

ZONING COMMISSION, CITY OF BOSTON

MINUTES

Wednesday, August 14, 2024

Room 900, City Hall, Boston

Attendance

Commissioners

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

Staff

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

PUBLIC HEARING

This meeting was recorded.

1. Chairman Hurley called the meeting to order at 9:02 AM and opened the hearing regarding Text Amendment Application No. 527. The interpreters introduced themselves.

The following offered testimony on the amendment:

Oliver Sellers-Garcia, Green New Deal Director
Astrid Walker-Stewart, Planning Department
Travis Anderson, Planning Department
Arthur Jemison, Director of Planning
Devin Quirk, Deputy Chief Planning Department
Hannah Payne, Environment Department
Kathleen Onufer, Dep. Dir. Zoning
Councilor Weber
Councilor Pepen
Indus Johnson, Councilor Santana
Halle Thomas, Millennium Partners Boston
Andee Kramer, Mothers Out Front
Hessan Farooqi, Boston Climate Acton Network
Brian Sandford, architect
Emily Jones, resident
Frank O'Brien, resident

Oliver Sellers-Garcia introduced the proposed amendment to the Commission. He stated what the goals were of the administration with the Green New Deal.

Travis Anderson went into greater detail of the concept of Net Zero Carbon. (See presentation – “1”)

Astrid Walker-Stewart spoke on how zoning can help support Net Zero. This would be effective on or after July 1, 2025. (See presentation – “2”).

Travis Anderson showed the Commission how projects will comply with the zoning and next steps for how to guidelines and working with all departments to help sort out complicated carbon counting and compliance (See presentation - “3” and “4”).

Arthur Jemison stated that this is a significant change but will set up the City for success. This will have marginal impacts on construction costs because of similar requirements with BERDO. This policy in this market does raise questions but this is the future for the City.

Devin Quirk entrances the City as a leader in Carbon free development.

Commissioner DiMella stated that goals are laudable. Are there more details on cost versus benefits. Any research on new buildings emissions?

Travis said that through Article 37, Green Buildings, they are able to track emission reduction. This will help support more renewable energy.

Commissioner DiMella asked are we talking about annual emission reduction per year, e.g. 2023-24 v. 2024-25. The market and housing are in crisis, and this may add a substantial cost.

Oliver Sellers-Garcia said that this was a tradeoff of costs and benefits. Early during the restart, the consultants worked on analysis on the emissions of new buildings.

Hannah Payne stated that the zoning proposal will accelerate the reduction as they are already dealing with BERDO.

Commissioner Hatton stated that there is a process. Acceleration is resulting in penalty payments. This zoning will accelerate BERDO for some projects.

Hannah said that there are several options under BERDO that developers can look at.

Drew Leff asked why, with BERDO set up, do we need zoning? Do we need a new rule?

Kathleen Onufer said there were 2 significant actions the state has taken, and the City has taken up BERDO. Zoning makes this a critical part of the Article 80 approval process. All buildings under BWERDO in the long term will be going down to zero.

Commissioner Leff said there is a problem with the lack of housing, and we've tried to address that with linkage, IDP and now this. Is this a way to get the housing we need now?

Travis Anderson said that existing buildings need to comply with BERDO, so this levels the playing field for them with new construction.

Commissioner Nichols asked if the new buildings are energy efficient, are we discouraging development of other needs with the race for perfection? This may create a bifurcation of the "haves" vs. the "have nots".

Halle Thomas spoke in favor of the petition.

Andee Krasner spoke in favor of the petition.

Hessan Farooqi spoke in favor of the petition.

Brian Sandford spoke in favor of the petition.

Emily Jones spoke in opposition to the petition.

Frank O'Brien spoke in favor of the petition.

Hearing closed at 10:23 AM, BZC entered Business Meeting.

Commissioner Nichols stated he is in support of moving to Net Zero but concerned about talking points and not actual “math” that will create unintended consequences on greater issues the City faces.

Commissioner Leff agrees with Nichols comments.

Commissioner Hatton stated that the proposal has developed over time. Comfortable with the proposal and the push to make building compliant.

There was general discussion about costs moving forward and the quick implementation of the amendment.

Commissioner Austrich stated that this provides clarity for developers, understands concerns, but is supportive.

Chairman Hurley stated that there is a serious issue about financing, and this is pushing too fast, too soon.

Commissioner Hatton made a motion to adopt Text Amendment Application No. 527, as submitted.

Commissioner Arroyo seconded the motion.

Aimme Chambers gave a statement emphasizing the work of the Planning Department. She also challenged the comment that there was lack of a community process. This is a topic that was reborn and as many conversations were had as possible to help shape this zoning.

Chairman Hurley put the motion to vote:

Yea: Miller, Hatton, Nichols, Morikawa, Arroyo, Austrich

Nay: Leff, DiMella, Marr, Hurley

Motion Does Not Carry 6-4.

2. Chairman Hurley called the meeting to order at 10:48 AM and opened the hearing regarding Map Amendment Application No. 784 and the First Amendment to the Development Plan for Planned Development Area No. 136, Fenway Corners (West). The interpreters introduced themselves. Commissioner Arroyo was not present for this hearing.

The following offered testimony on the amendment:

Quinn Valcich, Planning Department

Ella Wise, Zoning Compliance Planning Department
Yanni Tsipis, Sr. VP WS Development

Quinn Valcich presented the proposed amendment to the Commission. This is adding a “missing tooth” along Brookline Avenue.

Ella Wise spoke to the zoning of the proposed amendment. (See presentation)

Yanni Tsipis described the proposed amendment and changing in programming for this PDA. (See presentation)

Hearing closed at 10:57 AM, BZC entered Business Meeting

Commissioner Nichols made a motion to adopt Map Amendment Application No. 784 and the First Amendment to the Development Plan for Planned Development Area No. 136, Fenway Corners (West), as submitted.

Commissioner Hatton seconded the motion.

Chairman Hurley put the motion to vote:

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

Nay:

Motion Carries 9-0.

Chairman Hurley adjourned the meeting at 10:59 AM

Executive Secretary