

MEMORANDUM

BOARD APPROVED

OCTOBER 11, 2018

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

FROM: JONATHAN GREELEY, DIRECTOR OF DEVELOPMENT REVIEW
MICHAEL CHRISTOPHER, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW/GOVERNMENT AFFAIRS
ALEXA PINARD, URBAN DESIGNER II
TED SCHWARTZBERG, SENIOR PLANNER I
MICHAEL SINATRA, PROJECT MANAGER

SUBJECT: 610 RUTHERFORD AVENUE, CHARLESTOWN

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority ("BRA") d/b/a the Boston Planning & Development Agency authorize the Director to: (1) issue a Certification of Approval for the proposed development located at 610 Rutherford Avenue in Charlestown (the "Proposed Project"), in accordance with Article 80E, Small Project Review, of the Boston Zoning Code (the "Code"); (2) enter into an Affordable Housing Agreement in connection with the Proposed Project, and take any other actions and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project; (3) execute a Community Benefits Agreement, and take any other action and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project, and (4) recommend approval to the City of Boston Zoning Board of Appeal on Petition BOA - 829615 for zoning relief necessary to construct the Proposed Project with the proviso that the plans be submitted to the BPDA.

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

PROJECT SITE

The project is located at 610 Rutherford Avenue in Charlestown, bordered between Spice Street to the west, Main Street to the east, Cambridge Street to the north and D Street to the south (the "Project Site"). The Project Site consists of one (1) parcel that is approximately 8,780 square feet of land. The Proposed Project is located within walking distance of the Sullivan Square MBTA Station and bus stops.

DEVELOPMENT TEAM

Proponent: Gray MacLetchie - 610 Rutherford Avenue, LLC

Contractor: Gray MacLetchie- GrayMac Properties, Inc.

Architect: Mike McKay- McKay Architects

Civil Engineer: Rick Latini- Howard Stein Hudson

Landscape

Architect: Blair Hines- Verdant Landscape Architecture

MEP Engineers: Fred Gore- Verne G. Norman Associates, Inc.

Structural Engineer: Ed Spruhan- Spruhan Engineering, LLC

DESCRIPTION AND PROGRAM

The Project Site consists of an approximate 8,780 square feet lot fronted by Rutherford Avenue, near the corner of Cambridge Street in Sullivan Square. The parcel currently has a 4 unit two-story residential building which was a service building to the larger adjacent converted church building. The two-story building is a non-descript 1960's building that does not compliment the neighborhood. Landmarks Commission has already approved the demolition of this structure. The redevelopment of this site will compliment both the adjacent brick office building to the right and the new 5 story (170 Unit) residential building at 630 Rutherford Avenue.

The Proposed Project is a five story building comprised of twenty two (22) residential condominium units on floors two through five, totaling approximately 23,890 square feet. Three (3) of the units will be designated as Inclusionary Development Policy units. Level one consists of the residents lobby, bike storage and parking for 19 vehicles. There is also a loading/drop off area to service the building.

The Proponent plans to commence construction of the Proposed Project in the winter of 2019. There are an estimated 120+/- construction jobs contributing to the Proposed Project. The total development cost is approximately \$5,500,000.00.

ARTICLE 80 REVIEW PROCESS

On August 10, 2018, the Proponent filed a Small Project Review application with the BPDA for the Proposed Project, pursuant to Article 80E of the Code. The BPDA sponsored two public meetings, the first being held on August 23, 2018 and the second on September 18, 2018 both at the Schrafft's Building Cafeteria in Charlestown. The meetings were advertised in *Charlestown Patriot-Bridge* newspapers on August 10, 2018 and September 13, 2018 and were also posted on the BPDA website. The BPDA comment period was extended from September 10, 2018 to September 20, 2018.

ZONING

The Project Site is located within the Charlestown Neighborhood District and the Local Convenience Subdistrict "LC", which is governed by Article 51 of the Code. The Proposed Project will require zoning relief from the following: Floor Area Ratio: Excessive, Height: Excessive, Usable Open Space: Insufficient, Rear Yard Setback: Insufficient Off Street Loading: Insufficient. Enforcement is evidenced by the rejection letter issued by ISD attached as Exhibit A.

MITIGATION AND COMMUNITY BENEFITS

The Proponent shall make a Twenty-Thousand Dollar (\$20,000) contribution to be distributed to the City of Boston's Transportation Department (BTD) upon the issuance of the building permit for the Proposed Project to be used for the Rutherford Avenue/Sullivan Square Design Project in the Charlestown neighborhood as described below:

1. Recipient: Boston Transportation Department
Boston City Hall, 7th Floor
2. Use: The contribution will be used for the Rutherford Avenue/Sullivan Square Design Project in Charlestown.
3. Amount: \$20,000
4. Timeline: The \$20,000 contribution is due at building permit.

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

INCLUSIONARY DEVELOPMENT COMMITMENT

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 (“IDP”), and is located within Zone B, as defined by the IDP. The IDP requires that 13% of the total number of units within the development be designated as IDP units. In this case, three (3) units within the Proposed Project will be created as IDP units (the “IDP Units”), and two (2) units will be made affordable to households earning not more than 80% of the Area Median Income (“AMI”) as based upon the United States Department of Housing and Urban Development (“HUD”), while one (1) unit will be made affordable to households earning more than 80% of AMI, but not more than 100% of AMI.

Number of Bedrooms	Square Footage	Unit Number and Location	Percentage of Median Income	Sale Price
1	682	204, Fl. 2	80% AMI	\$182,100
3	1,190	303, Fl.3	100% AMI	\$320,100
2	848	406, Fl. 4	80% AMI	\$217,000

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

The AHA must be executed along with, or prior to, the issuance of the Certification of Approval for the Proposed Project. The Proponent must also submit a draft Affirmative Marketing Plan (the “Plan”) to the Boston Fair Housing Commission at the time the building permit is issued. Preference will be given to applicants who meet the following criteria, weighted in the order below:

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

Where a unit is built out for a specific disability (e.g., mobility or sensory), a preference will also be available to households with a person whose need matches the build out of the unit. The City of Boston Disabilities Commission may assist the BPDA in determining eligibility for such a preference.

The IDP Units will not be marketed prior to the submission and approval of the Plan by Fair Housing and the BPDA. A deed restriction will be placed on each of the IDP Units to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with a BPDA option to extend for an additional period of twenty (20) years). The household income of any subsequent purchaser of the IDP Units during this fifty (50) year period must fall within the applicable income limit for each IDP Unit.

As no partial unit payment is required, the three (3) designated IDP Units fully satisfies the IDP requirements pursuant to the December 10, 2015 IDP.

RECOMMENDATIONS

The Proposed Project complies with the requirements set forth in Section 80E of the Code for Small Project Review. Therefore, BPDA staff recommends that the Director be authorized to: (1) issue a Certification of Approval for the Proposed Project; (2) enter into an AHA, (3) recommend approval to the Boston Zoning Board of Appeal on Petition BOA - 829615 for zoning relief necessary to construct the Proposed Project with the proviso that the plans be submitted to the BPDA, and (4) Execute a Community Benefits Agreement, and take any other action and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

Appropriate votes follow:

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Approval pursuant to Section 80E-6 of the Boston Zoning Code (the "Code"), approving the 610 Rutherford Avenue, LLC development consisting of a five-story building approximately 23,890 square feet and comprised of twenty-two (22) residential condominium units and 19 parking spaces at 610 Rutherford Avenue in Charlestown (the "Proposed Project") in accordance with the requirements of Small Project Review, Article 80E, of the Code, subject to continuing design review; and

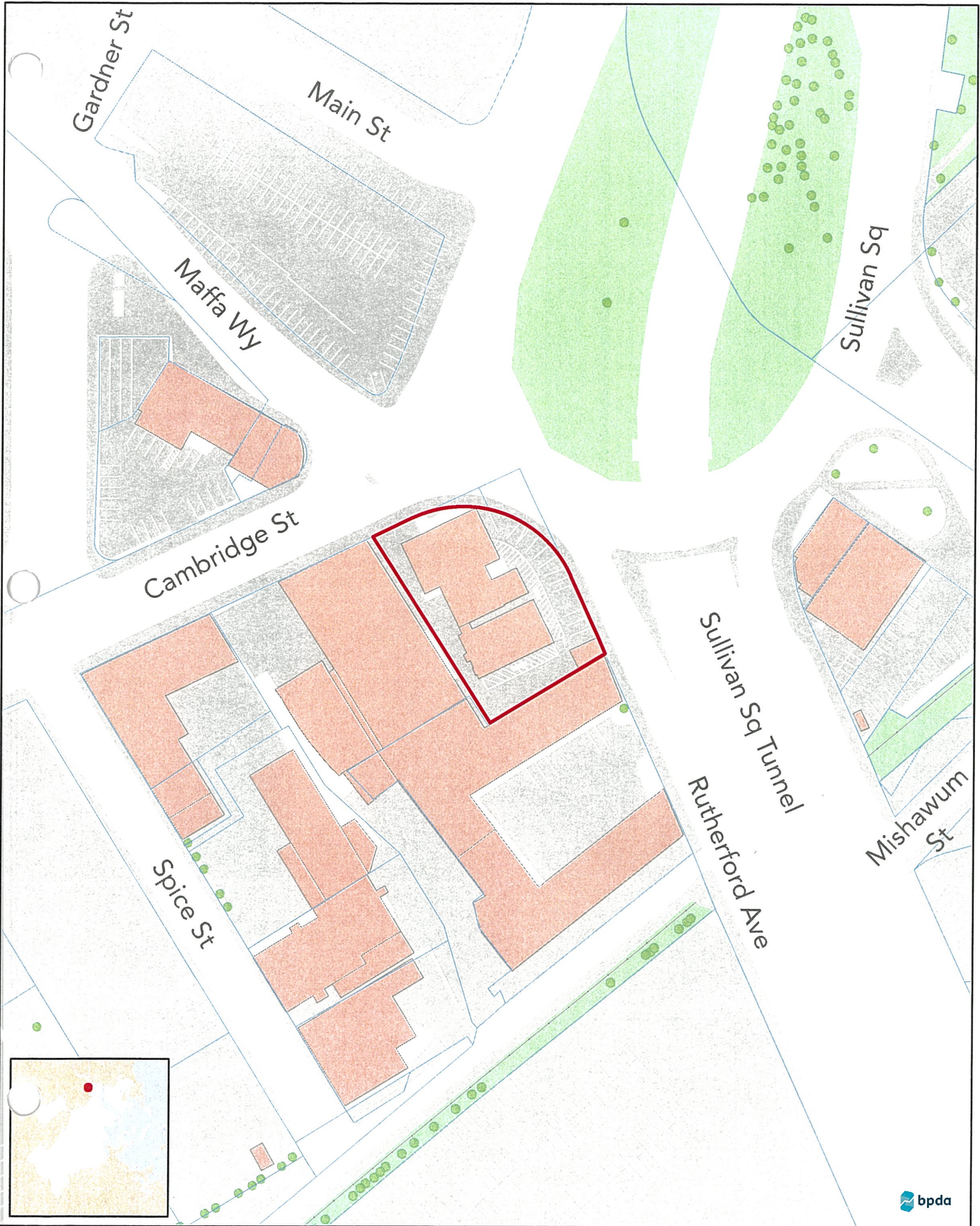
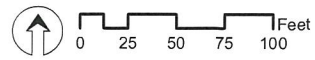
FURTHER VOTED: That the Director be, and hereby is, authorized to execute an Affordable Housing Agreement for the creation of three (3) on-site Inclusionary Development Policy Units and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project; and

FURTHER VOTED: That the Director be, and hereby is, authorized to execute, a Community Benefits Agreement and deliver any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project, all upon terms and conditions determined to be in the best interests of the Boston Redevelopment Authority.

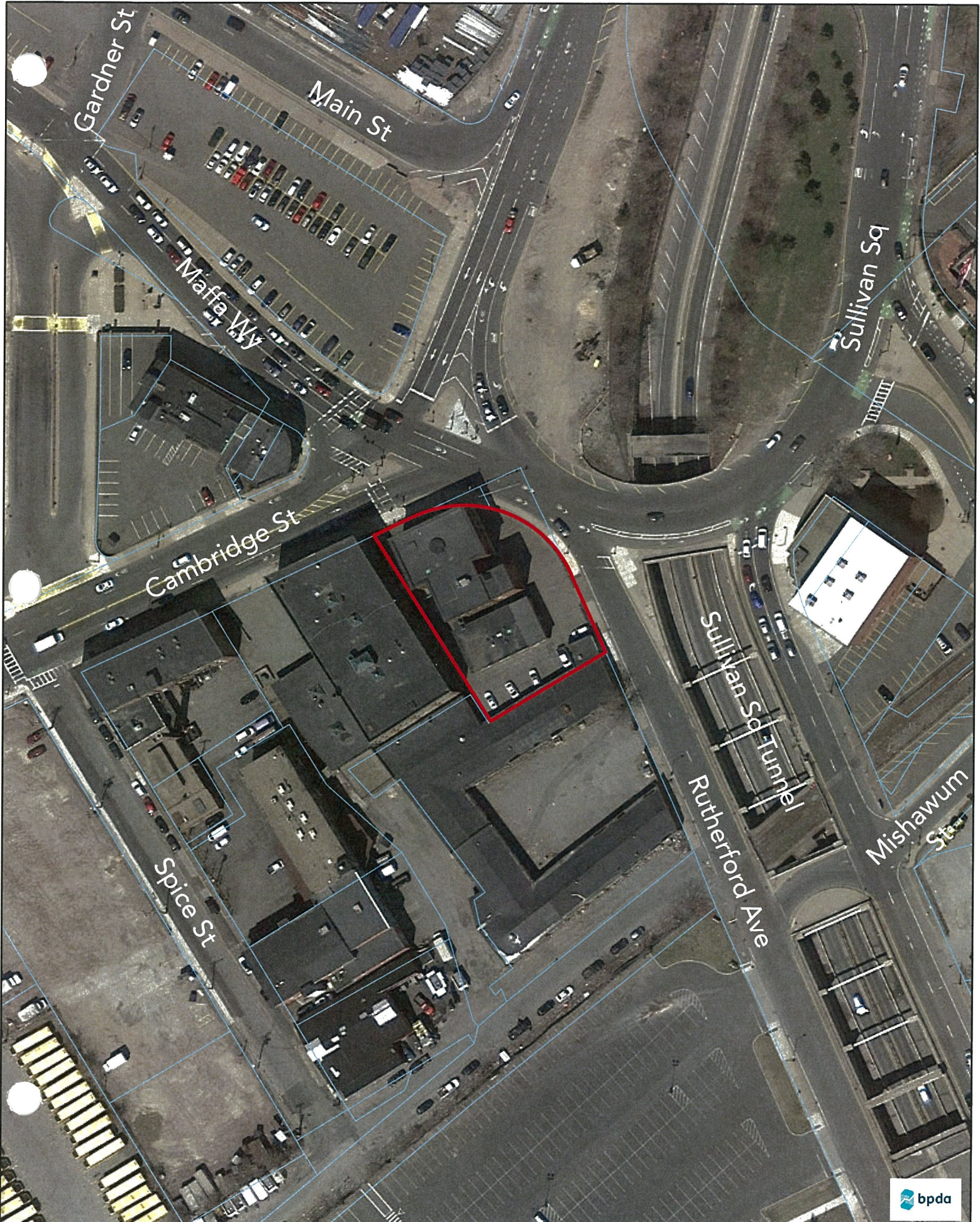
FURTHER

VOTED: That the Director be, and hereby is authorized to issue the following recommendation to the City of Boston Board of Appeal on Petition BOA - 829615 for zoning relief necessary in connection with the Proposed Project with the proviso that the plans be submitted to the BRA; and

610 Rutherford Avenue, Charlestown



610 Rutherford Avenue, Charlestown





**Boston Inspectional Services Department
Planning and Zoning Division**

1010 Massachusetts Avenue Boston, MA 02118 Telephone: (617) 635-5300

Martin J. Walsh
Mayor

ZONING CODE REFUSAL

Sean Lydon
Inspector of Buildings

JOHN MACLETCHIE
6 SPICE STREET #10
CHARLESTOWN, MA 02129

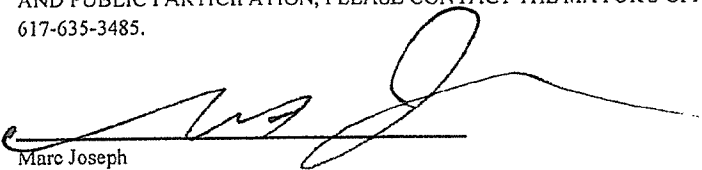
April 26, 2018

Location: 610 RUTHERFORD AVE CHARLESTOWN, MA 02129
Ward: 02
Zoning District: Charlestown Neighborhood
Zoning Subdistrict: LC
Appl. # : ERT814940
Date Filed: March 30, 2018
Purpose: combine parcel 0202158000- 15,843 square feet, parcel 202159000- 3,143 square feet and lot A- 449 square feet per Otte & Dwyer land survey dated 3/26/18. Subdivide said new parcel into proposed lot 1- 10,655 square feet and proposed lot 2- 8,780 square feet per Otte & Dwyer land survey dated 3/26/18. On proposed lot 2 demolish existing 2 story building known as 610 Rutherford Ave and erect new 23,890 square foot 22 unit building as per plans of McKay Architects dated 3/27/18. (ALT814975)

YOUR APPLICATION REQUIRES RELIEF FROM THE BOARD OF APPEAL AS SAME WOULD BE IN VIOLATION OF THE BOSTON ZONING CODE TO WIT: CHAPTER 665, ACTS OF 1956 AS AMENDED:

<u>Violation</u>	<u>Violation Description</u>	<u>Violation Comments</u>
Article 62, Section 11 **	Dimensional Regulations	Floor area ratio: EXCESSIVE
Article 62, Section 11 **	Dimensional Regulations	Height: EXCESSIVE
Article 62, Section 11 **	Dimensional Regulations	Usable open space: INSUFFICIENT
Article 62, Section 11 **	Dimensional Regulations	Rear yard setback: INSUFFICIENT
Article 62, Section 29 * **	Off-Street Loading Insufficient	Off street loading: INSUFFICIENT
Notes		Art.80E SECT.4 Small Project Review Applicability Art.85 Sect. 4 Demolition Delai

THIS DECISION MAY BE APPEALED TO THE BOARD OF APPEAL WITHIN FORTY-FIVE (45) DAYS PURSUANT TO CHAPTER 665 OF THE ACTS OF 1956, AS AMENDED. APPLICATIONS NOT APPEALED WITHIN THAT TIME PERIOD WILL BE DEEMED ABANDONED. IF YOU HAVE INQUIRIES REGARDING THE NEIGHBORHOOD PROCESS AND PUBLIC PARTICIPATION, PLEASE CONTACT THE MAYOR'S OFFICE OF NEIGHBORHOOD SERVICES AT 617-635-3485.


 Marc Joseph
 (617)961-3233
 for the Commissioner

Refusal of a permit may be appealed to the Board of Appeal within 45 days. Chapter 802, Acts of 1972, and Chapter 656, Acts of 1956, Section 19.



B E R K E L E Y

September 17, 2018

Boston Planning and Development Agency
One City Hall, 9th Floor
Boston, MA 02201

Attention: Michael Sinatra, Project Manager

RE: 610 Rutherford Avenue, Charlestown

Dear Mr. Sinatra:

32 Cambridge Street LLC, owner of the property at 32 Cambridge Street and 572 Rutherford Avenue, located in Charlestown, MA and the direct abutter to 610 Rutherford Avenue (“the Project”), write you to oppose aspects of the Small Project Review application submitted to you by 610 Rutherford Avenue, LLC and its principal, Gray MacLetchie, as currently proposed (the “Project”).

Although we support the introduction of new housing units in the neighborhood, in our meetings with Mr. MacLetchie we have expressed concern regarding the dimensions of the proposed Project, especially the rear yard setback, which would violate the minimum setback required under the Zoning Code, and requires a variance from the Board of Appeal. We believe the proposed rear yard setback condition, which varies from three (3) to seven (7) feet along the property line that the Project shares with our building at 32 Cambridge Street, is insufficient, in that it is unsafe, does not fit with the neighborhood context, and will adversely affect our property’s safety and the interests of our building’s residents. As proposed, the Project’s structure would be approximately eight (8) feet from the face of our existing residential building, greatly worsening the existing nonconforming condition of 18 feet.

Our specific concerns resulting from this extremely close proximity, should the Project be approved by the BPDA and the Board of Appeal as currently designed, include: it will create a more hazardous fire separation condition than currently exists, and the exceptionally close proximity of the new structure will be disruptive to our residents. Furthermore, residents will be deprived of both natural light and privacy. This will adversely affect their households, and this outcome will be a direct result of the rear yard setback variance as proposed. We are further concerned that the Project as proposed does not comply with the fire separation requirements of the State Building Code. We have also requested that the proponent provide additional information on the specifications and placement requirements for the Project’s proposed transformer. Please see the attached code assessment for additional detail.

We do not believe the Project will be able to meet the Zoning Code’s strict standards for justifying a variance, which include proving that the Project involves special circumstances, conditions of lot topography, or dimensions, which are peculiar to the land but not to the neighborhood. It is also our belief that preserving the currently non-conforming 18-foot rear yard setback as we request would not deprive the owner of reasonable use of its land or create a substantial hardship. Indeed, the proposed development’s viability is largely due to our own cooperation with the owner, having completed a land exchange to improve the Project lot’s geometry and enable this proposal to exist.





BERKELEY

We welcome additional housing and investment in the neighborhood, but ask the BPDA require the proponent to modify the rear yard setback during the Design Review process in order to maintain the existing condition, with no less than an 18-foot rear yard setback.

Sincerely,

Paul Goodwin
Development Project Manager



11 September 2018

Paul Goodwin
Berkeley Investments
280 Congress St #1350,
Boston, MA 02210

Re: 32 Cambridge Street - Abutter Code Review
TC Project # 18.6059

Dear Paul,

At your request, TERPconsulting has reviewed proposed construction of a new building adjacent to the lot at 32 Cambridge Street in Charlestown, MA where "The Graphic" multi-family development is ongoing. TERPconsulting has reviewed the proposed design of the new building located at 610 Rutherford Avenue in Charlestown, MA with respect to the relevant code requirements relating to Fire Separation Distance (FSD). The details of the review are contained within this letter.

1.0 APPLICABLE CODES

Based on the date of permit, it is our understanding that the following serves as the code of record for the project:

- 780 CMR, Ninth Edition of the MA State Building Code comprised of the 2015 Edition of the International Building Code (2015 IBC) with MA Amendments.
- 2015 Edition International Existing Building Code (2015 IEBC) as adopted by 780 CMR Chapter 34.

2.0 INTRODUCTION

The existing building located at 32 Cambridge Street in Charlestown, MA is currently undergoing a renovation to change the use primarily to Use Group R-2. The building is approximately 36,000 gross square feet and three stories above grade. The northeast side of the building has a fire separation distance to the lot line of 3.5 feet where it abuts the lot at 610 Rutherford Avenue. The figure below shows the building. The proposed project at 610 Rutherford Ave plans to demolish an existing structure and construct a new building with a larger footprint.

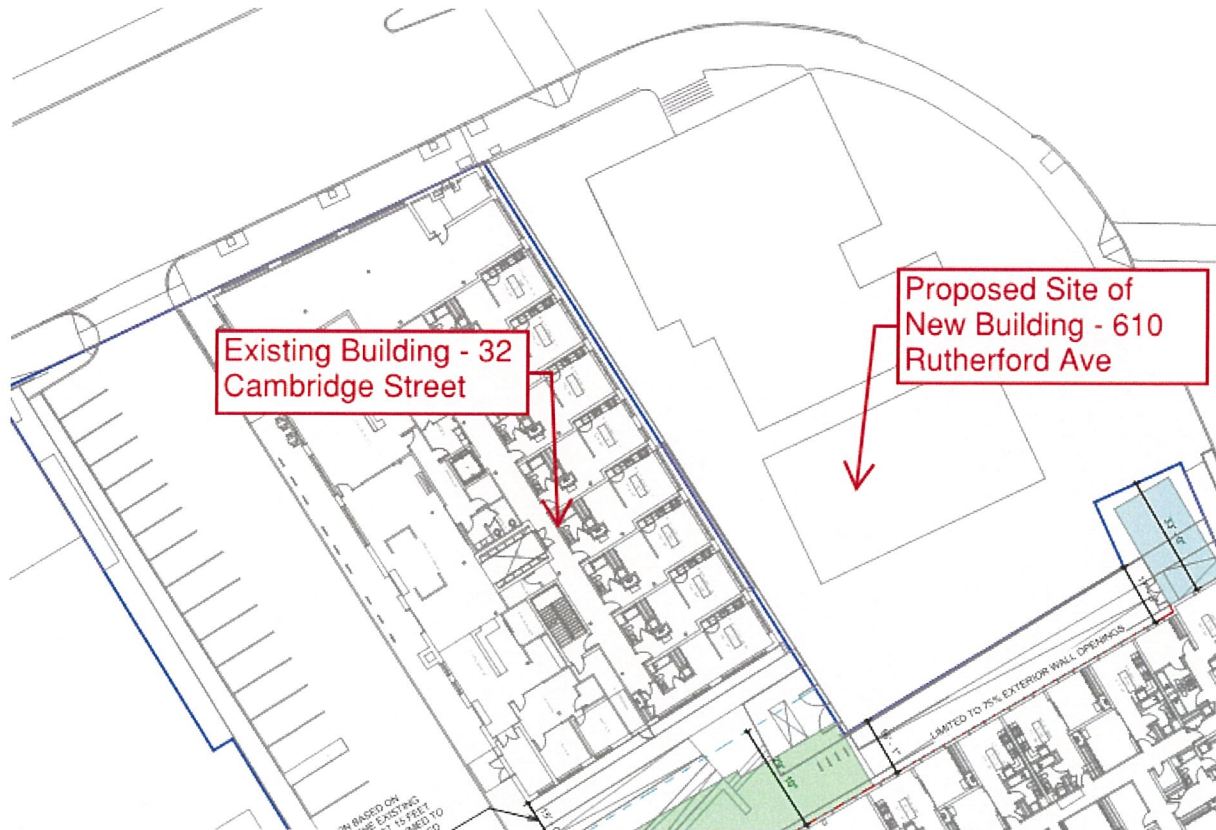


Figure 1: Site Condition

3.0 FIRE SEPARATION DISTANCE

Openings in an exterior wall are limited based on FSD to limit the possibility of a structure fire spreading to adjacent buildings per 780 CMR Table 705.8; however, existing buildings are granted leniency. As an existing building undergoing a change of occupancy classification that does not result in a higher exterior wall fire-resistance rating hazard category, the openings and exterior wall ratings which existed prior to the change of use were permitted to remain per 780 CMR 34.00 Section 912.6.2.

The building has approximately 32% openings where it abuts the proposed new structure at 610 Rutherford Avenue. A minimum FSD of ten feet is required when 32% openings are provided to comply as-of-right with the code for new construction (i.e. 780 CMR Table 705.8). Approximately 18' of separation is currently provided between the existing building at 32 Cambridge Street to the existing building at 610 Rutherford Avenue. The proposed building is configured such that the separation distance will be decreased to approximately eight feet. The figure below shows the condition. The proposed building exacerbates the existing condition of openings in excess of those permitted by the code for new construction by decreasing the separation from adjacent buildings.



Figure 4: Proposed Building Opening Percentages

4.0 CONCLUSION

Based on the above analysis, it is our opinion that the proposed building (1) creates a more hazardous condition than currently exists, and (2) does not comply with the building code with respect to openings in the exterior wall.

If you have any questions regarding the information included in the report above, please do not hesitate to contact our office or me directly at (603) 289-8708.

Regards,

Eric Montplaisir, PE
principal fire protection engineer
TERPconsulting

**Boston Water and
Sewer Commission**



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

September 7, 2018

Mr. Michael Sinatra, Project Manager
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02210

Re: 610 Rutherford Avenue, Charlestown
Small Project Review Application

Dear Mr. Sinatra:

The Boston Water and Sewer Commission (Commission) has reviewed the Small Project Review Application (SPRA) for the proposed redevelopment project located at 610 Rutherford Avenue in the Charlestown section of Boston. This letter provides the Commission's comments on the SPRA.

The project proposed by 610 Rutherford Avenue, LLC will be built on a parcels of land totaling approximately 8,780 square feet. The site is presently occupied by a two-story building with four residential units and a paved parking lot. The project proponent proposes to demolish the existing building and construct a five-story building having 22 condominium units. The condominiums will consist of one, two and three-bedroom units. Fifth floor units will have a common roof deck and kitchenette. Parking for 19 vehicles will be available in the ground floor garage.

For water service, the Commission has 16-inch water mains in the west side of Rutherford Avenue. The water main is a cement lined ductile iron that was installed in 1968. and is a cast iron pipe. The water main is part of the Commission's Northern Low Pressure Zone.

For sewer and drain service the west side of Rutherford Avenue has a 24-inch combined sewer. The Massachusetts Water Resources Authority also maintains a 29-inch by 37-inch sanitary sewer in west side of Rutherford Avenue.

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

General

1. Prior to the initial phase of the site plan development, 610 Rutherford Avenue LLC, should meet with the Commission's Design and Engineering Customer Services to



review water main, sewer and storm drainage system availability and potential upgrades that could impact the development.

2. Prior to demolition of the building, all water, sewer and storm drain connections to the building must be cut and capped at the main pipe in accordance with the Commission's requirements. The proponent must then complete a Termination Verification Approval Form for a Demolition Permit, available from the Commission and submit the completed form to the City of Boston's Inspectional Services Department before a demolition permit will be issued.
3. All new or relocated water mains, sewers and storm drains must be designed and constructed at 610 Rutherford Avenue LLC's, expense. They must be designed and constructed in conformance with the Commission's design standards, Water Distribution System and Sewer Use regulations, and Requirements for Site Plans. The site plan should include the locations of new, relocated and existing water mains, sewers and drains which serve the site, proposed service connections, water meter locations, as well as back flow prevention devices in the facilities that will require inspection. A General Service Application must also be submitted to the Commission with the site plan.
4. The Department of Environmental Protection (DEP), in cooperation with the Massachusetts Water Resources Authority and its member communities, is implementing a coordinated approach to flow control in the MWRA regional wastewater system, particularly the removal of extraneous clean water (e.g., infiltration/inflow (I/I)) in the system. In April of 2014, the Massachusetts DEP promulgated new regulations regarding wastewater. The Commission has a National Pollutant Discharge Elimination System (NPDES) Permit for its combined sewer overflows and is subject to these new regulations [314 CMR 12.00, section 12.04(2)(d)]. This section requires all new sewer connections with design flows exceeding 15,000 gpd to mitigate the impacts of the development by removing four gallons of infiltration and inflow (I/I) for each new gallon of wastewater flow. In this regard, any new connection or expansion of an existing connection that exceeds 15,000 gallons per day of wastewater shall assist in the I/I reduction effort to ensure that the additional wastewater flows are offset by the removal of I/I. Currently, a minimum ratio of 4:1 for I/I removal to new wastewater flow added is used. The Commission supports the policy and will require proponent to develop a consistent inflow reduction plan. The 4:1 requirement should be addressed at least 90 days prior to activation of water service and will be based on the estimated sewage generation provided on the project site plan.
5. The design of the project should comply with the City of Boston's Complete Streets Initiative, which requires incorporation of "green infrastructure" into street designs. Green infrastructure includes greenscapes, such as trees, shrubs, grasses and other landscape plantings, as well as rain gardens and vegetative swales, infiltration basins, and



paving materials and permeable surfaces. The proponent must develop a maintenance plan for the proposed green infrastructure. For more information on the Complete Streets Initiative see the City's website at <http://bostoncompletestreets.org/>

6. The water use and sewage generation estimates were not stated in the SPRA. The Commission requires that these values be calculated and submitted with the Site Plan. 610 Rutherford Avenue LLC should provide separate estimates of peak and continuous maximum water demand for residential, irrigation and air-conditioning make-up water for the project. Estimates should be based on full-site build-out of the proposed project. 610 Rutherford Avenue LLC should also provide the methodology used to estimate water demand for the proposed project.
7. The Commission will require 610 Rutherford Avenue LLC to undertake all necessary precautions to prevent damage or disruption of the existing active water and sewer lines on, or adjacent to, the project site during construction. As a condition of the site plan approval, the Commission will require 610 Rutherford Avenue LLC to inspect the existing sewer lines by CCTV after site construction is complete, to confirm that the lines were not damaged from construction activity.
8. It is 610 Rutherford Avenue LLC's responsibility to evaluate the capacity of the water, sewer and storm drain systems serving the project site to determine if the systems are adequate to meet future project demands. With the site plan, 610 Rutherford Avenue LLC must include a detailed capacity analysis for the water, sewer and storm drain systems serving the project site, as well as an analysis of the impacts the proposed project will have on the Commission's water, sewer and storm drainage systems.

Water

1. 610 Rutherford Avenue LLC should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In particular, 610 Rutherford Avenue LLC should consider outdoor landscaping which requires minimal use of water to maintain. If 610 Rutherford Avenue LLC plans to install in-ground sprinkler systems, the Commission recommends that timers, soil moisture indicators and rainfall sensors be installed. The use of sensor-operated faucets and toilets in common areas of buildings should be considered.
2. 610 Rutherford Avenue LLC is required to obtain a Hydrant Permit for use of any hydrant during the construction phase of this project. The water used from the hydrant must be metered. 610 Rutherford Avenue LLC should contact the Commission's Meter Department for information on and to obtain a Hydrant Permit.
3. 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, 610 Rutherford Avenue LLC should contact the Commission's Meter Department.

Sewage / Drainage

1. In conjunction with the Site Plan and the General Service Application 610 Rutherford Avenue LLC will be required to submit a Stormwater Pollution Prevention Plan. The plan must:
 - Identify specific best management measures for controlling erosion and preventing the discharge of sediment, contaminated stormwater or construction debris to the Commission's drainage system when construction is underway.
 - Include a site map which shows, at a minimum, existing drainage patterns and areas used for storage or treatment of contaminated soils, groundwater or stormwater, and the location of major control structures or treatment structures to be utilized during the construction.
 - Specifically identify how the project will comply with the Department of Environmental Protection's Performance Standards for Stormwater Management both during construction and after construction is complete.
2. The Commission encourages 610 Rutherford Avenue LLC to explore additional opportunities for protecting stormwater quality on site by minimizing sanding and the use of deicing chemicals, pesticides, and fertilizers.
3. The discharge of dewatering drainage to a sanitary sewer is prohibited by the Commission. 610 Rutherford Avenue LLC is advised that the discharge of any dewatering drainage to the storm drainage system requires a Drainage Discharge Permit from the Commission. If the dewatering drainage is contaminated with petroleum products, 610 Rutherford Avenue LLC will be required to obtain a Remediation General Permit from the Environmental Protection Agency (EPA) for the discharge.
4. 610 Rutherford Avenue LLC must fully investigate methods for retaining stormwater on-site before the Commission will consider a request to discharge stormwater to the Commission's system. The site plan should indicate how storm drainage from roof drains will be handled and the feasibility of retaining their stormwater discharge on-site. Under no circumstances will stormwater be allowed to discharge to a sanitary sewer.
5. The Massachusetts Department of Environmental Protection (MassDEP) established Stormwater Management Standards. The standards address water quality, water quantity



and recharge. In addition to Commission standards, 610 Rutherford Avenue LLC will be required to meet MassDEP Stormwater Management Standards.

6. Sanitary sewage must be kept separate from stormwater and separate sanitary sewer and storm drain service connections must be provided. The Commission requires that existing stormwater and sanitary sewer service connections, which are to be re-used by the proposed project, be dye tested to confirm they are connected to the appropriate system.
7. The Commission requests that 610 Rutherford Avenue LLC install a permanent casting stating "Don't Dump: Drains to Boston Harbor" next to any catch basin created or modified as part of this project. 610 Rutherford Avenue LLC should contact the Commission's Operations Division for information regarding the purchase of the castings.
8. The enclosed floors of a parking garage must drain through oil separators into the sewer system in accordance with the Commission's Sewer Use Regulations. The Commission's Requirements for Site Plans, available by contacting the Engineering Services Department, include requirements for separators.

Thank you for the opportunity to comment on this project.

Yours truly,

John P. Sullivan, P.E.
Chief Engineer

JPS/RJA

cc: 610 Rutherford Avenue, LLC
M. Zlody, BED by e-mail
M. Nelson, BWSC by e-mail
P. Larocque, BWSC by e-mail
K. Ronan, MWRA by e-mail

**Boston Water and
Sewer Commission**



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

September 7, 2018

Mr. Michael Sinatra, Project Manager
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02210

Re: 610 Rutherford Avenue, Charlestown
Small Project Review Application

Dear Mr. Sinatra:

The Boston Water and Sewer Commission (Commission) has reviewed the Small Project Review Application (SPRA) for the proposed redevelopment project located at 610 Rutherford Avenue in the Charlestown section of Boston. This letter provides the Commission's comments on the SPRA.

The project proposed by 610 Rutherford Avenue, LLC will be built on a parcels of land totaling approximately 8,780 square feet. The site is presently occupied by a two-story building with four residential units and a paved parking lot. The project proponent proposes to demolish the existing building and construct a five-story building having 22 condominium units. The condominiums will consist of one, two and three-bedroom units. Fifth floor units will have a common roof deck and kitchenette. Parking for 19 vehicles will be available in the ground floor garage.

For water service, the Commission has 16-inch water mains in the west side of Rutherford Avenue. The water main is a cement lined ductile iron that was installed in 1968. and is a cast iron pipe. The water main is part of the Commission's Northern Low Pressure Zone.

For sewer and drain service the west side of Rutherford Avenue has a 24-inch combined sewer. The Massachusetts Water Resources Authority also maintains a 29-inch by 37-inch sanitary sewer in west side of Rutherford Avenue.

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

General

1. Prior to the initial phase of the site plan development, 610 Rutherford Avenue LLC, should meet with the Commission's Design and Engineering Customer Services to



review water main, sewer and storm drainage system availability and potential upgrades that could impact the development.

2. Prior to demolition of the building, all water, sewer and storm drain connections to the building must be cut and capped at the main pipe in accordance with the Commission's requirements. The proponent must then complete a Termination Verification Approval Form for a Demolition Permit, available from the Commission and submit the completed form to the City of Boston's Inspectional Services Department before a demolition permit will be issued.
3. All new or relocated water mains, sewers and storm drains must be designed and constructed at 610 Rutherford Avenue LLC's, expense. They must be designed and constructed in conformance with the Commission's design standards, Water Distribution System and Sewer Use regulations, and Requirements for Site Plans. The site plan should include the locations of new, relocated and existing water mains, sewers and drains which serve the site, proposed service connections, water meter locations, as well as back flow prevention devices in the facilities that will require inspection. A General Service Application must also be submitted to the Commission with the site plan.
4. The Department of Environmental Protection (DEP), in cooperation with the Massachusetts Water Resources Authority and its member communities, is implementing a coordinated approach to flow control in the MWRA regional wastewater system, particularly the removal of extraneous clean water (e.g., infiltration/inflow (I/I)) in the system. In April of 2014, the Massachusetts DEP promulgated new regulations regarding wastewater. The Commission has a National Pollutant Discharge Elimination System (NPDES) Permit for its combined sewer overflows and is subject to these new regulations [314 CMR 12.00, section 12.04(2)(d)]. This section requires all new sewer connections with design flows exceeding 15,000 gpd to mitigate the impacts of the development by removing four gallons of infiltration and inflow (I/I) for each new gallon of wastewater flow. In this regard, any new connection or expansion of an existing connection that exceeds 15,000 gallons per day of wastewater shall assist in the I/I reduction effort to ensure that the additional wastewater flows are offset by the removal of I/I. Currently, a minimum ratio of 4:1 for I/I removal to new wastewater flow added is used. The Commission supports the policy and will require proponent to develop a consistent inflow reduction plan. The 4:1 requirement should be addressed at least 90 days prior to activation of water service and will be based on the estimated sewage generation provided on the project site plan.
5. The design of the project should comply with the City of Boston's Complete Streets Initiative, which requires incorporation of "green infrastructure" into street designs. Green infrastructure includes greenscapes, such as trees, shrubs, grasses and other landscape plantings, as well as rain gardens and vegetative swales, infiltration basins, and



paving materials and permeable surfaces. The proponent must develop a maintenance plan for the proposed green infrastructure. For more information on the Complete Streets Initiative see the City's website at <http://bostoncompletestreets.org/>

6. The water use and sewage generation estimates were not stated in the SPRA. The Commission requires that these values be calculated and submitted with the Site Plan. 610 Rutherford Avenue LLC should provide separate estimates of peak and continuous maximum water demand for residential, irrigation and air-conditioning make-up water for the project. Estimates should be based on full-site build-out of the proposed project. 610 Rutherford Avenue LLC should also provide the methodology used to estimate water demand for the proposed project.
7. The Commission will require 610 Rutherford Avenue LLC to undertake all necessary precautions to prevent damage or disruption of the existing active water and sewer lines on, or adjacent to, the project site during construction. As a condition of the site plan approval, the Commission will require 610 Rutherford Avenue LLC to inspect the existing sewer lines by CCTV after site construction is complete, to confirm that the lines were not damaged from construction activity.
8. It is 610 Rutherford Avenue LLC's responsibility to evaluate the capacity of the water, sewer and storm drain systems serving the project site to determine if the systems are adequate to meet future project demands. With the site plan, 610 Rutherford Avenue LLC must include a detailed capacity analysis for the water, sewer and storm drain systems serving the project site, as well as an analysis of the impacts the proposed project will have on the Commission's water, sewer and storm drainage systems.

Water

1. 610 Rutherford Avenue LLC should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In particular, 610 Rutherford Avenue LLC should consider outdoor landscaping which requires minimal use of water to maintain. If 610 Rutherford Avenue LLC plans to install in-ground sprinkler systems, the Commission recommends that timers, soil moisture indicators and rainfall sensors be installed. The use of sensor-operated faucets and toilets in common areas of buildings should be considered.
2. 610 Rutherford Avenue LLC is required to obtain a Hydrant Permit for use of any hydrant during the construction phase of this project. The water used from the hydrant must be metered. 610 Rutherford Avenue LLC should contact the Commission's Meter Department for information on and to obtain a Hydrant Permit.
3. 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, 610 Rutherford Avenue LLC should contact the Commission's Meter Department.

Sewage / Drainage

1. In conjunction with the Site Plan and the General Service Application 610 Rutherford Avenue LLC will be required to submit a Stormwater Pollution Prevention Plan. The plan must:
 - Identify specific best management measures for controlling erosion and preventing the discharge of sediment, contaminated stormwater or construction debris to the Commission's drainage system when construction is underway.
 - Include a site map which shows, at a minimum, existing drainage patterns and areas used for storage or treatment of contaminated soils, groundwater or stormwater, and the location of major control structures or treatment structures to be utilized during the construction.
 - Specifically identify how the project will comply with the Department of Environmental Protection's Performance Standards for Stormwater Management both during construction and after construction is complete.
2. The Commission encourages 610 Rutherford Avenue LLC to explore additional opportunities for protecting stormwater quality on site by minimizing sanding and the use of deicing chemicals, pesticides, and fertilizers.
3. The discharge of dewatering drainage to a sanitary sewer is prohibited by the Commission. 610 Rutherford Avenue LLC is advised that the discharge of any dewatering drainage to the storm drainage system requires a Drainage Discharge Permit from the Commission. If the dewatering drainage is contaminated with petroleum products, 610 Rutherford Avenue LLC will be required to obtain a Remediation General Permit from the Environmental Protection Agency (EPA) for the discharge.
4. 610 Rutherford Avenue LLC must fully investigate methods for retaining stormwater on-site before the Commission will consider a request to discharge stormwater to the Commission's system. The site plan should indicate how storm drainage from roof drains will be handled and the feasibility of retaining their stormwater discharge on-site. Under no circumstances will stormwater be allowed to discharge to a sanitary sewer.
5. The Massachusetts Department of Environmental Protection (MassDEP) established Stormwater Management Standards. The standards address water quality, water quantity

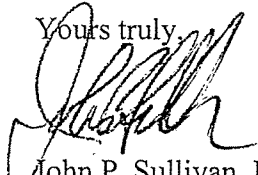


and recharge. In addition to Commission standards, 610 Rutherford Avenue LLC will be required to meet MassDEP Stormwater Management Standards.

6. Sanitary sewage must be kept separate from stormwater and separate sanitary sewer and storm drain service connections must be provided. The Commission requires that existing stormwater and sanitary sewer service connections, which are to be re-used by the proposed project, be dye tested to confirm they are connected to the appropriate system.
7. The Commission requests that 610 Rutherford Avenue LLC install a permanent casting stating "Don't Dump: Drains to Boston Harbor" next to any catch basin created or modified as part of this project. 610 Rutherford Avenue LLC should contact the Commission's Operations Division for information regarding the purchase of the castings.
8. The enclosed floors of a parking garage must drain through oil separators into the sewer system in accordance with the Commission's Sewer Use Regulations. The Commission's Requirements for Site Plans, available by contacting the Engineering Services Department, include requirements for separators.

Thank you for the opportunity to comment on this project.

Yours truly,



John P. Sullivan, P.E.
Chief Engineer

JPS/RJA

cc: 610 Rutherford Avenue, LLC
M. Zlody, BED by e-mail
M. Nelson, BWSC by e-mail
P. Larocque, BWSC by e-mail
K. Ronan, MWRA by e-mail



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

Thanks for setting up the meeting yesterday for 610 Rutherford Ave

Gray MacLetchie [REDACTED]
To: Michael Sinatra <michael.a.sinatra@boston.gov>

Fri, Aug 24, 2018 at 4:19 PM

Hi Mike:

Thank you for setting up the meeting yesterday. I know a lot of people didn't come but I think that was a good sign. I just want to remind you of the extensive community outreach I have already done:

1. I have spoken to my only direct abutter, the Graphic development, at least 4 times and have changed my plans to reflect their concern. They now support the project but have some concern about the rear yard setback. I have stepped the building back on all floors to provide more space between the buildings. (It is interesting to note that within their own development many of the units are closer in proximity to each other than my building is to theirs).
2. I have met individually and as a group with all other owners on this block, Greg Pomeroy at [18 Spice Street](#), Gerrard Farina at 24 Cambridge Street and Mark Matarazzo at the corner of Spice and D Street. All support the project.
3. I have spoken to the owners of the only other owner-occupied building in this area at 31 Cambridge Street, three condos, and they support the project.
4. On May 16th I met with the owners of Hood park and they support the project.
5. I put out a mailing to all property owner within 500 feet of the project, list provided by Chris Breen, telling them about the project, giving them my contact information and inviting them to a neighbor meeting at my office On May 24th. Only Chris Breen showed up for that meeting.
6. On June 5th I went in front of the Charlestown Neighborhood Council. The project was well received. Parking was the only issue and Bill Galvin said he would support a 1 to 1 ratio for parking.
7. On June 18th I went in front of the Charlestown Preservation Society design review board. The project was well received. They had some ideas about the front facade of the building, which my architect, Mike McKay, incorporated into the plan.
8. I met with City Councilor Lydia Edwards on August 8th. She was very positive about the project.
9. I was interviewed by the Patriot Bridge and a front-page story ran on May 17th. There was also an article on June 7th where Bill Galvin of the CNC was quoted as saying he supports the project if there were 22 units with 22 parking spaces.
10. I have Spoken to Brian Callahan of the Sullivan Square Coalition and provided him with plans of the development. He was supportive of the project.
11. I have spoken to all tenants, commercial and residential, at 6 Spice Street and 24 Cambridge Street about the project and received only positive feedback.
12. I have met with the BPDA 3 times, as you know. I have incorporated all suggestions at those meetings including eliminating the existing off street parking and curb cut at 24 Cambridge and providing a drop off/ loading zone at 610 Rutherford Ave. I believe there are no more design issues with the staff at the BPDA and traffic department.

As you can see, there has been a very broad and extensive community outreach and the neighborhood has had many months of opportunity to meet with me and provide feedback. I have changed the plans where possible in response to all the feedback. I feel there is no need for further meetings.

Please let me know if you have any questions about any of my interactions listed above. It would be appreciated if this email can become part of the record

8/27/2018

City of Boston Mail - Thanks for setting up the meeting yesterday for 610 Rutherford Ave

Thank you again for all your hard work.



Gray

Gray MacLetchie

GrayMac Properties, Inc

6 Spice Street, Suite 10

Charlestown, MA 02129



Date	First Name	Last Name	Organization	Opinion	Comments
8/16/2018	Garry	Waldeck	1968	Oppose	There doesn't seem to be enough parking. 22 units with multiply bedrooms need more than 19 parking spots. Where would the excess cars park?
8/16/2018	Garry	Waldeck	1968	Oppose	This document shows both 18 parking spots on A1.1 http://www.bostonplans.org/getattachment/52a3122d-4615-4265-ae72-05bcf86e9649 and then shows 19 parking spots on page A1.2 2 three bedroom=6 bedrooms 11 two bedrooms=22 bedrooms 9 one bedrooms= 9 bedrooms 37 bedrooms and only 19 parking spots? Some of the parking spots are 7 feet wide and up against a wall. How would you exit the car? Others are 8 feet wide with only some the recommended 8 foot 6 inches width. Thank you
8/23/2018	Jacob	Oppenheim		Support	I work next door to here. The biggest problem is not enough housing, too much parking, and not enough street level activation for a transit and job rich area. Sullivan needs to be part of the city - garages don't help
8/28/2018	Sandi jo	Goddard	NA	Support	How much will condos cost? How do I buy one!
9/6/2018	Intiya	Isaza		Oppose	I think this development should have fewer parking spots and maximize residential square footage. It is right next to a major public transit hub and the units will have demand from residents without the need for parking. I live further from the stop and do not have a car myself and get around the city easily.
9/18/2018	Chris	Kaneb	Hood Park	Support	This project provides much-needed housing in an area that is well served by public transportation. It will be a significant improvement to the street-scape and vitality of Sullivan Square and will help to link the historic part of Charlestown to a major transportation center.