Manager, Boston Redevelopment Authority  
FROM: Matthew K. Englander, Director of Tax Policy & Communications  
CC: John Binieris, Tax Policy Unit  
DATE: July 29, 2013  
RE: Fisher College IMPNF Scoping Session Comments

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Last month, the Boston Redevelopment Authority hosted a scoping session to discuss Fisher College's ("Fisher") IMPNF. Most notably, Fisher's plans included the conversion of a recently acquired building at 10/11 Arlington Street to institution/charitable use as well as the conversion and reconfiguration of a number of Fisher-owned residential rental properties to accommodate students. These plans have significant real estate tax implications since Fisher does expect to pursue tax exemptions on those reconfigured and converted properties that are to be used for institutional purposes.

Payment in Lieu of Tax (PILOT) contribution amounts are determined based on the amount of tax-exempt property owned by each nonprofit institution. If Fisher follows through with their intention to seek a tax exemption for the Arlington Street property (currently exempt as occupied and used by a nonprofit tenant) and Beacon Street properties, then their annual PILOT amount will increase. Yet Fisher's lack of engagement in making an annual PILOT contribution poses immediate and pressing concerns.

### Concerns:

When a PILOT contributor removes previously taxable properties from the tax rolls, the resulting increase in total tax-exempt property value causes an increase in the PILOT amount. Accordingly, if Fisher College removes the aforementioned properties from the tax rolls then it will cause their PILOT amount to increase. The Assessing Department has 2 primary concerns if this were to happen:

1. The increase in Fisher's PILOT amount will be a fraction of what the City would receive were the properties to remain on the tax rolls; and
2. To date, Fisher has not shown any willingness to participate in the PILOT program.

In Fiscal Year 2013, Fisher College was asked to make a PILOT contribution of \$43,176 in cash with an equivalent amount in qualifying community benefits. The school declined to participate, just as they did in Fiscal Year 2012 (the first year under the program's new guidelines). As such, it goes without saying that the Assessing Department is highly concerned about a



measure that would remove tax dollars from the tax rolls yet fail to be reconciled with a PILOT contribution.

**Next Steps:**

The City has reached out to Steven Rich at Fisher College to setup a meeting to discuss Fisher College's participation in the PILOT program. If Fisher is unwilling to make a contribution to the PILOT program then we would like to see the school leave the properties on the tax rolls after they've been converted and/or reconfigured for school use.



THOMAS M. MENINO  
*Mayor*

CITY OF BOSTON  
VETERANS' SERVICES DEPARTMENT  
43 Hawkins Street  
Boston, Massachusetts 02114



FRANCISCO A. URENA  
*Commissioner*

July 24, 2013

To Whom It May Concern:

As Commissioner of Boston's Veterans' Services Department, I write in support at this time of the Fisher College Institutional Master Plan submitted to the Boston Redevelopment Authority.

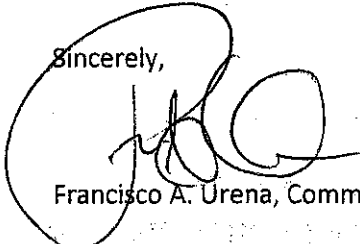
Our offices are located in Government Center, which makes us virtual neighbors. We are pleased to note the college is very veteran friendly in the execution of its services, especially in its admission policy.

Fisher College discourages students from bringing personally owned vehicles in to the campus area and urges faculty and staff to utilize the Boston Common Garage in an effort to dissipate the parking situation.

Resident students add to the diversity of Boston, for which the City is so well known. As the old adage says of learning, "by your pupils you'll be taught," students are aware of the historic nature of Back Bay/ Beacon Hill and are proud to be a part of it. As part of the neighborhood Fisher College regularly contributes its facilities for use by local community groups.

The College has been a part of the historic area for almost 75 years and owns the properties on which the school is based.

Sincerely,



Francisco A. Urena, Commissioner

FAU/sms

**APPENDIX III  
COMMENTS FROM THE PUBLIC**

# Boston Groundwater Trust

229 Berkeley St, Fourth Floor, Boston, MA 02116  
617.859.8439 voice – 617.266.8750 fax  
www.bostongroundwater.org

## Board of Trustees

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## Executive Director

Elliott Laffer

July 1, 2013

**Katelyn Sullivan, Project Manager  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201-1007**

**Subject: Fisher College**

**Dear Ms. Sullivan:**

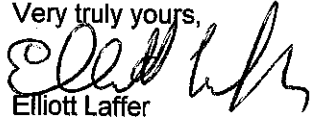
Thank you for the opportunity to comment on the Institutional Master Plan Notification Form for Fisher College. The Boston Groundwater Trust was established by the Boston City Council to monitor groundwater levels in sections of Boston where the integrity of building foundations is threatened by low groundwater levels and to make recommendations for solving the problem. Therefore, my comments are limited to groundwater related issues.

As noted in the IMPNF, Fisher College is located in the Groundwater Conservation Overlay District established in Article 32 of the Boston Zoning Code. Many of the College's properties are located on the north side of Beacon Street between Arlington and Berkeley Streets. This is a particularly sensitive area in which there have been historic problems with low groundwater levels. In fact, a Boston Globe article from 1911 reported on the necessity to make piling repairs to the structure at 118 Beacon Street, now the headquarters of the College, because of unexpectedly low groundwater levels. In recent years, the Department of Conservation and Recreation and the Boston Water and Sewer Commission have made major efforts to recharge water in the area, leading to substantial increases in groundwater levels. It is critical that nothing be done to jeopardize those gains.

The proponent has committed in the IMPNF to meeting the recharge requirements of the GCOD and to receiving a written determination from BWSC that the standard is met. That would satisfy one of the GCOD criteria. The other is to provide a certification, stamped by a professional engineer registered in Massachusetts, demonstrating that the project will have no negative impact on groundwater levels on site or on adjoining lots. One of the IMPNF projects, the carriage house addition to 118 Beacon Street, is described as including a basement; this could extend space to elevations where there could be an impact on groundwater levels. Because this is planned as an Institutional Master Plan and because the project is small enough that it will not trigger Article 80 review, there will be no further zoning review by the Board of Appeals prior to construction. Therefore, for both reasons, it is critical that the potential impact of this project be resolved before zoning review and approval is complete.

I look forward to working with the proponent and the Authority to assure that any projects constructed under the IMP can have only positive impacts on area groundwater levels.

Very truly yours,

A handwritten signature in black ink, appearing to read "Elliott Laffer", written in a cursive style.

Elliott Laffer  
Executive Director

Cc: Kathleen Pedersen, BRA  
Maura Zlody, BED

**Boston Water and  
Sewer Commission**



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

June 28, 2013

Ms. Katelyn Sullivan  
Project Manager  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201-1007

Re: Fisher College  
Institutional Master Plan Notification Form

Dear Ms. Sullivan:

The Boston Water and Sewer Commission (Commission) has reviewed the Institutional Master Plan Notification Form (IMPNF) for Fisher College (FC) covering 2013 to 2023. This letter provides the Commission's comments on the IMPNF.

The Fisher College Institutional Master Plan proposes to complete seven projects over the next ten years. These projects are intended to renovate and expand existing institutional facilities. Facility expansion includes increasing the inventory of dormitory by 122 new beds, the construction of a 2,500 square foot library and offices, construction of a roof top outdoor terrace and conversion of a recently purchased building to office space.

The IMPNF proposes the following projects:

- Project 1; renovate the interior of 102 to 118 Beacon Street and 131-133 Beacon Street. The proposed renovations will add 48 dormitory beds and new bathrooms in the existing building. Offices presently located in 116 Beacon Street will be moved to Fisher property location on Arlington Street.
- Project 2; convert 115 Beacon Street from rental apartment to a 43 bed dormitory.
- Project 3; convert 139 Beacon Street from rental apartment to a 43 bed dormitory.
- Project 4; convert 141 Beacon Street from rental apartment to a 43 bed dormitory.
- Project 5; construct a 2,500 square foot addition in the rear parking lot of 118 Beacon Street. The addition will house a library and office space.



- Project 6; construct a 2,500 square foot roof top terrace on the one-story roof at the rear of 104-114 Beacon Street. The terrace will be utilized as outdoor social space.
- Project 7; convert leased office space at 10/11 Arlington Street to Fisher College office space. Fisher College will take occupancy of available space as needed. No major changes to the interior of the building are expected.

The Commission sustains water, sewer and storm drains in the Streets that border the proposed projects. In Beacon Street, the Commission owns a 57" x 66" combined sewer, it is known as the West Side Interceptor. New building connections to the West Side Interceptor are not allowed. There are three water mains in Beacon Street, a 40" transmission main and a 12" and 8" distribution mains. In Back Street, the Commission maintains a 12" sanitary sewer, 18" storm drain. The Massachusetts Water Resources Authority also, has a 96" combined sewer, known as the Boston Marginal Conduit, in Back Street. Commission Facilities in Arlington Street include a 12" storm drain and a 16" water main. The Commission does not have a sewer or combined sewer in this section of Arlington Street. Public Alley No. 421 and 422 has a 18" combined sewer, typically this combined sewer would serve the adjacent building on Arlington Street and the building that front on Beacon Street, Marlborough Street and Commonwealth Avenue. There is also, a 12" water main in David G. Mugar Way, an 8" water main in Marlborough Street and a 40"x 60" combined sewer in Berkeley Street.

The Commission's general comments on the proposed IMPNF projects are as follows:

#### General

1. FC must submit General Service Applications and site plans to the Commission for new or relocated water mains, sewers and storm drains. Any new water, sewer, or storm drains connections must be approved by the Commission and be designed and constructed at FC'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. To assure compliance with the Commission's requirements, FC, must submit a site plan to the Commission's Engineering Customer Service Department for review and approval when the design of any new water and wastewater systems and the proposed service connections to those systems are 50 percent complete. The site plans should include the locations of any new, relocated and existing water mains, sewers and drains which serve the site, proposed service connections as well as water meter locations.
2. The design of any projects 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/>

3. The Department of Environmental Protection, in cooperation with the Massachusetts Water Resources Authority and its member communities, are 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 this regard, DEP has been routinely requiring proponents proposing to add significant new wastewater flow to assist in the I/I reduction effort to ensure that the additional wastewater flows are offset by the removal of I/I. Currently, DEP is typically using a minimum 4:1 ratio for I/I removal to new wastewater flow added. The Commission supports the DEP/MWRA policy, and will require FC to develop a consistent inflow reduction plan.
4. For any proposed masonry repair and cleaning, FC will be required to obtain from the Boston Air Pollution Control Commission, a permit for Abrasive Blasting or Chemical Cleaning. In accordance with this permit, FC will be required to provide a detailed description as to how chemical mist and run-off will be contained and either treated before discharge to the sewer or drainage system or collected and disposed of lawfully off site. A copy of the description and any related site plans must be provided to the Commission's Engineering Customer Service Department for review before masonry repair and cleaning commences. FC is advised that the Commission may impose additional conditions and requirements before permitting the discharge of the treated wash water to enter the sewer or drainage system.
5. FC should be aware that the US Environmental Protection Agency issued a Remediation General Permit (RGP) for Groundwater Remediation, Contaminated Construction Dewatering, and Miscellaneous Surface Water Discharges. If the project involves any subsurface work and groundwater contaminated with petroleum products, for example, is encountered, FC will be required to apply for a RGP to cover these discharges.
6. Many of the project sites are located within Boston's Groundwater Conservation Overlay District (GCOD). The district is intended to promote the restoration of groundwater and reduce the impact of surface runoff. Projects constructed within the GCOD are required to include provisions for retaining stormwater and directing the stormwater to the groundwater table for recharge.
7. It is FC's responsibility to evaluate the capacity of the water, sewer and Storm drain system serving the project site to determine if the systems are adequate to meet future demands. With the site plan, FC must include a detailed capacity analysis for 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. FC 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. FC should also provide the methodology used to estimate water demand for the proposed project.
2. FC should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In particular, FC should consider outdoor landscaping which requires minimal use of water to maintain. If FC 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. FC 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. FC should contact the Commission's Operations Division for information on and to obtain a Hydrant Permit.
4. The Commission is utilizing a Fixed Radio Meter Reading System to obtain water meter readings. For new water meters, the Commission will provide a Meter Transmitter Unit (MTU) and connect the device to the meter. For information regarding the installation of MTUs, FC should contact the Commission's Meter Department.

### Sewage / Drainage

1. A Total Maximum Daily Load (TMDL) for Nutrients has been established for the Lower Charles River Watershed by the Massachusetts Department of Environmental Protection (MassDEP). In order to achieve the reductions in Phosphorus loading required by the TMDL, phosphorus concentrations in the lower Charles River from Boston must be reduced by 64%. To accomplish the necessary reductions in phosphorus, the Commission is requiring developers in the lower Charles River watershed to infiltrate stormwater discharging from impervious areas in compliance with MassDEP. FC will be required to submit with the site plan a phosphorus reduction plan for the proposed development. FC must fully investigate methods for retaining stormwater on-site before the Commission



will consider a request to discharge stormwater to the Commission's system. Under no circumstances will stormwater be allowed to discharge to a sanitary sewer.

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

- Identifies best management practices for controlling erosion and for preventing the discharge of sediment and contaminated groundwater or stormwater runoff to the Commission's drainage system when the construction is underway.
  - Includes a site map which shows, at a minimum, existing drainage patterns and areas used for storage or treatment of contaminated soils, groundwater or stormwater, and the location of major control or treatment structures to be utilized during construction.
  - Provides a stormwater management plan in compliance with the DEP standards mentioned above. The plan should include a description of the measures to control pollutants after construction is completed.
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. FC 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 FC 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. FC 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, FC will be required to obtain a Remediation General Permit from the Environmental Protection Agency (EPA) for the discharge.
  5. Sanitary sewage must be kept separate from stormwater and separate sanitary sewer and storm drain service connections must be provided.



6. The Commission requests that FC install a permanent casting stating "Don't Dump: Drains to Charles River" next to any catch basin created or modified as part of this project. FC should contact the Commission's Operations Division for information regarding the purchase of the castings.
7. 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. FC is advised to consult with the Commission's Operations Department with regards to grease traps.
8. 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.

Thank you for the opportunity to comment on this IMPNF.

Yours truly,

John P. Sullivan, P.E.  
Chief Engineer

JPS/RJA

cc: Thomas McGovern, FC  
Catherine Donaher, CD+a  
P. Larocque, BWSC

## Sullivan, Katelyn

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**From:** Ghirin, Aldo - Parks Dept.  
**Sent:** Tuesday, June 25, 2013 11:59 AM  
**To:** Golden, Brian  
**Cc:** Marsh, Carrie - Parks Dept; Meyer, Liza - Parks Dept; Sullivan, Katelyn  
**Subject:** Fisher College IMPNF Comments

Mr. Golden:

I am writing on behalf of the City of Boston Parks and Recreation Department. Thank you for the opportunity to review the Fisher College Institutional Master Plan Notification Form. Our comments are as follows:

Several properties that form the Fisher College campus holdings are within 100 feet of either the Public Garden, a public park, or Storrow Drive, a parkway. A few of these properties were mentioned as Proposed Institutional Projects in the IMPNF.

Proposed Institutional Project 7 at 10/11 Arlington Street is within 100 feet of the Public Garden. The IMPNF states that all work, if any is required, is to be carried out in the interior. Therefore, the Parks and Recreation Commission will not review this project, as it is currently stated, for approval under City of Boston Code of Ordinances Chapter 7, Section 7.4-11 ("No building or structure shall hereafter be erected or altered within a distance of one hundred (100') feet from park or parkway in the City of Boston, without permission in writing having first been obtained from the Parks and Recreation Commission ...").

Several of the college properties on the north side of Beacon Street were mentioned as Proposed Institutional Projects. These properties back onto Back Street. The north side of Back Street is where the Storrow Drive parkway is located. Therefore these college properties fronting on Beacon Street are within 100 feet of Storrow Drive. Proposed Institutional Projects 5 and 6, the Carriage House Addition and the new College Terrace, will require that the Parks and Recreation Commission review these projects, as they are currently stated, for approval under City of Boston Code of Ordinances Chapter 7, Section 7.4-11.

For further information about the Parks and Recreation Commission review process, please contact Ms. Carrie Marsh, Executive Secretary of the Commission, at [Carrie.Marsh@cityofboston.gov](mailto:Carrie.Marsh@cityofboston.gov) or 617-961-3074.

If you have questions about these comments, please feel free to contact me as shown below.

*Aldo Ghirin*

Senior Planner  
Boston Parks & Recreation Department  
1010 Massachusetts Avenue, 3<sup>rd</sup> Floor  
Boston, MA 02118  
Phone 617-961-3033  
Fax 617-635-3256  
[aldo.ghirin@cityofboston.gov](mailto:aldo.ghirin@cityofboston.gov)

**Help us make your parks and open spaces better! Follow the link to complete the Boston Open Space Plan Questionnaire: <http://www.cityofboston.gov/parks/about/questionnaire.asp>**

## Sullivan, Katelyn

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**From:** Sam Plimpton [sp@baupost.com]  
**Sent:** Friday, May 24, 2013 9:30 PM  
**To:** Sullivan, Katelyn  
**Cc:** Meade, Peter  
**Subject:** Please reject Fisher  
**Attachments:** Fisher 5-24-13.xlsx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Ms. Sullivan:

I am sorry that previously scheduled travel keeps me away from this important meeting concerning Fisher College's expansion plans. These plans would have a devastating impact on our quality of life and property values. The block on Beacon Street is already a disastrous traffic and service problem, without ANY Fisher expansion. I share other citizens views on the current student impacts of loitering, double parking, noise, etc., but my biggest concern is about the massive student, faculty, and staff population density increase that would drive further impacts, and costs to service that density.

From:  
Sent:

Attached is an exhibit which shows the density and tax impact of Fisher's plans. The assessment data is public record for the 08/09 fiscal year, and the taxes are calculated at the then rate of \$10.63. The impact of their relative headcount presence versus residential use is incredibly troubling, and remains so even if the density assumptions in the exhibit are tweaked. I would appreciate seeing the numbers for 11/12, but while the current tax rates and assessments may have changed, the conclusion will remain the same as to relative density and miniscule taxes paid versus market rate, as in this sample analysis:

Dear

-Approximately 260 tax paying residents, were the facilities to instead be used solely as market housing  
-1100 students plus unknown number of faculty and admin headcount, if used as Fisher proposes  
-few taxes paid currently, versus \$288,827 due, if taxed as assessed (even as far back as 08/09 assessments!) -no taxes proposed versus \$830,000 due if assessed and taxed as only \$600/sf housing going forward

the  
is a

The Fisher plan results in excess of 4 times the headcount density load as from a residential use, with the resultant traffic, service, water and sewer, rubbish, and other impacts. One cannot quadruple the human density without increasing the impacts! The City is currently using real estate tax exemptions to subsidize this use (with its negative impacts on property values and quality of life), by foregoing many hundreds of thousands of tax dollars (from even a low value assessment), so roughly 4x the impact and 25% of the taxes. Why is this good planning or policy, or remotely fair to the City or to the citizens who live here to increase the service requirement and lower the tax base? In addition, please note the public record that Fisher's default rates on student loans was around 19% in 2009 (versus 1.5% for Harvard) and 13.1% in 2010 (vs 1% for Harvard). However you measure it, Fisher is receiving

Dear  
ADP  
mark

substantial subsidies from both Boston real estate taxpayers and from income tax payers (who unlike Fisher, bear the brunt of defaulted loan costs).

I urge you to encourage Fisher to go to sites where density is needed, to encourage life and vitality in areas that are not already clogged with traffic, and are already difficult to access and to service. Please reject expansion.

Sincerely Yours,

Sam Plimpton

Registered voter on Beacon St in 02116

**From:** Milt Schwartzberg  
**Sent:** Monday, May 27, 2013 1:26 PM  
**To:** 'info@nabbonline.com'  
**Subject:** Fisher IMP

To Whom It May Concern:

I have been a resident of Beacon Street (one block west of Fisher) for fourteen (14) years. In that period of time my neighbors and I have observed behaviors expected of college students and others (gunshots fired on Beacon Street) that are obviously completely unacceptable. The impact of the Fisher population on our neighborhood, is ironically, most apparent during times of school vacation and in the summer. The streets are suddenly free of chronically double-parked cars and trucks and the traffic congestion that goes with it. The sidewalks are bereft of the loitering and (mostly smoking) "scholars" who jam the sidewalk and leave their candy wrappers, cups and cigarette butts that not only wind up on their block, but also are regularly found 100 yards away where I live. Though not now as much a problem as in the past, I have had student cars towed out of my building's parking lot on Back Street.

Has Fisher ever issued a "Mission Statement"? What is the need for such a massive expansion? Are they engaged in scientific research or another noble pursuit? Rather, is it really driven by a desire to make more money, employ more faculty and make existing administration the beneficiaries of a larger pool of money?

Any cursory examination of the "scholars" referred to above would make the third sentence of the previous paragraph easy to answer. Moreover, any pretense of a defense (to the fourth sentence of the previous paragraph) centered around the "non-profit" status of this "educational institution" would also fail. It is common knowledge that college and university presidents and other administrators are paid salaries well into the six-figures.

Lastly, though we hardly have the well-known "NIMBY" objection to raise, enough is enough! There is no legitimate reason for this essentially commercially-motivated expansion in our residential neighborhood. Their financially-driven desire to expand is clear, after all they've purchased some of the most expensive real estate in Boston (and the nation, for that matter). They are looking for more. Meanwhile, this will come at the expense of the neighborhood residents who bear the brunt of this impact and will also see an unwelcome drop in the value of their homes.

We, as residents of the Back Bay should unite to loudly protest this horrendous idea and do everything possible to prevent it from happening.

Milt Schwartzberg  
Beacon Street

## Sullivan, Katelyn

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**From:** Moutzourogeorgos, Mina [mina.moutzourogeorgos@ngam.natixis.com]  
**Sent:** Friday, May 31, 2013 10:03 AM  
**To:** Sullivan, Katelyn  
**Cc:** Ross, Michael (City Council); David Yazdi (DYazdi@integratedit.com); ellen robbins (robbins.eh@gmail.com); Joanne (Joanne.Fleishman@infor.com); Moutzourogeorgos, Mina  
**Subject:** Fisher College Expansion- OPPOSED to the plan

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Katelyn,

I was at the meeting last night – for the Fisher College expansion plans, and I want to AGAIN voice my disapproval of this plan for many reasons. Your speaker was glib and slick – and all the residents saw that clearly. The college is ‘checking off the boxes’ that you, BRA, require – and you are allowing that to happen. My question is how is an entity like the BRA is in FAVOR of this?? **And why?** Because your actions and comments infer that you are in favor of this....that is biased, not ethical and seems very corruptive.

The first block of beacon st. does not need redevelopment....if Fisher wants to expand, they should look at other places- like downtown crossing, S. Boston, etc. And you and the BRA SHOULD be advocating for that and you should be advocating to help redevelop an area that needs it- on all levels. The Back Bay and the residents thereof do NOT need this. Nothing about this Fisher expansion plan – does ANYTHING for the positive, for the residents of Beacon St and surrounding areas. How is the city in favor of collecting less revenue in taxes by allowing these buildings to be under the jurisdiction of an institution – and therefore not be paying the type of residential tax that those buildings would generate if they were condos? Not to mention all the points that were all brought up yesterday by all the residents-ALL of whom are opposed to this plan. Be clear about this – that ALL residents of this neighborhood are opposed to Fisher’s plan and to your approving this expansion. There will be added stress on the roads, added traffic, added noise, added trash and left behind debris, and an added student population – that Fisher College cannot control now- let alone, when they add at least 250-300 students to that population. They have been a terrible neighbor and do not deserve to be accommodated in their expansion plans in our residential neighborhood of the Back Bay. But even a good neighbor would not be worthy of this proposal.

I was very disturbed to say the least, that you as a representative of BRA – assumes that this proposal will go through and be approved. How is it possible – that the rights of Fisher are ‘assumed’ and the rights and opinions of the residents of the lower part of Beacon Street are being ignored? I have not met ONE resident of Beacon Street, Berkeley St, Arlington St or Marlborough St – that wants to see 250+ students added to the first block of Beacon St. You spoke, acted and insinuated that this was basically a done deal. That is quite cavalier of you. You should be looking at the dynamics and residential population of a historic neighborhood, and how to preserve that – NOT how it should be eventually converted into a college quad for Fisher. Shame on you and your colleagues. This will not be approved without a real fight from the citizens of this neighborhood – if you plan to act and behave the way that you did last night – which was ELUSIVE, not CLEAR, not HONEST, and ASSUMPTIVE.

Fisher college contacts every single building on our block when they need to move students in and out/graduations/special events – and reserve parking meters for those times – and yet there was not ONE FLYER that was distributed to the residents of the neighborhood about this meeting or previous meetings. There is no good will, on the part of Fisher – b/c they are trying to ‘slide this under the rug’.

Mr. Ross, I suggest that you get more involved, and start better representing the citizens and residents of this neighborhood – ALL of whom, are opposed to this expansion plan.



For the record – again – I am OPPOSED to expansion of Fisher college and of their student population on Beacon St!

**Mina Moutzougeorgos**

Senior Regional Director – Chicago/Michigan

**Natixis Global Asset Management**

399 Boylston Street, Boston, MA 02116

M: 857.222.6934 | [mina.moutzougeorgos@ngam.natixis.com](mailto:mina.moutzougeorgos@ngam.natixis.com)

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Hello Ms. Sullivan and Mr. Ross,

My husband and I are new residents of Beacon Street and we love the Back Bay for all its charm and historic value. In the proposed Fisher College plan, you are in essence turning this block into a college campus and rezoning this area.

There are a few issues I would like to point out which I believe Mina has as well:

- Notification of this plan and "open" meeting **has not** been very forthcoming. I heard about this meeting through word of mouth not by Fisher college, the BRA or any other agency.
- Adding a college like campus on this block or anywhere in the Back Bay will devalue all property values. Residents do not pay millions of dollars to live on a "college campus".
- The Back Bay do not need a redevelopment plan proposed by Fisher college. This should be taken outside the city where "redevelopment" can benefit that area and improve the overall city of Boston and state of Massachusetts. Is this not what the BRA mission should represent – improving locales where its needed?
- The slide presentation was very one sided to Fisher College and there were no benefits to the residents of Back Bay or city of Boston (loss of revenue in an area where real estate assessments are higher than most sections of Boston). If the city is behind this proposal, I am not seeing the economic benefit or added value to anyone but Fisher College.
- Fisher College cannot control their student activities as it exists now, so how can we believe they will be able to do so when the population grows to be a few hundred more. The students already spill into the Boston Garden and smoke marijuana in broad daylight and in the evenings. This may be presumptuous to know that these individuals are Fisher College students but when you see them exit one of the buildings on Beacon street and walk over to the Garden and sit on the park bench and light one up, it leaves very little doubt. There are too many students right now hanging outside all day long in between class and at night time.

I am very opposed to this plan and absolutely do not support any part of it. I am even more surprised that the city of Boston would support such plan.

Joanne Fleishman  
Beacon Street Resident

## Sullivan, Katelyn

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**From:** Barry Solar [barry.solar@nemoves.com]  
**Sent:** Friday, May 31, 2013 4:08 PM  
**To:** Sullivan, Katelyn  
**Subject:** Fisher College- Meeting of May 30

Dear Katelyn,

I am a resident of Back Bay; and I attended the meeting last night. I want to comment on two of the many disturbing statements that were made:

1. You stated that the BRA would compile all the issues raised at the meeting into its scoping decision. Your statement made it sound as if the BRA's role in the process would be quite passive. Of course, the speakers last night were laymen; we count on the high-level professional planners and staff to make certain that all the relevant issues are raised. This proposed expansion of Fisher would result in a major incursion into this important and historic residential area. We expect the BRA to look at this with intense scrutiny.
2. You implied that if Fisher had "no other alternative", then the IMP would be more likely to be approved. However, Fisher's willingness to consider alternatives is colored by its intense desire, as stated by its representative last night, to "protect its brand" i.e. to remain in the Back Bay, because that is probably its most significant feature in attracting enrollment. However, this desire to protect the brand should not allow Fisher to have a major expansion in the residential and historic part of the Back Bay. Fisher can add facilities in more appropriate parts of the city and retain its current presence in the Back Bay. The several buildings that Fisher has acquired and which are not being used for lawful college use can easily be sold for very high prices and converted back to residential use, consistent with the neighborhood and its current zoning.

Barry Solar

Barry L. Solar  
180 Beacon St. 4G  
Boston, Ma. 02116  
Cell: 617-823-8855  
[barry.solar@nemoves.com](mailto:barry.solar@nemoves.com)

**Sullivan, Katelyn**

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**From:** Susan Domolky [sdomolky@gmail.com]  
**Sent:** Monday, June 03, 2013 12:24 PM  
**To:** Sullivan, Katelyn  
**Subject:** Fisher College expansion

**Follow Up Flag:** Follow Up  
**Flag Status:** Flagged

Dear Katelyn,

We would like to add our names to the list of neighbors concerned about the Fisher College expansion plans. We have lived at 96 Beacon Street for four years. During that time, we have endured probable Fisher College students loitering by the Fiedler footbridge, smoking, exchanging drugs for cash, etc etc. To say that we are unhappy about any possible expansion would be an understatement. While we understand the history of this college in the Back Bay, we feel that further expansion is totally unwarranted in our residential neighborhood. If they need additional space, perhaps they should consider moving to a larger location elsewhere. We support private residences in the locations where they intend to expand.

We hope that the needs of private tax-paying citizens will be considered in this dispute with the college administration. Please tell us how our voices can be heard.

Thank you,  
Susan & George Domolky  
96 Beacon Street  
617-248-6875

## Sullivan, Katelyn

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**From:** Susan Morris [susanmorrisuk@yahoo.com]  
**Sent:** Tuesday, June 04, 2013 4:04 PM  
**To:** Sullivan, Katelyn; Barbara Vogelsang; Tony Morris  
**Subject:** Fisher College

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Fisher College is creating a Back Bay Campus in the first block of Beacon Street by using the BRA Institutional Master Plan process to rezone two tax assessed properties (139 and 141 Beacon) for use as dormitories. In order to qualify for this program which exempts Fisher from actually applying to rezone the two properties, Fisher has purchased the Tellus Institute to increase their property to greater than 150,000 square feet.

I strenuously object to this plan for the following reasons:

1. The two properties are unsafe architecturally for dormitories. They have restricted stairways and egress for fire for as many people Fisher plans to house (43 students per building).
2. The two properties were originally single family dwellings and the antiquated sewer and water systems cannot support 86 people.
3. Removing two properties from the tax rolls is unconscionable considering the high cost of maintaining the historic back bay streets and infrastructure. Fisher has only made in kind donations to the PILOT program, giving 76 Boston day students partial scholarships. Please note Boston students will not be housed in these buildings.
4. The Back Bay historically supports educational and academic institutions which enrich the citizens of Boston. Denying the use of these two buildings for campus like RESIDENTIAL purposes does not change the historical support for the academic programs at Fisher.
5. The block of Beacon Street from Arlington to Berkeley is the "beginning of the Back Bay" but it is also a freeway exit for both east and west traffic from Storrow Drive. Putting 86 teenagers, many from international countries with differing traffic laws and patterns across a busy street from their classes is more than dangerous, it is a tragedy waiting to happen.
6. Fisher has been allowed one dormitory in the block considered. According to public testimony, those students have not respected the residential zoning of Beacon Street but have been loud and drunk, vomiting in private gardens, damaging private cars in the alley, littering with trash and their cigarette butts, playing frisbee in private gardens, damaging shrubbery and property. If that one dormitory cannot be controlled by the administration, how will they control the 86 students proposed for the newly converted buildings?
7. Approving an IMP for Fisher guarantees zoning exemptions for them in the future. But it will change the zoning for the families

who bought their homes when the zoning was residential and still is until Fisher asks to nullify the residential zoning of 139 and 141 Beacon Street.

8. This block in the Back Bay does not need redevelopment. Market prices and trends are adding useful tax dollars to the city. But the BRA should let zoning determine what uses are permitted in the Back Bay. There are limited resources in the city of Boston and Fisher College should not be using them to rezone without applying to the Zoning Board.

9. A higher and better use for these properties would be to sell them for residential use and use the profits to house their students in an area of Boston that needs redevelopment.

10. Denying this "redevelopment" plan would not negate Fisher College from marketing itself as a downtown or Back Bay College. It would mean they are not a campus, but they are still performing their historical use. I would point out the Back Bay began in 1848 and Fisher began in Somerville in 1939.

11. In good faith(?) Fisher College told the neighbors when they bought 139 and 141 that they would not use them as dormitories. The zoning prohibited it. But once Fisher bought the Tellus Institute they qualified for BRA master planning where they could work through the assessors office to rezone these currently tax paying buildings.

12. The Dean of Students spoke about the futility of convincing mainly international students who live in student residences not to smoke and Fisher's frustration that banning smoking within 25 feet of their academic buildings sent the students on to private property. Yet the IMP moves the admin around the corner on Arlington Street at the Tellus Institute property out of sight of the students they are hoping to control. The administration has failed to police its students on private property, has failed to control restricted deliveries from semi trucks in in posted areas, failed to curtail pickups of large busses in traffic contrary to traffic laws.

13. When Fisher College realized the level of opposition (NABB and others ) at the original meetings, they hired a publicity firm and did not answer calls from the neighborhood. They asked for two meetings to discuss the plan during graduations and summer vacations and a 30 day comment period. The disrespect of the residents is offensive.

In sum, the IMP should not be approved. It is a waste of taxpayer money and residents' time to have 6 months of meetings and reports and power points to review a more than flawed idea unanimously opposed by the residents of Back Bay. Such energy should be spent collecting taxes, obeying the zoning laws and redeveloping areas of Boston in dire straits.

Thank you,

Susan W. Morris  
860 992-8534

## Sullivan, Katelyn

---

**From:** Mimi La Camera [mlacamera@thefreedomtrail.org]  
**Sent:** Tuesday, June 04, 2013 5:03 PM  
**To:** Sullivan, Katelyn  
**Subject:** Fisher College IMPNF

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I attended the neighborhood meeting on May 30 and based on the presentation that night, I have a number of concerns about the plan. I live at 214 Beacon across the streets from a regulated or unregulated (?) student housing for foreign students. Those students create a disturbance in the neighborhood, staying outdoors winter, spring, summer and fall, until 3:00 am talking, laughing, and smoking. On occasion, they sit on our front stairs and smoke. We have had meetings with the city about it, and for a short time it improves but returns to the same behavior soon enough.

Fisher's desire to most immediately move 50 students from Hostelling International to Beacon Street will be followed very quickly by the addition of 300 students. While the expanded number covers the next 10 years, Fisher needs their tuition money immediately to underwrite the costs of buying buildings and renovating them. I fully expect that the increase in matriculation will happen immediately.

I have work colleagues at Fisher and respect what the school has done to improve the appearance of the campus on Beacon Street. But there have been several schools who have determined that this location in Back Bay is not suitable for a college. I think it is not also, and do not support Fisher's IMPNF expansion plans. Neighborhood impact will be too severe: noise, drinking and smoking on the street and alleys; a shooting a few short years ago; sewer and water demand; alley traffic; impact on the street of heavy delivery trucks, parking, crossing the street regularly, and more. I don't think any of us signed up to live on a collage campus. For most of us our house investment is our major investment and Fishers expansion will negatively impact that as well. Absent that, there are several compelling reasons why it's not the right place for a college.

Thank you.

about  
stud  
mim  
Mimi La Camera  
President, Freedom Trail Foundation  
99 Chauncy St. Suite 401  
Boston, MA 02111  
617:357.8300 x 201  
[mlacamera@TheFreedomTrail.org](mailto:mlacamera@TheFreedomTrail.org)  
<http://www.TheFreedomTrail.org>  
[Become a fan of the Freedom Trail on Facebook](#)

**Sullivan, Katelyn**

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**From:** Abhijit Prabhu [abhijit.prabhu@gmail.com]  
**Sent:** Tuesday, June 04, 2013 5:54 PM  
**To:** Sullivan, Katelyn  
**Subject:** Comments regarding Fisher College IMPNF

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Katelyn,

As a resident at 127 Beacon Street from 2002-2007 and 2009-present, I have found Fisher College's noise levels and trash levels to be much higher than average for Back Bay, creating an unpleasant situation. It's particularly difficult to sleep at night with loud raucous noise outside. I have yet to see an instance where Fisher College's police department actually cracks down on noise violations.

I think adding more beds to an already loud and crowded part of Beacon Street would create more problems for the city. It would be one thing if I felt that Fisher College was a good neighbor, but I have not found them to be one during the many years they have been my neighbor.

Best,

Abhijit Prabhu  
127 Beacon Street  
Boston MA 02116



## Sullivan, Katelyn

---

**From:** BarbaraVogelsang@aol.com  
**Sent:** Wednesday, June 05, 2013 7:57 AM  
**To:** Sullivan, Katelyn  
**Cc:** susanmorrisuk@yahoo.com; vogelsan@bu.edu  
**Subject:** Fisher College

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Katelyn Sullivan:

For the following reasons we vehemently object to Fisher College's expansion plan, in which it wants to rezone two taxed properties (139 and 141 Beacon Street) and vastly increase the number of students in its dormitories.

- 1) Fisher is already creating lots of disturbances for the neighborhood, which is totally unfit for a campus. There is virtually no outdoor space for students to live during their leisure time. If the additional dormitories are allowed the neighborhood will fully lose its character and the property values for residential buildings and apartments close to Fisher will plummet. We moved into this neighborhood because of its high residential value, paid top dollars for our properties and are paying among the highest property taxes in the city. As property owners we consider this as a taking of our property and reserve the right for compensation and reduced property taxes.
- 2) Fisher has proven itself to not be trustworthy and to be a bad neighbor.
  - a) A few years ago at a public meeting the Fisher president declared that Fisher had no intention whatsoever to convert the residential buildings 139 and 141 Beacon Streets into dormitories. He assured me again privately.
  - b) Neighbors to current Fisher dormitories stated in the May 30 meeting that they were victims of Fisher and that they felt constantly harassed by loud, drunken students playing excessively loud music and partying to late hours and that Fisher did nothing to alleviate their complaints. There is absolutely no reason to believe that Fisher will do a better job in policing so many more students if they cannot do it with their current smaller student population.
- 3) The two properties are unsafe for the 86 students, whom Fisher wants to move into them and will create a fire hazard for the adjacent properties.

In sum, Fisher should not be allowed to proceed with the conversion of properties from residential use to dormitories on the back of the neighbors. Converting two small residential buildings into dormitories for 86 students will create a tragedy waiting to happen. If Fisher wants to build additional dormitories they should do so in areas that require and can accommodate more development.

Thank you for your consideration,

Barbara and Ingo Vogelsang

303 Berkeley Street, Unit 9

TO: Katelyn Sullivan  
Boston Redevelopment Authority  
City of Boston  
One City Hall Square  
Boston, MA 02201

From: Kim and Charles Perkins  
109 Beacon Street  
Boston, MA 02116  
Kymchuck@gmail.com

I am writing to express my strong opposition to the growth plan of Fisher College and ask the BRA to deny Fisher's request.

Let me preface my remarks by saying that my wife teaches at Boston University and I was at Stanford for many years; we both enjoy young people and enjoy Boston's academic atmosphere. We do not feel, however, that Fisher College expansion in a historic residential neighborhood serves either the community or Fisher students. We have lived in the Back Bay for 12 years and attest from experience that Fisher College has not been a good neighbor. Fisher managers stated last week that being located in our historic Back Bay neighborhood is a marketing strength for them. Ironically their proposal for large growth in the Back Bay will irreversibly change its essential character. Other colleges in Boston found ways to thrive within the city while respecting the city's neighborhoods. The proposed Fisher expansion should be rejected.

The Back Bay is part of a busy city and is therefore an active neighborhood. The neighborhood changes noticeably, however, during the months when Fisher is in session. From my personal experience, Fisher has done a poor job of both managing student interaction with residents and responding to problems. There have been numerous unpleasant incidents on our block of Beacon Street alone that have gone unnoticed by Fisher security and management. For example:

1. We pick up cigarette butts and trash daily from our steps and front garden during the months when Fisher is in session.
2. We have watched students wearing Fisher sweatshirts spitting on the sidewalk and throwing trash in our garden.
3. We periodically pick up beer and whiskey bottles from our garden.
4. Groups of noisy and often drunken students collect on our front steps late at night, which disturbs our evenings and our sleep.
5. We periodically clean vomit from our sidewalk and our garden.
6. We are occasionally forced to listen to drunken students hanging out of windows in the dorm across the street and yelling at passers by.
7. We put up with loud music from the dorm across the street. This is especially a problem in summer when we'd like to have windows open.

8. Students walk in our garden to retrieve balls and etc. trampling the plants and we occasionally have plant pots on our stairs smashed for no apparent reason.
9. The neighborhood is disrupted periodically by the move-in/move-out/graduation days. These days would become increasingly chaotic with a greater student population.

I am sure that neighbors on Marlborough Street and Comm Ave have their own stories to tell. Fisher management seems not to care since this has been going on for years. We cannot permit Fisher to expand in the Back Bay; these problems will increase exponentially if student population grows to the proposed level.

1. **Parking:** This is already a parking shortage in Back Bay; adding a large number of students and staff can only make that worse. Fisher stated they will discourage resident students from using cars, but in reality most 20-year olds have a car and many will park in our already parking-challenged neighborhood. In addition, with Fisher classroom growth, more non-resident Fisher students will drive into Back Bay daily and require additional daytime parking. The parking problem will be far worse if Fisher is allowed to grow as proposed.
2. **Neighborhood character** - Given the proposed Fisher dorm population density, students will outnumber residents in the area for several blocks around. While the immediate effect would be on Beacon Street, the excessive student population will change the residential character of the surrounding Back Bay neighborhood. Students will not spend their time locked in their dorms; they will be out in the neighborhood day and night. The Back Bay is one of the most historic and well-preserved residential neighborhoods in America. We cannot turn Beacon and Marlborough Streets into a student quad. There are 4 elementary schools between Fairfield and Brimmer Streets and at least 3 playgrounds between the Frog Pond and Clarendon Street. We should be encouraging families who pay taxes, not college students, into the Back Bay. I fear that expansion now will set a precedent for further expansion by Fisher and others, eventually eroding the Back Bay neighborhood character block by block.
3. **Noise and Mischief** - With an increase in student population, there will be yet more noise, more trash, more smoking, more mischief, greater numbers of students coming home late from night clubs and bars and just hanging out like all young people do. This should not be permitted in a residential neighborhood.
4. **Congestion** - Beacon Street is a busy city artery with an exit from Storrow at Arlington and an entrance to Storrow at Berkeley. We walk and drive on Beacon Street and the surrounding streets daily. With Fisher buildings on both sides of Beacon Street, we already see students jaywalking and interrupting traffic. With the proposed growth including new dorms on

Beacon Street, a 2,500 SF student services addition, and a 2,000 SF student terrace, traffic will be greatly impacted. Having to listen to horns honking morning and evening is not pleasant and that will unavoidably become far worse unless Fisher's growth plan is denied. Further, double-parked delivery trucks at Fisher are a frequent problem both morning and evening. Increased student density will unavoidably require more paper, more books, more laundry, more food, Coke, pizzas, trash removal, maintenance workers, FEDEX trucks and, combined with more student traffic (on foot and in cars), will significantly worsen the congestion and traffic noise in one of the most historic neighborhoods in America.

5. **Property values** – Having met with a Back Bay realtor on this issue, it is clear that, for all the above reasons, property values will significantly decrease on Beacon Street and other streets as the student-effect ripples outward. The equity in our home is a significant part of our retirement funds and inheritance to our children. In the realtor's opinion, Fisher's action will have a direct financial impact on my family and my neighbors. If this occurs, we will definitely consult a lawyer about our options. From another point of view, the present residents have maintained the integrity of these historic buildings very well. If property values decline while noise, congestion and vandalism increase, owners will sell. Who will buy a home in the middle of a college dorm area and how will they maintain the unique history of the Back Bay? The character of the Back Bay will irreversibly change
6. **Demand on infrastructure** – I understood from last week's meeting that as Fisher re-zones buildings from private residence to college dorm there will be fewer residential homes being taxed (and maybe with lower value) even while Fisher's demand on city services increases. Demand for water, sewage, trash removal, traffic lights, police protection, etc. will increase while the tax base decreases. Devaluation of property values resulting from degradation of the neighborhood could potentially result in further property tax loss for the city.
7. **Options for Student Housing** - Housing students in a neighborhood where they cannot feel somewhat free to be young doesn't serve them well. Mixing students in amongst angry residents doesn't serve either group. Fisher has other options to house students in and around the Back Bay in a way that better serves both residents and students. Fisher could expand on Boylston Street, for example, and still be a part of the Back Bay without changing the Back Bay as a residential neighborhood. There are many other options if planners would consider them. Emerson, Suffolk, and Bay State have all developed growth plans without destroying the neighborhood from whence they came. Even BU has grown tremendously while perched just on the edge of Back Bay without destroying Back Bay as a neighborhood.
8. **Fisher disregard of residents** – Fisher College has demonstrated little concern for its neighbors over the past years regarding student behavior. With the proposed student density increase, those problems will become

exponentially worse. I learned at last week's meeting that Fisher has been buying Back Bay buildings for several years to reach a critical mass, and is now pushing their growth request through as fast as possible. Fisher could have involved its neighbors early in the planning process to develop a plan that worked for residents and Fisher management. Fisher chose instead to work quietly behind the scenes and only notified residents when rezoning rules mandated public discussion. Further, while Fisher has been planning this growth for years, they clearly intended to limit public discussion to the minimum required by city zoning rules. Fisher's disingenuous approach and the history summarized above demonstrate a glaring lack of concern for the neighborhood.

In summary, I have no confidence whatsoever that Fisher will suddenly change its level of respect for neighbors. If history is a predictor of the future, the number of student-related problems will grow exponentially. I am convinced that traffic, congestion and vandalism will all increase along with increased demand on city services, while tax base and property values decrease. In the long term, the current Back Bay residents will be replaced by people who don't mind living amid student dorms, and the character of the Back Bay will irreversibly change. The Fisher zoning request is entirely self serving and only harms the neighborhood. I see no benefit at all for residents and ask that the Fisher growth proposal be denied.

## Sullivan, Katelyn

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**From:** Diane Schmalensee [diane@schmalensee.com]  
**Sent:** Thursday, June 06, 2013 6:24 AM  
**To:** Sullivan, Katelyn  
**Subject:** Fisher College Plans

Dear Ms.Sullivan,

We are writing as residents and tax payers of the Back Bay to express our strong opposition to the plan put forth by Fisher College to degrade Beacon Street from an upscale and charming residential area for people of all ages into a college dormitory that pays no taxes, over-burdens the streets and sidewalks.

We have endured years of students smoking and discarding their gum and litter in front of the Fisher College buildings. We have had to walk in the street to avoid the clots of students congregating on the sidewalk who will not give way to other pedestrians. We have put up with the loud noise and impolite behavior, double parking and aggressive driving in the evenings – especially on the weekends. We do NOT want more of this or to see it spread beyond the existing buildings. The administration of the college tries to mitigate, with lovely landscaping and janitorial service on the sidewalks, but this is not enough.

Please ask that Fisher, like Emerson and other colleges make use of commercial properties and areas already zoned non-residential in order to expand. There are plenty of other spots within walking or biking distance. Do not allow Fisher to use single family homes and limited-family condos as dorms.

Please do NOT ruin our neighborhood. The Back Bay is famous for being one of the best places to live in Boston. This will seriously injure our property values and the quality of life. Why allow Fisher to continue its land grab when almost no one from Fisher is a voter or tax payer in the City of Boston and so many of the rest of us who will be affected are politically and economically involved in the City?

Dear  
Diane Schmalensee  
172 Beacon Street, #4  
Boston, MA 02117

Samuel Plimpton  
100 Beacon Street  
Boston, MA 02116

June 6, 2013

Ms. Katelyn Sullivan  
Boston Redevelopment Authority  
Boston City Hall, 9<sup>th</sup> Floor  
One City Hall Place  
Boston, MA 02201

RE: Fisher College Institutional Master Plan Notification Form ("IMPNF")

Dear Ms. Sullivan:

I write to object to the IMPNF as presented at the 6/18/13 Task Force public meeting. The Fisher College impact on our neighborhood is already detrimental, without any of the increases contemplated in the IMPNF, as you heard repeatedly from all of the Task Force and from all of the neighbors present. Attached is an exhibit which details some of the impacts of the proposed IMPNF on the neighborhood:

- 61% increase in beds from 289 to 466 in our neighborhood
- 34% increase in students in our neighborhood
- Virtually no tax payments to Boston, versus a potential of over \$1,000,000 per year
- 500% population density increase as compared to a market residential use

Our street is clogged with loitering students at all hours, visitors, faculty and staff (only 11% of employees live in Boston), delivery trucks, sports vans, and the city is burdened with the additional costs of servicing this dense population. It would be beneficial to the quality of life in our historic neighborhood were the H-3-65 current residential zoning strictly enforced. Fisher should be encouraged to make a long-term plan to relocate to an appropriate site that could revitalize a new neighborhood and provide the school with better facilities (parking, loading docks, outdoor space expansion capacity, housing, etc.). Permitting Fisher College to expand uses prohibited under H-3-65 residential zoning would diminish and degrade the quality and value of our neighborhood, and would reduce tax revenues from currently taxable properties.

Samuel Plimpton  
100 Beacon Street  
Boston, MA 02116

June 6, 2013

I stand ready to work with Fisher on an appropriately timed relocation plan. Please reject this damaging IMP in the overall best interests of the neighborhood, and of the citizens of Boston.

Sincerely yours,



Sam Plimpton

Attachment: Density and Tax Analyses

cc: Mayor Thomas Menino  
Mr. Peter Meade, Director, Boston Redevelopment Authority  
Mr. Gerald Autler, Senior Project Manager, Boston Redevelopment Authority  
Mr. Howard Kassler, Chair, Neighborhood Association of the Back Bay  
Mr. Will Brownsberger, Massachusetts State Senate  
Mr. Jay Livingstone, Candidate, Massachusetts House of Representatives  
District Eight City Counselor Michael Ross  
City Counselor at Large Stephen Murphy  
City Counselor at Large John R. Connolly  
City Counselor at Large Ayanna Pressley  
City Counselor at Large Felix Arroyo  
Ms. Shaina Aubourg, Mayor's Office of Neighborhood Services  
Mr. William Young, Senior Preservation Planner, Back Bay Historic District  
Mr. Steve Young, Chair, Beacon Hill Civic Association  
Ms. Anne Brooke, President, Friends of the Public Garden  
Dr. Thomas McGovern, President, Fisher College  
Task Force members



Property	Assessed Land	Assessed Building	Assessed Total	Exm	Parcel s.f.	GFA	Living Sq.ft.
02-100 Beacon Street	\$1,784,121	\$2,949,813	\$4,733,934	E	4,950	16,545	16,545
04 Beacon Street	\$1,352,063	\$2,234,585	\$3,586,648	E	3,750	10,470	8,971
08 Beacon Street	\$2,163,790	\$3,576,143	\$5,739,933	E	6,000	15,870	13,471
06 Beacon Street	\$1,405,852	\$2,323,483	\$3,729,335	E	3,900	10,830	9,271
11 Beacon Street	\$561,800	\$1,178,200	\$1,740,000	E	2,464	8,520	7,111
12 Beacon Street	\$1,135,684	\$1,876,970	\$3,012,654	E	3,150	8,670	7,471
14 Beacon Street	\$1,081,895	\$1,788,072	\$2,869,967	E	3,000	8,670	7,471
15 Beacon Street	\$931,500	\$1,274,000	\$2,205,500	T	2,464	9,336	7,621
18 Beacon Street	\$2,163,790	\$3,848,143	\$6,011,933	E	6,000	21,600	18,001
16 Beacon Street	\$1,135,684	\$1,876,970	\$3,012,654	E	3,150	8,670	7,471
131 Beacon Street	\$1,238,100	\$1,932,400	\$3,170,500	E	2,795	10,320	8,701
133 Beacon Street	\$1,025,300	\$2,145,200	\$3,170,500	E	2,795	9,984	8,361
141 Beacon Street	\$668,900	\$1,145,100	\$1,814,000	T	2,464	8,256	6,881
139 Beacon Street	\$1,045,100	\$1,493,900	\$2,539,000	T	2,240	7,800	6,501
1 Arlington Street	\$1,439,200	\$1,166,300	\$2,605,500	E	4,351	11,926	9,621
10 Arlington Street	\$613,500	\$505,000	\$1,118,500	?	2,200	8,000	6,681
11 Arlington Street	\$727,900	\$699,100	\$1,427,000	?	2,750	10,240	8,591
Total 2013 assessment			\$52,487,558			total sellable, total occupanc	
2013 due if all taxed at residential rate (\$13.14)			\$689,687			total value <sup>3</sup>	
Tax on Taxable parcels \$			52,816			Total tax-annu:	

**Not included:(a)dorm on Stuart St. (b) It could not be determined where the School made a total of \$163,000 payments**

**Notes:**

- Sellable area assumes at 70% of Gross Floor Area (GFA)
- Occupancy assumed at 2/1000 s.f. of sellable areas
- Value assumed at \$600 psf selling price
- Assessment data is for fiscal year 2013
- Tax rate is 2013 residential rate of \$13.14; not known if taxable rates were comm 0.01314
- Per Fisher filings- **does not include** staff or faculty load: 34 Faculty, 90 staff full time; 122 part time faculty
- Institutional Plan submittal by Fisher to BRA on June 7 2013, requests 61% increase in Beds in neighborhood

100 Beacon Street  
Boston, MA 02116

Ms. Katelyn Sullivan  
Boston Redevelopment Authority  
Boston City Hall, 9<sup>th</sup> Floor  
One City Hall Place  
Boston, MA 02201

RE: Fisher College Institutional Master Plan Notification Form ("IMPNF")

Dear Katelyn:

I am writing to object to the proposed IMPNF submitted to the B.R.A. by Fisher College. I live on the block in question, and feel the college already creates very difficult impacts on our neighborhood, before any increase in density. The proposal increases the dorm beds in our block from 289 to 466 (61%) and the student count from 820 to 1100 (34%), and that is without accounting for resulting increases in staff, faculty, service/delivery vehicles, and visitors. The City has made great strides to work with local neighborhoods to preserve and enhance residential neighborhoods and parks. This IMPNF would create substantial negative impacts on residents, no tax dollars, and few benefits for allowing non-conforming dorm and institutional uses to expand in a historical residential zoned H-3-65 neighborhood.

Please encourage Fisher to withdraw the plan, and to work constructively with neighbors to craft a long-term exit plan from this historic residential neighborhood. That exit would produce tangible benefits in terms of reducing density, increasing taxes, noise reduction, traffic reduction, disturbance reduction, and lower demand for rubbish/water/sewer/power. Please do not damage our neighborhood by approving this plan.

Sincerely yours,



Wendy Shattuck

Cc:

Mayor Thomas Menino  
Mr. Peter Meade, Director, Boston Redevelopment Authority  
Mr. Henry Lee, citizen  
Antonia Pollak, Commissioner, Boston Parks

## Sullivan, Katelyn

---

**From:** marie small [mariewsmall@yahoo.com]  
**Sent:** Thursday, June 06, 2013 11:20 AM  
**To:** Sullivan, Katelyn  
**Subject:** Fisher College Expansion

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Ms Sullivan,

I am writing to express my concern over the expansion plans of Fisher College in the Back Bay area of Boston. This is a residential area and any further expansion by Fisher will continue to make it feel less and less like a residential area. Fisher already causes may traffic delays, students leave litter and clog residential egress from our own buildings. We don't want late night noise to worsen. Congregation of large groups of people can be un-nerving for residents esp in the later evening. It doesn't seem that Fisher college is aware of the problems their students may cause residents or they look the other way.

Fisher College should find a nearby area that already has more commercial buildings.

Any further expansion by Fisher College in Back Bay (esp Beacon Street) will increase tensions between residents and the Fisher students which would could be detrimental to both groups.

thank you for listening,

Regards,

Marie Webster  
109 Beacon st  
5618099391

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Subject:

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Subject:

Neighborhood  
Association of the  
Back Bay



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*Chair*

Faith Perkins  
*President*

Susan Baker  
*Vice Chair*

Sybil Cooper King  
*Vice President*

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Barry Solar  
Anne Swanson  
Jack Wallace  
Sam Wallace  
Steve Wintermeier  
Marvin Wool  
Jacquelin Yesslan

Emily Gallup Fayer  
*Office Administrator*

**NABB Response to Fisher College Institutional Master Plan Notification Form -  
Executive Summary**

The Neighborhood Association of the Back Bay (NABB) reaffirms its strong opposition to any extension, increase or intensification of college use in the H-3-65 residentially zoned section of the Back Bay Historic District. The Proposed Institutional Master Plan presented by Fisher College would be a detriment to the Back Bay neighborhood, its residents and the City as a whole. It completely disregards the established zoning standards of the residential section of the Back Bay Historic District as well as City policy that has guided and protected the development of the district over the last forty years.

Use item #16A "College or university granting degrees by authority of the Commonwealth of Massachusetts" has for thirty-five years been a **forbidden use** in the H-3-65 zone of the residential section of the Back Bay Historic District. By definition a **forbidden use** does not "conform to the plan for the City as a whole" and has a detrimental impact on and is injurious to the neighborhood. Expansion of institutional use in the residential district is contrary to the interests of the residents.

**TAX CONSEQUENCES**

The legally abutting properties on the Arlington to Berkeley Street block of Beacon Street, the Beacon to Commonwealth Avenue blocks of Arlington Street, and on the north side of the Arlington to Berkeley Street block of Marlborough Street currently contain 217 residential condominiums, 3 single family residences and 12 apartment buildings, with some 130 apartments. Taken together, these represent about 350 residences, essentially all of which were acquired in reliance on the protections inherent in the residential zoning of the Back Bay. These properties represent at least \$410 million in combined tax assessment value and contribute some \$4.7 million annually in real estate tax revenues to the City of Boston.

The proposed intensification of college use would remove significant taxable and potentially taxable properties at 111, 115, 139 and 141 Beacon Street and 10/11 Arlington Street from the City's tax role and would have a depressing impact on the values of essentially all properties in the area.

**ZONING ISSUES**

Fisher College has demonstrated a history of ignoring the zoning standards of the district, putting properties into college use without applicable zoning in place.

**10/11 Arlington Street.** In 2012, without zoning in place to enable college use or outreach to abutters and the community, Fisher College contracted to purchase the 10/11 Arlington Street property owned by the Tellus Institute. Fisher College allocated \$15,000,000 for the purchase and renovation of the property.

**118 Beacon.** The proposed two-story rear yard addition to 118 Beacon Street would be in direct conflict with the density limit of the Zoning Code, defined by the applicable 3.0 FAR (floor area ratio). Strict adherence to the FAR density limit of the Zoning Code is one of the most important dimensional zoning provisions protecting the Back Bay Historic District, and one that has been consistently upheld by the Board of Appeal. The proposal also violates the

Guidelines of the Back Bay Architectural Commission, which state that rear yard additions over one story in height are inappropriate.

**115, 139, 141 Beacon Street.** Fisher proposes to convert these three apartment buildings to dormitory use. The Mayor's stated objective is to have schools construct dormitory housing for their students, not to use or modify existing residential properties for this purpose. The City is not well served by a plan that changes residential housing to dormitories and would eliminate an estimated \$85,000 annually in tax revenue.

**133 Beacon Street.** There is no zoning decision letter in the on-line files of the Inspectional Services Department extending the conditional dormitory use of 133 Beacon Street beyond the June 30, 2009. The property at 133 Beacon Street was originally put into dormitory use by Fisher College without the necessary zoning relief, but subsequently was granted dormitory use relief by the Board of Appeal subject to the proviso that the zoning would expire after three years. This required Fisher College to renew the zoning use periodically as a protection for the abutters.

**111 Beacon Street.** In 2010 Fisher College—with no outreach to the community—acquired the Butera School of Art property at 111 Beacon Street. The Butera School of Art operated for many years as a zoning use item #18 "Trade, professional or other School" as a for-profit school contributing approximately \$35,000 annually to the City's tax revenues. Fisher College put the property into use as a use item #16A "College or university granting degrees by authority of the Commonwealth of Massachusetts" without applying for a change of use permit to the Inspectional Services Department and removed the property from the City's tax roll.

#### QUALITY OF LIFE ISSUES

Neighbors are already burdened with ongoing problems associated with Fisher College's current operations. These problems will become worse if the college is allowed to expand its enrollment and, in essence, convert the block of Beacon Street between Arlington and Berkeley into a campus.

**Inadequate Facilities.** Given their age and density, the Fisher College facilities in Back Bay have difficulty supporting even the current student body, making the prospects of any expansion or intensification of college use of great concern to residents. Abutters have already lodged numerous complaints such as noise, trash, double parking, loitering, and jaywalking that are inevitable with a concentration of college students in a residential community.

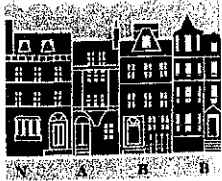
**No loading dock.** The lack of a loading dock results in delivery trucks regularly parking for extended periods in a "no parking anytime" tow zone on the Storrow Drive off ramp while the drivers—make multiple hand trolley deliveries to Fisher College. This backs up traffic into the high-speed lanes of Storrow Drive both from the east and in the tunnel coming from the west, creating clear and material hazards.

**Buses.** Because Fisher College does not have any of the on-site athletic facilities typical of a college of its size, it is necessary to make extensive use of buses to transport students and athletes to off-site practice facilities and game venues. These buses regularly double park on Beacon Street for extended periods, creating backups and hazards. Much of this activity occurs at the end of the day during rush hour, impacting both residential and commuter traffic on Beacon Street.

**Off-Hour Truck Deliveries.** Given the residential nature of Beacon Street, truck traffic is legally restricted between 11:00 PM and 7:00 AM. Without regard to this restriction, trucks serving Fisher College regularly park on Beacon Street for extended periods starting as early as 6:00 AM.

**Trash Management.** Overflowing dumpsters are an ongoing issue and one that would only be exacerbated by any increase in the intensity of use by Fisher College. This is particularly troublesome given that the school's cafeteria operation produces trash that includes food products and inevitably attracts vermin.

Neighborhood  
Association of the  
Back Bay



June 7, 2013

Ms. Katelyn Sullivan  
Boston Redevelopment Authority  
Boston City Hall, Ninth Floor  
One City Hall Place, Boston, MA 02201

**Re: Fisher College Institutional Master Plan Notification Form**

**Officers:**

Howard Kessler

*Chair*

Faith Perkins

*President*

Susan Baker

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Tim Ian Mitchell

Molly Mosier

Janine Mudge-Mullen

Jeryl Oristaglio

Roberta Orlandino

Margaret Pokorny

Susan Prindle

Patricia Quinn

Ellen Rooney

Deirdre Rosenberg

Jacqueline Royce

Peter Sherin

Barry Solar

Anne Swanson

Jack Wallace

Sam Wallace

Steve Wintermeier

Marvin Wool

Jacquelin Yesslan

Emily Gallup Fayen

*Office Administrator*

Dear Ms. Sullivan:

The Neighborhood Association of the Back Bay reaffirms its strong opposition to any extension, increase, or intensification of college use in the H-3-65 residentially zoned section of the Back Bay Historic District, including any conversion of residential housing to dormitory use, conversion of any buildings to other college use, or any extension of grandfathered non-conforming college properties. The Neighborhood Association further opposes any attempt to use the Article 80 process to rezone any portion of the residentially zoned section of the Back Bay Historic District to implement use and/or dimensional zoning changes that have been denied by, or would otherwise not be obtainable through, the Board of Appeal process.

**INCOMPATIBILITY WITH UNDERLYING ZONING**

The proposed extension of college and dormitory use in the H-3-65 residentially zoned section of the Back Bay Historic District is flagrantly contrary to over forty years of successful zoning policy and directly contrary to the Standards for Institutional Master Plan Review Approval defined in Section 80D-4 of the Code, specifically:

*"(b) the Institutional Master Plan conforms to the plan for the City as a whole; and*

*(c) on balance, nothing in the Institutional Master Plan will be injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens."*

In glaring contradiction to the assertion on page 34 of the Institutional Master Plan Notification Form presented by Fisher College, college or university use is not a conditional use in the H-3-65 residential zoning of the Back Bay Historic District. Zoning use item #16A "College or university granting degrees by authority of the Commonwealth of Massachusetts" has for over thirty-five years been a **forbidden use** in the residential section of the Back Bay Historic District, a consequence of a three-year process in which several schools, including Fisher College, participated. Even before that designation, the Board of Appeal denied petitions by Fisher College and others seeking extensions of college use in the Arlington to Berkeley Street block of Beacon Street.

In its 1975 denials pursuant to BZC #3336 and BZC #3337 (see Attachment 1) the Board stated:

*“The Board also finds that the specific site is not an appropriate location for such use, that the proposed use will adversely affect the neighborhood, that a nuisance will be created by the use, that there will be a serious hazard to vehicles and pedestrians, and that adequate and appropriate facilities cannot be provided on this locus for proper operation of the intended use.*

*“The board is certain that there is no justification whatsoever for relaxing the provisions of the Code and concludes that none of the conditions required under Article 6, Section 6-3 of the Boston Zoning Code have been met.”*

By definition a **forbidden use** does not “conform to the plan for the City as a whole” and has a detrimental impact on and is injurious to the neighborhood. Intense college use inevitably entails impacts on a residential neighborhood that are damaging. This is particularly the case in the current instance. The Back Bay is composed of historic structures which by their nature do not have the facilities necessary to adequately support even Fisher’s current grandfathered college use, not to mention any increase or extension thereof.

Since the Board of Appeal’s 1975 denials of Fisher College’s petitions seeking extension of college use in the Arlington to Berkeley Street block of Beacon Street and the subsequent designation of college use as a **forbidden use** in the H-3-65 residentially zoned section of the Back Bay Historic District, the neighborhood has changed dramatically (see Attachment 2). With the departure of Emerson, Chamberlayne, Katherine Gibbs and Simmons, among others, the residential section of the Back Bay Historic District has evolved from a mixture of schools, dormitories, and absentee-owned lodging houses and apartments to an area dominated by owner-occupied residential condominiums, apartments, and single family homes, making the prospects of any extension, increase or intensification of college use in the area far more inappropriate today.

The directly impacted, i.e. legally abutting, properties to Fisher College’s proposed plan on the Arlington to Berkeley Street block of Beacon Street, the Beacon to Commonwealth Avenue blocks of Arlington Street and on the north side of the Arlington to Berkeley Street block of Marlborough Street currently contain a total of 217 mostly owner-occupied residential condominiums, 3 single family residences and 12 apartment buildings with an estimated total of 130 apartments, comprising a total of about 350 residences (see Attachment 3). These directly impacted properties together represent a total in the order of \$410 million in combined tax assessment value and contribute in the order of \$4.7 million annually in real estate tax revenues to the City of Boston. These owners acquired their property in reliance upon the protections inherent in the existing residential zoning of the district.

The introduction to the Institutional Master Plan section of Article 80, Section 80D-1 entitled “Institutional Master Plan Review: Title; Purpose” provides:

*“The purpose of Institutional Master Plan Review is to provide for the well-planned development of Institutional uses in order to enhance their public service and economic development role in the surrounding neighborhoods.”*

The Neighborhood Association believes that the current zoning for the residential district has already accomplished this goal. We believe that increase and/or intensification of college use in the H-3-65 residentially zoned district of the Back Bay Historic District would have little public service benefit to the surrounding neighborhood and the City as a whole, especially when compared to alternative growth possibilities for Fisher College. Rather than having an economic development role, we believe extension of dormitory and college use would serve as a significant economic depressant on the local community. The fact is that Fisher College could provide a significant public service benefit and serve its stated educational mission best by directing its growth to any of a number of non-residential areas in the city of Boston or in the greater Boston area.

Not only would the proposed intensification of college use remove significant taxable and potentially taxable properties at 111, 115, 139 and 141 Beacon Street and 10/11 Arlington Street from the City's tax roll, representing in combined total potentially \$350,000 in tax revenues annually, but extension and/or intensification of college use would have a depressing long term effect on the values, uses and tax assessments of all residential properties in the immediate area and ultimately on their tax proceeds to the City of Boston. Further, extension and/or intensification of college use would discourage continuing beneficial development of the few remaining underutilized properties in the area.

### **SPECIFIC ZONING ISSUES**

#### **10/11 Arlington Street**

Without zoning in place to enable college use nor outreach to abutters and the community, Fisher College contracted on October 12, 2012 to purchase the 10/11 Arlington Street property owned by the Tellus Institute. Per the public record, Fisher College has allocated a total of \$15,000,000 to be funded by tax-exempt bonds for the purchase of the property, renovations thereto and equipment (see Attachment 4). Given the limited size of 10/11 Arlington Street property, this represents some of the highest priced real estate in the city of Boston, even exceeding the values of most luxury penthouse condominiums in signature buildings.

The Board of Appeal addressed a substantially identical situation in the applicable H-3-65 residential zoning of the Back Bay Historic District in 1996 pursuant to BZC #18343. In that zoning appeal a school sought to substitute an educational use for the non-profit office use of the building at 247 Commonwealth Avenue that had for many years been the offices of the American Cancer Society. That petition was summarily denied by the Board of Appeal specifically in its verbal motion because the Board found that a “school” use would be more objectionable and detrimental to the neighborhood than a nonconforming “non-profit office” use.



Ms. Katelyn Sullivan

June 7, 2013 -- Page 4 of 8

Reportedly the proposed use of the 10/11 Arlington Street property by Fisher College would be as office space for the school's administrators currently located at 102-118 Beacon Street. That proposed use of the 10/11 Arlington Street properties would be particularly detrimental to the community because the transferring of staff from 102-118 Beacon Street to 10/11 Arlington Street:

- 1) would open substantial space at 102-118 Beacon Street for extension and intensification of student operations at the school's already inadequate Beacon Street facilities, with consequent increase of negative impacts on immediate abutters and the residential community, and
- 2) would remove the Fisher College's higher echelon staff from the immediate area of the college's Beacon Street student focus causing the college's staff to be in effect absentees and thereby less sensitive to and less able to respond to the myriad issues that inevitably arise with a concentration of students in a residential district.

In its December 6, 2012 Letter of Intent to the BRA Fisher College stated:

*"Fisher's strategic plan requires that the college grow its enrollment from 820 students today to about 1,100 in the next ten years in order to remain competitive academically; to have the size that allows for breadth and depth in curriculum and training, and to operate in an economically sustainable manner. The academic mission of the College 'to change lives by positioning students in their quest for the knowledge and skills that will guide them through a lifetime of intellectual and professional pursuits' is the imperative that demands that Fisher undertake necessary changes to its campus to underscore its foremost commitment to the learning community.*

*"Fisher's financial health requires that it increase its revenues and maintain close attention to expenses. The investments in Fisher's future that this Master Plan anticipates have been arrived at after careful examination of the economic forces that affect small colleges and of the opportunities they have to build on their strength to thrive academically." (Emphasis added.)*

It is simply not possible to reconcile how the purchase of some of the most expensive real estate in the city for office use for the school's administrative staff—or for that matter for classrooms, library or for any other college use—further Fisher College's stated mission and enhances the school's financial health. Nor is it possible to discern how such a financial commitment can be justified by a non-profit school that historically has not made any payments in lieu of taxes (PILOT payments) to compensate the City for municipal services.

Needless to say there are a multitude of opportunities to invest \$15,000,000 in the Boston or greater Boston area outside the residential communities to acquire several times the net square footage available at 10/11 Arlington Street. Such investment could enable Fisher College to more effectively serve a larger and more diverse number of students in a location where the school could indeed be a contributing factor in the local community.

### **Proposed Rear Yard Extension 118 Beacon Street**

The proposed two story rear yard addition to 118 Beacon Street would be directly in conflict with the density limit of the Zoning Code defined by the applicable 3.0 FAR (floor area ratio). Strict adherence to the FAR density limit of the Zoning Code is considered to be one of the most important dimensional zoning provisions necessary for the protection of the Back Bay Historic District. The Board of Appeal has, in fact, denied every petition in the residential section of the Back Bay Historic District seeking other than nominal relief from the 3.0 FAR limit of the Zoning Code since its introduction over thirty-five years ago. It is particularly inappropriate that such a fundamental exception to the established zoning be sought to effect an extension of a forbidden use. The proposal is also counter to the Residential Guidelines of the Back Bay Architectural Commission, adopted in 1990, which clearly state that "additions more than one story in height" are inappropriate.

### **Proposed Conversion of Residential Properties 115, 139 and 141 Beacon Street to Dormitory Use**

The Mayor's stated objective of seeking to have schools construct additional housing for their students so as to minimize the impact on the availability and diversity of housing opportunities in the City is obviously not served by a plan seeking to remove residential housing by converting it into dormitories. Similarly, the City's finances are not enhanced by a proposal seeking to convert properties that generate in the order of \$85,000 annually in tax revenues into tax-exempt dormitories.

Aside from the policy conflict of converting residential housing into dormitories, increased dormitory use would represent a material intensification of the negative impacts inherent in a college use in the residential community, significantly tipping the residential /school balance on the Arlington to Berkeley Street block of Beacon Street. When Fisher College acquired the 115, 139 and 141 Beacon Street properties in 1997 the principals of the college represented to the Neighborhood Association that it was doing so for investment purposes and would not seek to put the properties into use as dormitories. We are disappointed that this agreement, upon which we and the neighbors relied, is no longer being honored.

Any dormitory use or extension thereof is particularly troubling in that Fisher College reportedly rents its dormitory housing in the off-season to students of other institutions. It is very difficult for an institution to control students that are not otherwise dependent on and subject to that school and who are in residence for only a short period and thus are not able to be indoctrinated by the school in proper behavior.

### **Parking**

Contrary to the statement on page 34 of the Fisher College Institutional Master Plan Notification Form, the Restricted Parking Overlay District designation does not relieve an extension of a zoning use 16A "College or university granting degrees by authority of the Commonwealth of Massachusetts" nor a dormitory zoning use item #11, #12 or #13 from the off-street parking requirements of Article 23 "Off-Street Parking" of the Zoning Code.

Ms. Katelyn Sullivan

June 7, 2013 -- Page 6 of 8

### Other Open Zoning Issues

Fisher College originally put 133 Beacon Street into dormitory use without zoning relief over forty years ago and has since disregarded the applicable zoning requirements with respect to additional properties.

**111 Beacon Street:** In 2010 Fisher College, without outreach to the community, acquired the Butera School of Art property at 111 Beacon Street. Butera School of Art operated for many years as a for profit zoning use item #18. *"Trade, professional or other School"* contributing approximately \$35,000 annually to the City's tax revenues. Fisher College, without applying to the Inspectional Services Department for a change of use permit, put the property into a forbidden use item #16A *"College or university granting degrees by authority of the Commonwealth of Massachusetts,"* thus avoiding a Board of Appeal hearing. Concurrently Fisher College effected the removal of the property from the City's tax roll.

In the context of the currently proposed Institutional Master Plan, the use of 111 Beacon Street by Fisher College simply adds to the concentration and intensification of college use in the Arlington to Berkeley Street block of Beacon Street and is thus inappropriate. Had Fisher College been more public about its intentions, we believe that the issues raised by the abutters and the neighborhood would have come to light much earlier.

**133 Beacon Street:** There is still no zoning decision letter in the on-line files of the Inspectional Services Department extending the dormitory conditional use of 133 Beacon Street beyond the June 30, 2009 expiration of BZC 27504 (see Attachment 5). The property at 133 Beacon Street had originally been put into dormitory use by Fisher College without the necessary zoning relief, but subsequently was granted dormitory use relief by the Board of Appeal, subject to the proviso that the zoning would expire after three years. This required Fisher College to renew the zoning use periodically. The maintenance of that protective proviso is particularly critical as it serves as a significant incentive for Fisher College to cooperate with its residential abutters.

### QUALITY OF LIFE ISSUES

**Inadequate Facilities:** Given the age and density of Fisher College properties in the Back Bay and their consequent physical limitations, there are significant deficiencies in the Fisher College facilities for serving even its current student body, making the prospects of any expansion or intensification of college use highly disturbing. These limitations are reflected in the multitude of already existing quality of life complaints of the residential abutters and would only be worsened by any extension, increase or intensification of the college use.

Notably there is no loading dock to serve the 102-118 Beacon Street properties, including Fisher College's cafeteria, which by its nature requires frequent deliveries. There has been a history of chronic overflowing trash. The lack of on-site athletic and other facilities typical of a college requires the extensive use of buses, which double park to load on Beacon Street to transport students to other venues.

Because of the absence of a traditional college campus for socialization and other recreational activities, much of that burden falls on the neighboring community, including frequent student use of the Esplanade and Public Garden as playgrounds. The proposed 2,500 sq. ft. roof deck, use of which is dependent on the weather and the seasons, will do little to mitigate the student impact on residential abutters and local facilities.

There is a high level of traffic congestion on Beacon Street from double parking of student drop-offs and pick-ups. Regardless of any supposed restrictions, a number of students do bring cars to the area, worsening the already overburdened parking and traffic situation.

**Absence of an Off-Street Loading Dock:** The contiguous Fisher College properties on the north side of Beacon Street from 102 through 118 Beacon Street including the school's cafeteria operation comprise a total of approximately 100,000 gross square feet of building space. Article 24 of the Zoning Code requires an off-street loading dock 10 by 25 feet and 14 feet high plus adequate maneuvering area and access. Since the Fisher College facilities on the north side of Beacon Street largely existed prior to the current zoning code the school presumably is exempt from that zoning requirement. However, the fact remains that the college does not have any of the off-street loading facilities which would otherwise be required for a college use of its size, much less the capacity necessary to effectively serve any extension or intensification of that use.

As a consequence of this deficiency, delivery trucks regularly park for extended periods in a "no parking anytime" tow zone on the Storrow Drive off ramp while the drivers set unloading ramps and make hand trolley deliveries to Fisher College. This backs up traffic into the high speed lanes of Storrow Drive both from the east and in the tunnel from the west, creating clear and material hazards.

The assertion in the Institutional Master Plan Notification Form that trucks park on Back Street for deliveries is grossly in error. The Arlington to Berkeley Street portion of Back Street receives a high volume of traffic from vehicles coming down Back Street seeking to enter Arlington Street through the Storrow Drive connector. It is simply impossible for trucks or any other vehicle to park on Back Street for any period of time and obviously (see Attachment 6) they do not.

**Buses:** Because Fisher College does not have any of the on-site athletic facilities that would typically be associated with a college of its current size, it is necessary to make extensive use of buses to transport students and athletes to off-site practice facilities and game venues. These buses regularly double park for extended periods on Beacon Street, reportedly often for up to forty-five minutes (see Attachment 7). Much of this activity occurs at the end of the day during rush hour. Extension and/or intensification of the college use would only exacerbate this situation and the impact on both the residential neighborhood and on Beacon Street traffic.

**Off-Hour Truck Deliveries:** Given the residential nature of Beacon Street, truck traffic is legally restricted from 11:00 PM to 7:00 AM. Without regard to this restriction and contrary to the assertion in the Institutional Master Plan Notification Form, trucks serving Fisher College--notably a Coca Cola delivery truck--regularly park on Beacon Street for extended periods starting as early as 6:00 AM, apparently seeking to avoid the later Beacon Street traffic and parking limits. This inevitably disturbs the

Ms. Katelyn Sullivan

June 7, 2013 - Page 8 of 8

residential abutters with early morning noise of unloading and loading Coke containers (see Attachment 8). Unfortunately the already congested Beacon Street traffic and parking situation makes it almost inevitable that vendors will seek to make deliveries at non-permitted early hours.

**Trash Management:** Frequent overflowing trash (see Attachment 9) is already an on-going issue and one that would only be exacerbated by any extension or increase in the intensity of use by Fisher College. This is particularly troublesome given that with the school's cafeteria operation the trash includes food products and thereby inevitably attracts vermin.

In sum, the Proposed Institutional Master Plan presented by Fisher College will, if adopted, be a material detriment to the district, its residents, the many abutters and the City as a whole. It represents flagrant disregard of the established zoning standards of the residentially zoned section of the Back Bay Historic District and to City policy that has guided and protected the recovery, evolution and development of the residential district over the last forty years.

Sincerely,



Howard Kassler, Chairman

HK/sg

Attachments

cc: Mayor Thomas M Menino  
Mr. Peter Meade, Director, Boston Redevelopment Authority  
Mr. Will Brownsberger, Massachusetts State Senate  
Mr. Jay Livingstone, Candidate, Massachusetts House of Representatives  
District Eight City Councilor Michael Ross  
City Councilor at Large Stephen Murphy  
City Councilor at Large John R Connolly  
City Councilor at Large Ayanna Pressley  
City Councilor at Large Felix Arroyo  
Ms. Shaina Aubourg, Mayor's Office of Neighborhood Services  
Mr. William Young, Senior Preservation Planner, Back Bay Historic District  
Mr. Steve Young, Chair, Beacon Hill Civic Association  
Ms. Anne Brooke, President, Friends of the Public Garden  
Dr. Thomas McGovern, President, Fisher College  
Task Force members

**ATTACHMENT 1:**

**BZC #3336 and BZC #3337 Re: 131 and 133 Beacon Street**

ATTACHMENT 1:

BZC #3336 AND BZC #3337

131 AND 133 BEACON STREET

CITY OF BOSTON  
BUILDING DEPARTMENT  
OFFICE OF THE BUILDING COMMISSIONER

Eighth Floor, City Hall  
1 City Hall Square

BOSTON, MASSACHUSETTS 02201

April 10, 1975  
Updated notice



RICHARD R. THUMA, JR.  
Building Commissioner

RICHARD L. GRANARA, JR.  
LEO F. MARTIN  
JAMES T. REID  
Assistant Building  
Commissioners

Mr. Scott A. Fisher, President  
Fisher Junior College  
118 Beacon Street  
Boston, Massachusetts 02116

Re: Application # 2385 Dated 3-25-75  
Location 133 Beacon Street, Wd. 5, H-5-70 Zone  
Purpose Change of occupancy from lodging house and  
dining room to classrooms (school) and  
dining room. No work to be done.

Dear Sir:

Your application cited above is hereby refused as same

would be in violation of the Boston Zoning Code to wit:-

Chapter 665, Acts of 1956 as amended, Article 8.

Section 8-6 Any change in use of a Conditional Use requires  
Board of Appeal approval.

Section 8-7 Use Item 16-a A school is a Conditional Use  
within an H-5-70 Zone District and requires Board  
of Appeal approval.

Very truly yours,

Richard L. Granara, Jr.  
For the Building Commissioner

LME:ls

If you appeal, your appeal must be accompanied by a copy of the certified  
plot plan which was filed with your application.



CITY OF BOSTON

# BOARD OF APPEAL

OFFICE OF THE BOARD OF APPEAL

July 1, 1975

RECEIVED  
JUL 15 1 53 PM 1975  
BUILDING DEPARTMENT  
CITY OF BOSTON

Decision of the Board of Appeal on the Appeal of

Fisher Junior College

to vary the terms of the Boston Zoning Code, under Statute 1956, Chapter 688, as amended, Section 8, at premises:

133 Beacon Street, Ward 5

in the following respect: Conditional Use  
Articles 8(8-6) and 8(8-7-16A): To allow occupancy to be changed from  
lodging house and dining room to school classrooms and dining room in an  
Apartment House (H-5-70) district.

In his formal appeal, the appellant stated briefly in writing the grounds of and the reasons for his appeal from the refusal of the Building Commission, as set forth in papers on file numbered BZC 3336 and made a part of this record.

In conformity with the law, the Board mailed reasonable notice of the public hearing to the petitioner and to the owners of all property deemed by the Board to be affected thereby, as they appeared on the then most recent local tax list, which notice of public hearing was duly advertised in a daily newspaper published in the City of Boston, namely:

The Herald American, June 17, 1975

The Board took a view of the petitioner's land, examined its location, layout and other characteristics.

The Boston Redevelopment Authority were sent notice of the appeal by the Building Department as prescribed in the Code and the Board has not received a report relative to the proposed use from them, within the prescribed time.

After hearing all the facts and evidence presented at the public hearing held on Tuesday, July 1, 1975, in accordance with notice and advertisement aforementioned, and after having listened to those present who wished to be heard in opposition to the petition, the Board finds as follows:

The appellant appeals to be relieved of complying with the aforementioned section of the Boston Zoning Code - all as per Application for Permit #2385, dated March 25, 1975, and plans submitted to the Board at its hearing and now on file in the Building Department.





Jul 15 1 53 PM 1975  
BUILDING DEPARTMENT  
CITY OF BOSTON

CITY OF BOSTON

III. An. 3

# BOARD OF APPEAL

OFFICE OF THE BOARD OF APPEAL

July 1, 1975

Decision of the Board of Appeal on the Appeal of Case #BZC-3336

Page 2

The premises in question are located in the Back Bay area of the City of Boston, in a zoning district designated (H-5-70) Apartment House. Appellant's application for a building permit was denied by the Building Commissioner for violation of Statute 1956, Chapter 665, Articles 8(8-6) and 8(8-7-16a).

At the hearing held on Tuesday, July 1, 1975, a number of people were present in opposition to this appeal.

The Board finds that all the conditions required for granting a Conditional Use under Article 6, Section 6-3 of the Code have not been met.

The Board also finds that the specific site is not an appropriate location for such a use, that the proposed use will adversely affect the neighborhood, that a nuisance will be created by the use, that there will be a serious hazard to vehicles and pedestrians, and that adequate and appropriate facilities cannot be provided on this locus for the proper operation of the intended use.

The Board is certain that there is no justification whatever for relaxing the provisions of the Code and concludes that none of the conditions required under Article 6, Section 6-3 of the Boston Zoning Code have been met.

The Board is of the opinion that the appellant did not advance sufficient reasons to satisfy the Board that all the conditions under which the Board may grant a Conditional Use as specified in Article 6, Section 6-3, of the Zoning Code have been met, nor to cause the Board to come to a conclusion that this is a specific case where a literal enforcement of Act involves a substantial hardship upon the appellant as well as upon the premises, nor where desirable relief may be granted without substantial detriment to the public good and without substantially derogating from the intent and purpose of the Zoning Act. Therefore, the Board (the members and the substitute member sitting on this appeal) is of the opinion that the Building Commissioner was justified in his refusal, and affirms same.

APPEAL DISMISSED

Signed July 15, 1975

John W. Priestley, Jr. Chairman  
Charles F. Spillane, Secretary  
Frank R. McDonough  
Alfred Gross  
\* Richard J. Dennis, Substitute

A True Copy  
Attest:  
*Anne G. Hagerty*  
ANNE G. HAGERTY  
Executive Secretary

\* George W. Judkins, deceased



RICHARD R. THUMA, JR.  
Building Commissioner  
RICHARD L. GRANARA, JR.  
LEO F. MARTIN  
JAMES T. REID  
Assistant Building  
Commissioners

CITY OF BOSTON  
BUILDING DEPARTMENT  
OFFICE OF THE BUILDING COMMISSIONER

Eighth Floor, City Hall  
1 City Hall Square  
BOSTON, MASSACHUSETTS 02201

BD 512A

April 10, 1975  
Updated notice

Mr. Scott A. Fisher  
President  
Fisher Junior College  
118 Beacon Street  
Boston, Massachusetts 02116

Re: Application # 2384 Dated 3-25-75  
Location 131 Beacon Street, Wd. 5, H-5-70 Zone  
Purpose Change of occupancy from dormitory to  
classrooms (school). No work to be done.

Dear Sir:

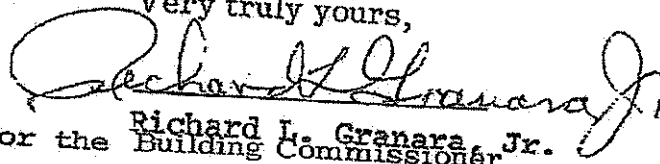
Your application cited above is hereby refused as same  
would be in violation of the Boston Zoning Code to wit:-

Chapter 665, Acts of 1956 as amended, Article 8.

Section 8-6 Any change in use of a Conditional Use requires  
Board of Appeal approval.

Section 8-7 Use Item 16-a A school is a Conditional Use within  
an H-5-70 Zone District and requires Board of  
Appeal approval.

Very truly yours,

  
Richard L. Granara, Jr.  
For the Building Commissioner

LME:ls

If you appeal, your appeal must be accompanied by a copy of the certified  
filed with your application.

Appeal within forty-



CITY OF BOSTON

# BOARD OF APPEAL

OFFICE OF THE BOARD OF APPEAL

July 1, 1975

Decision of the Board of Appeal on the Appeal of

JUL 15 1 53 PM 1975  
BUILDING DEPARTMENT  
CITY OF BOSTON

Robert Junior College

to vary (Article) of the Boston Zoning Code, under Statute 1935, Chapter 665, as amended, Section 8, at premises:

131 Beacon Street, Ward 5

in the following respect: Conditional Use  
Articles 8(8-6) and 8(8-7-16A): To allow occupancy to be changed from  
dormitory to school classrooms in an Apartment House (H-5-70) district.

In his formal appeal, the appellant states briefly in writing the grounds of and the reasons for his appeal from the refusal of the Building Commissioner as set forth in papers on file numbered BZC 3337 and made a part of this record.

In conformity with the law, the Board mailed reasonable notice of the public hearing to the petitioner and to the owners of all property deemed by the Board to be affected thereby, as they appeared on the then most recent local tax list, which notice of public hearing was duly advertised in a daily newspaper published in the City of Boston, namely:

The Herald American, June 17, 1975

The Board took a view of the petitioner's land, examined its location, layout and other characteristics.

The Boston Redevelopment Authority were sent notice of the appeal by the Building Department as prescribed in the Code and the Board has not received a report relative to the proposed use from them, within the prescribed time.

After hearing all the facts and evidence presented at the public hearing held on Tuesday, July 1, 1975, in accordance with notice and advertisement aforementioned, and after having listened to those present who wished to be heard in opposition to the petition, the Board finds as follows:

The appellant appeals to be relieved of complying with the aforementioned section of the Boston Zoning Code - all as per Application for Permit #2384, dated March 25, 1975, and plans submitted to the Board at its hearing and now on file in the Building Department.

CITY OF BOSTON

# BOARD OF APPEAL

OFFICE OF THE BOARD OF APPEAL

July 1, 1975

Decision of the Board of Appeal on the Appeal of

Case #BZC-3337

Page 2

The premises in question are located in the Back Bay area of the City of Boston, in a zoning district designated (H-5-70) Apartment House. Appellant's application for a building permit was denied by the Building Commissioner for violation of Statute 1956, Chapter 665, Articles 8(8-6) and 8(8-7-16a).

At the hearing held on Tuesday, July 1, 1975, a number of people were present in opposition to this appeal.

The Board finds that all the conditions required for granting a Conditional Use under Article 6, Section 6-3 of the Code have not been met.

The Board also finds that the specific site is not an appropriate location for such a use, that the proposed use will adversely affect the neighborhood, that a nuisance will be created by the use, that there will be a serious hazard to vehicles and pedestrians, and that adequate and appropriate facilities cannot be provided on this locus for the proper operation of the intended use.


The Board is certain that there is no justification whatever for relaxing the provisions of the Code and concludes that none of the conditions required under Article 6, Section 6-3 of the Boston Zoning Code have been met.

The Board is of the opinion that the appellant did not advance sufficient reasons to satisfy the Board that all the conditions under which the Board may grant a Conditional Use as specified in Article 6, Section 6-3, of the Zoning Code have been met, nor to cause the Board to come to a conclusion that this is a specific case where a literal enforcement of the Act involves a substantial hardship upon the appellant as well as upon the premises, nor where desirable relief may be granted without substantial detriment to the public good and without substantially derogating from the intent and purpose of the Zoning Act. Therefore, the Board (the members and the substitute member sitting on this appeal) is of the opinion that the Building Commissioner was justified in his refusal, and affirms same.

APPEAL DISMISSED

Signed July 15, 1975

John W. Priestley, Jr. Chairman  
Charles F. Spillane, Secretary  
Frank R. McDonough  
Alfred Gross  
\* Richard J. Dennis, Substitute

A True Copy  
Attest:  
  
ANNE G. HAGERTY  
Executive Secretary

\* George W. Judkins, deceased

**ATTACHMENT 2:**

**BACK BAY HOUSES CONVERTED FROM DORMITORIES OR SCHOOL  
USE: 1970-2013**

**BACK BAY HOUSES CONVERTED FROM DORMITORIES OR  
SCHOOL USE: 1970-2013**

*The following is a summary of buildings were used for dormitories or school (classroom, office, etc.) purposes and have been converted back into to residential use (apartments, condominiums, or single-family residences). Included are buildings located between Beacon and Newbury Street, Arlington through Massachusetts Avenue. This list does not include buildings on Newbury Street nor west of Massachusetts Avenue.*

<b>Address of School or Dormitory</b>	<b>Year converted Back to Residential Use</b>	<b>Former School</b>
4 Arlington	1993	Katharine Gibbs
5 Arlington	1993	Katharine Gibbs
6 Arlington	2007	Gibbs; Emerson
100 Beacon	2007	Emerson
126 Beacon (school bldg.)	2003	Emerson
128 Beacon (school bldg.)	2003	Emerson
130 Beacon (school bldg.)	2003	Emerson
132 Beacon	2008	Emerson
134 Beacon	2008	Emerson
145 Beacon	2003	Emerson
148 Beacon	1999	Emerson
150 Beacon	1999	Emerson
175 Beacon	1984	Emerson
177 Beacon	1974	Chamberlayne
181 Beacon	Legalized as apartments in 1984 (existing condition)	Fisher
183 Beacon	Legalized as apartments in 1984 (existing condition)	Fisher
190 Beacon	1977	Emerson
191 Beacon	2005	Emerson
206 Beacon	1976	Emerson
211 Beacon	Legalized as apartments in 1992 (existing condition)	Chamberlayne
212 Beacon	1973	Burdett College (lessee)
315 Beacon	1981	Emerson, Chamberlayne
317 Beacon	1983	Emerson, Chamberlayne
357 Beacon	1981	Emerson (lessee)
359 Beacon	1981	Emerson (lessee)
477 Beacon	1979	Boston University
303 Berkeley	2003	Emerson
274 Clarendon	1974	Chamberlayne
278 Clarendon	1978	Chamberlayne
16 Commonwealth	1974	Chamberlayne
21 Commonwealth	1975	Chamberlayne

Address of School or Dormitory	Year converted Back to Residential Use	Former School
25 Commonwealth	1997	Mass General Hospital
28 Commonwealth	1975	Chamberlayne
49 Commonwealth (school bldg)	2003	Simmons
51 Commonwealth (school bldg)	2003	Simmons
59 Commonwealth	Legalized as apartments in 1984 (existing condition)	Chamberlayne
63 Commonwealth	1984	Chamberlayne
116 Commonwealth	1978	Chamberlayne
128 Commonwealth (school bldg.)	1993	Chamberlayne
130 Commonwealth (school bldg.)	1993	Chamberlayne
131 Commonwealth	1972	Boston University
135 Commonwealth	1975	Chamberlayne
148 Commonwealth	1976	Chamberlayne
198 Commonwealth	1997	Newbury College
200 Commonwealth	1998	Newbury College
202 Commonwealth	1998	Newbury College
204 Commonwealth	1998	Newbury College
211 Commonwealth (school bldg.)	1975	Chamberlayne
232 Commonwealth	1975	Chamberlayne
274 Commonwealth	1976	Chamberlayne
276 Commonwealth	1976	Chamberlayne
278 Commonwealth	1976	Chamberlayne
280 Commonwealth	1976	Chamberlayne
282 Commonwealth	1976	Chamberlayne
298 Commonwealth	1978	Chamberlayne
315 Commonwealth	1981	Garland
319 Commonwealth	1983	Garland
321 Commonwealth	1983	Garland
325 Commonwealth	1976	Chamberlayne
329 Commonwealth	1981	Garland
337 Commonwealth	1983	Garland
339 Commonwealth	1983	Garland
341 Commonwealth	1981	Garland
343 Commonwealth	1983	Garland
349 Commonwealth	1979	Garland
5 Fairfield	1975	Chamberlayne
29 Gloucester	Legalized as apartments in 2005 (existing condition)	Chamberlayne
34 Gloucester	1975	Chamberlayne
18 Hereford	1976	Chamberlayne
40 Hereford	1978	Miss Farmer's
28 Marlborough	1979	Fisher
86 Marlborough	1974	Fisher, Emerson

Address of School or Dormitory	Year converted Back to Residential Use	Former School
90 Marlborough (school bldg.)	1989	Katharine Gibbs; Chamberlain School of Retailing
138 Marlborough	1995	Newbury College
163 Marlborough	1984	Cambridge School of Business
199 Marlborough	1976	Chamberlayne
238 Marlborough	1976	Chamberlayne



**ATTACHMENT 3:**

**IMMEDIATELY IMPACTED ABUTTERS**

**TAX ASSESSMENT VALUES AND ANNUAL REAL ESTATE TAXES**

## ATTACHMENT 3: TAX ASSESSMENT VALUES AND ANNUAL REAL ESTATE TAXES

## Recap:

## Assessment Values and Annual Real Estate Taxes:

	<u>Tax Assessment Values</u>	<u>Current Annual Tax</u>
<b>Residential Properties Assessment Values</b>		
Beacon Street from Arlington Street to Berkeley Street:	201,615,616	2,117,969
Arlington Street From Beacon Street to Commonwealth Avenue	116,160,741	1,447,510
North Side of Marlborough Street from Arlington to Berkeley Street	<u>92,611,800</u>	<u>1,104,943</u>
Total Residential Properties	410,388,157	4,670,422
Fisher College School Properties	43,384,258	8,693
Fisher College Investment Apartments (115, 139, 141 Beacon Street)	<u>6,558,500</u>	<u>86,177</u>
<b>Totals</b>	<u><u>460,330,915</u></u>	<u><u>4,765,292</u></u>

## Residential Occupancies

## Beacon Street from Arlington Street to Berkeley Street:

Total Residential Condominiums	125
Total Single Family Units	1
Estimated Apartment Units in Seven Buildings	<u>70</u>
Subtotal	196

## Arlington Street from Beacon Street to Commonwealth Avenue:

Total Residential Condominiums	40
Total Single Family Units	0
Estimated Apartment Units in Seven Buildings	<u>0</u>
Subtotal	40

## North Side of Marlborough Street from Arlington Street to Berkeley Street

Total Residential Condominiums	52
Total Single Family Units	2
Estimated Apartment Units in Seven Buildings	<u>60</u>
Subtotal	<u>114</u>

## Combined Totals

Total Residential Condominiums	217
Total Single Family Units	3
Estimated Apartment units in Seven Buildings	<u>130</u>
Total Residential Units	<u><u>347</u></u>

## ATTACHMENT 3: TAX ASSESSMENT VALUES AND ANNUAL REAL ESTATE TAXES

## 1. Properties on Beacon Street Between Arlington Street and Berkeley Street

<u>Address</u>	<u>Type</u>	<u>Tax Assessed Value</u>	<u>Current Annual Tax</u>
100 Beacon Street	Condominium		
Unit #1A		443,700	5,830
Unit #1B		661,800	8,696
Unit #1C		1,726,500	22,686
Unit #2A		1,687,300	22,171
Unit #2B		1,574,100	20,683
Unit #3A		1,687,300	22,171
Unit #3B		1,672,400	21,975
Unit #4A		1,689,300	22,197
Unit #4B		1,750,300	22,998
Unit #5A		1,726,400	22,684
Unit #5B		1,682,800	22,111
Unit #6		4,126,300	54,219
Unit #7		4,126,300	54,219
Unit #8		4,132,400	54,299
Unit #PHA		3,581,900	47,066
Unit #PHB		4,358,600	57,272
Unit #PS-1		36,800	483
Unit #PS-2		36,800	483
Unit #GPS-1		50,600	664
Unit #GPS-2		50,600	664
Unit #GPS-3		50,600	664
Unit #GPS-4		50,600	664
Unit #GPS-5		50,600	664
Unit #GPS-6		50,600	664
Unit #GPS-7		50,600	664
Unit #GPS-8		50,600	664
Unit #GPS-9		50,600	664
Unit #GPS-10		50,600	664
Unit #GPS-11		50,600	664
Unit #GPS-12		50,600	664
Unit #GPS-13		50,600	664
Unit #GPS-14		50,600	664
Unit #GPS-15		50,600	664
Unit #GPS-16		50,600	664
Unit #GPS-17		50,600	664
Subtotals			
		37,561,200	493,531
101 Beacon Street	Apartment Bldg	3,310,000	43,493
102 Beacon Street	Fisher College (Mortimer Hall)	4,734,634	Exempt
103 Beacon Street	Condominium		
Unit #1		355,800	4,675
Unit #2		336,900	4,426
Unit #3		281,000	3,692
Unit #4		316,600	4,160
Unit #5		594,700	7,814
Unit #6		1,239,210	16,283
Subtotals		3,124,210	41,050

## ATTACHMENT 3: TAX ASSESSMENT VALUES AND ANNUAL REAL ESTATE TAXES

## 1. Properties on Beacon Street Between Arlington Street and Berkeley Street (continued)

<u>Address</u>	<u>Type</u>	<u>Tax Assessed Value</u>	<u>Current Annual Tax</u>
104 Beacon Street	Fisher College (Smith Hall)	3,586,648	Exempt
105 Beacon Street	Condominium		
Unit #1		255,100	3,352
Unit #1-A		263,300	3,459
Unit #2		221,500	2,910
Unit #3		354,800	4,662
Unit #4		347,500	4,566
Unit #5		357,000	4,690
Unit #6		348,700	4,581
Unit #7		339,700	4,463
Unit #8		371,500	4,881
Unit #9		338,600	4,449
Unit #10		755,900	9,932
Subtotals			
		3,953,600	51,945
106 Beacon Street	Fisher College (Smith Hall)	3,729,335	Exempt
107 Beacon Street	Apartment Bldg	1,875,500	24,644
108/110 Beacon Street	Fisher College	5,739,933	Exempt
109 Beacon Street	Condominium		
Unit #1		577,700	7,590
Unit #2		697,900	9,170
Unit #3		663,800	8,722
Unit #4		715,800	9,405
Unit #5		721,100	9,475
Unit #6		1,379,600	18,127
Subtotals			
		4,755,900	62,489
111 Beacon Street	Fisher College	1,740,000	Exempt
112 Beacon Street	Fisher College (Florence Hall)	3,012,654	Exempt
113 Beacon Street	Apartment Bldg	2,332,000	30,642
114 Beacon Street	Fisher College (Florence Hall)	2,869,967	Exempt
115 Beacon Street	Apartment Bldg (Fisher College)	2,205,500	28,980
116 Beacon Street	Fisher College (Florence Hall)	3,012,654	Exempt
117 Beacon Street	Single Family	4,514,538	59,321
118 Beacon Street	Fisher College	5,739,933	Exempt
118 Beacon Street	Industrial - Fisher College	272,000	8,693
119 Beacon Street	Condominium		
Unit #1		519,600	6,827
Unit #2		688,900	9,052
Unit #3		805,800	10,588
Unit #4		714,300	9,385
Unit #5		865,400	11,371
Unit #6		1,177,500	15,472
Subtotals			
		4,771,500	62,695

ATTACHMENT 3: TAX ASSESSMENT VALUES AND ANNUAL REAL ESTATE TAXES

1. Properties on Beacon Street Between Arlington Street and Berkeley Street (continued)

<u>Address</u>	<u>Type</u>	<u>Tax Assessed Value</u>	<u>Current Annual Tax</u>
120 Beacon Street	Condominium		
Unit #1-A		269,900	3,546
Unit #1-B		248,500	3,265
Unit #2		794,000	10,433
Unit #3		989,300	12,959
Unit #4		888,000	11,668
Unit #5		878,300	11,540
Unit #6		949,400	12,475
Unit #7		974,000	12,798
Subtotals		<u>5,991,400</u>	<u>78,684</u>
121 Beacon Street	Condominium		
Unit #1		594,200	7,807
Unit #2		684,600	8,995
Unit #3		736,000	9,671
Unit #4		776,000	10,196
Unit #5		820,000	10,538
Unit #6		1,052,000	13,823
Subtotals		<u>4,662,800</u>	<u>61,030</u>
122 Beacon Street	Condominium		
Unit #1		265,900	3,493
Unit #2		784,600	10,309
Unit #3		805,400	10,582
Unit #4		854,200	11,224
Unit #5		859,900	11,299
Unit #6		861,900	11,325
Unit #7		882,000	11,589
Subtotals		<u>5,313,900</u>	<u>69,821</u>
124 Beacon Street	Condominium		
Unit #1-F		379,900	4,991
Unit #1-R		465,900	6,121
Unit #3-F		564,000	7,410
Unit #3-R		540,600	7,103
Unit #5-F		325,300	4,274
Unit #5-R		375,200	4,930
Unit #6-F		568,700	7,472
Unit #6-R		606,300	7,966
Unit #G-F		268,800	3,532
Unit #G-R		248,700	3,267
Unit #PH-F		675,700	8,878
Unit #PH-R		934,200	12,275
Subtotals		<u>5,953,300</u>	<u>78,219</u>

ATTACHMENT 3: TAX ASSESSMENT VALUES AND ANNUAL REAL ESTATE TAXES

1. Properties on Beacon Street Between Arlington Street and Berkeley Street (continued)

<u>Address</u>	<u>Type</u>	<u>Tax Assessed Value</u>	<u>Current Annual Tax</u>
125 Beacon Street	Condominium		
Unit #1		301,900	3,966
Unit #2		326,900	4,295
Unit #3		455,800	5,989
Unit #4		507,600	6,669
Unit #5		455,800	5,989
Unit #6		424,800	5,581
Unit #7		455,800	5,989
Unit #8		429,400	5,642
Unit #9		469,900	6,174
Unit #10		432,800	5,686
Unit #11		474,600	6,236
Unit #12		435,000	5,715
Unit #13		822,800	10,811
Subtotals		5,993,100	78,742
127 Beacon Street	Condominium		
Unit #1		322,800	4,241
Unit #2		373,100	4,902
Unit #11		249,200	3,274
Unit #12		388,200	5,102
Unit #21		397,300	5,220
Unit #22		363,800	4,780
Unit #31		424,400	5,576
Unit #32		362,100	4,757
Unit #41		424,900	5,583
Unit #42		362,100	4,757
Unit #51		450,600	5,920
Unit #52		372,000	4,890
Subtotals		4,490,500	59,002
128 Beacon Street	Condominium		
Unit #A		3,749,900	49,273
Unit #B		3,048,800	40,061
Unit #C		758,800	9,970
Unit #D		4,540,810	59,666
Unit #E		2,859,000	37,567
Unit #F		1,619,900	21,285
Unit #G		2,097,800	27,565
Unit #H		3,291,000	43,243
Unit #J		3,418,500	44,919
Unit #K		2,696,400	35,430
Unit #L		3,839,000	50,444
Subtotals		31,919,910	419,423
129 Beacon Street	Condominium		
Unit #1		1,380,500	18,139
Unit #2		618,600	8,128
Unit #3		1,078,200	14,167
Unit #4		1,403,500	18,441
Subtotals		4,480,800	58,875

# ATTACHMENT 3: TAX ASSESSMENT VALUES AND ANNUAL REAL ESTATE TAXES

## 1. Properties on Beacon Street Between Arlington Street and Berkeley Street (continued)

<u>Address</u>	<u>Type</u>	<u>Tax Assessed Value</u>	<u>Current Annual Tax</u>
131 Beacon Street	Fisher College (Carty Hall)	3,170,500	Exempt
133 Beacon Street	Fisher College (Carty Hall)	3,170,500	Exempt
135 Beacon Street	Apartment Bldg	1,919,000	25,215
137 Beacon Street	Gibson House Museum	286,500	Exempt
139 Beacon Street	Apartment Bldg (Fisher College)	2,539,000	33,362
141 Beacon Street	Apartment Bldg (Fisher College)	1,814,000	23,835
143/145 Beacon Street (303 Berkeley St)	Condominium		
Unit #1/3		3,435,600	45,143
Unit #2		2,233,400	29,346
Unit #4		1,967,800	25,856
Unit #5		1,852,100	24,336
Unit #6		1,839,700	24,173
Unit #7		1,631,900	21,443
Unit #8		1,822,200	23,943
Unit #9		2,286,000	30,038
Subtotals		<u>17,068,700</u>	<u>224,278</u>
<b>Totals Beacon Street (From Arlington Street to Berkeley Street)</b>		<u><b>201,615,616</b></u>	<u><b>2,117,969</b></u>
<b>Total Residential Units (Beacon Street from Arlington Street to Berkeley Street)</b>			
	<b>Total Residential Condominiums</b>		<b>125</b>
	<b>Total Single Family Units</b>		<b>1</b>
	<b>Estimated Apartment Units in Seven Buildings</b>		<b>70</b>
	<b>Total Residential Units</b>		<u><u><b>196</b></u></u>

**ATTACHMENT 3: TAX ASSESSMENT VALUES AND ANNUAL REAL ESTATE TAXES**

**2. Properties on Arlington Street Between Beacon Street and Commonwealth Avenue**

<u>Address</u>	<u>Type</u>	<u>Tax Assessed Value</u>	<u>Current Annual Tax</u>
1 Arlington Street	Fisher College	2,605,500	Exempt
2 Arlington Street	Condominium		
Unit #1		984,000	12,929
Unit #2		780,800	10,259
Unit #3		751,400	9,873
Unit #4		782,000	10,275
Unit #5		879,200	11,552
Unit B		695,100	9,133
Subtotals		<u>4,872,500</u>	<u>64,021</u>
3 Arlington Street	Condominium		
Units #1&2		1,624,100	21,340
Unit #2		429,000	5,637
Unit #4		334,400	4,394
Unit #5		473,500	6,221
Unit #6		369,400	4,853
Apt. Office Unit		490,500	15,676
Subtotals		<u>3,720,900</u>	<u>58,121</u>
4/5 Arlington Street	Condominium		
Unit #1		1,058,300	13,906
Unit #2		1,503,700	19,758
Unit #3		2,265,500	29,768
Unit #4		2,265,500	29,768
Unit #5		2,456,600	32,279
Unit #7		2,760,700	36,275
Subtotals		<u>12,310,300</u>	<u>161,754</u>
6 Arlington Street	Condominium		
Unit #1A		1,647,768	21,651
Unit #1M		2,325,422	30,556
Unit #2A		2,150,747	28,260
Unit #2M		1,687,324	22,171
Unit #3		3,936,049	51,719
Unit #4		3,971,836	52,189
Unit #5		4,067,228	53,443
Unit #6		4,162,219	54,691
Unit #7		4,261,733	55,999
Unit #8		4,550,830	59,797
Unit #9		4,583,294	60,224
Unit #PH		8,091,921	106,327
Subtotals		<u>45,436,371</u>	<u>597,027</u>
8 Arlington Street	Condominium		
Mental Health Program, Inc		1,618,500	Exempt
Unit #1		2,088,400	27,441
Unit #2		2,201,700	28,930
Unit #3		4,114,000	54,957
Unit #4		3,828,100	50,301
Unit #PH		4,722,700	62,056
Unit #TH		3,598,870	47,289
Subtotals		<u>22,172,270</u>	<u>270,974</u>



**ATTACHMENT 3: TAX ASSESSMENT VALUES AND ANNUAL REAL ESTATE TAXES****2. Properties on Arlington Street Between Beacon Street and Commonwealth Avenue (continued)**

<u>Address</u>	<u>Type</u>	<u>Tax Assessed Value</u>	<u>Current Annual Tax</u>
10 Arlington Street	Tulles Institute	1,118,500	Exempt
11 Arlington Street	Tulles Institute	1,427,000	Exempt
12 Arlington St (1 Commonwealth)	Condominium		
Unit #1		4,888,000	64,228
Unit #2		5,087,000	66,843
Unit #3		4,780,400	62,814
Unit #4		2,877,800	37,814
Unit #5		3,492,700	45,894
Unit #A		331,600	4,357
Unit #B		287,700	3,780
Unit #C		362,500	4,763
Unit #D		389,700	5,120
Subtotals		<u>22,497,400</u>	<u>295,613</u>
<b>Totals Arlington Street (From Beacon St to Commonwealth Ave)</b>		<b><u>116,160,741</u></b>	<b><u>1,447,510</u></b>
<b>Total Residential Units (Arlington Street from Beacon Street to Commonwealth Avenue):</b>			
	<b>Total Residential Condominiums</b>		<b>40</b>
	<b>Total Single Family Units</b>		<b>0</b>
	<b>Estimated Apartment Units</b>		<b>0</b>
	<b>Total Residential Units</b>		<b><u>40</u></b>

**ATTACHMENT 3: TAX ASSESSMENT VALUES AND ANNUAL REAL ESTATE TAXES****3. Properties on the North Side of Marlborough Street between Arlington and Berkeley Streets**

<u>Address</u>	<u>Type</u>	<u>Tax Assessed Value</u>	<u>Current Annual Tax</u>
1 Marlborough Street	Condominium		
Unit #1		1,450,200	19,055
Unit #2		927,000	12,180
Unit #3		779,300	10,240
Unit #4		8,466,700	11,125
Unit #5		1,609,200	21,144
Subtotals			
		13,232,400	73,744
3 Marlborough Street	Condominium		
Unit #1		1,024,400	13,460
Unit #2		856,100	11,249
Unit #3		786,300	10,331
Unit #4		1,005,100	13,207
Subtotals			
		3,671,900	48,247
5 Marlborough Street	Apartments	2,579,500	33,894
7 Marlborough Street	Condominium		
Unit #1		1,563,500	20,544
Unit #2		1,986,100	26,097
Subtotals			
		3,549,600	46,641
9 Marlborough Street	Apartment Building	2,673,000	35,132
11 Marlborough Street	Apartment Building	2,606,000	34,242
15 Marlborough Street	Condominium		
Unit #1		1,587,400	20,858
Unit #2		1,893,100	24,875
Unit #3		1,840,100	24,178
Unit #4		1,822,100	23,942
Unit #5		1,947,400	25,588
Outdoor Condo Parking		183,300	2,408
Subtotals			
		9,273,400	121,849
17 Marlborough Street	Condominium		
Unit #1		792,800	10,417
Unit #2		780,400	10,254
Unit #3		806,300	10,594
Unit #4		751,500	9,874
Unit #5		1,014,500	13,330
Unit #6		817,500	10,741
Subtotals			
		4,963,000	65,210
19 Marlborough Street	Single Family	6,596,100	86,672
21 Marlborough Street	Condominium		
Unit #1		1,628,700	21,401
Unit #2		5,935,600	66,167
Unit #3		3,282,600	43,133
Unit #4		2,018,700	26,525
Subtotals			
		12,865,600	157,226
25 Marlborough Street	Apartment Bldg	2,218,500	29,151
27 Marlborough Street	Apartment Bldg	2,218,500	29,151

**ATTACHMENT 3: TAX ASSESSMENT VALUES AND ANNUAL REAL ESTATE TAXES****3. Properties on the North Side of Marlborough Street between Arlington and Berkeley Streets**

<u>Address</u>	<u>Type</u>	<u>Tax Assessed Value</u>	<u>Current Annual Tax</u>
29 Marlborough Street	Condominium		
Unit #1		449,300	5,903
Unit #2		323,900	4,256
Unit #3		400,500	5,262
Unit #4		452,900	5,951
Unit #5		862,100	11,327
Unit #6		2,421,400	31,817
Subtotals		4,910,100	64,516
31 Marlborough Street	Condominium		
Unit #1		184,464	2,423
Unit #2		292,068	3,837
Unit #3		548,268	7,204
Unit #4		512,400	6,732
Unit #5		512,400	6,732
Unit #6		512,400	6,732
Subtotals		2,562,000	33,660
33 Marlborough Street	Condominium		
Unit #1		3,083,400	40,515
Unit #2		479,800	6,304
Unit #3		2,377,000	31,233
Subtotals		5,940,200	78,052
35 Marlborough Street	Condominium		
Unit #1		298,600	3,923
Unit #2		227,600	2,990
Unit #3		669,200	8,793
Unit #4		1,650,300	21,684
Unit #5		368,600	4,843
Unit #6		308,500	4,053
Unit #7		752,100	9,882
Subtotals		4,274,900	56,168
37 Marlborough Street	Single Family	4,559,000	59,905
39 Marlborough Street	Condominium		
Unit #1		322,300	4,235
Unit #2		1,447,600	19,021
Unit #3		650,100	8,542
Unit #4		786,200	10,330
Subtotals		3,206,200	42,128
41 Marlborough St (301 Berkeley)	Apartment	11,745,000	154,329
<b>Totals North Side of Marlborough Street (From Arlington Street to Berkeley Street)</b>		<b>92,611,800</b>	<b>1,104,943</b>
<b>Total Residential Units (North Side of Marlborough Street from Arlington to Berkeley Street)</b>			
<b>Total Residential Condominiums</b>			<b>52</b>
<b>Total Single Family Units</b>			<b>2</b>
<b>Estimated Apartment Units in Seven Buildings</b>			<b>70</b>
<b>Total Residential Units</b>			<b>124</b>

## ATTACHMENT 3: TAX ASSESSMENT VALUES AND ANNUAL REAL ESTATE TAXES

## Recap: Fisher College Properties:

<u>Address</u>	<u>Type</u>	<u>Tax Assesed Value</u>	<u>Current Annual Tax</u>
<b>School Properties:</b>			
1 Arlington Street	Fisher College	2,605,500	Exempt
102 Beacon Street	Fisher College (Mortimer Hall)	4,734,634	Exempt
104 Beacon Street	Fisher College (Smith Hall)	3,586,648	Exempt
106 Beacon Street	Fisher College (Smith Hall)	3,729,335	Exempt
108/110 Beacon Street	Fisher College	5,739,933	Exempt
111 Beacon Street	Fisher College	1,740,000	Exempt
112 Beacon Street	Fisher College (Florence Hall)	3,012,654	Exempt
114 Beacon Street	Fisher College (Florence Hall)	2,869,967	Exempt
116 Beacon Street	Fisher College (Florence Hall)	3,012,654	Exempt
118 Beacon Street	Fisher College	5,739,933	Exempt
118 Beacon Street	Industrial - Fisher College	272,000	8,693
131 Beacon Street	Fisher College (Carty Hall)	3,170,500	Exempt
133 Beacon Street	Fisher College (Carty Hall)	3,170,500	Exempt
	Subtotals	43,384,258	8,693 *
<b>Investment Residential Apartments:</b>			
115 Beacon Street	Apartment Bldg (Fisher College)	2,205,500	28,980
139 Beacon Street	Apartment Bldg (Fisher College)	2,539,000	33,362
141 Beacon Street	Apartment Bldg (Fisher College)	1,814,000	23,835
	Subtotals	6,558,500	86,177
<b>Other Properties:</b>			
10 Arlington Street	Tellus Institute	1,118,500	Exempt
11 Arlington Street	Tellus Institute	1,427,000	Exempt
	Subtotals	2,545,500	0
	Totals	52,488,258	94,870

\*Note: Hypothetical annual real estate tax at the \$31.96 commercial tax rate would be \$1,386,561 if the properties were not tax exempt. At the \$13.14 residential tax rate the hypothetical annual tax would be \$570,069.

**ATTACHMENT 4:**

**FISHER COLLEGE'S VOTE TO INVEST \$15,000,000 IN THE  
ACQUISITION, RENOVATION AND EQUIPPING OF 10/11 ARLINGTON  
STREET**

Attested:  
*[Signature]*  
Francis A.  
Register

FISHER COLLEGE



2013 00023346  
Bk: 51078 Pg: 97 Doc: CTF  
Page: 1 of 6 03/04/2013 02:53 PM

Clerk's Certificate

I, Scott Fisher, hereby certify that I am the duly elected, qualified and acting Clerk of Fisher College, a Massachusetts non-profit corporation (the "Institution"), and that:

1. Attached hereto as Exhibit D are true and correct copies of the Votes duly adopted by the Board of Trustees of the Institution at a regular meeting duly called on March 4, 2013 (the "Votes") at which meeting a quorum was present, and that since the date of such Votes, such Votes have not been amended, altered, modified or revoked and remain in full force and effect on the date hereof.

2. The following individuals (each an "Authorized Officer") are the duly appointed, acting and qualified officers of the Institution, that each such officer holds the office set forth opposite his name below and is duly authorized to sign each of the documents, agreements, certificates and instruments as described in the Votes, and that the true and genuine signature of each such officer is set forth opposite his name below:

Name

Office

Signature

Thomas M. McGovern

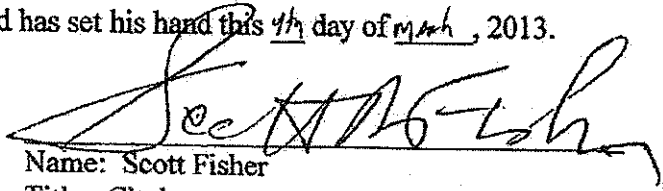
President

Steven Rich

Vice President for Finance

(Signature on Following Page)


IN WITNESS WHEREOF, the undersigned has set his hand this 4<sup>th</sup> day of March, 2013.

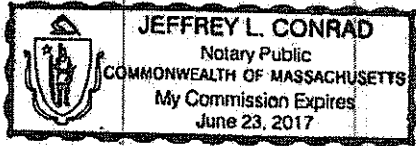
  
Name: Scott Fisher  
Title: Clerk

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

On this 4<sup>th</sup> day of MARCH, 2013, before me, the undersigned notary public, personally appeared Scott Fisher, Clerk of Fisher College, proved to me through satisfactory evidence of identification, which was PERSONAL KNOWLEDGE be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

  
Notary Public  
My Commission Expires: 6/23/17



(SEAL)



## VOTES

VOTED: That the College is authorized to purchase the land and the improvements thereon located at 10-11 Arlington Street, Boston, Massachusetts (the "Arlington Street Property") for the purchase price of \$11,750,000 pursuant to the terms of the Purchase and Sale Agreement dated October 12, 2012 between the College and Tellus Institute, Inc.

VOTED: That the College is authorized in connection with the ownership and operation of the Arlington Street Property to enter into leases, service contracts and construction contracts and all other contracts necessary to the ownership and operation of the Arlington Street Property including without limitation a lease to Tellus Institute, Inc.

VOTED: That the College is authorized to borrow the proceeds of a loan (the "Loan") from TD Bank, N.A. or another financial institution (the "Lender"), as determined by an Authorized Officer (as defined below), for the purpose of the financing or refinancing of, or the reimbursement of funds advanced by the College in connection with (a) its purchase of the Arlington Street Property and (b) the costs incurred in connection with the purchase of the Arlington Street Property, such Loan not to exceed \$9,320,000.

VOTED: That the College is authorized to extend the terms of the existing Credit Agreement with the Lender through March 31, 2014 in the maximum credit amount of \$750,000 ("Maximum Credit Amount"); such facility may be renewed annually thereafter in an amount not to exceed such Maximum Credit Amount as determined to be necessary or desirable by an Authorized Officer.

VOTED: In order to secure the College's obligations with respect to the Loan, the College is hereby authorized to grant to the Lender (1) a mortgage on the Arlington Street Property, and (2) an assignment of all leases and rents related to the Arlington Street Property, the granting of such mortgage and assignment is hereby authorized without any further approval of or action by the Board of Trustees.

VOTED: That each Authorized Officer be, and each one of them singly hereby is, authorized, empowered and directed to do any and all things, and to make, execute, deliver, file and record any and all agreements, instruments, papers, certificates and documents which shall be or become necessary, proper or convenient to carry out the Loan and grant of the mortgage and assignment, including, without limitation, one or more of the following agreements and documents, each to contain such provisions and to be in such form as an Authorized Officer acting alone shall determine to be necessary or appropriate, and the execution, acknowledgement and delivery of each such agreement or document by such Authorized Officer shall be conclusive evidence as to authorization by this vote:



- a) A Loan Agreement, dated as of a date to be determined, by and between the College and the Lender;
- b) A Note, dated as of a date to be determined, from the College to the Lender evidencing the obligations of the Loan;
- c) A Hazardous Materials Indemnification dated as of a date to be determined, from the College to the Lender;
- d) Assignment of Leases and Rents dated as of a date to be determined, from the College to the Lender;
- e) Mortgage and Security Agreement dated as of a date to be determined, between the College to the Lender; and
- f) Such other agreements, certificates, instruments and documents in connection with the Borrowing and/or the grant of mortgage and assignment with respect thereto as the Authorized Officer or officers executing or delivering the same determine to be necessary or appropriate to carry out the transactions contemplated by this vote.

VOTED: That any one or more of the Authorized Officers or other officers of the College be, and each of them singly hereby is, authorized to approve the definitive terms of the Loan, including but not limited to the maturity date (not to exceed 16 years), interest rate (not to exceed 4.00%) and final Loan amount (not to exceed \$9,320,000), and the leases, service contracts and construction contracts and all other contracts necessary to the ownership and operation of the Arlington Street Property and to take such further action or to cause such further action to be taken as may be necessary or appropriate to carry out the transactions contemplated by these votes and, in the name and on behalf of the College, to affix the corporate seal to any and all agreements or documents authorized by these votes and to attest thereto.

VOTED: The following persons are each designated as an Authorized Officer for the purpose of these Votes:

<u>Name</u>	<u>Position</u>
Thomas M. McGovern	President
Steven Rich	Vice President for Finance

VOTED: The College hereby declares its official intent under Section 1.150-2(d)(1) and (e) of the Treasury Regulations as follows:

The College reasonably expects that there shall be reimbursed from the proceeds of tax-exempt bonds capital expenditures (including capital expenditures made within the last 60 days) temporarily advanced for the purchase of the Arlington Street Property, renovations thereto and equipping thereof (the "Project") by the College, the maximum principal amount of such tax-exempt bonds and other obligations reasonably expected to be issued for the Project being \$15,000,000.

These Votes shall take effect immediately.

Dated as of March 3, 2013

**ATTACHMENT 5:**

**BZC #27504 – 133 BEACON STREET**

**Grant of Dormitory Use Subject to Expiration on June 30, 2009**



CITY OF BOSTON

BOARD OF APPEALS

BZC #27504 - 133 Beacon Street

Grant of Dormitory Use Subject

to Expiration June 30, 2009

OFFICE OF THE BOARD OF APPEALS

September 12, 2006

DATE

Decision of the Board of Appeal on the Appeal of  
Fisher College

to vary the terms of the Boston Zoning Code, under Statute 1956, Chapter 665, as amended, Section 8, at premises:

133 Beacon Street, Ward 5

in the following respect: Conditional Use

Article(s): 6(6-4)

Extend the occupancy of the dormitory beyond June 30, 2006

In his formal appeal, the Appellant states briefly in writing the grounds of and the reasons for his appeal from the refusal of the Building Commissioner, as set forth in papers on file numbered BZC-27504 and made a part of this record.

In conformity with the law, the Board mailed reasonable notice of the public hearing to the petitioner and to the owners of all property deemed by the Board to be affected thereby, as they appeared on the then most recent local tax lists, which notice of public hearing was duly advertised in a daily newspaper published in the City of Boston, namely:

THE BOSTON HERALD on Tuesday, August 22, 2006

The Board took a view of the petitioner's land, examined its location, layout and other characteristics.

The Boston Redevelopment Authority was sent notice of the appeal by the Building Department and the legal required period of time was allotted to enable the BRA to render a recommendation to the Board, as prescribed in the Code.

After hearing all the facts and evidence presented at the public hearing held on Tuesday, September 12, 2006 in accordance with notice and advertisement aforementioned, the Board finds as follows:

The Appellant appeals to be relieved of complying with the aforementioned section of the Boston Zoning Code, all as per Application for Permit #06-3576 dated April 28, 2006 and plans submitted to the Board at its hearing and now on file in the Building Department.

sh



## CITY OF BOSTON

## BOARD OF APPEAL

OFFICE OF THE BOARD OF APPEAL

133 Beacon Street, Ward 5

BZC-27504

Date of Hearing: September 12, 2006

Permit #06/3576

Page 2

Decision of the Board of Appeal on the Appeal of

This appeal seeks to extend the legal occupancy of a dormitory beyond June 30, 2006..

The reason for this appeal is to allow the continued use of the premises as a dormitory by Fisher College, according to a previous decision of the Board.

At the hearing, the applicant testified that the Board should grant the requested relief because the use of the premises as student housing has been in continuous existence for nearly forty years, dating from the time that Fisher College (then Fisher Junior College) originally purchased the building. The applicant further testified that the college has demonstrated, through its nearly four-decade period of continuous use of the premises as a dormitory, that such a use is appropriate to the location, does not adversely affect the neighborhood, poses no hazard to vehicles or pedestrians, and does not constitute a nuisance. The Board granted the necessary conditional use permit in 2003 and attached as a proviso that relief would expire in three years. This was done in order to ensure that the use would be reviewed again by the Board in order to determine whether any negatives impacts on the neighborhood were occasioned by the use. The applicant testified that it has had no complaints during the preceding three years and that the use has existed harmoniously with the neighborhood during this time.

At the hearing, the applicant presented testimonial evidence averring that Fisher College is a 100 year-old accredited independent college, offering curricula that integrate a degree-granting liberal arts education with career and pre-professional programs designed to meet the changing needs of both traditional and non-traditional learners.

Fisher College—then Fisher Junior College—purchased 131-133 Beacon Street in 1968 and began using both attached buildings as dormitories. These uses have continued since that time, although the official listed occupancy of 133 Beacon remained "Lodging House & Dormitory" until 2003, when the legal occupancy was changed to "Dormitory" after action by this Board.

No physical addition, alteration or structural work of any kind is to be performed. Fisher College is committed to continuing to adequately address all security-related issues concerning 133 Beacon Street, as well as its entire campus in general.

At the hearing, representatives of the local district city councilor, the Mayor's Office of Neighborhood Services, several at-large city councilors, the Neighborhood Association of the Back Bay, and several neighbors all testified in support of the application, contingent upon the Board attaching a similar expiration date to the relief so as to ensure another opportunity in the future to review the use's impact on the neighborhood.

Therefore, the Board of Appeal makes the following findings:



CITY OF BOSTON

BOARD OF APPEAL

OFFICE OF THE BOARD OF APPEAL

133 Beacon Street, Ward 5

BZC-27504

Date of Hearing: September 12, 2006

Permit #06/3576

Page 3

Decision of the Board of Appeal on the Appeal of

- (a) the specific site is an appropriate location for such use;
- (b) the use will not adversely affect the neighborhood;
- (c) there will be no serious hazard to vehicles or pedestrians from the use;
- (d) no nuisance will be created by the use; and
- (e) adequate and appropriate facilities will be provided for the proper operation of the use.

The Board is of the opinion that all conditions required for the granting of a Conditional Use Permit under Article 6, Section 6-3 of the Zoning Code have been met and that the varying of the terms of the Zoning Code as outlined above will not conflict with the intent and spirit of the Zoning Code. Therefore, acting under its discretionary power, the Board (the members and substitute member(s) sitting on this appeal) unanimously voted to grant the requested Conditional Use Permit as described above, annuls the refusal of the Building Commissioner and orders him to grant a permit in accordance with this decision, with the following proviso which, if not complied with, shall render this decision null and void.

PROVISO: This relief to expire June 30, 2009.

APPROVED AS TO FORM:

*[Handwritten Signature]*

Assistant Corporation Counsel

OCT 10 2006

SIGNED

*[Handwritten Signature]*  
CHRISTINE ARAUJO - SECRETARY

ANGELO BUONOPANE

PETER CHIN

*[Handwritten Signature]*  
MICHAEL MONAHAN - SUB

*[Handwritten Signature]*  
MICHAEL MONAHAN - SUB

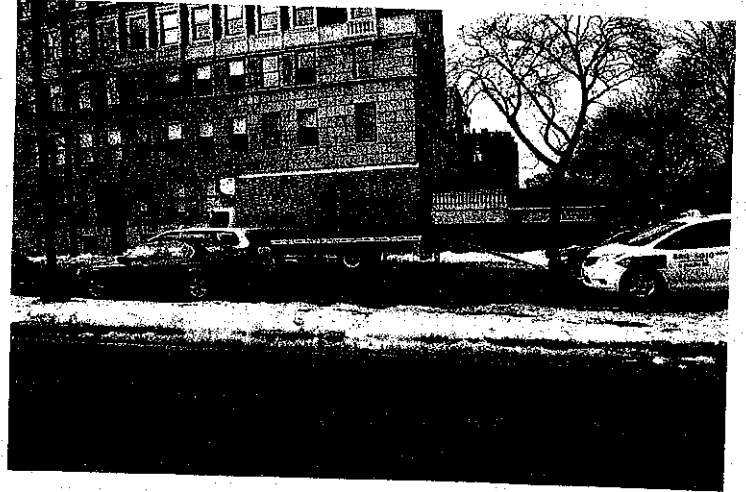
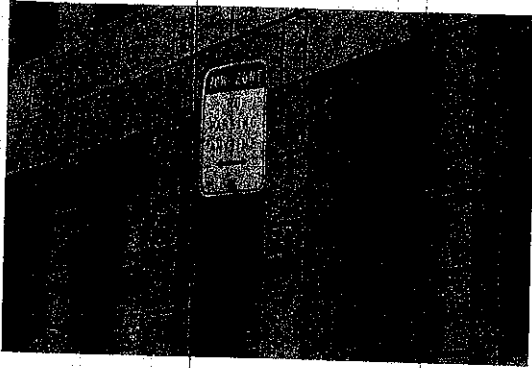
*[Handwritten Signature]*  
ANTHONY PISANI

*[Handwritten Signature]*  
ROBERT SHORTSLEEVE - Chairman

A True Copy,  
Attest  
*[Handwritten Signature]*  
DERRIC SMALL  
Municipal Administrative Asst.

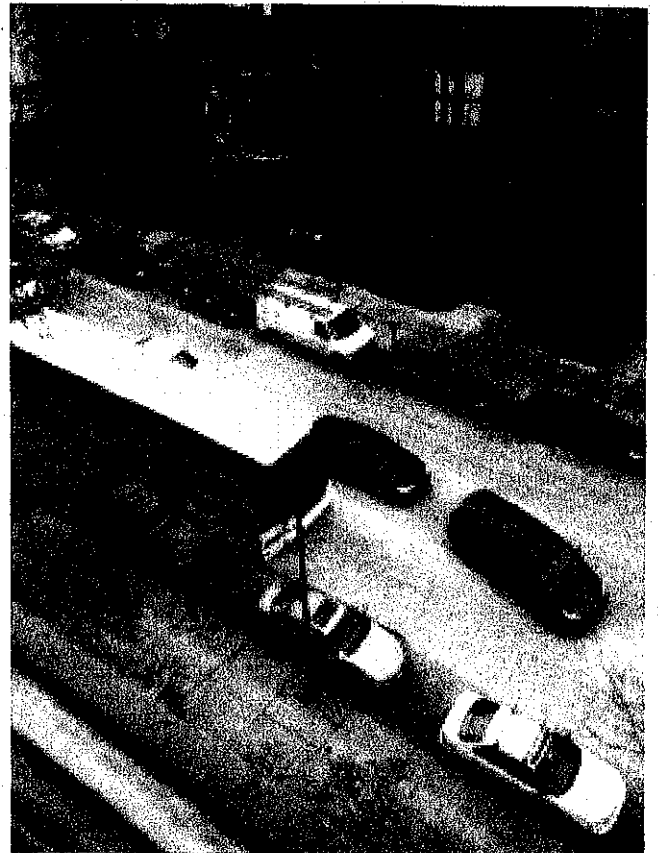
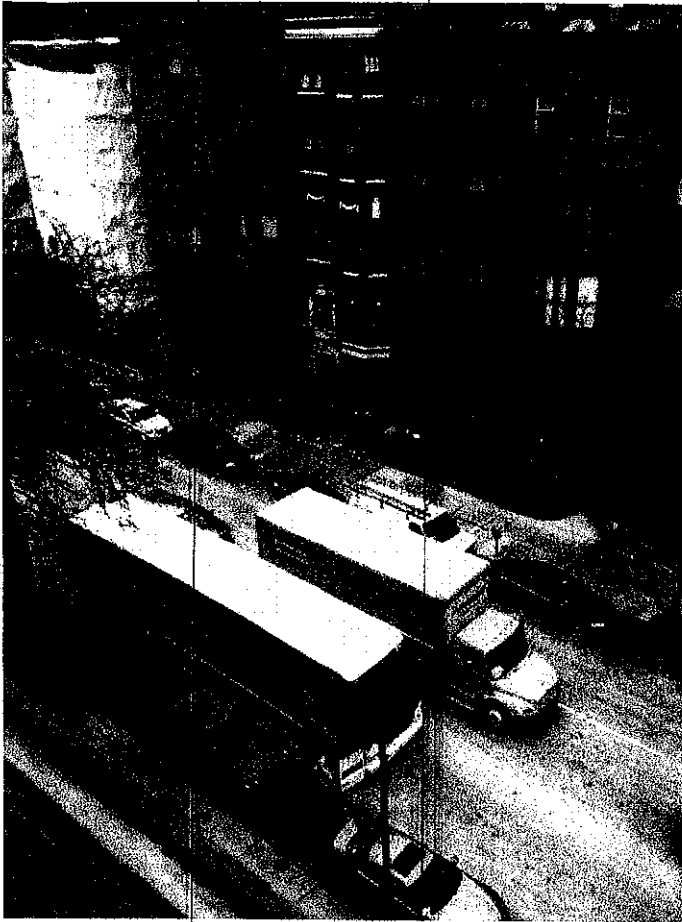
**ATTACHMENT 6:**

**TRUCK DELIVERIES ON THE STORROW DRIVE OFF RAMP**



**ATTACHMENT 7:**

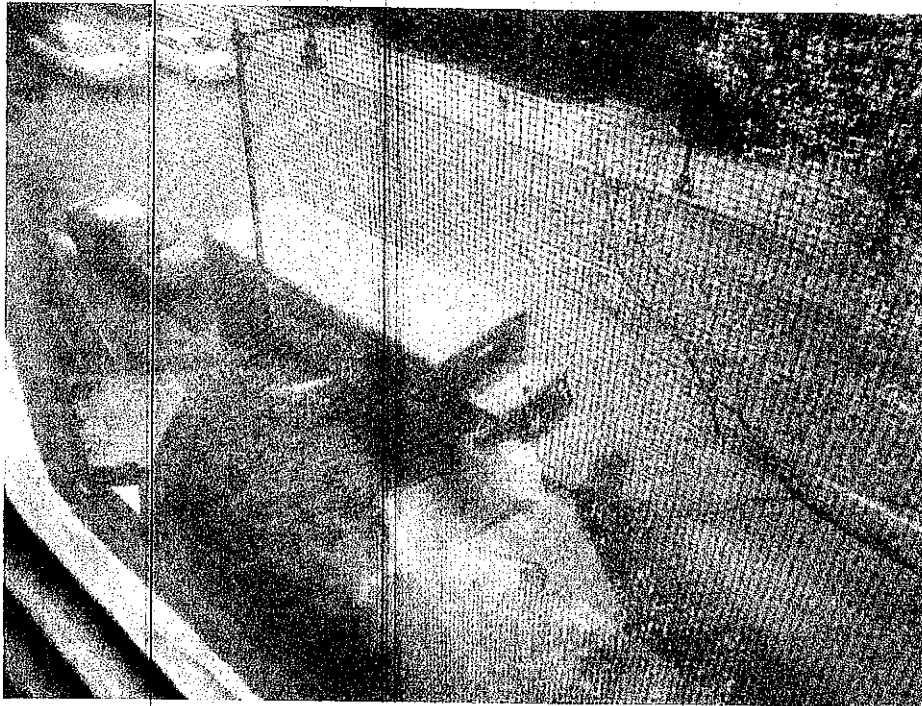
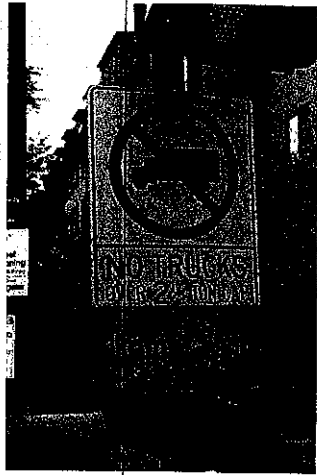
**BUS DOUBLE PARKING ON BEACON STREET**





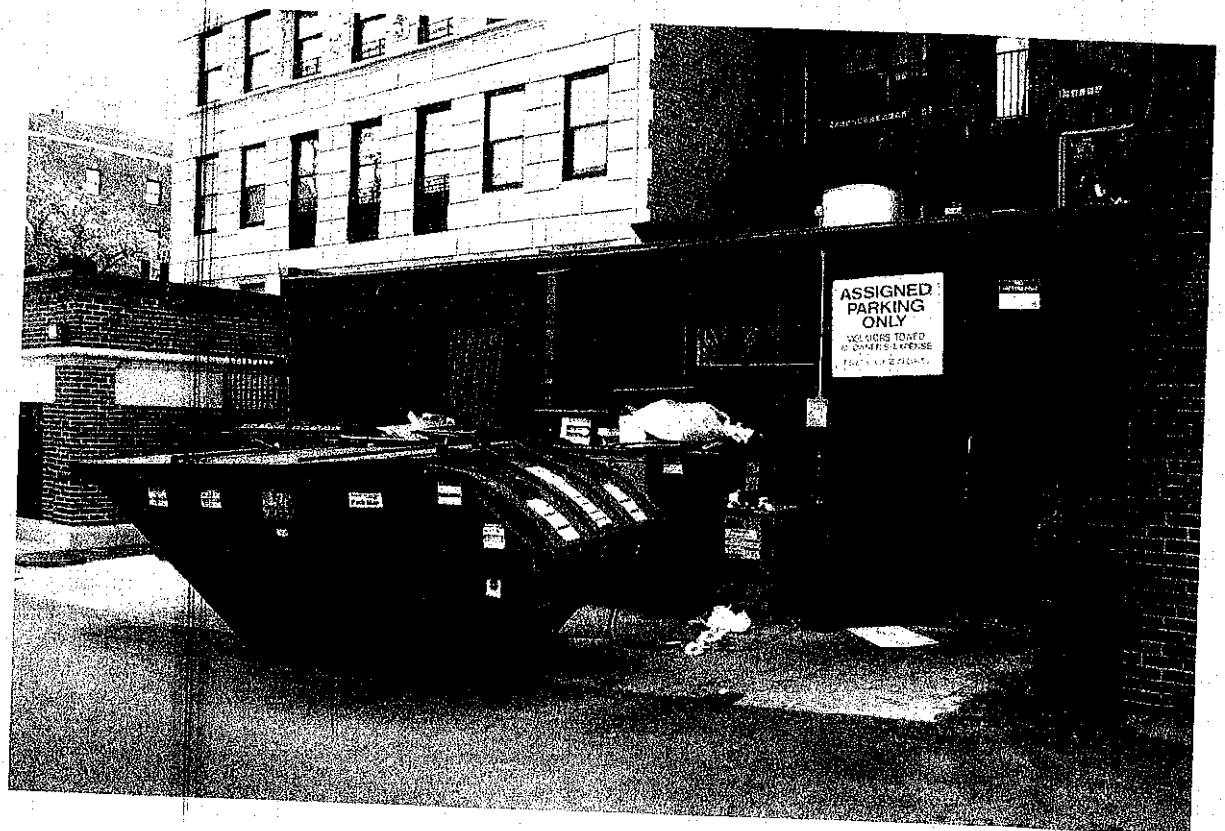
**ATTACHMENT 8:**

**COKE TRUCK EARLY MORNING OFF-HOUR LOADING ON BEACON STREET**



ATTACHMENT 9:

OVERFLOWING CAFETERIA TRASH BEHIND 102-118 BEACON STREET



**Sullivan, Katelyn**

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**From:** Mary [marynada@aol.com]  
**Sent:** Friday, June 07, 2013 9:23 PM  
**To:** Sullivan, Katelyn  
**Cc:** Sherif Nada  
**Subject:** Fisher College expansion matter

Dear Ms. Sullivan,

We were recently informed by neighbors that Fisher College is proposing to convert two residential buildings, 139 and 141 Beacon Street, into dormitories for 86 students. This is just two blocks from our home. We understand there is to be a hearing to discuss this proposal later in June, where variances would need approval. We will not be in town for that meeting, so wish to register our strong disapproval of this proposal.

We walk along Beacon Street quite regularly. Walking to and from our home is one of the great pleasures and advantages of living down town. We are not pleased, as of today, to pass through crowds of students smoking and otherwise hanging out. It is a normal activity of college-aged youth, but it is not a normal expectation for our neighborhood. We bought our condo thinking we were in a historically-preserved residential-zoned area, where regulations stipulated not only architectural detail but use. A dormitory for 86 students on top of what is there now seems a gross violation of those laws. Reading a copy of a letter sent to your colleague Peter Meade on January 9 of this year from Howard Kassler, Chair of the Neighborhood Association of the Back Bay, we are under the impression that, in fact, this proposal is not within sanction or zoning.

Please know that we are not in support of this proposal and hope you will take our opinions into consideration.

Sincerely,  
Mary and Sherif Nada  
86A Beacon Street  
Boston MA 02108

**Sullivan, Katelyn**

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**From:** Alan Brody [ajb303@gmail.com]  
**Sent:** Sunday, June 09, 2013 8:30 AM  
**To:** Sullivan, Katelyn  
**Subject:** Fisher college expansion plan

Dear Ms Sullivan - -

I understand that you are the person, at BRA, responsible for matters relating to Fisher College's proposed expansion plans in the Back Bay. I'm writing to express my strong concerns about, and opposition to, those plans. My wife and I own and occupy Unit #7 at 303 Berkeley Street (corner Beacon); thus, we live in a building that is, I believe, adjacent to several proposed new Fisher dormitories (as part of the Fisher plan).

There are many arguments being advanced in opposition to the Fisher expansion plan, including those relating to: (i) architectural safety and compatibility for dormitory use; (ii) removal of the properties from the tax rolls; (iii) concerns about student safety; (iv) Zoning Board and other zoning related issues; (v) and many others. I am not an expert in land use and redevelopment, and thus will leave it to others to discuss those matters; for what it's worth, many of those arguments seem reasonable to me.

I'm writing simply to express non-technical opposition to a proposal to expand a college enterprise in a historic, primarily residential neighborhood (Back Bay). Simply put, colleges are places where young college students behave and do as you'd expect; they hang out, they have parties, they are rowdy, they loiter, they sometimes misbehave, etc. There is nothing wrong with that, provided of course that such behavior is contained and is not inflicted on the rest of the community . . . in part, that is what campuses are for. A very small college enterprise can hope to live amicably in a residential community (simply by virtue of its small size); a small college with ambitious expansion plans cannot. Inevitably, growth causes a college and its attributes to become incompatible with its neighborhood. That, in my opinion, is what is happening here.

I don't know much about Fisher College. If it needs to expand, that is probably a testament to its success and attractiveness (as a learning institution and as a place for young people to grow and mature during their college years). But, at some point, it (and the City of Boston) must realize that Fisher's success will require a solution other than to continue to grow in a neighborhood unsuited to college life.

Thank you for your consideration of my views.

Alan Brody  
303 Berkeley Street (#7)  
Boston, MA 02116

## Sullivan, Katelyn

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**From:** Linda Morgan [words6@verizon.net]  
**Sent:** Tuesday, June 11, 2013 1:20 PM  
**To:** Sullivan, Katelyn  
**Subject:** Fisher College's Expansion

June 11, 2013

To: Katelyn Sullivan

Re: Fisher College Expansion

I think everyone in the Back Bay agrees that when Emerson College sold its holdings in the Back Bay and moved to Tremont and Boylston Streets, it was important to the city, and one of the best things to happen to Emerson. Once called the Combat Zone, this section was avoided by city residents and visitors, particularly at night. The move by Emerson helped transform the area to a vibrant neighborhood filled with restaurants and cultural venues.

Unlike Emerson's successful move, Fisher College's further expansion into the Back Bay will change the nature of the neighborhood in a negative way. Fisher gives nothing back to the neighborhood or the city. They pay no property taxes, which leaves the residents to pay for the loss in tax dollars. They are like vampires sucking the essence from this neighborhood leaving us with noise, trash, and cigarette butts.

Contrary to the mayor's request that colleges locate outside of residential areas, Fisher is doubling down by adding more dormitory space in the Back Bay when it doesn't use all the dorm space it has now. Just because they have more dorm space, doesn't mean they will get more students.

I would ask the mayor to work with Fisher to replicate Emerson's model, which is to sell their holdings in the Back Bay and move to an area of the city that is non-residential. Or Fisher should consider moving to the suburbs. Their Back Bay buildings will easily be sold and converted to residential housing. Like Cassandra, I predict that Fisher's expansion in the Back Bay is a bad bet for them and the city.

Linda Morgan  
122 Beacon Street  
Boston

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**Sullivan, Katelyn**

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**From:** stephen.silver2@gmail.com on behalf of Stephen Silver [stephen.silver2@verizon.net]  
**Sent:** Tuesday, June 11, 2013 8:13 PM  
**To:** Sullivan, Katelyn  
**Cc:** info@nabbonline.com  
**Subject:** Fisher IMP

Hi Katelyn,

I live at 33 Marlborough Street and currently live with student activity in the alley behind my building. Since we use our outside deck a lot, the noise in the alley is especially annoying. Converting 2 buildings on this alley to student dorms will only make the problem worse and probably intolerable. I agree with everything in NABB's response to you and can't even believe that Fisher's proposal is being considered. This should not be a student neighborhood and Fisher should definitely consider moving the whole college. Expanding it here is the worst idea imaginable for the residents of this neighborhood. I have confidence that the BRA will do the right thing.

Regards,

**Stephen Silver**  
33 Marlborough Street

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**Sullivan, Katelyn**

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**From:** Kimbo Craig [kimbocraig@gmail.com]  
**Sent:** Friday, June 14, 2013 8:36 PM  
**To:** Mayor; Ross, Michael (City Council); Arroyo, Felix; Pressley, Ayanna; Connolly, John (City Council); Murphy, Stephen (Councilor); will@mywillbrownsberger.com; Meade, Peter; Sullivan, Katelyn; info@charlesforboston.com; danconley2013@gmail.com; cgrichie1@mac.com; rob@robconsalvo.com; will@willdorcena.com; info@billforboston.com; martinjwalsh02125@gmail.com; ccyancey@aol.com

am writing to express strong opposition to the Fisher College growth plan and ask the Boston Redevelopment Agency (BRA) to deny Fisher's request. The Back Bay is one of the most historic and well-preserved residential neighborhoods in America. We cannot permit Back Bay to become a student quad for 1100 Fisher students. The Neighborhood Association of Back Bay (NABB) has taken a strong stand against Fisher expansion. NABB has detailed numerous zoning laws Fisher will violate that have been in force for over 40 years specifically to keep Back Bay residential. The residents have maintained the integrity of these historic buildings very well. If property values decrease while noise, congestion and vandalism increase, owners will sell. Who will be willing to buy property in the middle of college dorms and how will they maintain that historic property? The character of this area of Boston will irreversibly change.

Sullivan, Katelyn

From:

1. Fisher students have a poor record as neighbors: noise, litter, drunkenness, vandalism and more. The high student population will cause exponentially more noise, more trash, more smoking, more mischief, greater numbers of students coming home late from bars and just hanging out like all young people do. There are many examples: a mother pushing a stroller who couldn't pass by because a crowd of students blocked the sidewalk; my elderly neighbor couldn't get up our stairs because a group of students hanging out on the stairs wouldn't let her through. There are four elementary schools and at least three playgrounds within a few blocks of Fisher College. Fisher expansion should not be permitted in a residential neighborhood.

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2. There is already a parking shortage in Back Bay; the parking problem will be far worse if Fisher is allowed to grow. Students, teachers and staff will all require more parking, further impacting the neighborhood.

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3. Fisher plans new dorms and student services on both sides of Beacon Street. Those will clearly impact traffic flow in Back Bay and into other parts of the city. Arlington and Berkeley Streets are major city arteries with entrance/exit to Storrow Drive. Double-parked Fisher delivery trucks are already a frequent problem both morning and evening since Fisher has no warehouse or loading-dock. Traffic backs up on Beacon Street to the State House and on Berkeley to Columbus. Storrow backs up in both directions. More students require more paper, books, laundry, food, trash removal, and maintenance combined with more student traffic on foot and in cars. The congestion and traffic noise will be exponentially worse in a historic, residential neighborhood.

Sullivan, Katelyn

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4. A local realtor has stated and the NABB has validated that Back Bay property values and Boston tax revenues will significantly decrease unless Fisher is stopped. Further, NABB detailed an additional, large tax revenue loss if Fisher buildings become tax-exempt dorms, even while demand for city services like water, sewage, trash removal, traffic lights and police protection will increase. Boston residents should not be subsidizing Fisher growth plans.

5. Housing students in a neighborhood where they cannot feel free to be young doesn't serve students well either. An on-line search shows Fisher students already rate Fisher dorms as poor. Crowding more students into sub-standard dorms amongst angry residents is wrong for students, residents, and for Boston. Fisher has options; they could grow on Boylston Street, for example, without changing Back Bay as a residential neighborhood. Emerson, Suffolk, Simmons, and Bay State have all developed growth plans in Boston without destroying the neighborhood.

Fisher's growth plan is entirely self-serving and violates years of zoning law. It is wrong for Boston and for students, and therefore must be denied.