

# BOARD APPROVED.

MEMORANDUM

JUNE 13, 2019

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

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

**SUBJECT:** 11 and 26 HERON STREET, WEST ROXBURY

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**SUMMARY:** This Memorandum requests that the Boston Redevelopment Authority ("BRA") d/b/a Boston Planning & Development Agency ("BPDA") authorize the Director to: (1) issue a Scoping Determination waiving the requirement of further review pursuant to Article 80, Section 80B-5.3(d) of the Boston Zoning Code (the "Code") for the Proposed Project at 11 and 26 Heron Street in the West Roxbury neighborhood of Boston; (2) issue a Certification of Compliance for each address under Section 80B-6 of the Code upon successful completion of the Article 80 review process for the Proposed Project; (3) execute and deliver a Cooperation Agreement which will include a provision to comply with the Boston Residents Construction Employment Plan, an Affordable Housing Agreement, an Affordable Rental Housing Agreement and Restriction, and any and all 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 petitions BOA - 948352 and BOA - 948354, with the proviso that plans be submitted to the BPDA for design review approval.

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

**PROJECT SITE**

The Proposed Project contemplates the construction of two (2) new residential buildings on either side of Heron Street, at 11 and 26 Heron Street and on associated contiguous parcels, in the West Roxbury neighborhood of Boston (the "Project Site"). The combined Project Site totals approximately 1.2 acres (52,062 square feet). The Project Site is bound to the northeast by the rear property lines of residences along Grouse Street; to the northwest by an existing three (3)-family residence and associated property; to the west by properties along Willet Street; and to the south by the Stony Brook Condominium complex and a single-family residence.

Both 11 and 26 Heron Street are presently occupied by existing single-family homes, which are proposed to be demolished for construction of the Proposed Project.

**DEVELOPMENT TEAM**

The Development Team for the Proposed Project consists of:

**Proponent:** Onsite Builders & Development, LLC  
Peter Heaney, Principal

**Architect:** Nunes Trabucco Architects  
Lucio Trabucco  
Andrew Fyffe

**Community Outreach  
Consultant:** MJR Consulting, LLC  
Joe Rull

**Article 80 Permitting  
Consultant:** MLF Consulting, LLC  
Mitchell L. Fischman

**Landscape Architect:** Michael D'Angelo Landscape Architects, LLC  
Michael D'Angelo

**Legal Counsel:** Adams & Morancy, P.C.  
George Morancy

**Civil and Geotechnical  
Engineer/Surveyor:** J.M. Grenier Associates, Inc.  
John Grenier

**LEED/Sustainability  
Consultant:** Soden Sustainability Consulting  
Colleen Ryan Soden

**Noise and Air  
Consultant:** Tech Environmental, Inc.  
Marc C. Wallace

**Environmental/21E:** Goldman Environmental Consultants, Inc.

### **DESCRIPTION AND PROGRAM**

Onsite Builders & Development, LLC and its Principal, Peter Heaney (collectively, the "Proponent"), proposes the construction of approximately seventy-two (72) residential units in two (2), four (4)-story multi-family buildings, located on either side of Heron Street. The Proposed Project contemplates an overall height of up to approximately fifty (50) feet, approximately 78,704 square feet of Gross Floor Area, eighty-five (85) total parking spaces accessed from Heron Street, comprised of fifty-seven (57) interior garage parking spaces and twenty-eight (28) surface parking spaces, and storage for approximately seventy-two (72) bicycles in on-site bicycle storage rooms (the "Proposed Project"). As contemplated, the Proposed Project is anticipated to include a total of forty-eight (48) two-bedroom units and twenty-four (24) one-bedroom units.

The programming of each building in the Proposed Project is as follows:

#### 11 Heron Street

- Forty (40) Rental Apartments
  - Twelve (12) one-bedroom units
  - Twenty-eight (28) two-bedroom units
- Proposed Size: 41,240 gross square feet

- Lot: Five (5) lots will be combined to create a singular, 29,275 square foot lot
- Parking: Forty-seven (52) parking spaces
  - Thirty-three (33) ground-level garage parking spaces
  - Five (5) exterior surface parking spaces on-site, and the possible provision of up to nine (9) additional spaces in front of the building on Heron Street

### 26 Heron Street

- Thirty-two (32) Condominiums
  - Twelve (12) one-bedroom units
  - Twenty (20) two-bedroom units
- Proposed Size: 37,464 gross square feet
- Lot: Four (4) lots will be combined to create a singular, 22,787 square foot lot
- Parking: Thirty-eight (33) parking spaces
  - Twenty-four (24) ground-level garage parking spaces
  - Nine (9) exterior surface parking spaces on-site, and the possible provision of up to five (5) additional spaces in front of the building on Heron Street

### **ARTICLE 80 REVIEW PROCESS**

The Proposed Project is subject to Large Project Review under Article 80 of the Boston Zoning Code (the "Code"). On January 7, 2019, the Proponent filed a Letter of Intent ("LOI") in accordance with the BPDA policy regarding Provision of Mitigation by Development Projects in Boston. An Impact Advisory Group ("IAG") was formed as part of the review process, with nominations for members coming from the District City Councilor, the Mayor's Office of Neighborhood Services, and an At-Large City Councilor.

On April 17, 2019, the Proponent filed a Project Notification Form ("PNF") with the BPDA pursuant to Article 80B of the Code. A Scoping Session for City and State officials was held on May 2, 2019.

The BPDA hosted a first IAG meeting and public meeting on May 6, 2019 at St. Stephen's United Methodist Church (5160 Washington Street, West Roxbury, MA 02132). A second IAG meeting was held on June 6, 2019 at The Squealing Pig (1885 Centre Street, West Roxbury, MA 02132). The public comment period in connection with the Proponent's submission of a PNF concluded on May 20, 2019.

All meetings were advertised in the relevant neighborhood newspapers (*West Roxbury Bulletin* and *West Roxbury Transcript*), posted to the BPDA calendar and website, and notice was sent to all of the BPDA's West Roxbury neighborhood update subscribers. Local elected officials and their staff were also notified of all meetings.

The Proposed Project was presented to The West Roxbury Neighborhood Council's Zoning Committee at its regularly scheduled and publicly advertised meeting on May 21, 2019 at the Area E Police Station in West Roxbury.

### **INCLUSIONARY DEVELOPMENT COMMITMENT**

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 ("IDP"), and is located in Zone C. The IDP requires that 13% of the total number of units within the development be designated as IDP units. The Proposed Project will provide seventy-two (72) new residential units, with forty (40) rental units in the 11 Heron Street building, and thirty-two (32) condominium units in the 26 Heron Street building. Accordingly, the Proposed Project will result in five (5) IDP rental units in the 11 Heron Street building and four (4) IDP condominium units in the 25 Heron Street building (the "IDP Units"). The five (5) IDP rental units will be made affordable to households earning not more than 70% of the Area Median Income ("AMI"), as published by the BPDA and based upon data from the United States Department of Housing and Urban Development ("HUD"). Two (2) of the IDP homeownership units will be made affordable to households earning not more than 80% of AMI, and the remaining two (2) IDP homeownership units will be made affordable to households earning more than 80% of AMI, but less than 100% of AMI.

The proposed locations, sizes, income restrictions, and approximate rents and sales prices for the IDP Units are as follows:

11 Heron Street

<i>Unit Number</i>	<i>Number of Bedrooms</i>	<i>Square Footage</i>	<i>Percent of Area Median Income</i>	<i>Rent</i>	<i>ADA/Group 2 Designation</i>
101	Two	1,100	70%	\$1,492	Group 2
110	Two	1,100	70%	\$1,492	
209	Two	1,100	70%	\$1,492	
304	One	850	70%	\$1,318	
304	One	850	70%	\$1,318	

26 Heron Street

<i>Unit Number</i>	<i>Number of Bedrooms</i>	<i>Square Footage</i>	<i>Percent of Area Median Income</i>	<i>Sales Price</i>	<i>ADA/Group 2 Designation</i>
101	Two	1,100	80%	\$221,900	
103	One	850	100%	\$248,600	
202	Two	1,100	100%	\$288,700	
204	One	850	80%	\$186,400	

The location of the IDP Units will be finalized in conjunction with BPDA staff and outlined in the Affordable Housing Agreement (“AHA”) for 26 Heron Street and the Affordable Rental Housing Agreement and Restriction (“ARHAR”) for 11 Heron Street, and sales prices and rents and income limits will be adjusted according to BPDA published maximum rents, sales prices, and income limits, as based on HUD AMIs, available at the time of the initial rental or 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 and ARHAR must be executed along with, or prior to, the issuance of the Certification of Compliance for each phase of the Proposed Project. The Proponent must also register the each phase of the Proposed Project with the the Boston Fair Housing Commission (“BFHC”) upon issuance of the building permit for each phase.

Preference will be given to applicants who meet the following criteria, weighted in the order below:

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

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 an Affirmative Fair Housing Marketing Plan (the "Plan") by the BFHC and the BPDA Plan. An affordability covenant or deed restriction will be placed on the IDP Units to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with a BPDA option to extend for an additional period of twenty (20) years). The household income of the renter or buyer, and the rent or sales prices of any subsequent rental or sale of the IDP Units during this fifty (50) year period must fall within the applicable income, rent, and sales price limits for each IDP Unit. IDP Units may not be rented out by the developer prior to rental or sale to an income eligible household, and the BPDA or its assigns or successors will monitor the ongoing affordability of the IDP Units.

In addition, the Proponent is required to make a partial unit IDP contribution of \$72,000 (based on 0.36 unit) to the IDP Special Revenue Fund ("IDP Fund"), held by the City of Boston Treasury Department, and managed by the City of Boston Department or Neighborhood Development. This payment will be made at the time of the building permit on the first phase of the Proposed Project. Combined, this contribution together with the nine (9) designated IDP Units satisfies fully the IDP requirements pursuant to the December 10, 2015 IDP.

### **MITIGATION**

The Proposed Project will result in a number of public benefits to the West Roxbury neighborhood and the City of Boston as a whole. The Proponent has committed to completion of several mitigation measures associated with the Proposed Project, which are valued at approximately \$375,000 of cost to the Proponent. This shall include both improvements to the existing roadway and public realm along Heron Street, and further improvements to the immediate neighborhood. Details of proposed mitigation are outlined as follows:

- Work undertaken by the Proponent through construction of the Proposed Project will eliminate existing flooding issues on Heron Street outside the lower parking area for the Stony Brook Condominium complex, and will address water run-off issues from Grouse Street to Heron Street through the installation of a new catch basin at the low point of Grouse Street (approximate cost to Proponent: \$150,000);
- Removal of existing trees, whose roots are protruding above grade and causing distortion to sidewalks, and recess of existing parking for Stony Brook Condominium complex with installation of new concrete sidewalks and trees (approximate cost to Proponent: \$130,000);
- Removal of the existing road surface and sidewalks along Heron Street, allowing for the regrading and reconstruction of the street with improvements including the installation of new granite curbing, concrete sidewalks, grass margins, tree wells with mature trees, and street lights (approximate cost to Proponent: \$95,000);
- Relocation of existing utility lines underground; and
- Installation of security cameras on both buildings of the Proposed Project.

The Proponent has also committed to continued conversations with BPDA staff, Boston Transportation Department staff, and staff of the Public Improvement Commission and City of Boston Public Works Department regarding a potential crosswalk across Washington Street, through the ongoing design review process.

### **RECOMMENDATION**

BPDA staff believes that the PNF adequately describes the Proposed Project's potential impacts, satisfying the criteria for the issuance of a Scoping Determination Waiving Further Review under Section 80B-5 of the Code. It is therefore recommended that the BPDA authorize the Director to: (1) issue a Scoping Determination waiving the requirement of further review pursuant to Article 80, Section 80B-5.3(d) of the Code for the Proposed Project; (2) issue a Certification of Compliance under Section 80B-6 of the Code upon successful completion of the Article 80 review process for the Proposed Project; (3) execute and deliver a Cooperation Agreement which will include a provision to comply with the Boston Residents Construction Employment Plan, an Affordable Housing Agreement, an Affordable Rental Housing Agreement and Restriction, and any and all 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 petitions BOA – 948352 and BOA – 948354, with the proviso that plans be submitted to the BPDA for design review approval.

Appropriate votes follow:

**VOTED:** That the Director of the Boston Redevelopment Authority (the “BRA”) be, and hereby is, authorized to issue a Scoping Determination under Section 80B-5.3(d) of the Boston Zoning Code (the “Code”) which (i) finds that the Project Notification Form submitted on April 17, 2019 adequately describes the potential impacts arising from the 11 and 26 Heron Street Project in the West Roxbury neighborhood (the “Proposed Project”), and provides sufficient mitigation measures to minimize these impacts; and (ii) waives further review of the Proposed Project under Section 80B-5 of the Code, subject to continuing design review by the BRA; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to issue a Certification of Compliance under Section 80B-6 of the Code for the Proposed Project upon the successful completion of all Article 80 processes; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to execute a Cooperation Agreement which will include a provision to comply with the Boston Residents Construction Employment Plan, an Affordable Housing Agreement, an Affordable Rental Housing Agreement and Restriction, and 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 BRA; and

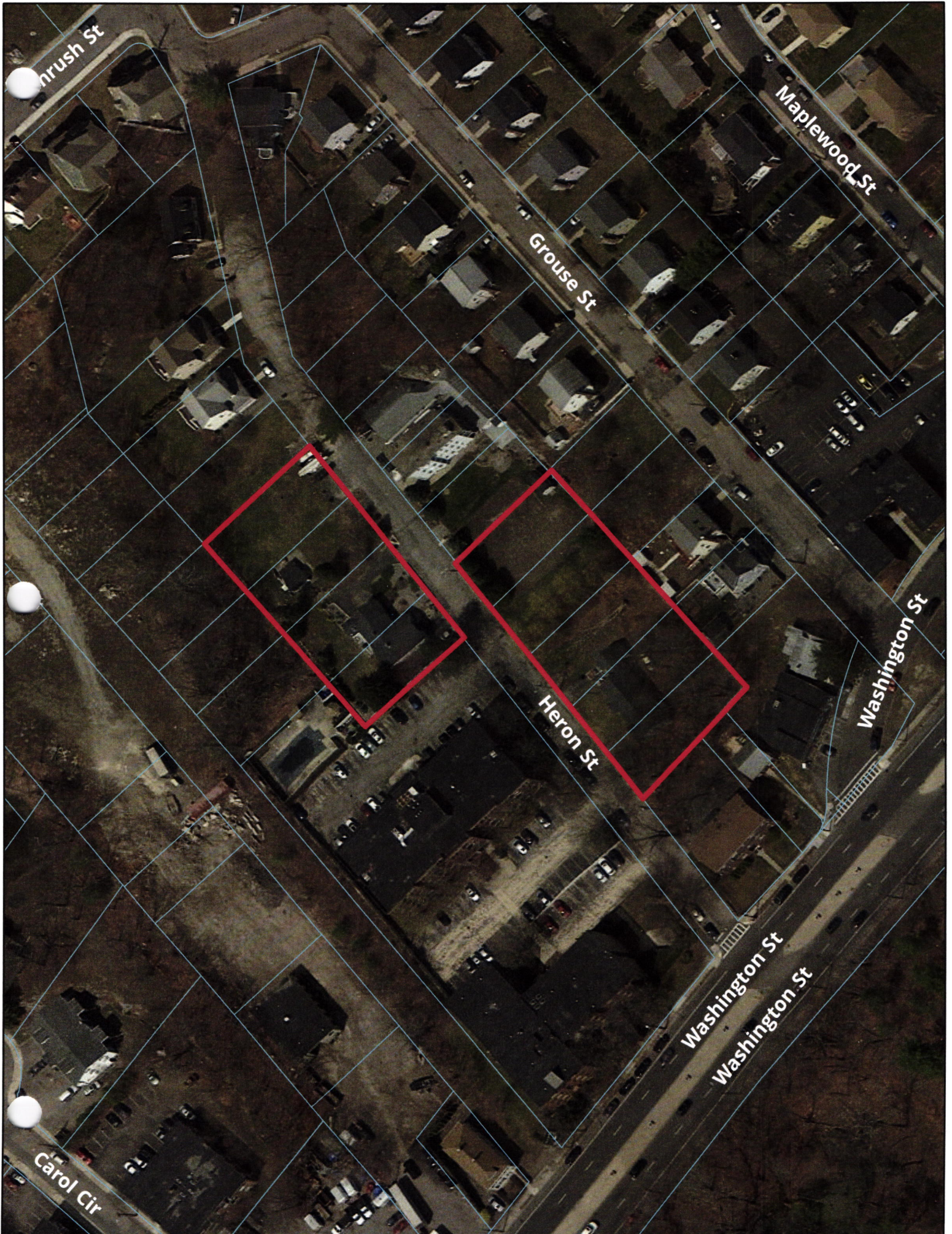
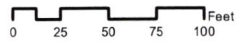
**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to recommend approval to the City of Boston Zoning Board of Appeal on petitions BOA – 948352 and BOA – 948354, with the proviso that plans be submitted to the BPDA for design review approval.

# 11 & 26 Heron Street, West Roxbury



2017 aerial imagery



# 11 & 26 Heron Street, West Roxbury



1 inch = 100 feet  
0 25 50 75 100 Feet

