

ZONING COMMISSION, CITY OF BOSTON

MINUTES

Wednesday, January 7, 2009

Room 900, City Hall, Boston

Attendance

Commissioners

David Marr	
Building Trade Employers' Association	Present
Robert L. Fondren, Chairman	
Boston Society of Architects	Present
Jay Hurley	
Greater Boston Massachusetts Labor Council AFL/CIO	Present
James C. Clark, Vice-Chairman	
Mayor's Selection	Present
William Tarlow	
Neighborhood Association of the Back Bay	Absent
Vacancy	
Mayor's Selection	
Ralph Cooper	
Franklin Field South Neighborhood Association	Present
M. Pat Tierney	
Greater Boston Real Estate Board	Present
Nelson Arroyo	
Mayor's Selection	Absent
Jill Hatton	
Greater Boston Chamber of Commerce	Present
Jane Brayton	
Neighborhood Association	Present

Staff

Rick Shaklik	
Deputy Director for Zoning/Advisor to the Commission	Present
Jeffrey M. Hampton	
Secretary to the Commission	Present

PUBLIC HEARINGS

1. Chairman Fondren called the meeting to order at 9:10 AM and opened the public hearing on Map Amendment Application No. 558.

The following spoke in favor of the petition:

Rick Shaklik, BRA
Jeremy Rosenberger, BRA
Councilor Feeney
Lauren Smith, MONS
Eric Speed, Councilor Connolly's Office

Mr. Shaklik presented the petition to the Commission and stated what was being asked of the Commission. He stated that the site is approximately 4.6 acres in the Savin Hill area.

Jeremy Rosenberger gave a brief history of the site and the community process. He stated that it is a two-story, 80,000 square foot building home to Spire Inc., a Boston-based printing company. The proposed re-zoning from MFR to LI is appropriate given the existing use and adjacent LI subdistrict. At the time of the Dorchester re-zoning, Spire had not fully occupied the site, so it was folded into a larger MFR subdistrict. It was zoned industrial prior to Article 65 going into effect. There was a community meeting a couple of months ago that showed overwhelming support for the change.

Councilor Feeney spoke in favor and confirmed the community process as well as support for the proposed amendment.

Lauren Smith spoke in favor of the petition.

Eric Speed spoke in favor.

There was no further discussion.

Chairman Fondren declared the petitioner's case closed at 9:24 AM.

There was no opposition.

Chairman Fondren stated the matter would be taken under advisement and would be discussed at the next business meeting to be held immediately following the hearing.

The hearing was declared closed at 9:24 AM.

2. Chairman Fondren opened the public hearing on Text Amendment Application No. 400 and a petition for approval of the Fourth Amendment to Planned Development Area No. 37.

The following spoke in favor of the petition:

Rick Shaklik, BRA
Marilyn Sticklor, Goulston and Storrs
Mike Cantaloupa, Sr. VP Boston Properties
Robert Kent
Willa Mena, MONS

David Dow, Carpenter's Union
Paul Lynch, Ironworkers and PruPAC member
Gene Divolio, Painters and Allied Trades
Dwight Espinola, resident
Gary Walker, Electrician Union
Russell Bartash, Sheet Metal Union
Mike Durant, Ironworkers
David Gallespie, resident
Rich Keough, Sheet Metal
Neil Connolly, Ironworkers
Jason Teevic, resident
Pat Mulvihill, resident
Meg Meisner Cohen, Back Bay Association
Patrick Sarkus, Back Bay Restaurant Group

Mr. Shaklik presented the petition to the Commission and stated what was being asked of the Commission. This was approved by the BRA on December 4, 2008. This is the 4th Amendment to PDA No. 37, and the amendment to Article 41 is relevant to this project.

Marilyn Sticklor briefly explained the technical reasons why there needs to have a text amendment.

Mike Cantaloupa briefly discussed the proposed project at 888 Boylston Street. There were approximately 17 months of community meetings associated with the project. The success of 111 Huntington Avenue is helping drive 888 Boylston Street.

Robert Kent also gave a presentation on the proposed project. This will be a seventeen story structure. Also discussed landscaping similar to the Greenway which will be incorporated along Boylston.

Mr. Cantaloupa went over some of the public benefits. The project will be LEED Silver certified. The construction will have no impact on the Groundwater Overlay.

Commissioner Hatton asked where the entrance for the parking would be.

Mr. Kent stated that there is no new garage, but rather going down one more level in the existing garage.

Willa Mena, MONS spoke in favor.

David Dow, Carpenter's Union spoke in favor.

Paul Lynch, Ironworkers and PruPAC member spoke in favor.

Gene Divolio, Painters and Allied Trades spoke in favor.

Dwight Espinola, resident spoke in favor.

Gary Walker, Electrician Union spoke in favor.

Russell Bartash, Sheet Metal Union spoke in favor.

Mike Durant, Ironworkers spoke in favor.

David Gallespie, resident spoke in favor.

Rich Keough, Sheet Metal spoke in favor.

Neil Connolly, Ironworkers spoke in favor.

Jason Teevic, resident spoke in favor.

Pat Mulvihill, resident spoke in favor.

Meg Meisner Cohen, Back Bay Association spoke in favor.

Patrick Sarkus, Back Bay Restaurant Group spoke in favor.

There was no further discussion.

Chairman Fondren declared the petitioner's case closed at 10:05 AM.

The following spoke in opposition of the petition:

Maura Burke, resident of Back Bay

Jacqueline Yessian, NABB

Elizabeth Corcoran Hunt, Rep. Byron Rushing's Office

Maura Burke spoke in opposition to the petition. She referenced Article 41 of the Zoning Code and its prohibitions.

Jacqueline Yessian spoke in opposition to the petition. She stated that not enough time was give for those who are opposed to make their case. The Prudential is what it is because of the design guidelines. 888 Boylston does not meet those guidelines.

Elizabeth Corcoran Hunt spoke in opposition.

Chairman Fondren declared the opposition's case closed at 10:13 AM.

Mr. Cantaloupa stated that the project had gone through a lengthy community review process, and that the concerns were addressed.

Ms Sticklor stated that a PDA allows for the flexibility in the zoning.

Chairman Fondren stated the matter would be taken under advisement and would be discussed at the next business meeting to be held immediately following the hearing.

The hearing was declared closed at 10:15 AM.

3. Chairman Fondren opened the public hearing on Text Amendment Application No. 401 and a petition for approval of the Fifth Amendment to Planned Development Area No. 37.

The following spoke in favor of the petition:

Rick Shaklik, BRA

Rodney Sinclair, BRA

Marilyn Sticklor, Goulston and Storrs

Mike Robert, Avalon Bay

David Manfredi, Manfredi Architects

Mike Cantaloupa, Sr. VP Boston Properties

Dwight Espinola, resident

Gary Walker, Electrician Union

Russell Bartash, Sheet Metal Union

Mike Durant, Ironworkers
David Gallespie, resident
Rich Keough, Sheet Metal
Neil Connolly, Ironworkers
Meg Meisner Cohen, Back Bay Association
Patrick Sarkus, Back Bay Restaurant Group

Mr. Shaklik presented the petition to the Commission and stated what was being asked of the Commission. BRA approval was given on December 4, 2008. He introduced Rodney Sinclair.

Rodney Sinclair stated that the building will have 188 residential units. Briefly went over the community process.

Marilyn Sticklor briefly explained the phase 6 of the Prudential Master Plan which was approved in 2002. She stated that there were two actions required by the Commission.

Mike Cantaloupa restated the same information as Mr. Sinclair. This project also requires a partial demolition of the Lord and Taylor building.

Mike Robert stated that he recognized the community process and took very seriously the input he received from PruPAC and the BRA. His hope is that the new project brings back life to this area of Exeter Street. There are 188 units of housing, 52 of which are going to be affordable. And they will be spread among the three buildings that Avalon owns. There will be 6 affordable units in the Exeter Residences.

David Manfredi spoke to the design and layout of the proposed project.

Chairman Fondren stated that the affordable units will be spread through four buildings now?

Mr. Robert stated that this was correct.

Gary Walker, Electrician Union spoke in favor of the petitions.

Russell Bartash, Sheet Metal Union spoke in favor.

Mike Durant, Ironworkers spoke in favor.

David Gallespie, resident spoke in favor.

Rich Keough, Sheet Metal spoke in favor.

Neil Connolly, Ironworkers spoke in favor.

Meg Meisner Cohen, Back Bay Association spoke in favor.

Patrick Sarkus, Back Bay Restaurant Group spoke in favor.

There was no further discussion.

Chairman Fondren declared the petitioner's case closed at 10:50 AM.

The following spoke in opposition of the petition:

Maura Burke, resident of Back Bay
Jacqueline Yessian, NABB
Elizabeth Corcoran Hunt, Rep. Byron Rushing's Office

Robert Woods, Councilor Flaherty's Office
Eliot Laffer, resident of Back Bay
Billy Rose, resident of Trinity Place
Marvin Will, resident of 770 Boylston

Robert Woods spoke in opposition to the petition.

Eliot Laffer spoke to the issues concerning height, wind, and view corridors.

Maura Burke stated that the hotels in the area would be directly affected by the construction.

Jacqueline Yessian spoke in opposition to the petition. The proposed project is out of scope with the surrounding neighborhood.

Elizabeth Corcoran Hunt spoke in opposition. She read a portion of a letter submitted to the Commission.

Billy Rose stated he was concerned about the zoning issues being changed.

Marvin Will spoke to the issue of those in the affordable units being segregated from the rest of the building. The economics may not support this project.

There was no further discussion

Chairman Fondren declared the opposition's case closed at 11:11 AM.

Chairman Fondren stated the matter would be taken under advisement and would be discussed at the next business meeting to be held immediately following the hearing.

The hearing was declared closed at 11:12 AM.

Chairman Fondren declared a five minute recess.

Commissioner Fondren called the Business Meeting to order at 11:20 AM

1. Commissioner Clark made a motion to approve Map Amendment Application No. 565, as submitted. Commissioner Hurley seconded the motion.

Chairman Fondren put the motion to vote:

Yeas: 8

Ms. Brayton, Mr. Hurley, Ms. Tierney, Mr. Marr, Ms. Hatton, Mr. Fondren, Mr. Cooper, Mr. Clark

Nays: 0

The motion was declared carried.

2. Commissioner Clark made a motion to approve Text Amendment Application No. 400 and the Fourth Amendment to PDA #37, both as submitted. Commissioner Brayton seconded the motion.

Chairman Fondren put the motion to vote:

Yeas: 8

Ms. Brayton, Mr. Hurley, Ms. Tierney, Mr. Marr, Ms. Hatton, Mr. Fondren,
Mr. Cooper, Mr. Clark

Nays: 0

The motion was declared carried.

3. Commissioner Clark made a motion to approve Text Amendment Application No. 401 and the Fifth Amendment to PDA #37, both as submitted. Commissioner Hurley seconded the motion.

Chairman Brayton put the motion to vote:

Yeas: 7

Ms. Brayton, Mr. Hurley, Ms. Tierney, Mr. Marr, Ms. Hatton, Mr. Cooper,
Mr. Clark

Nays: 0

Abstain: 1

Mr. Fondren

The motion was declared carried.

Commissioner Fondren adjourned the meeting at 11:26 AM

Secretary