

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.
~~MICHAEL SINATRA~~

SUBJECT: 17 - 31 CHARLES PARK ROAD, 180 - 198 GARDNER STREET
AND 199 GARDNER STREET, WEST ROXBURY

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 17 - 31 Charles Park Road, 180 - 198 Gardner Street and 199 Gardner Street project in the West Roxbury neighborhood of Boston (the "Proposed Project"); (2) issue one or more Certification(s) of Compliance or Partial Certification(s) of Compliance for the Proposed Project 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 - 1012285, BOA - 1012286, and BOA - 1012287 with the proviso that plans be submitted to the BPDA for design review approval.

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

PROJECT SITE

The overall development site includes four parcels of land (17 – 31 Charles Park Road, 180 – 198 Gardner Street, and 199 Gardner Street) on both sides of Gardner Street, with a combined land area of 62,451 square feet (approximately 1.4 acres), including two adjacent parcels totaling 36,194 square feet with frontage along the Charles Park Road (the “Project Site”). The larger land area at 199 Gardner Street was formerly occupied by certain non-descript industrial properties, while the smaller parcels to the south at 180 – 198 Gardner Street and 17 – 31 Charles Park Road include paved parking areas and a single-family home.

DEVELOPMENT TEAM

The Development Team for the Proposed Project consists of:

Proponent: West Brighton Acquisitions, LLC
Peter V. Davos, Principal

Architect: Khalsa Design, Inc.
Jai Singh Khalsa
William Chalfant
Evan Stellman

Legal Counsel: McDermott, Quilty & Miller, LLP
Joseph Hanley, Esq.
Nicholas Zozula, Esq.

Landscape Architect: VERDANT Landscape Architecture
Blair Hines
Erin Fitch

**Transportation
Planner/Engineer:** Howard Stein Hudson
Brian Beisel
Michael White

**Public Strategy
Consultant:** CK Strategies
Chris Keohan

Article 80 Permitting

Consultant:

MLF Consulting, LLC
Mitchell L. Fischman

Civil Engineer:

Howard Stein Hudson
Rick Latini
James Downing

LEED/Sustainability

Consultant:

Soden Sustainability Consulting
Colleen Ryan Soden

Noise and Air

Consultant:

Tech Environmental, Inc.
Marc C. Wallace

DESCRIPTION AND PROGRAM

West Brighton Acquisitions, LLC and its Principal, Peter Davos (collectively, the "Proponent"), proposes the revitalization and conversion of the approximately 1.4 acre Project Site into a multi-building, residential development totaling approximately 96,105 square feet of Gross Floor Area.

The Proposed Project contemplates the construction of a multi-building residential development totaling approximately 96,000 gross square feet, including: a new mid-rise building consisting of seventy (70) residential rental units, on-site garage and surface parking, usable open space patios, decks, and related landscape and site improvements at 199 Gardner Street; and eighteen (18) three-bedroom townhouses, each with their own deck area/open space, garage, and driveway at 17 – 31 Charles Park Road and 180 – 198 Gardner Street. A total of 106 on-site parking spaces are included in the Proposed Project, including seventy (70) spaces for the residential rental building at 199 Gardner Street and thirty-six (36) driveway/garage spaces for the townhouse units.

ARTICLE 80 REVIEW PROCESS

The Proposed Project is subject to Large Project Review under Article 80 of the Boston Zoning Code (the "Code"). On April 16, 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 and the Mayor's Office of Neighborhood Services.

On June 7, 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 June 24, 2019.

The BPDA hosted a first IAG meeting and public meeting on June 24, 2019 at Al Wadi (1249 VFW Parkway, West Roxbury, MA 02132). A second IAG meeting was held on October 1, 2019, again at Al Wadi. The public comment period in connection with the Proponent's submission of a PNF concluded on July 8, 2019.

The Public Meeting was advertised in the relevant neighborhood newspapers (*West Roxbury Bulletin* and *West Roxbury Transcript*), while both the Public Meeting and IAG Meetings were posted to the BPDA calendar and website, and email notification was sent to all subscribers of the BPDA's West Roxbury neighborhood updates. Local elected officials and their staff were also notified of all meetings.

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 eighty-eight (88) new residential units, with eighteen (18) townhouse units, and seventy (70) rental apartment units. Accordingly, the Proposed Project will result in two (2) IDP homeownership townhouse units and nine (9) IDP rental units. The nine (9) 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"). One (1) of the IDP homeownership units will be made affordable to households earning not more than 80% of AMI, and the remaining IDP homeownership unit 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:

Gardner Street Apartments at 199 Gardner Street

<i>Unit Number</i>	<i>Number of Bedrooms</i>	<i>Square Footage</i>	<i>Percent of Area Median Income</i>	<i>Rent</i>
106	Two	1,017	70%	\$1,492
109	One	636	70%	\$1,318
112	One + Den	780	70%	\$1,318
115	Two	850	70%	\$1,492
228	One + Den	760	70%	\$1,318
232	One	625	70%	\$1,318
341*	One	636	70%	\$1,318
344	One	636	70%	\$1,318
348	One +Den	766	70%	\$1,318

*Units with a preference for those with a disability matching the build out of the ADA/Group 2 unit.

Townhomes at 17 - 31 Charles Park Road and 180 - 198 Gardner Street (Homeownership)

<i>Address</i>	<i>Number of Bedrooms</i>	<i>Square Footage</i>	<i>Percent of Area Median Income</i>	<i>Sales Price</i>
182 Gardner St	Three	2,285	80%	\$257,500
194 Gardner St	Three	2,302	100%	\$327,900

The location of the IDP Units will be finalized in conjunction with BPDA staff and outlined in the Affordable Housing Agreement ("AHA") and the Affordable Rental Housing Agreement and Restriction ("ARHAR"), 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 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 \$88,000 (based on 0.44 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 eleven (11) designated IDP Units satisfies fully the IDP requirements pursuant to the December 10, 2015 IDP.

COMMUNITY BENEFITS AND MITIGATION

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. In particular, the Proponent has committed to the completion of several mitigation measures associated with the Proposed Project, subject to continuing discussions with staff of the Boston Transportation Department ("BTD") and BPDA Transportation Planning staff, and as described as follows:

1. The Proponent shall establish and coordinate a Monday through Friday shuttle service for residents and tenants of the Proposed Project from the Project Site to the West Roxbury Commuter Rail station;
2. The Proponent shall construct improved sidewalks in front of the Project Site on Gardner Street and Charles Park Road, designed in compliance with the City of Boston Complete Street guidelines;
3. The Proponent shall construct a mid-block pedestrian crossing across Gardner Street connecting the Project Site to the improved sidewalks of the Oak Row Apartments;
4. Together with staff of the BTD, BPDA Transportation Planning department, and other City departments, the Proponent shall explore possible traffic calming measures along Charles Park Road, including but not limited to improved vehicular striping, which, if implemented, shall not exceed a cost of \$25,000 to the Proponent; and
5. The Proponent shall fund the installation of a Bluebikes station in the West Roxbury neighborhood of Boston (in an amount not to exceed \$75,000), the final location of which shall be subject to selection and approval by the City of Boston. In the event that the Bluebikes station shall be located at the Proposed Project, the Proponent shall make appropriate accommodations on-site.

COMMUNITY BENEFITS

In addition to the above mitigation measures, the Proponent has also committed to two (2) community benefit contributions totaling twenty thousand dollars (\$20,000) in connection with the Proposed Project.

The Proponent shall make a ten thousand dollar (\$10,000) contribution to Parkway Little League, described as follows:

1. Recipient: Parkway Little League, Inc.
P.O. Box 320152
West Roxbury, MA 02132
2. Use: For capital improvements to the Guy Cammarata Little League Complex, which is owned and maintained by Parkway Little League, Inc.
3. Amount: \$10,000
4. Timeline: The \$10,000 contribution is due at issuance of Certificate of Occupancy.

The Proponent shall make a ten thousand dollar (\$10,000) contribution to Parkway Youth Soccer, described as follows:

1. Recipient: Parkway Youth Soccer
2. Use: For programming and operational uses of the Parkway Youth Soccer league.
3. Amount: \$10,000
4. Timeline: The \$10,000 contribution is due at issuance of Certificate of Occupancy.

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 Boston Zoning Code (the "Code") for the Proposed Project at 17 - 31 Charles Park Road, 180 - 198 Gardner Street and 199 Gardner Street in the West Roxbury neighborhood of Boston; (2) issue one or more Certification(s) of Compliance or Partial Certification(s) of Compliance for the Proposed Project 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 – 1012285, BOA – 1012286, and BOA – 1012287 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 June 7, 2019 adequately describes the potential impacts arising from the 17 – 31 Charles Park Road, 180 – 198 Gardner Street and 199 Gardner 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 one or more Certification(s) of Compliance or Partial Certification(s) 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 – 1012285, BOA – 1012286, and BOA – 1012287 with the proviso that plans be submitted to the BPDA for design review approval.

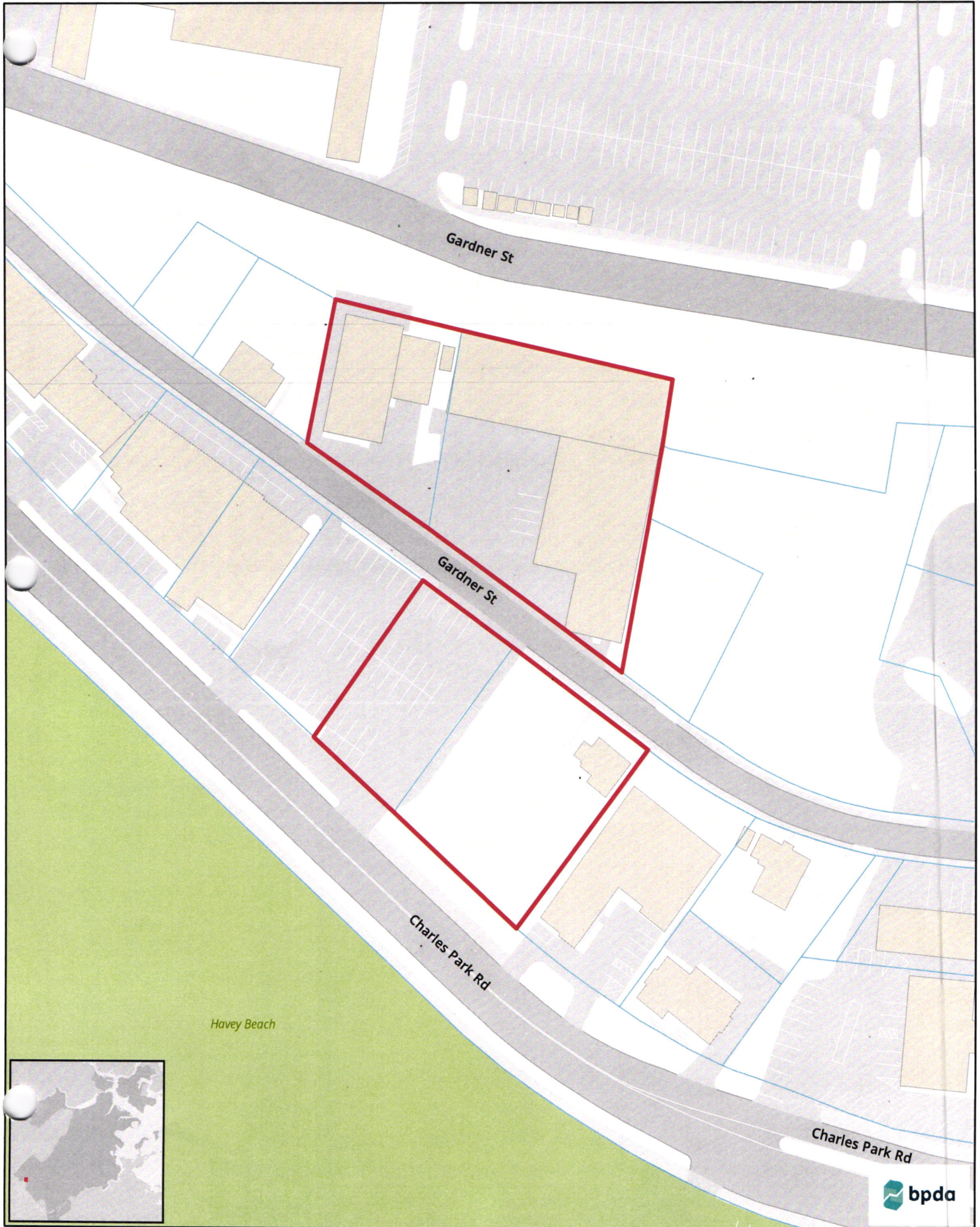
178, 189 - 197 Gardner Street

1:1,000



178, 189 - 197 Gardner Street

1:1,000





Oppose this project

1 message

Lemmel <lemmel@aol.com>
To: tammy.donovan@boston.gov

Thu, Oct 17, 2019 at 1:58 PM

I am very against this project. The area does not need it. What a nightmare of overcrowding, traffic and strain on public schools. Can we please stop overbuilding?
Could we have some green space instead of overbuilding?

Mary Ellen McMahon.

Open Meeting - October 17, 2019 - 3:30PM

BPDA CONFERENCE ROOM

ONE CITY HALL SQUARE, 9TH FLOOR, ROOM 900

BOSTON, MA 02201

Contact: [TAMMY.DONOVAN@BOSTON.GOV](mailto:Tammy.Donovan@boston.gov)

617-918-4388

BTW, scroll down through the notice...there is approval for a WR residential development (this item on agenda has NO public comment, so if you have comments they should be sent to BPDA Contact above.

18. Request authorization to issue a Scoping Determination waiving further review pursuant to Article 80, Section 80B-5.3(d) of the Zoning Code for the construction of 18 townhouses and 70 residential rental units, including 11 IDP units located at 17-31 Charles Park Road, 178 Gardner Street and 189-197 Gardner Street; to recommend approval to the Board of Appeal for the necessary zoning relief with design review approval; and, to take all related actions.

Comment Date	First Name	Last Name	Organization	Opinion	Comments
6/29/2019	Stuart	Elfland		Support	I live about 2 miles from this project right off Dedham St.. I drive by this site everyday on my way to work in Norwood. A residential development will bring stability to the neighborhood. People that live and work here will make this truly a desired place to live. I give this my full support.
7/1/2019	Kevin	McNeil	Home owner	Support	The Gardner st project is a great addition to West Roxbury, and good for Boston residents. To Whom It May Concern: I have two grandchildren who attend Children's Happy Day School at 5 Charles Park Road in West Roxbury. I just became aware of this proposed project at 178-189-197 Gardner Street and Charles Park Road and have a number of questions about the project, including what measures are planned to protect the health and safety of the occupants, including the children, at the day care center. Until these issues are satisfactorily addressed, I would oppose moving forward with this project: 1. What dusts (including silica dust, asbestos and other toxic materials) will be generated in the tear-down phase of the project, the destruction of sidewalks, pavement, buildings, rock structures, etc. and what are the measures planned to prevent these materials from entering the ambient air? 2. What plans are in place for noise control (e.g. will noisy operations be timed to occur when the day care center is closed?) If not - what are the plans for controlling noise such that the children's nap times are not adversely impacted and that constant noise (a stressor to the body) does not adversely affect the occupants of Children's Happy Day School? 3. What is the plan for the canopy (trees) that currently exist around the day care center, and that offer shade to the area? 4. What will be the impact on traffic on Charles Park Road -- both during the construction phase and after the residential housing is built? How will this affect drop-off, pick-up and the travel of children by foot to and from the park and other places to which they currently walk? 5. How will this project impact short-term parking on Charles Park Road that can occur for drop-off and pick-up of children at Children's Happy Day School? 6. What attempts have been made to reach out to the families whose children attend Children's Happy Day School and get their questions, input, etc on this project? 7. Where and how can I obtain all the written plans for this project that have been filed? 8. What is the current process for approval of this project, and what would be needed to place this project on hold until these health and safety issues have been adequately addressed? 9. If and when this project goes forward, is there assurance that it will be conducted with Union labor? Thank you and I look forward to hearing from you very shortly. Sincerely, Nancy Lessin 12 Park Lane Jamaica Plain, MA 02130
7/3/2019	Nancy	Lessin		Oppose	[REDACTED]



Re: 178, 189–197 Gardner Street Impact Advisory Group & Public Meeting

Julie <[REDACTED]>
To: Aisling.Kerr@boston.gov

Wed, Jun 12, 2019 at 12:55 PM

Aisling-

I have attended community meetings for several projects on & near VFW Parkway. I live at Park Place Condos at [1216 VFW #38](#). I am unable to attend the Gardner Street public meeting (I'm on the condo board & we have a meeting the same night, very difficult to change that date).

My concern continues to be that VFW Parkway is becoming very overcrowded, not just during rush hour, but from 7 am through 8 pm. Having just had an accident on 128 after being in bumper to bumper traffic for 4 hours, I do not want to see VFW get to the same point. As it is, it's not infrequent during the morning commute to have the Baker Street light backed up to our driveway at 1210.


My concern about developers following through with "off-setting impacts on the neighbors" is exemplified with the apartment complex, Oak Row. During their public comment meetings, they promised that there would be a shuttle set up for taking their residents to the commuter rail station and use of the shuttle would be offered to neighbors. I have not seen such a shuttle nor has there been any information about such a service. Trusting that this sort of arrangement will actually be provided after receiving the city's permission to build becomes a failure both in the belief that the city has a concern about the usability of the streets and that there is a system to follow through on promises made to get neighbors' support.

If I could attend the meeting, this is what I'd share. I trust that my comment will be taken into consideration in these deliberations.

Julie McVay
[REDACTED]

-----Original Message-----

From: Development Review at the BPDA <Aisling.Kerr@Boston.gov>
To: Julie <[REDACTED]>
Sent: Wed, Jun 12, 2019 11:02 am
Subject: [178, 189–197 Gardner Street](#) Impact Advisory Group & Public Meeting

Public meetings hosted by the BPDA	View this email in your browser
 boston planning & development agency	



Martin J. Walsh
Mayor

Article 37 Interagency Green Building Committee

July 15, 2019

Peter V. Davos
West Brighton Acquisitions, LLC
94 Grayfield Avenue
West Roxbury, MA 02132

Re: 178, 189, 197 Gardner Street - Article 37 Green Building – Comment Letter

Dear Peter V. Davos

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

The EPNF indicates that the project will use the LEED v4 rating system and commits the project to earning 53 points for a LEED Silver rating. The IGBC accepts the rating system selection and green building LEED point commitment.

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

Greenhouse Gas Emissions

In support of the City of Boston's Resiliency and GHG emissions reduction goals including Carbon Neutral Boston 2050 the IGBC requests the project team prepare a project specific Zero Carbon Building Assessment by modeling a Low Carbon Building with an enhanced envelope and optimized systems strategies, Maximized Solar Energy Systems, and determine any amount of off-site renewable energy required for zero carbon performance including:

- Enhanced Building Envelope – reduced air infiltration (ACH below 0.6), increased opaque curtain wall insulation (below U-0.05), improved vision curtain wall performance (below U-0.20), improved window performance (below U-0.20), tuned glazing with Solar Heat Gain Coefficient (below SGHC 0.30), and increased insulation levels for roof (R-60 c.i.), wall (R-30+ with c.i.), and slab (R-7.5 c.i.) conditions.

- Optimized Building Systems – smaller, more efficient and alternative heating, cooling, dedicated fresh air with ERV (better 80% with MERV 8 filter), and hot water systems that fully consider the improved envelope performance.
- Including an all electrical building and campus solution(s).
- Maximized Solar Energy System – optimize roof design and install Solar PV systems.

Additionally, considering the project location in close proximity to the Charles River, please pursue the Rainwater Management LEED credit.

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

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

Sincerely,

Benjamin Silverman, LEED AP: BD+C
On behalf of the Interagency Green Building Committee

Cc: Aisling Kerr, BPDA
IGBC

MEMORANDUM

TO: Aisling Kerr, Project Manager
FROM: John (Tad) Read, Senior Deputy Director for Transportation & Infrastructure Planning
Manuel Esquivel, Senior Infrastructure & Energy Planning Fellow
Ryan Walker, Smart Utilities Program - Associate
DATE: July 8, 2019
SUBJECT: 178, 189-197 Gardner Street - **Smart Utilities Comments - PNF**

Summary:

Thank you for including the Smart Utilities Checklist in the PNF document. The following comments have been prepared with regards to the Smart Utilities Policy:

1. Please submit the checklist online using the form available [here](#). Completing the form will generate an edit link, which facilitates updating the checklist as the development review progresses.
2. Thank you for your comments regarding AST; we will continue to review this item with the BTB.
3. Thank you for your comments regarding smart street lights; we will continue to review this item with PIC and PWD.
4. Please provide lateral diagrams indicating how all utility infrastructure will be extended to each building from the right-of-ways. If multiple possible scenarios exist and final plans are undetermined, please indicate all possibilities.
5. If major reorganization or installation of utility infrastructure below grade will take place as part of the project, please provide a cross-section diagram indicating how utility infrastructure will be organized under ground. Please refer to the Smart Utility Standard cross-section diagrams.

If you have any questions and/or would like to request a meeting for further discussion, please contact Manuel Esquivel at manuel.esquivel@boston.gov or 617.918.4382.

Context:

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

In general, conversations about and review of the incorporation of the applicable SUTs into new Article 80 developments will be carried out by the BPDA and City staff during every stage (as applicable) of the review and permitting process, including a) prefile stage; b) initial filing; c) Article 80 development review prior to BPDA Board approval; d) prior to filing an application for a Building Permit; and e) prior to filing an application for a Certificate of Occupancy.

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

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

After submission, you will receive:

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

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

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

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

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

Smart Utility Technology (SUTs)	Summary Description
District Energy Microgrid	Energy system for clusters of buildings. Produces electricity on development site and uses excess “heat” to serve heating/cooling needs. By combining these two energy loads, the energy efficiency of fuel consumed is increased. The system normally operates connected to main electric utility grid, but can

	disconnect (“island”) during power outages and continue providing electric/heating/cooling needs to end-users.
Green Infrastructure	Infrastructure that allows rainwater to percolate into the ground. Can prevent storm runoff and excessive diversion of stormwater into the water and sewer system.
Adaptive Signal Technology	Smart traffic signals and sensors that communicate with each other to make multimodal travel safer and more efficient.
Smart Street Lights	Traditional light poles that are equipped with smart sensors, wifi, cameras, etc. for health, equity, safety, traffic management, and other benefits.
Telecom Utilidor	An underground duct bank used to consolidate the wires and fiber optics installed for cable, internet, and other telecom services. Access to the duct bank is available through manholes. Significantly reduces the need for street openings to install telecom services.

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

	Article 80 Size Threshold	Other specifications
District Energy Microgrid	>1.5 million SF	Feasibility Assessment; if feasible, then Master Plan & District Energy Microgrid-Ready design
Green Infrastructure	>100,000 SF	Install to retain 1.25" rainfall on impervious areas (Increase from 1" currently required by BWSC)
Adaptive Signal Technology	All projects requiring signal installation or improvements	Install AST & related components into the traffic signal system network
Smart Street Lights	All Projects requiring street light installation or improvements	Install additional electrical connection & fiber optics at pole
Telecom Utilidor	>1.5 million SF of development, or >0.5 miles of roadway	Install Telecom Utilidor

**Boston Water and
Sewer Commission**



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

July 8, 2019

Ms. Aisling Kerr, Assistant Project Manager
Boston Planning & Development Agency
One City Hall Square, 9th Floor
Boston, MA. 02210

Re: 178-197 Gardner Street, West Roxbury
Project Notification Form

Dear Ms. Kerr:

The Boston Water and Sewer Commission (Commission) has reviewed the Project Notification Form (PNF) for the proposed redevelopment project located at 178-197 Gardner Street in the West Roxbury neighborhood of Boston. This letter provides the Commission's comments on the PNF.

The proposed project is located on four parcels of land on both sides of Gardner Street totaling approximately 62,451 square feet. The larger parcel 189 and 197 Gardner Street was recently occupied by a plastic manufacturer and construction contractor. The parcels at 178 Gardner Street have a paved parking area and a residential building. The project proponent, West Brighton Acquisitions, LLC, proposes to demolish the existing structures construction of an eighty eight-unit, four-story residential development totaling 96,000 gross square feet. Eighteen three-bedroom townhouses are proposed at 178 Gardner Street and seventy apartment rental units are proposed at 189-197 Gardner Street. The seventy rental units will include thirty-one one-bedroom units, twenty-one one-bedroom plus units and nineteen two-bedroom units. Amenities will include on-site open air and garage parking for 106 cars, patios, decks and landscaped areas

For water service, the Commission owns and maintains a 12-inch water mains in Gardner Street, the section of the water main that extends to the northwest of the project site is a cement lined cast-iron pipe that was installed in 1966. The section of the water main that extends to the southeast of the project site is a cement lined ductile-iron pipe that was install in 2007. Both sections of water main are part of the Commission's Southern High-Pressure Zone.

For sewer service, the Commission facilities include a 20-inch storm drain and 15-inch sanitary sewer in Gardner Street.

The PNF states that maximum average daily water demand for the proposed project is estimated to be 17,300 gallons per day (gpd) and wastewater generation will increase from 1,410 gpd to 15,730 gpd.

General

1. Prior to the initial phase of the site plan development, West Brighton Acquisitions 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 any buildings, all water, sewer and storm drain connections to the buildings must be cut and capped at the main pipe in accordance with the Commission's requirements. The proponent must complete a Cut and Cap General Services Application, available from the Commission.
3. All new or relocated water mains, sewers and storm drains must be designed and constructed at West Brighton Acquisitions 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 Commission will require West Brighton Acquisitions 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 West Brighton Acquisitions LLC to inspect the existing sewer lines on site by CCTV after site construction is complete, to confirm that the lines were not damaged from construction activity.
7. It is West Brighton Acquisitions 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, West Brighton Acquisitions 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. West Brighton Acquisitions LLC 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. West Brighton Acquisitions LLC should also provide the methodology used to estimate water demand for the proposed project.
2. West Brighton Acquisitions LLC should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In particular, West Brighton Acquisitions LLC should consider outdoor landscaping which requires minimal use of water to maintain. If West Brighton Acquisitions 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.
3. West Brighton Acquisitions 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. West Brighton Acquisitions LLC should contact the Commission’s Meter Department for information on and to obtain a Hydrant Permit.



4. West Brighton Acquisitions LLC will also be required to install approved backflow prevention devices on the water services for fire protection, mechanical and any irrigation systems. West Brighton Acquisitions LLC is advised to consult with Mr. James Florentino, Manager of Engineering Code Enforcement, with regards to backflow prevention.
5. The Commission is utilizing a Fixed Radio Meter Reading System to obtain water meter readings. For new water meters, the Commission will provide a Meter Transmitter Unit (MTU) and connect the device to the meter. For information regarding the installation of MTUs, West Brighton Acquisitions LLC 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. West Brighton Acquisitions LLC will be required to submit with the site plan a phosphorus reduction plan for the proposed development. West Brighton Acquisitions 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.

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

- Identify 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.
- 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 or treatment structures to be utilized during construction.



- Provide 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. West Brighton Acquisitions LLC 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 West Brighton Acquisitions LLC 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. West Brighton Acquisitions 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, West Brighton Acquisitions LLC will be required to obtain a Remediation General Permit from the Environmental Protection Agency (EPA) for the discharge.
 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, West Brighton Acquisitions 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 West Brighton Acquisitions LLC 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. West Brighton Acquisitions 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.

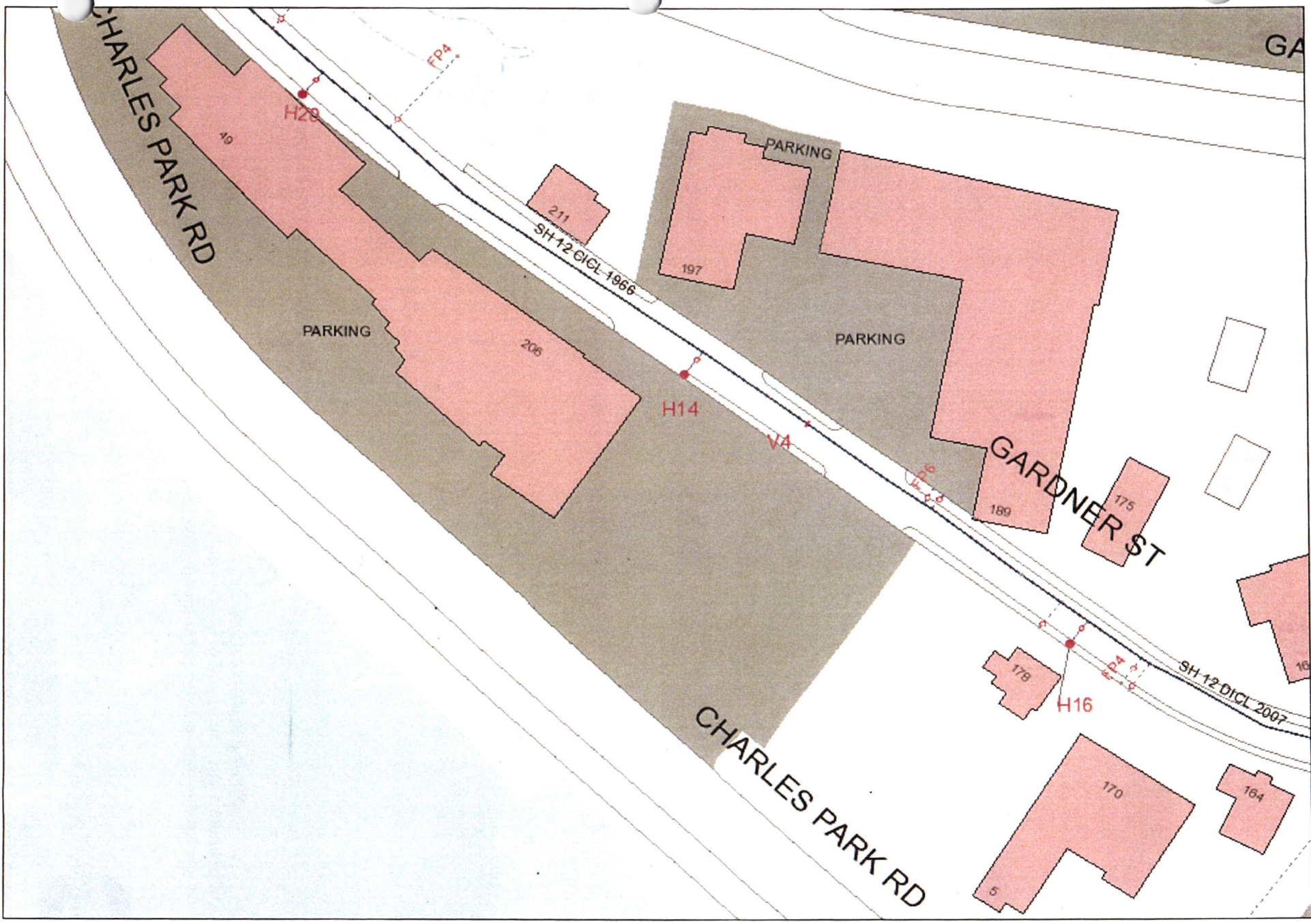
Thank you for the opportunity to comment on this project.

Yours truly,

John P. Sullivan, P.E.
Chief Engineer

JPS/RJA

cc: P. Davos, West Brighton Acquisitions, LLC
M. Zlody, BED via e-mail
K. Ronan, MWRA via e-mail
M. Nelson, BWSC via e-mail
F. McLaughlin, BWSC via e-mail



July 29, 2019

Peter Davos
West Brighton Acquisitions
94 Grayfield Avenue
West Roxbury, MA 02132

Dear Peter,

Thank you for meeting with us last week. Please see below a list of questions we would like answered at your earliest convenience. We may have discussed some of these topics, but we would like to have these topics addressed and/or verified so that we can communicate with CHDS parents. Some of the questions were included by a CHDS grandparent in correspondence to the BPDA.

1. What dusts (including silica dust, asbestos and other toxic materials) will be generated in the tear-down phase of the project, the destruction of sidewalks, pavement, buildings, rock structures, etc. and what are the measures planned to prevent these materials from entering the ambient air?
2. Please send CHDS the results of all environmental reports that verify that there are no toxic materials, oil tanks or environmental hazards of any of the development sites/parcels.
3. What plans are in place for noise control and construction safety?
4. What are the impacts to abutting properties (structural, groundwater, environmental, etc.)?
5. CHDS would like the developer to completely remove the invasive species of Norway Maple that is currently on the shared property line (discussed at on-site meeting).
6. What will be the impact on traffic on Charles Park Road -- both during the construction phase and after the residential housing is built? How will this affect drop-off, pick-up and the travel of children by foot to and from the park and other places to which they currently walk?
7. How will this project impact short-term parking on Charles Park Road that can occur for drop-off and pick-up of children at Children's Happy Day School?
8. Please provide your construction management plan (when complete) so CHDS can review the plan operations.

As with the last project, we request that you respond to any outreach (calls or emails) in a timely manner.

Thank you so much.

Helen Rafiy
Director
Children's Happy Day School

Cc: Joseph P. Hanley, Equire, McDermott, Quilty & Miller, LLP
Aisling Kerr, Boston Planning & Development Agency
Fernando Cleves, Children's Happy Day School