

ZONING COMMISSION, CITY OF BOSTON

MINUTES

Wednesday, May 22, 2024

Room 900, City Hall, Boston

Attendance

Commissioners

David Marr	
Building Trade Employers' Association	Present
Ricardo Austrich	
Boston Society of Architects	Absent
Jay Hurley, Chairman	
Greater Boston Massachusetts Labor Council AFL/CIO	Present
Aisha Miller	
Mayor's Selection	Present
Midori Morikawa	
Neighborhood Association	Present
Jill Hatton	
Mayor's Selection	Present
Michael Nichols	
Audubon Circle Neighborhood Association	Present
Michael DiMella	
Greater Boston Real Estate Board	Present
Nelson Arroyo	
Mayor's Selection	Present
Drew Leff	
Greater Boston Chamber of Commerce	Present
Vacancy	
Neighborhood Association	

Staff

Kathleen Onufer	
Deputy Director for Zoning and Regulatory Reform	Present
Jeffrey M. Hampton	
Executive Secretary to the Commission	Present

PUBLIC HEARING

This meeting was recorded.

1. Chairman Hurley called the meeting to order at 9:06 AM and opened the hearing regarding Text Amendment No. 525 and Map Amendment Application No. 781. Mattapan Squares and Streets.

The Interpreters assigned to the meeting introduced themselves.

The following offered testimony on the amendment:

Jack Halverson, Planner – BPDA
Kenya Beaman, Community Engagement Manager – BPDA
Fatima Ali-Salaam, GMNC

Jack Halverson presented the amendments to the Commission (see presentation in folder). He stated that these were grounded in PLAN: Mattapan.

Kenya Beaman spoke to the community engagement for PLAN: Mattapan from start to finish. This plan is to help shape Mattapan for the future.

Mr. Halverson presented the slide show to the Commission – this was presentation. There was detailed presentations on the proposed districts that were applicable to Mattapan – S5 is not one of them.

Commissioners Nichols and Miller arrived at 9:30 AM.

Commissioner Leff said that all rezoning is great to bring it up to date, but also a great process to get the community involved. We need to be thinking about neighborhood concerns but also city-wide needs. Was there an opportunity to do more? Best way to get more housing is taller buildings.

Ms. Beaman stated the neighborhood concern was not to have buildings that were too tall - “downtown heights”.

Fatima Ali-Salaam spoke in favor of the amendments. Added efforts were taken to respond to the proposed zoning. Good design will help influence future zoning.

Hearing closed at 9:38 AM, BZC entered Business Meeting

Commissioner Hatton made a motion to adopt Text Amendment No. 525 and Map Amendment Application No. 781. Mattapan Squares and Streets, as submitted.

Commissioner Miller seconded the motion.

Chairman Hurley put the motion to vote:

Yea: Hatton, DiMella, Leff, Miller, Morikawa, Marr, Arroyo, Nichols, Hurley

Nay: None

The motion carried 9-0.

2. Chairman Hurley called the meeting to order at 9:40 AM and opened the hearing regarding Text Amendment Application No. 520 and Map Amendment Application 772, Open Space Subdistricts. Commissioner Leff recused himself from this hearing and dropped off the meeting. The meeting was delayed awaiting an interpreter for Haitian-Creole. No interpreter was available. A statement was made by Jeff Hampton to ask if anyone attending the meeting wanted to request or required interpretation. No one requested interpretation.

The following offered testimony on the amendment:

Kathleen Onufer, Deputy Director for Zoning – BPDA
Morgan McDaniel, Deputy Chief of Operations – City of Boston
Sam Nabulsi, outside counsel for the City – Rose Law
Karen Mauney-Brodeck, Emerald Necklace Conservancy
Derek Evans, resident
Melissa Hamel, resident
Renee Stacey Welch, resident

Kathleen Onufer presented the proposed amendments to the Commission (see folder for presentation).

Morgan McDaniel spoke to the specifics to the White Stadium Revitalization (see presentation).

Sam Nabulsi spoke to the legal aspects of the White Stadium parcel. The George White Fund owns the parcel. The care and custody was shifted to BPS since 1949. State Legislature in 1950 deemed this a school building as well as it would kept being used as such.

Ms. Onufer stated that if this was a Public Facilities project, no zoning would be necessary, but because it's so complex, this was the best course of action.

Commissioner Hatton asked that there be an overview of the components of the arrangement of the 1949 agreement. If this is approved, we need to know how iron-clad that this agreement is.

Mr. Nabulsi stated it's clear and straight forward. Comes from a large will that states that the City may manage and transact on any disposed parcel through any City department. That is the authorization.

Commissioner Hatton wanted to clarify on game day parking restriction. Do they apply equally to the shaded area? Not everyone in JP gets a placard.

Ms. McDaniels stated that this was correct.

Commissioner Hatton asked about numbers in community benefits that are typically shown to the Commission. Who is paying for the improvements to the community?

Ms. McDaniels stated that the agreement is still being negotiated so she could not get into specifics. Boston Unity Soccer is going to pay rent, revenue share as well as the creation of a community benefits fund. Maintenance of the playing field will be maintained by Boston Unity.

Commissioner Hatton asked that the City is covering the cost of the sidewalks, streets, public realm.

Ms. McDaniels said that they are still working through it.

Commissioner Miller asked if community benefits have been finalized?

Ms. McDaniel said \$500,000 annually as well as other contracting opportunities as well as supporting local businesses. Benefits to BPS is also a benefit.

Commissioner Morikawa asked if there was a projection of permanent jobs?

Ms. McDaniel said it was about 300 permanent jobs.

Karen Mauney-Brodeck spoke in opposition to the petitions. Spoke to the requirement to conform with Article 97 of the Mass Laws dealing with open space.

Derek Evans spoke in opposition to the petitions. Stated that this was an adverse taking.

Melissa Hamel spoke in opposition.

Renee Stacey Welch spoke in opposition.

Hearing closed at 10:59 AM, BZC entered Business Meeting

Commissioner Miller asked about the lawsuit and what was going on with it.

Mr. Nabulsi said there were 2 issues framed – objection of joint undertaking and applicability of Article 97. Joint undertaking states that the White Fund will not contribute to any funds. No money is being contributed. Franklin Park is considered parkland and

subject to Article 97. White Stadium was carved out in 1950 as a school building not subject to Article 97.

Ms. Onufer stated that this is not an approval of the project. These are zoning changes only.

Commissioner Hatton recognizes that this won't come back to the Commission. Is this fully litigated?

Mr. Nubulsi stated that the issues are fully litigated. There is still plenty of process.

Commissioner Nichols amplified that there is disappointment in the public process from the beginning. This is a relatively amount of comment in comparison to what has become before the Commission in the past. What exactly is being asked of the Commission?

Commissioner Miller agreed with Mr. Nichols. We don't want to be in a position where the communities think we are not listening to them.

Commissioner DiMella made a motion to adopt Text Amendment Application No. 520 and Map Amendment Application 772, Open Space Subdistricts, as submitted.

Commissioner Marr seconded the motion.

There was general discussion among the Commission with respect to community engagement from the beginning and going forward.

Chairman Hurley put the motion to vote:

Yea: Hatton, Arroyo, Miller, Marr, Morikawa, DiMella, Nichols, Hurley

Nay: None

The motion carried 8-0.

Chairman Hurley adjourned the meeting at 11:21 AM

Executive Secretary