

MEMORANDUM

TO: Tim Czerwienski, 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: November 22, 2019
SUBJECT: 1252-1270 Boylston Street - **Smart Utilities Comments – DPIR**

Comments and request for additional information:

Thank you for addressing the Smart Utilities comments made on the PNF. Below are our comments and requests for additional information related to the information presented in the DPIR. Please update the Checklist using the edit link and/or send any diagrams to manuel.esquivel@boston.gov.

- Green Infrastructure:
 - The commitment to retain and infiltrate above and beyond the requirements is appreciated. We noticed on the submitted Utility Site Plan that the Telecom service would run perpendicular to the infiltration chamber that runs parallel to Boylston Street. Would this pose a conflict when accessing either of the assets? If so, is there a design that could mitigate this conflict?
- Smart Street Lights:
 - If street lights will be installed on the project site, a Smart Street Lights diagram should be submitted indicating the following (See Checklist Parts 6 and 7):
 - The main electricity loop that will power the lights and where the connection between this loop and the electricity in the right of way will occur.
 - "Shadow" conduits running next to the main electricity loop, with capacity for the additional electricity and fiber to comply with Smart Streetlight capability; and hand holes for access to these conduits.
 - Where these conduits would connect in the future to electricity and fiber in the right of way.

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

Context:

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

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

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

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

After submission, you will receive:

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

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

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

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

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

Smart Utility Technology (SUTs)	Summary Description
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 Groundwater Trust

229 Berkeley St, Fourth Floor, Boston, MA 02116

617.859.8439

www.bostongroundwater.org

November 14th, 2019

Board of Trustees

Gary L. Saunders
Tim Ian Mitchell
Co-Chairs

Janine Commerford
Greg Galer
Peter Shilland
Amelia Croteau
Kaira Fox
Aaron Michlewitz
Angie Liou
Ed Flynn
Christopher Cook
Leah Camhi
Robert Whitney

Executive Director

Christian Simonelli

Tim Czerwienski, AICP Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201-1007

Subject: 1252-1270 Boylston Street Draft Project Impact Report (DPIR) Comments

Dear Mr. Czerwienski:


Thank you for the opportunity to comment on the 1252-1270 Boylston Street Draft Project Impact Report (DPIR) which is located in the Fenway. The Boston Groundwater Trust (BGwT) was established by the Boston City Council to monitor groundwater levels in sections of Boston where the integrity of building foundations is threatened by low groundwater levels and to make recommendations for solving the problem. Therefore my comments are limited to groundwater related issues.

The project is located in the Groundwater Conservation Overlay District (GCOD) established under Article 32 of the Zoning Code. In response to our May 7th, 2019 Project Notification Form (PNF) comment letter, the proponent committed to complying with both the installation of a recharge system to capture one (1) inch of rainfall across the portion of the Project Site and a demonstration that the project will not cause a reduction in groundwater levels on site or on adjoining lots by providing a no harm letter, which will be stamped by a professional engineer who is registered in Massachusetts.

In addition, the proponent committed to establishing a groundwater level monitoring program prior to, during, and after construction and coordinating with the Trust to confirm which observation wells will be protected, monitored, and reported.

I look forward to continuing to work with the proponent and the Agency to assure that this project can have only positive impacts on area groundwater levels.

Very truly yours,



Christian Simonelli
Executive Director

CC: Kathleen Pederson, BPDA
Maura Zlody, EEOS





November 21, 2019
Tim Czerwienski
Project Manager
Boston Planning & Development Agency (BPDA)
One City Hall Square
Boston, MA 02201

Via Email

Re: Scape 1252-1270 Boylston Street

Dear Mr. Czerwienski,

The Fenway Civic Association (FCA) is the Fenway neighborhood's oldest all-volunteer neighborhood group that accepts no public or developer funds. Founded in 1961, our mission is to promote a safe and vital neighborhood that serves the interest of its residents.

Regarding Scape Boylston, LLCs (the "Proponent") proposal for 1252-1270 Boylston Street (the "Project") detailed in the Draft Project Impact Report submitted on October 7, 2019, FCA offers the following comments:

Summary

We are pleased and relieved to review the proposal's change from a dormitory, a use explicitly forbidden by the Fenway's zoning and fiercely opposed by the neighborhood, to an apartment building marketed to the general public. The Proponent has undertaken significant revisions based on community concerns and **we now tentatively support the project pending: further refinement and improvement in unit mix, affordability range, a prohibition of undergraduate leases, parking, alley design, and mitigation measures for the desired zoning relief for additional height and FAR necessitating Back Bay Fens linkage and onsite/in neighborhood affordable unit distribution.**

Additionally, because this project involves mitigation measures proposed in two separate projects that have not yet been filed and for which the mechanisms of mitigation commitments have not been presented or reviewed by the IAG and the community, and because there have been numerous requests to see a better housing mix identified within the Project, we request that the review process continue until these issues have been resolved and request further scoping and reviews by the BPDA, presented to the IAG and the community.

Unit Typology & Demographics

This revised Project promotes needed and potentially more affordable workforce housing desired by the neighborhood. The proposed "micro-unit" apartments are similarly sized to comparable pre-war apartments in the Fenway and thusly not an alien typology to the neighborhood.

FCA believes that the unit mix is too heavily weighted towards studios and requests a balanced mix be presented in a revised filing. Studios lend themselves to graduate students, young professionals, and empty nesters, leaving out the middle of the workforce and families. We believe a healthy unit mix for the community provides a balance between single persons of all ages, working couples, and families. A variety of unit sizes would allow an individual to progress through life, move up, and downsize as they age while remaining in the neighborhood; this is difficult to do in the current Fenway housing market. Unit mix will drive the demographic character of the building and character of the neighborhood and we accordingly request a mix of housing typology that supports families and professionals. This mix has been successfully realized at other locations along Boylston Street: The Harlo (38% studio, 30% 1 bed, 20% 1 bed plus den, 10% 2 bed, and 1.5% 3 bed); and The Viridian (24.6% studio, 25.7% 1 bed, 41.5% 2 bed, and 8.2% 3 bed), and we believe this is possible at this location as well. It is also important to note that the affordability calculation for micro-unit studios does not present a meaningful difference between market rate and affordable unit rental rates. A more robust mix of housing in the Project's affordable component would ensure that such affordability presents meaningful opportunities for renters in the Fenway.

We remain concerned that the Proponent has not firmly committed to a prohibition of undergraduate leases to prevent the building from operating as a de facto dormitory. We strongly encourage third party lease auditing and a deed-restricted prohibition on undergraduate leases, master leases, subletting, corporate rentals and AirBnB to ensure the building operates as an apartment building as stated in the filing. If the Proponent's intent in restructuring its Project was to respond to the community's clear request to build non-dormitory housing, it must reflect this intent in its typology and its policies regarding unit leasing.

Parking

While FCA does not normally oppose the reduction or elimination of parking, we believe this project to be of significant scale to require dedicated parking to support the working family demographic. We do support the prohibition on issuance of resident parking permits to Project tenants, as the scale of the building otherwise may overwhelm the limited supply of on street spaces. FCA believes there should be at least a van space provided for at least one accessible dwelling unit and the zoning-mandated 0.75 parking spaces per unit for any unit larger than a single bedroom.

It is understood that the elimination of all parking allowed for significant improvements and expansion to the Black Box theater component of the project and FCA does not want to impinge upon that program for the sake of parking. Our recommendation would be to determine feasibility to incorporate parking beneath the ground level lease space.

We are also significantly concerned with the potential traffic issues from ride-share services and ask the Proponent to coordinate with BTM to continue to refine the ground level design with a dedicated on-street or off-alley pick-up & drop off area.

Alley Design and Environmental Ratings

Following previous development along Boylston Street, FCA learned that the rear elevations of developments, as visible from the Back Bay Fens and alley-facing units along Peterborough Street, were of similar importance to that of the Boylston Street facades. We ask that the Project exhibit the same level of care in design as the adjacent Viridian and Harlo developments with regard to appearing "in the round" and not significantly reducing the quality of the façade facing Private Alley 937.

The portion of the building below the roof line of Peterborough Street should graduate to a lighter color, similar to that of the prewar building's use of light concrete brick, such that reflected ambient light is provided to the abutting residential units. Additionally, the ground level should not be a monolithic wall nor should the rear facing windows be highly reflective with glare "hot spots" which have been an issue at the Viridian. Nor do we wish for the building's trash and recycling operations to be open to the alley without screening, which has been an issue at the Harlo.

It is also a concern that the loading dock as currently designed, though improved, is still inadequate for the number of deliveries and pick-ups anticipated with a heavily residential building. We ask additional effort be made to evaluate the sufficiency of the loading dock design for building operations to not impede the passage easement of Private Alley 937.

We encourage the Proponent to explore the potential for Passive House certification. While PV solar may not work for a large building, solar thermal hot water systems should be investigated and implemented if possible. Finally, we appreciate that the building uses a mix of exterior materials as we encourage a move away from glazed materials. We encourage the Proponent to seek LEED pilot credit 55: Bird Collision Deterrence, given the Project's proximity to the Back Bay Fens and its location within a migratory flyway.

Mitigation

Open Space: The proposed project still significantly exceeds the height and Floor Area Ratio (FAR) allowed by zoning. By requesting a larger buildable envelope than was known to be permissible when they acquired the property the Proponent is asking the city to arbitrarily change the rules to increase the value of their acquisition. The Proponent's filing assumes they are entitled to similar height and density as the adjacent Viridian, which was part of a designated Planned Development Area (PDA), and thus vastly different than the zoning of this parcel. The Viridian parcel was the last block on Boylston Street permitted toward the eastern end of Boylston Street and Park Drive for a PDA due to consideration of the detrimental effects of shadows on, and the desire to preserve solar access to, the Back Bay Fens and Fenway Victory Gardens. The resultant zoning limitations for this parcel were deliberate to preserve quality of the environment and public realm.

Scape Boylston, LLC has modified the massing of the building to partially address FCAs concerns regarding solar access to the neighborhood and the impact on the community garden portion of the Back Bay Fens. As requested, the shadow profile of the project is now mostly within that of the neighboring Viridian building, however, it still adds net new shadows. We request the Proponent continue to work to reduce the shadow profile by minimizing the height of rooftop equipment and screening and make a commitment towards capital maintenance and improvements in the Back Bay Fens through contributions to the Fund for Parks and Recreation.

Community Benefits:

FCA fully supports the collaboration of the Proponent with the Fenway Community Center with the understanding that projects that propose increases in the numbers of residents to the Fenway should bring increased investment in community resources. The community center serves as the Fenway's local source for events, programs, and gatherings, yet does not have a dedicated funding source.

Other Benefits:

We understand from our discussions with the Proponent that the Two Charlesgate West Project may be accompanied by opportunities to offer community resources such as a library, that the Proponent has

expressed flexibility with regard to removing institutional use from its residential component, and that it is open to considering improvements to adjacent parkland and roadways, including Ipswich Street MBTA fencing. This project presents important opportunities to improve livability, parkland, and streetscape and we look forward to reviewing those items.

Housing and Zoning

FCA has in the past warned that the city was too readily allowing for variances to zoning height and FAR without significant justifications in the Fenway and that such precedent would lead to a presumption by developers that every lot in the neighborhood may have greater buildable area than allowed by zoning. This has happened with this proposal. We do not want others to engage in widespread speculation with the assumption that the Fenway's zoning may be disregarded, as it will be detrimental to the affordability of housing in the Fenway through inflated real estate valuations.

In response to these concerns, the Proponent has proposed to justify their requested increase in height and FAR beyond the lawful as of right zoning envelope with the potential provision of on-site affordable units and additional affordable units within the neighborhood on other parcels they control. They seek PDA-like bonuses for height and FAR based on an increased density of affordable units above the Fenway's IDP and the City's IDP policies.

As stated previously with regards to the unit mix and demographics, we request that this building and the proposed affordable housing mitigation within its tied commitments present a balanced mix of units. FCA strongly urges the City and the Proponent to provide more one, two, and three bedroom units in the 80-120% AMI range, in accordance with Fenway Zoning IDP policy, to provide workforce and working family housing. Article 66 was developed by consensus, involving the efforts of Fenway residents, businesses, institutions, and the City. Its inclusion of 80-120% AMI housing in its planned affordability was an intentional effort to realize missing housing units for working families with the expectation that development using Article 66 would result in the creation of such housing. There is a dire shortage of this type of housing in the Fenway and the city at large and the neighborhood has consistently lost affordable units to off-site out of neighborhood projects or had the AMI range lowered by the City against the neighborhood's wishes. FCA stands behind the intent of Article 66 zoning policy in the creation of mid-range housing. Multiple times, required onsite affordability for Fenway projects have neglected to be realized with the city's approval, and in the case of 60 Kilmarnock Street, questionably removed through cash payouts to communities outside of the neighborhood in advance of the Article 80 review process. We request that flexibility in assessing the needs of the community as outlined in our zoning and the benefits provided through development be bidirectional and not limited to the BPDA enforcing its will on the neighborhood to the detriment of its stability.

Finally, because the 1252-1270 Boylston Street, 819 Beacon Street, and 2 Charlesgate West parcels contain discussion of benefits associated with this Project, we request the BPDA continue the current IAG in the review of these upcoming filings. This will allow for greater continuity in discussion of the impacts and benefits associated with these linked projects.

Sincerely,

Matthew Brooks, Vice President
Fenway Civic Association

CC: Councilor Josh Zakim
Councilor Michelle Wu
Councilor Assaibi-George
Councilor Althea Garrison
Shanice Pimentel, Office of Neighborhood Services
Sheila Dillon, Chief of Housing



Improving Lives and Building Community
Fenway Community Development Corporation

November 22, 2019

Boston Planning and Development Agency
Tim Czerwienski, Project Manager
One City Hall Square, 9th floor
Boston, MA 02201

Re: Fenway CDC comments re: Scape proposal for 1252-1270 Boylston Street project

Fenway Community Development Corporation (Fenway CDC) is a 46 year old community based non-profit organization that builds and preserves affordable housing and promotes projects that engage our full community in enhancing the neighborhood's diversity and vitality. We are pleased to submit this letter of support for the Scape Boylston LLC proposal for 1252-1270 Boylston Street. However, we do request that the developer and the Boston Planning and Development Agency (BPDA) make every effort to keep the Inclusionary Development Plan (IDP) off site units as close as possible to the proposed project.

Since the filing of the original EPNF, the Proponent has evaluated the public comments received and the concerns and views expressed by the community and agencies. As a result, the Project has been totally reconfigured to respond to community concerns regarding density, height, parking and various other matters. We applaud the proponent for hearing and responding to the concerns and needs of the Fenway.

The original project consisted of approximately 235,095 square feet of mixed-use programming, comprised of 533 professionally managed academic accommodations and an activated, permeable, ground-floor retail podium designed for a broad range of neighborhood-oriented culinary, lifestyle and experiential tenants

The DPIR filing of October 7, 2019 outlines a three phase project with: 477 residential units at 1252-1270 Boylston Street; 495 units of residential housing at 819 Beacon (comprised of 50 units of patient-family housing for Children's Hospital operated on a not-for-profit basis and 445 residential units aimed at the medical community of the Longwood Medical Area) and: 220 units of Inclusionary Development Policy (IDP) affordable housing and 165 units of dormitory use at Two Charlesgate West. The 220 affordable housing units go above the percentage required from the three projects and will have an immediate, major, positive impact on the Fenway.

We believe this total proposal is a significant advancement over the original filing and support this in principal and subject to a Boston Planning and Development Agency (BPDA) Article 80 Large Project Review for the 819 Beacon and Two Charlesgate West phases outlined in this proposal.

This letter of support refers specifically to the proposal for 1252-1270 Boylston Street. The reconfigured project will consist of approximately 226,700 square foot mixed-use programming, comprised of approximately 477 residential rental housing units and an activated ground-floor retail podium fronting on Boylston Street. The project also includes the ‘Boylston Black Box’, a 10,000-square-foot LGBTQ-centric venue for the performing arts – anchored by a 156-seat theater which will be delivered and operated on a not-for-profit basis.

The revised Project changes from dormitory use to residential apartments. The housing units at Boylston Place have been designed to compact residential standards and specifications. Minimum lease terms will be one year, and any type of short-term rental or overnight accommodations (e.g. Airbnb, Sonders, etc.) will be expressly prohibited and enforced.

The project is now a more traditional residential building, which provides all of the amenities that a high-end building would (gym, practice rooms, storage) with a slightly lower average rent per unit. The plans for the activated lobby area, cafe seating outside the building, and generous bike lanes remain the same. There has been a significant reduction in height – southwestern corner reduced by 30 feet, southeastern corner reduced by 18 feet and all northern elements reduced by 13 feet. There has also been a substantial reduction in FAR – reduced from 7.0 to 6.7.

In addition there is increased articulation of the building through pronounced three dimensional sculpting, including material setbacks on the western and southern portions of the Project. The proponent has introduced enhanced window detailing on the southwestern façade and lightening of brick façade pigmentation. The loading docks have been consolidated and there has been a refinement of ground-level plant species and extension of raised cycle-track. There will also be an upgrade of signals at the intersection of Boylston Street and Ipswich Street.

In recognition of 1252-1270 Boylston Street’s important heritage and affiliation with the LGBTQ community, the proponent will be delivering the ‘Boylston Black Box’, a not-for-profit LGBTQ-centric venue for the performing arts. Based on feedback received from the neighborhood stakeholders and LGBTQ performance groups, the proponent has further deepened its commitment to this important component of the Project by: increasing in the size of the Boylston Black Box program from approximately 6,000 sq. ft. to approx. 10,000 sq. ft.; and increasing the in capacity of the theater from 120 seats to 156 seats.

The developer is committed to the production of affordable housing units in the Fenway neighborhood and is prepared to voluntarily exceed the applicable contribution requirements prescribed by the Inclusionary Development Policy (“IDP”). Per the IDP, the proponent is required to deliver 18% offsite affordable housing units within a half-mile of the Project. The proponent is prepared to exceed this requirement and deliver 20% offsite affordable housing units at The Ipswich at Two Charlesgate West.

Scape does not plan to provide parking at 1250-1272 Boylston Street and residents will be prohibited from applying for a City of Boston residential parking sticker at City Hall. How this will be enforced needs to be clarified. As long as the rules of no city permit are strictly enforced, there is no need to provide parking.

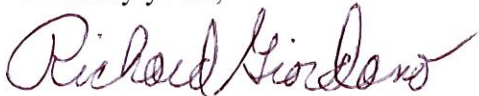
We have learned that the proponent has also identified an operator for the Black Box theater with deep neighborhood roots and applaud Scape for doing so. We also encourage Scape to continue to interview and talk to potential companies now and discuss with the LGBTQ community the possible additional operation of a night club/safe haven for the gay community, serving a similar purpose that Machine has over the years.

We urge Scape to continue to study how to keep future residents engaged in the neighborhood to encourage long-term stays past a typical year-long lease. Scape is already actively engaging the Fenway Community Center and should continue to do so and to explore how to integrate community programming into the Scape buildings (advertising for events in the elevators, etc.). We also hope that Scape will institute a policy that would prevent undergraduate students from renting units at 1250-1272 Boylston Street.

Further consideration should be given to floor layout and design at 1252-1270 Boylston Street. The units will be completely furnished thereby reducing costs for tenants when setting up and furnishing their apartments. This will also make move-ins less of a burden on the surrounding neighbors. We would like to see a more robust mix of studios, one- and two-bedroom apartments as we believe this will contribute to encouraging families and longer term residents.

We would like to reiterate that we applaud the proponent for hearing and responding to the concerns and needs of the Fenway by significantly redesigning the project and coming back with a robust and comprehensive plan. In conclusion we reiterate that we are pleased to submit this letter of support for the Scape Boylston LLC proposal for 1252-1270 Boylston Street.

Sincerely yours,



Richard Giordano
Director of Policy and Community Planning
Fenway Community Development Corporation
70 Burbank St., Lower Level
Boston MA 02115

P.

F.

E.

W. <http://www.fenwaycdc.org>

November 20, 2019

Tim Czerwienski, Project Manager
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201

Re: 1252-1270 Boylston Street

Dear Tim:

I am writing to offer comments on the Draft Project Impact Report (DPIR) filed by Scape Boylston, LLC (the "Proponent") for the project located at 1252-1270 Boylston Street (the "Project").

The Fenway Community Center (FCC) is a 501c3 non-profit organization, established in 2016 as a community resource for the Fenway neighborhood. With a mission to serve as a gathering place to share information, deliver programs, and provide services that enrich the lives of all Fenway residents, FCC is the culmination of more than 15 years of community-driven efforts to establish an inclusive center for the neighborhood. Besides serving as a resource and venue for public meetings and forums, the FCC offers an array of programs and services for hundreds of Fenway residents that include arts and culture, civic engagement, youth and families, and health and wellness. Its "Pay What You Will" model ensures that the center and its programs are open to all Fenway residents, regardless of socioeconomic status. Importantly, the Fenway has no other community center, despite its more than 40,000 residents.

I have reviewed the Project DPIR and offer the following comments:

Because the Project promises to bring approximately 1,142 residential units to the Fenway and Audubon Circle as envisioned in its three proposals for 1252-1270 Boylston Street, 819 Beacon Street, and Two Charlesgate West properties, I believe that support for the Fenway Community Center is an appropriate avenue for project mitigation and community support.

The Fenway Community Center was established as a result of development mitigation in the West Fenway. While the intent behind its formation was a permanent community resource for the Fenway neighborhood, neither the center's operations nor programs are assured by *any* stable funding source. Operated by one Executive Director and supported by resident volunteers, FCC's ability to provide high quality programs that meet the community's needs requires meaningful support from area partners.

I respectfully request the Proponent to support the community through financial support for Fenway Community Center and to include it in any planned community partnerships.

Thank you for this opportunity to comment.

Respectfully Yours,



Robert Kordenbrock
Executive Director

p)
e)

Comments on 1252-1270 Boylston Street

Arising from the Impact Advisory Group Meeting of 7 November 2019

—Submitted by Eric Daniel, IAG Member, 22 November 2019

I am writing with comments arising from the IAG meeting of 7 November 2019. The presentation materials were organized along the following lines, and I will make reference to each of these areas in my comments.

I. Use and programming: Consider a residential use to address the acute . . . housing imbalance in the Fenway.

II. Urban Design: Consider modifications of the dimensional envelope of the building.

III. Black Box Theater: Consider alterations to increase the versatility of the space, ensuring access and utilization by a broad range of LGBTQ performers and patrons.

IV. Affordable Housing: Consider opportunities to maximize the production and delivery of affordable housing units in the neighborhood.

V. Additional Properties: Consider additional properties owing by affiliates of the Proponent in the context of integrated Fenway neighborhood planning and housing production.

Additional Properties. The three-building program, as presented at the meeting, is very clear and seems to have a number of advantages.

Boylston Place: 477 residential units, with the Black Box Theater, and retail

The Beacon: 445 residential units, an additional 50 patient-family residences in partnership with Children’s Hospital

The Ipswich: 220 units of affordable housing, plus 165 units to be associated with a Fenway institution.

Affordable Housing. Devoting the majority of the units at The Beacon to approximately 220 units of affordable housing should allow the project to exceed the minimum provisions of the city’s IDP. Whether the percentages are calculated using square footage, number of units, or a blend, there is something noteworthy about building new affordable units in the neighborhood and aiming to exceed the legally required minimums.

Black Box Theater. The Black Box theater has been generously increased in size, and substantial work is currently being done to find an operator for the space and to make provision for its long-term survival. It is hoped that a liquor license will be obtained and that it will be possible to create a night-club atmosphere on certain calendar dates. These plans should be a contribution to the diverse city we all desire, and more specifically these plans should help the LGBT community that depended on existing businesses to grow and thrive in the future.

Other Community Benefits. The Proponent responded generously to requests to support additional community benefits. There was an agreement to support groups associated with the Emerald Necklace and Victory Gardens, and equally important the proponent is open to additional requests.

Urban Design. The 7 October 2019 document shows a reduced envelope for the building, with roof heights a dimensions being diminished as by as much as 30 ft. The southwest corner received the most cutbacks, with an eye to lessening impacts on the neighboring buildings across the alley.

Use and Programming.

Intended Use. The proponent is now intending for the building to consist of apartments, and year leases will be required. Further, the proponent hopes to manage the building to encourage long-term tenancies.

Unit Redesign. Work on redesigning the floors of the Boylston was still in progress so there was no breakout into studio, one-bedroom, and two-bedroom units. A sketch of a 337 ft² studio was shown. I believe that it was characterized as one of the larger of the two sizes of studio apartment. Laid out as 25 ft by 13-1/2 ft rectangle, the unit featured a bed and a small table with two chairs in the way of furniture. With the apartment well under 400 ft² it seems fair to call it a micro-apartment.

Need for More Detail. It would be very helpful to have, in essence, updated versions of Figures 2.2e, 2.2f, and 2.2g as plans mature.

A Trade-Off. On-line accounts and newspaper stories have reported that tenants of micro-apartments often chafe under the lack of space. Hence, there may be something of a trade-off associated with small apartments at the Boylston. Efficiency and presumed lower pricing of micro-apartments may attract certain tenants, but many of these tenants may not remain for the long term.

A concern that has surfaced in other similar discussion is whether the building might end up being dominated by graduate students. If so, the building would feel uncomfortably close to the original concept of a residence hall.

Plans for Retail. The proponent mentioned that some of the retail spaces would be of the smaller sort suitable for local businesses.

Provision for Parking. There was some discussion of the fact that a small group of tenants will almost certainly have to have cars and hence need parking. The idea of contracting for something on the order of 20 spaces in one of the nearby garages emerged as a potential solution. (Residents of the building will not be eligible of neighborhood parking permits.)

AirBNB. This use will be forbidden in the leases, and the electronic key-fob system planned for the main entrance should make policing the matter fairly easy.

Summation

As outlined above, there has been substantial progress on a broad set of issue related to this 1252-1270 Boylston Street and the other two buildings. It would be very helpful to have further information about the size and operation of the building. Overall, the Boylston, within its new context, should be a very positive addition to the city.



Tim Czerwienski <tim.czerwienski@boston.gov>

One More Comment about 1252–1270 Boylston Street

ERIC DANIEL

Fri, Nov 8, 2019 at 2:54 PM

Reply-To: ERIC DANIEL

To: Tim Czerwienski <tim.czerwienski@boston.gov>

Tim—

Andrew mentioned the idea of having some smaller retail spaces with local businesses being in mind as tenants. I really like the idea.

One of my favorite stories about retail centers around Bob Slate Stationer in Harvard Square. A former customer and woman with a head for business, Laura Donohue bought the name and successfully reopened Bob Slate Stationer in Harvard Square, about 8 years ago.

Erich <https://www.thecrimson.com/article/2011/9/1/store-donohue-slate-new/>

I am confident that there will be people who can sense an unmet need and run a successful small business on Boylston Street.

Thanks.

Eric

Eric Daniel
221 Massachusetts Ave. #317
Boston, MA 02115-3519



Tim Czerwienski <tim.czerwienski@boston.gov>

Scape comments

Fredericka Veikley

Thu, Nov 21, 2019 at 6:13 PM

To: Tim Czerwienski <tim.czerwienski@boston.gov>

November 21, 2019

Mr. Tim Czerwienski

Project Manager

Boston Planning and Development Agency

One City Hall Square

Boston, MA 02201

Re: Scape [1252-1270 Boylston Street](#)

Dear Mr. Czerwienski,

I am writing as an IAG member and a longtime resident regarding Scape's revised proposal to the BPDA to construct a 477 open market residential housing units at 1252-1270 Boylston Street as further described in the October 7 DPIR. The change in concept from student dorm to market housing is a welcome undertaking. I and others are grateful for the extensive adjustments to the original plan. As stated in the DPIR cover letter, the focus of the project is now addressing the need for housing for existing area employees and the thousands of new employees who will be filling the jobs created by new commercial development in the Fenway.

As a result of the discussions at two public meetings on November 6 and 7, some further questions were raised, comments made, and modifications to the proposal were articulated.

In terms of the urban design, although the reduced height, FAR and increased set-back have reduced the envelope of the building, it does not conform to Article 66 zoning. Rather, it approximates the dimensions offered to nearby developers who were given PDA status by the BPDA. Although the proponent has stated he will not seek a PDA, he has stated he will seek relief to Article 66 zoning to attain these revised dimension.

Given the fact that there seems to be widespread support for a "PDA-like" structure, I strongly urge the BPDA to likewise apply the IDP standards – that of 80 – 120% AMI, to the affordable units provided by this development. When Fenway zoning was created, this was the income range that everyone agreed was needed for the new affordable housing along Boylston Street. The types of jobs coming on line in the Fenway tend to be more skilled, technical jobs that command a higher salary than City-wide average. If the intent is to provide housing for live-work residents, then the units need to address the affordability gap for these higher salaried employees. As is frequently stated, there is a huge affordability disparity in the Fenway between market based upper income housing and the subsidized housing units that fall under the City of Boston's AMI. There are many examples of both extremes in the Fenway. What is missing is the middle class housing that reflects the middle income of the people filling these more highly skilled jobs. **Please don't waste this opportunity to enact the intent of Article 66 zoning, which seeks to create income-appropriate middle class housing in the very place where the jobs are.**

In terms of unit size, there is a too-large imbalance of studio units (75%) to the one and two bedroom units in the proposed plan. As I and others requested, there needs to be an increase in the number of one and two bedroom units and a reduction in the number of studio units. For approximation, the ideal ratio of studios to one, two, and three bedroom units would be 1/3rd. Although a larger ratio of studios might be appropriate in the Fenway neighborhood, I do not believe it should exceed 50%. Some of the commenters took issue with the fact that the Beacon Street housing plan is for larger family sized units, while the

Boylston Street plan is predominantly studios. The re-balancing of unit size on Boylston Street should look toward re-allocating some of those larger Beacon Street units to the Fenway.

The issue of college students being able to occupy the proposed market housing was discussed. Although the proponent stated it was not the intent to lease to students, commenters at the public meetings wanted assurances that there would be no student housing allowed. If in conformity to the other Boylston Street residential development practices, as the proponent expressed would happen, we need specific clarification of how that "no student" policy is to be achieved.

Regarding the location of IDP units provided by [1252 Boylston](#) and the other SCAPE parcels on Beacon and Charlesgate, I do not have a strong opinion whether consolidating all the units at [2 Charlesgate](#) or spreading them out among each of the three parcels is preferable. There are cases to be made for both scenarios. If consolidated, the number of units would be greater. Convention usually places them within the enabling project. For some, the Charlesgate location might offer a more residential feeling than the dense urban corridor along Boylston Street. In either case, I urge that the number of affordable units designated as studios not be the greatest proportion, and that there are ample couple and family sized units created.

In terms of parking, I understand that projects can thrive without off street parking. Yet if the intent of SCAPE development is to provide live work space to middle class non-students, there is often the need for one of a two or more person household to own a car. This is especially true of young professionals, where one of the people works outside the City or requires a car for their job. I would like to see some specific parking spaces identified that would fill this need. A small number of identified parking spaces should be available, especially related to certain of the larger units.

In terms of public realm impacts, the sheer addition of the hundreds of new residents just a half block from the Emerald Necklace parks who will use the parks for enjoyment and recreation invites the need for mitigation targeted to our public open space and the structures that support it. Because the project also creates additional shadow on the Victory Gardens portion of the Back Bay Fens, am pleased that SCAPE is willing to discuss ways to contribute to the care, maintenance, and oversight of the Back Bay Fens and the Emerald Necklace Park system. I would advocate for contributions to be made to park entities, and a special consideration for funds to support the Boston Park Rangers Mounted Unit via the Friends organization that was formed in 2009 to address the needs of this specialized unit that patrols the Emerald Necklace Parks.

I am also pleased that SCAPE is engaged with our Fenway Community Center and will help support this valuable resource for their new residents and the vast spectrum of people who enjoy the benefits of this great community resource.

Thank you for the opportunity to comment.

Fredericka Veikley

West Fenway resident

Tim Czerwienski
Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201

November 22, 2019

Dear Mr. Czerwienski:

There are several changes from the original EPNF that I believe are positive developments for the Scape project proposed for 1252-1270 Boylston Street, with a few lingering concerns.

The most obvious is the pivot away from the dorm model to apartments. There is a critical need for affordable housing (in the colloquial sense) for working professionals, as well as IDP/Affordable housing, and I believe this project has the potential to provide both (although I believe there is still room for more conversations regarding the mix of IDP unit size).

I also appreciate the dedication to the theater space – its expansion since the EPNF, and the discussions about maximizing physical and programmatic versatility. It is understandable that it may not be a replication of the Machine, but I believe there is a wider variety of stakeholders than what has been engaged in regards to the LGBTQ-centric space proposed, a wider range in age and experience, and I encourage Scape to expand their reach when having these conversations with potential operators.

One of my remaining concerns is that this project will become de facto undergraduate housing without a concrete policy in place. We know there are students skirting no-student policies by having a parent sign a lease (see previous comment period for an example). An enforceable policy may also address the issue of transience in the neighborhood and encourage renters to think about living here long-term.

Another point about community involvement: Given the integration of 2 Charlesgate and 819 Beacon into the DPIR for 1252-1270 Boylston, it is now more difficult to isolate the Boylston Street project from the rest, but in many ways the context leads me to insist on community oriented spaces (especially those geared towards kids and seniors) and resident policies that encourage community participation (I had suggested something as simple as including voter registration forms in tenant move-in packets at the last IAG meeting). Fenway has long been known as a transient neighborhood due to the number of students and medical professionals, but if the project is no longer geared toward students, there is an opportunity for new residents to shape the neighborhood culture in the long-term by engaging with existing area residents, programs, and organizations. As the owner and operator of the buildings, Scape has the potential to play an influential role in this arena.

Given the proximity of the site (as well as the proposed site at 2 Charlesgate) to the Fenway Victory Gardens, there is also an opportunity to expand community benefits to the area parks that will undoubtedly see more foot traffic through the area. I believe Scape should make a formal, multi-year commitment to support these outdoor spaces.

With further refinements and commitments to the immediate surrounding community, I'd be inclined to support this project.

Sincerely,
Sonya Bhabhalia

Impact Advisory Group
1252-1270 Boylston Street
November 22, 2019

Dear Mr. Czerwienski

As a resident of the Fenway, and member of the Impact Advisory Group (IAG), I attended the Public Meeting and IAG Meeting on November 6th and November 7th, respectively. As with the meetings earlier this year, I listened carefully to the public's feedback and tried to take those concerns into account when writing this comment letter. I am glad to hear of the transition away from dorms, elimination of on-site parking, and the expansion of the theater space. As I mentioned during the IAG Meeting, I did not feel the meetings were inclusive of all members of the LGBTQ+ community, particularly young people. To help address this, I coordinated a listening session with Scape North America (the Proponent) and several local LGBTQ+ groups so that further face to face feedback could be provided. The Proponent has indicated they are open to further meetings so they can further learn how to make the space welcoming for all. Additionally, I have reviewed the Draft Project Impact Report (DPIR) submitted by the Proponent. I hope and expect that, if built, the Proponent's development will prove to be an inclusive and equitable addition to the neighborhood. My comments below reflect a number of issues that require careful consideration, given the potential impact of the project.

Affordability & Mix

While the Proponent stated that the studios will begin at \$1,500 including utilities, I am worried that prices will quickly escalate. As the Proponent is aware, as it was likely part of their investment thesis, this location is one of the most expensive in the country for rentals. If long term residents are truly being encouraged, some sort of annual increase cap should be considered. Without protections such as an annual cap, I fail to understand how the Proponent's goal of attracting residents such as seniors who will "age in place" can be achieved.

As mentioned by several IAG members, the mix of the units should be further studied and reviewed. One or two bedroom units may be more accommodating to couples and long term residents than studio units. Also, as this is a new market vertical for the Proponent (i.e. non-student housing), I would appreciate further detail regarding how they will market the space to encourage long term residents.

I am confident that the Proponent will be able to make reasonable modifications and still meet their long term financial goals.

LGBTQ+ Community Impact

As I mentioned in my previous letter, 1252-1270 Boylston St has been a nexus of the LGBTQ+ community for decades. While I am pleased to see the expansion of the theater and the beginnings of a shared community space, I feel further improvements are needed to fully accommodate the community's needs. I am glad that the Proponent has been open to hearing from young adults and hope this will continue on a regular basis during the design and build-out phases. Several opportunities to ensure the space becomes, and remains, inclusive, safe, and sustainable were highlighted during the listening session on November 21st.

LGBTQ+ Community Impact: Inclusivity

A key concern of LGBTQ+ community members who attended the listening session was that the space remains as inclusive as it is today, if not more. In terms of Inclusivity, I will focus on the themes of Affordability, Programming, and the Community Center.

1. **Affordability:** As mentioned during the listening session, the site must remain affordable for LGBTQ+ persons, particularly young adults. Discounted theater tickets and reduced “club night” admissions could be one way to achieve this goal. To reduce the risk of disenfranchising non-university students, it would be best if these were general (e.g. under 25 years old) rather than solely “student” discounts.
2. **Programming:** It is imperative that the theater and lower level lobby space be thoughtfully designed, multiuse, and programmed in order to maximize the benefit to as many community members as possible. Needs that were identified during the listening session included club nights, 18+ events, drag events (especially opportunities for drag queens that are just starting out), LGBTQ+ proms/ dances, karaoke, open mic nights, space to highlight artists, and dry events. To achieve these goals, the Proponent should consider developing and incorporating a “Bill of Rights” into the long term lease to ensure the theater operator strikes an equitable balance between their needs and those of the larger LGBTQ+ community.
3. **Community Center:** While Boston has many LGBTQ+ groups, and numerous neighborhood-oriented community centers, it does not in fact have a flagship LGBTQ+ Community Center. The Proponent’s development presents a rare opportunity to fill this gap. I ask the Proponent to investigate making the “Theater Community Space” larger and independent of the rest of the space on Level B2. Providing an entrance that does not require passage through the “Green Room” could help ensure the space does not become merely a theater storage room of sorts. Also, if it is independently run and programmed, it could focus on needs that go beyond theater and entertainment. Examples identified during the listening session include quiet rooms, drop-in therapy, LGBTQ+ library, safe sex supplies and workshops, and just a general space that is open to all community members to hold meetings or gather during the day and evening hours. With Fenway Health, mere blocks away, this Community Center could be an additional anchor for the neighborhood, and city.

LGBTQ+ Community Impact: Safety

The extensive changes on Boylston St over the years have left many LGBTQ+ youth feeling like the neighborhood is no longer a place they belong. Some of this can be mitigated through design.

1. The Proponent should ensure that the sidewalks remain safe. This could be improved by ensuring crowds will not have to wait outside for long periods of time prior to events. To reduce the potential for conflict, neighboring retail or restaurant entryways should also be located at a reasonable distance from the theater entrance. As mentioned during the IAG Meeting, enlarging the lobby could be one way to speed entry. Also, making the lower portion of the lobby windows opaque would help to limit the “fishbowl effect” of having passerby stare at those who are waiting to gain entry to the lower level.

2. As mentioned during the listening session, gender neutral restrooms will be a vital component of the theater level. This could be achieved by having individual stalls with floor to ceiling doors and a common area with sinks, as is common in European venues.

LGBTQ+ Community Impact: Financial Sustainability

During the listening session, the Proponent's CEO mentioned that they could work with their charitable network to help get the theater and Community Center up and running. I truly hope this comes to fruition. Contributing to the build-out costs and/or the groups' endowments would greatly help long term sustainability. It is also important to codify the 99-year \$1/year lease that was mentioned during the IAG Meeting. If they are properly funded, the theater and Community Center will be able to promote financial stability in the neighborhood by providing jobs that pay a living wage.

Transportation

I am glad that the on-site parking has been eliminated. I am also glad to see that some street parking has been removed in favor of a larger pick up/ drop off zone. I have the following questions related to transportation:

1. The Proponent's proposal states that, "Residents will be prohibited from obtaining Fenway resident parking permits." I would like further details from the Proponent and the city regarding how the resident permit ban will be implemented and enforced.
2. I am encouraged by the Proponent's plans for bike storage. It remains important that these areas are easy to access as a cumbersome process might limit their usage, rendering the space wasted.
3. Will any of the remaining parking spaces in front of the building be handicapped accessible?
4. Will the Proponent seek parking agreements with neighboring buildings? If so, has this been taken into account in the traffic studies?

Environment: LEED

While the site's score has increased from 50 to 52, there is much room for improvement. The site's urban location offers numerous potential points that are still on the table. Given the Proponent's experience and the site's potential profitability, I would like more information as to why the Proponent is not targeting a minimum of LEED Gold and stretching for Platinum. Since the Proponent indicated they are going to include utilities in rent, it is in their interest to ensure the site is as efficient as possible.

Environment: Electrification

The City of Brookline just voted to ban natural gas pipelines for new buildings, and Berkeley, CA did so earlier this year. While Boston has not taken this step, we do have a goal of being carbon neutral by

Impact Advisory Group
1252-1270 Boylston Street
November 22, 2019

2050. If we are to achieve our collective goals, it is imperative that new buildings such as the Proponent's are leaders in this space. The Proponent indicated that they "will review the ability to change out the gas boiler system to electric in the future with the electrical utility. The boiler plant will be designed to allow a relatively easy exchange from gas to electric." I ask for a commitment by the Proponent to compile a financial assessment of when this switch will become feasible for the building and to commit to switching on such date.

Environment: Solar PV

The Proponent states in the DPIR that "The Project will be designed to structurally support future rooftop solar PV. The Project will consider the electrical infrastructure to allow potential future integration of solar PV into the building electrical system if it becomes financially feasible, or solar ready." As with electrification, I ask for a commitment by the Proponent to compile a financial assessment of when this switch will become feasible for the building and to commit to switch.

Environment: Graywater Reuse

The project does not address graywater, a major opportunity for earning LEED points. I would like the Proponent to study the use of condensate, washer water and other sources of non-potable water for reuse in the building for irrigation and toilet flushing.

Environment: Solar Glare – Reflection & Thermal Impacts

The Proponent states in the DPIR that "The Project will have no thermal impacts" which is a change from the EPNF that indicated "low" thermal impact on abutting buildings. This is important, and any design changes should take this into account, as residents near other developments on Boylston (e.g. behind The Viridian) are suffering severe thermal impacts.

Thank you for your attention to these concerns.

Sincerely,

Ryan Hatcher

Impact Advisory Group Member

CC: william.brownsberger@masenate.gov, jon.santiago@mahouse.gov, josh.zakim@boston.gov, michelle.wu@boston.gov,

Tim Czerwienski
Project Manager BPDA
One City Hall Square
Boston, MA 02201

Re: Scape 1252 – 1270 Boylston Street

11/25/2019

Dear Mr. Czerwienski,

When named as member of the AIG for this project I took on the responsibility with a heavy heart and a deep belief that the project as proposed (an offsite non-affiliated dormitory) would put an end to the viability and enforceability of Article 66 after only 16 years since its adoption by the City. I am very much relieved and pleased that the proponent has changed their model to one that respects one of the major goals of the Fenway rezoning. (Namely that dorms should only be built on institutional campuses and such arrangements are really apart of the IMP process).

I am attaching the Fenway Civic comment letter as this is our consensus document and there is no reason to reiterate those comments to you or have you read them twice. I would like to offer a few comments of my own. My biggest concern is that the proposed project at 1252 – 1270 Boylston approaches PDA levels of height and density. PDA's in article 66, were after intense discussion by all involved in the rezoning, purposefully limited the number of PDA's that were allowed to two and as added protection a sunset provision was also inserted so there could be no doubt that the panels intent was that PDA height and density would only be awarded to the 2 developers that took the risk to build immediately in a newly created development opportunity zone. Attached to those PDA's was also the requirement that affordable units in those developments be offered to those in the 80-120% AMI range. Unfortunately when the PDAs were developed most of the DIP that was created went out in the form of payments that went to other neighborhoods and little to none (not sure where any was created but...) of the specifically denoted, planned and wanted 80-120% AMI affordable housing was created. The goal of this housing was to create at least a small anchor group of middle income families in the neighborhood.

The project as proposed is encroaching on PDA like height and density and as such should have to conform to the PDA rules listed in Article 66. Namely that affordable units in the 80-120% AMI be created. In looking at the proposal and after discussions with the developer it seems that such housing could finally be created in the one and two bedroom units at the 2 Charlesgate West location and fulfill all the goals that PDA's were supposed to provide to the neighborhood. I realize that City and DND may not agree with the Article 66 PDA zoning goals as written and demanded by the community and in fact has purposefully allowed funds to be paid out and drained to other neighborhoods affordability project in order to avoid creating the units in the PDA's that are meant to serve and help maintain a critical mass of middle class families in the Fenway. I respectfully ask that a thoughtful reading of Article 66 be undertaken by the BPDA and DND in regards to PDA AMI in the Fenway. PDA's in Article 66 have already done most of what they were designed to do. Namely jump start development in the Fenway. It was never and it is still not the goal to have more buildings of that height and density. However if such height and density is going to be afforded to Scape then the law as codified in Article 66

should be enforced and the Fenway should finally get some of the 80-120% AMI housing as found in Article 66.

As to ongoing IAG roles spanning 3 parcels I think the existing IAG mix would need more representation from the Audubon Circle area. I would be willing to serve or to step aside in order to make room for others on an expanded IAG.

Thanks for your time and the opportunity to comment.

Sincerely,

Tim Horn, President
Fenway Civic Association

November 22, 2019

Tim Czerwienski
Project Manager
Boston Planning & Development Agency
One City hall Square
Boston, MA 02201

Re: Scape 1252-1270 Boylston Street

Dear Tim,

As a member of the Impact Advisory Group for the proposed project at 1252-1270 Boylston Street, I am struck by how responsive the proponent has been to neighborhood concerns. Having served in a similar capacity on other projects, I have not seen a more engaged, thorough and truly decent development team. Scape has distinguished themselves very well as they returned to the community after their scoping determination with a DPIR that fully responded to the issues raised at the beginning of the public process.

I am in full support for the proposed project and look forward to working with Scape in the future as they continue to grow in the Fenway.

Sincerely,

A handwritten signature in cursive script that reads "Pam Beale".

Pam Beale

177 Huntington Avenue - Floor 24
Boston, MA 02115
Telephone: 617.266.8860
www.theabbeygroup.com

November 18, 2019

**Brian Golden, Director
Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, MA 02201**

Re: 1252 -1270 Boylston Street, Fenway

Dear Director Golden,

As a follow up to our May 7, 2019 letter, we are writing to express our outstanding concerns about the Scape proposal for 1252-1270 Boylston Street which is adjacent to The Viridian. While we support development on the site and have appreciated Scape's open dialogue with us and willingness to address a number of issues that we and the community share, the following concerns remain:

1. **Loading and ground floor plane design:** At the present time, Scape is proposing furnished units; however, if the plans were to change to unfurnished units, now or in the future, the current loading accommodations and ground floor plane design would not accommodate the move in and move out of the proposed 477 units. We respectfully request that this be addressed in the final plans before they are approved so as to not have a negative, detrimental impact on the surrounding area traffic and congestion during resident transitions.
2. **Unit Mix:** The proposed unit mix is heavily weighted towards studios (80%) and 1 bedroom units (10%) which is not in keeping with the neighborhood's desire to promote long term community residents and offer housing product that encourages and accommodates families. The neighborhood has worked hard to develop a balanced community population and the proposed unit mix does not contribute to this trend.

With our long-term track record of commitment to the Fenway neighborhood, we respectfully submit these remaining concerns for your consideration. Adhering to a well thought out vision and due to a mindful collaboration between developers and the community, the Fenway has made great strides in recent years. We urge you to reflect on how to make certain that this proposal for development at 1252-1270 Boylston Street continues to enhance, not detract, from the character of the area that many have worked so hard to create.

Sincerely,



**David Epstein
Chief Operating Officer and Founding Partner
The Abbey Group**

Saint Cecilia's

H O U S E

Thursday, November 21, 2019

Tim Czerwienski
Project Manager
Boston Planning and Development Agency
One City Hall Square, 9th floor
Boston, MA 02201

RE: 1252 Boylston Street

Dear Mr. Czerwienski:

On behalf of the Boards of St. Cecilia House and Robert McBride House (SCH/RMH), thank you for the opportunity to comment on the proposed project. While we are still studying its full impact, our initial concerns are twofold: first, the health, safety, and well-being of our senior and disabled residents during and after the construction period, and second, the impact construction may have on the integrity of our physical plant.

As the vast majority of our residents walk to services and vendors, we request that the proponent ensure safe sidewalks to public transportation, markets, and other neighborhood amenities. If necessary, we encourage the proponent to seek alternative transportation methods for our residents. Because of the significant disruption that the project will cause, we ask the proponent to provide off site entertainment vouchers and opportunities during the demolition and construction period.

We ask that the proponent provide a preconstruction survey of our physical plant and employ an independent third party engineer to monitor the impacts on the plant during construction. Given the extensive nature of the construction, we ask that the proponent provide funding to clean the windows and air conditioning units during and after the construction period.

This letter is solely intended as our preliminary comments to the project as we understand it. As the project approval process continues, we look forward to working in good faith with the City of Boston and the proponent to ensure the development is responsive to the community's needs and concerns.

108 Kilmarnock Street | Boston, MA 02215 | T 617-536-3658 | F 617-236-6436 | MA Relay #711

Equal Housing Opportunity

Managed by Maloney Properties, Inc. 781-943-0200

Sincerely,



Edward J. DeMers

President, Board of Directors, Saint Cecilia House and Robert McBride House

Cc: Board of Directors, St. Cecilia House
Board of Directors, Robert McBride House

108 Kilmarnock Street | Boston, MA 02215 | T 617-536-3658 | F 617-236-6436 | MA Relay #711

Equal Housing Opportunity

Managed by Maloney Properties, Inc. 781-943-0200



Mr. Tim Czerwienski
Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

Re: Scape - 1260 Boylston Project

Dear Mr. Czerwienski,

I have served as the Headmaster of the Boston Arts Academy for seven years, and as an educator here since its inception. As you know we are building our brand new, state of the art building on Ipswich Street in the Fenway neighborhood. In all of our time in the neighborhood, our students have felt embraced and supported by the larger Fenway community making it a special place for us to do the work of nurturing their gifts.

Standing with us in that work is our new neighbor Scape. Over a year and a half ago, Scape approached us to ask how they could engage in supporting the Boston Arts Academy. They recognize that the center of gravity for performing and visual arts is shifting to the Fenway and they want to be a part of nurturing the next generation of talent in a neighborhood they intend to be a part of for the next fifty years. Since their original project notification, through the public process, to Scape's DPIR, they have clearly listened to neighborhood concerns and have enhanced their proposal. We are pleased to affirm our support for it.

One of the unique aspects of the Boston Arts Academy is the number of students that identify as LGBTQIA+. When they come through the doors of their school they are in an inclusive, safe and loving place where they can be who they are. One of the unique amenities that Scape proposed is a black box theater dedicated to LGBTQIA+ content and production. To hear that the theater has been expanded in the DPIR and broader programming is now proposed is heartening. Boston remains in need of theater space in general, but to have a theater dedicated to LGBTQIA+ content is very affirming to us.

Sincerely,

A handwritten signature in black ink that reads "Anne R. Clark". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Anne R. Clark
Headmaster

Tim Czerwienski, Project Manager
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201

Re: 1252-1270 Boylston Street / SCAPE

November 22, 2019

Dear Tim:

I am writing as a long-term Fenway resident to comment on the Draft Project Impact Report for 1252-1270 Boylston Street (the Project) by SCAPE, Boylston, LLC (the Proponent), and the preliminary programming planned for its additional two parcels. I attended early public meetings and have read notes from the last public meeting on November 6th, 2019, as well as met with the Proponent to discuss the Project.

I appreciate the Proponent's responsiveness to the community's staunch opposition to dormitory use and the work undertaken to transform its model to better reflect the wishes of the neighborhood and adhere to zoned use. The Project now proposes 477 residential units, committing affordable housing offsite at its Two Charlesgate West Property, which itself is proposed to be 100% affordable. I believe this has resulted in a greatly improved project. However, significant issues with the project remain:

Unit typology:

According to meeting notes, the proposed project is comprised of 75% studios, **more than 357 units of a 477 unit building**. When explaining the housing mix, the Proponent cited floorplate restrictions, yet it is clear that balanced housing mixes have been successfully and profitably realized at locations of similar depth at The Viridian and The Harlo. A better balance of one bedroom and larger units have been proposed for The Beacon. If the Proponent is serious in presenting a project responsive to the community's opposition to dormitory use and filling a need for housing, it must reflect a healthier housing balance between unit types. Housing type drives use, and a project that offers more than 50% of its units in the form of 300 square foot furnished studios will not attract the long term, family friendly housing that this neighborhood seeks. I request that a significant reworking of housing type occur for the Project, reflecting a balanced 1/3:1/3:1/3 mix between studios, 1 bedroom, and 2 bedroom units. A healthy mix of compact studios with one and two bedroom units will help assure long term residential use for the Project and its neighbors.

Housing use:

The Proponent has heard the community's opposition to the use of this parcel for dormitories. We have requested assurance that a revised project be accompanied by a commitment that this use would not be informally replicated through the creation of 'dormitory-like' housing coupled with an absence of enforcement. The community has created zoning and worked with institutions and the City to advance responsible Institutional Master Planning throughout the Fenway focused on the creation of on-campus housing, coupled with commitments regarding institutional growth. These plans have served the community and its institutions, but must be accompanied by consistent policy and responsible development. **If the Proponent and the BPDA asserts that this Project reflects the community's feedback and concerns, it must include**

commitments to prohibit undergraduate leasing, master leasing, subletting, corporate rentals, and AirBnB use.

Affordability:

While the Project is a vast improvement over its initial filing, it assumes zoning and FAR similar to that of Planned Development Areas (PDAs), which were defined in Article 66 to be both limited and sunsetted. Such PDAs were designed in our zoning to be accompanied specifically with housing affordability at the 80-120% AMI: “Affordable Housing, as defined in Section 66-47.1, in an amount equivalent to no less than twenty percent (20%) of the Dwelling Units included within the Proposed Project, with the appropriate on-site proportion of such Affordable Housing (which shall in no event be less than fifty percent (50%)) to be determined through the Article 80 Large Project Review process...”

Section 66-47.1 further defines affordability: ” Housing, Affordable, housing affordable to households earning between eighty percent (80%) and one hundred twenty percent (120%) of the Boston Metropolitan Statistical Area median income, allocated in such proportion within this range as is determined during Article 80 Large or Small Project Review.”

Despite the firm intent of the framers of Article 66 to peg affordability at the 80-120% AMI level through the generation of new housing units in the Fenway, the City and the BPDA have exhibited an unwillingness to apply these specified standards in our neighborhood. Citing a strict interpretation of Article 80, they have instead chosen to apply a much lower city-wide IDP that does not address the specific needs of the Fenway. Since the City and BPDA have previously shown an arbitrary flexibility to be possible in the interpretation of Article 80 – most notably when it took non-conforming actions that prematurely sent Fenway-generated affordable units offsite for an urban renewal project – we should expect a similar flexibility is possible to enable the application of the Fenway’s affordability standards in the SCAPE project.

The Project offers an opportunity to recapture this lost housing, which has been identified as needed and which is starkly missing to the detriment of families and working people. **I request the BPDA and the Proponent to work to create housing at the 80-120% AMI level in its affordable component to return these units to the neighborhood from which they were taken.**

Impacts and mitigation:

The Project, while reduced in height, exceeds zoned height allowance and casts shadows onto the Back Bay Fens. The Fens and city parkland are heavily impacted by development and require significant investment to control flooding, restore the Muddy River, and assure access and safety for its users. Further work to minimize shadow is recommended with work with the City to support parkland that will be used by Project residents.

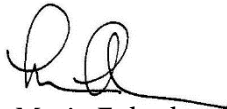
The Project also proposes to bring 1,357 units of housing to the Fenway between its three parcels. Support to the Fenway Community Center would be a fitting community benefit as the center’s funding has no stable long-term assurance yet has been realized through previous BPDA benefits as a community resource for a neighborhood with no other community center.

The Proponent has described having the community work together to determine the type of housing realized in its Two Charlesgate West site, a novel proposal to allow community input on delivery of affordable units for the neighborhood. It has further indicated flexibility in removing

institutional use from that parcel. I believe that the current IAG should be involved in ongoing filings for this site and for 819 Beacon given the interplay of impacts and mitigation, as well as an understanding of the collective impacts of the three projects. This type of IAG has been employed for air rights developments in the Fenway and would be appropriate for review of Scape Boylston, LLCs combined properties.

Thank you for this opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marie Fukuda', with a long horizontal flourish extending to the right.

Marie Fukuda
120 Norway Street #14
Boston, MA 02115

CC: Councilor Josh Zakim
Councilor Kim Janey
Councilor Michelle Wu
Councilor Anissa Essaibi-George
Councilor Althea Garrison
Shanice Pimentel, Office of Neighborhood Services



Tim Czerwienski <tim.czerwienski@boston.gov>

Scape 1252-1270 Public Comment

Andrew Proctor

To: tim.czerwienski@boston.gov

Thu, Nov 21, 2019 at 10:21 AM

Hello Mr. Czerwienski,

Please see below for my public comment on the Scape 1252-1270 Boylston Project

I write this letter to express my full support of the Scape project at [1252-1270 Boylston Street](#). My support comes as I truly feel this project will provide much needed housing to many, especially young working professionals who desire to live in the Fenway neighborhood. Scape has stated this property will have a majority of Studio units at a price point that is very manageable (and one that includes utilities). As a recent (May, 2019) Northeastern grad – this is exactly what I am looking for. At present in Fenway, and many other neighborhoods around Boston, living in a building similar to the one Scape has proposed would be impossible due to high rent costs, long waiting lists, and a lack of stock that would be of benefit for myself. I appreciate the sentiment expressed by the Scape team during the public hearing around ensuring those who occupy the building are contributing to the Boston economy, in terms of working in the neighborhood and exploring the neighborhood. This is not a building I would need to wait for fifteen years before moving in to, rather it is one I could move in to as soon as constructed. I believe living in this building would improve my quality of life, and the lives of all future occupants!

Additionally, I find the building structure itself to be very beautiful – an INCREDIBLE improvement from what is presently occupying this parcel of land. The developers have taken into account how pedestrians, bikers, drivers, and those using Uber & Lyft will interact with this area & their proposal is very well thought out and suited to area. Again, a huge improvement over what is presently occupying the parcel!

Scape's [1252-1270 Boylston Street](#) proposal solves a problem, does so in a competent way, and is a place I desire to live. It will simply make the Fenway neighborhood a better place.

My only concern, and this comes after attending the Public Hearing and hearing from those in the audience, revolves around excluding a group of people from this building – in particular, undergraduate students. I would ask the BPDA ensure that no *exclusionary leasing practices* must be put in place to have this project approved.

Please let me know of anything additional I may provide.

Thank you!!
Andrew



Tim Czerwienski <tim.czerwienski@boston.gov>

Scape Boylston St.

john bookston

Fri, Nov 22, 2019 at 12:20 PM

To: Tim Czerwienski <tim.czerwienski@boston.gov>

Cc: Josh Zakim <Josh.Zakim@boston.gov>, Sheila Dillon <sheila.dillon@boston.gov>

Tim,

As a trustee of a condo association across the street from Berklee, I can tell you that a few undergraduate residents spoil it can for everyone else. The crazy hours, drinking, number of friends, music, lack of maturity ... significantly disrupt the schedule for working people. We had to vote to ban undergraduates residents.

Unless Scape bans undergraduates, once a critical mass of undergraduates take residence, the building will become a dorm.

A dorm by any other name ...

John Bookston

[185 Massachusetts Ave](#)

[Boston, MA 02115](#)



Tim Czerwienski <tim.czerwienski@boston.gov>

Comments on proposed project at 1252 - 1270 Boylston St.

Leslie

Fri, Nov 22, 2019 at 5:37 PM

To: "tim.czerwienski@boston.gov" <tim.czerwienski@boston.gov>

Tim,
Please see my comments below.
Leslie Pond
Fenway resident

Comments on proposed project at 1252 - 1270 Boylston St.

Opinion: OPPOSE

The proponents have insufficiently addressed the community's concerns in their revised project proposal.

For further consideration, the proponents must:

- Conduct additional focus groups that include residents in buildings directly across the alley who are most likely to be negatively impacted by their proposed project. These residents stated at the public meeting on November 6 that they were not included in focus groups. Therefore, although the proponents stated at the public meeting that they are "acting in good faith", this does not appear to have been the case. A related example is the proposed digital billboard wrapping around to the side of the building facing Park Drive - surely the proponents must have known that the light from such a large billboard would not be welcome to residents in nearby buildings, so why include it in the proposal?
- Provide for public review a mock-up of the proposed 300-sq-ft studio apartments (as discussed at the public meeting), description of common spaces and amenities in the building that compensate for the smaller size, and research on the pros and cons of various size apartments ranging from 300-sq-ft to 500-sq-ft for occupants and for communities. Are furnished micro-apartments a good long-term solution, or just a short-term fix with unintended consequences? Engage the community (all who wish to participate) in deciding on the appropriate balance of micro-apartments (furnished vs unfurnished) and family-sized units to ensure a thriving, civically-engaged community.
- Eliminate alternatives that involve zoning variances: the Fenway neighborhood is being overdeveloped, with a jumble of large buildings, and it is imperative that massing conform to existing zoning ordinances, which were put in place based on a robust community process.
- Include consideration of the impact of this project together with the multitude of other projects in the Fenway, including a traffic study with continual outdoor air quality monitoring along Boylston St, especially given the anticipated large increase in net new daily vehicle trips to 298 for the preferred alternative. How will the proposed project affect congestion and outdoor air quality, and how will proponents mitigate the impacts on health and quality of life?
- Include affordable housing for families on-site at 1252 - 1270 Boylston St, not pushing off affordable housing to a theoretical project for which there is no proposal under review.
- Guarantee that units will not be rented to undergraduate students, based on the principle that universities must be responsible for providing on-campus dorms and apartments for their students and not encroach on the neighborhood in order to expand enrollment.
- Provide community benefits beyond the Black Box Theater, including substantial funds to our neighborhood groups, which rely entirely on hard-working resident volunteers, to account for the anticipated impacts of more than 500 additional residents and more traffic in the Fenway.
- Proactively ensure that the building will meet next-generation building standards, such as LEED Zero, and is fossil-fuel free. In order to support Boston in reaching its goal of carbon neutrality by 2050 and manage hazards (e.g., heat, stormwater) due to climate change, this project must go beyond meeting the minimum LEED Silver standards and maximize energy efficiency by immediately including all appropriate sustainability measures (e.g., solar; green infrastructure - green roofs/walls/planters, permeable pavers in place of the proposed concrete components; heat pumps; induction stoves; etc) to eliminate the need for expensive retrofits in the near future. Also, ensure that building materials and practices (e.g., modes of transportation for workers and materials) are sustainable.

Comment: Created Date	First Name	Last Name	Organization	Zip	Opinion	Comments
11/22/2019	Eve	Alpern		02131	Oppose	I support this project overall BUT as a longtime resident, theatergoer, and queer community member, I have been shocked that the city of Boston has been unable to install an LGBTQ community center. It sounds like this building is the closest our community will have to such a thing. I want to know WHY the developer has placed the ?community room? at the back of a basement? With a working theater, this will obviously have to be used for actors (because there isn?t enough space backstage otherwise) or dressing rooms during shows. Do they think we can?t see through this scam of calling a dressing room a community space? This will limit the use of the ?community room? to times only when there ISN?T a show happening. Why not move the community room closer to the front of the building? Or to the ground level? Then it won?t be shoved into the dark corner and will be more accessible for the community to actually use?? You can?t take away dressing room space or the theater will not be functional SO this might mean giving up more square footage from parking or retail footage. BUT isn?t an LGBTQ community center space more important than parking spaces or corporate interests?!!
11/22/2019	Brenda	Morris		02215	Oppose	Love the project but c'mon, move the community space to the ground floor. This looks like the LGBTQ community is a dirty secret Fenway is trying to keep in the dungeon---not unlike the old days-- while shiny corporations get prime real estate. Shameful.

Comment: Created Date	First Name	Last Name	Organization	Zip	Opinion	Comments
11/22/2019	Kristen	Berg	The Queer Activist Collective	02446	Support	I think that having an LGBTQ+ community center is so crucial. The city does not have anything like that. It is important that the zones be well-defined, and that the scheduling work out in the blue zone because both night-life and shows tend to be most popular around the same time (weekend nights). I also think that the safe space (lilac room) should be in the back, and be a completely dry zone (as opposed to the night-life/other zones. The lilac room should have health and educational resources available, including safer sex supplies, and there could even be self-care-related workshops there. For example, my organization hosted an LGBTQ+ mental health workshop with Fenway Health and are having an LGBTQ+ sex education workshop with Good Vibrations next semester. Also, having drop-in counseling would be an incredible resource as well. I cannot think of any films or plays in particular that should be shown, but the blue room should definitely be a spot for the drag community. Machine was always a place for budding and experienced drag queens, and they should have ample opportunity there. It should also highlight intersectionality (show cultural films, etc.) so that queer people of color can feel accepted and included there. If you have any more questions, concerns, or to take a look at our safe space (The Center for Gender, Sexuality, and Activism, 775 Commonwealth Avenue, Boston MA 02215), please don't hesitate to reach out. Thank you for all of your hard work - this is incredible! I look forward to discussing this more with you in the future.
11/22/2019	David	Patel		02215	Support	As a long time resident and now parent of a toddler in the West Fens, I support Scape's project (1252-1270 Boylston Street) on the condition that the developer sets aside a space for a Fenway early education program in the new residential building. I would like to see a space, along the lines of the Fenway Community Center in the Viridian, specifically designated for education and childcare, ideally with the intent for a community-based organization to work with the Boston Public Schools Department of Early Childhood to acquire a Boston's PreK Expansion Grant and provide high-quality, full day, full year programming for four-year-old (K1) Boston children. If Scape is truly committed to making the Fenway a sustainable family-friendly community, I would like to see the developer make such a space available. If that occurs, I will vocally support the project.

Comment: Created Date	First Name	Last Name	Organization	Zip	Opinion	Comments
11/22/2019	Audrey	Reny	The Abbey Group/The Viridian	02215	Neutral	<p>November 18, 2019 Brian Golden, Director Boston Planning & Development Agency City Hall, 9th Floor One City Hall Square Boston, MA 02201 Re: 1252-1270 Boylston Street, Fenway Dear Director Golden, As a follow up to our May 7, 2019 letter, we are writing to express our outstanding concerns about the Scape proposal for 1252-1270 Boylston Street which is adjacent to The Viridian. While we support development on the site and have appreciated Scape's open dialogue with us and willingness to address a number of issues that we and the community share, the following concerns remain: 1. Loading and ground floor plane design: At the present time, Scape is proposing furnished units; however, if the plans were to change to unfurnished units, now or in the future, the current loading accommodations and ground floor plane design would not accommodate the move in and move out of the proposed 477units. We respectfully request that this be addressed in the final plans before they are approved so as to not have a negative, detrimental impact on the surrounding area traffic and congestion during resident transitions. 2. Unit Mix: The proposed unit mix is heavily weighted towards studios (80%) and 1 bedroom units (10%) which is not in keeping with the neighborhood's desire to promote long term community residents and offer housing product that encourages and accommodates families. The neighborhood has worked hard to develop a balanced community population and the proposed unit mix does not contribute to this trend. With our long-term track record of commitment to the Fenway neighborhood, we respectfully submit these remaining concerns for your consideration. Adhering to a well thought out vision and due to a mindful collaboration between developers and the community, the Fenway has made great strides in recent years. We urge you to reflect on how to make certain that this proposal for development at 1252-1270</p>

Comment: Created Date	First Name	Last Name	Organization	Zip	Opinion	Comments
11/21/2019	Eve	Alpern		02131	Oppose	<p>I support this project overall BUT as a longtime resident, theatergoer, and queer community member, I have been shocked that the city of Boston has been unable to install an LGBTQ community center. It sounds like this building is the closest our community will have to such a thing. I want to know WHY the developer has placed the ?community room? at the back of a basement? With a working theater, this will obviously have to be used for actors (because there isn?t enough space backstage otherwise) or dressing rooms during shows. Do they think we can?t see through this scam of calling a dressing room a community space? This will limit the use of the ?community room? to times only when there ISN?T a show happening. Why not move the community room closer to the front of the building? Or to the ground level? Then it won?t be shoved into the dark corner and will be more accessible for the community to actually use?? You can?t take away dressing room space or the theater will not be functional SO this might mean giving up more square footage from parking or retail footage. BUT isn?t an LGBTQ community center space more important than parking spaces or corporate interests?!!!!</p>