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Friday, January 23, 2015

Phil Cohen
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201

Comments on the Notice of Project Change for the Fenway PDA No 56, Fenway Point

Dear Mr. Cohen:

I submit this letter on behalf of the Fenway Community Development Corporation (FCDC), a 41-year-old, community-based organization that builds and preserves affordable housing and promotes projects that engage our full community in enhancing the neighborhood's diversity and vitality.

We appreciate this opportunity to submit our comments to the BRA about Samuels & Associates Notice of Project Change for the Fenway Planned Development Area (PDA) No. 56. We also thank Samuels & Associates for all their work and for their willingness to listen to community concerns.

Fenway CDC believes that along with a request to increase height and add more housing units comes an increased responsibility to the community. We call on the BRA to require Samuels & Associates to make 15% — or 45 — of the units affordable, set affordability at 70% of area median income, and earmark the cash contribution to the IDP fund for use in the Fenway in exchange for the BRA Board's approval of the change. Diverting the proposed payment of \$6 million dollars away from the Fenway would contribute to a decline in neighborhood diversity and a continuation of a policy of concentrating affordable housing in certain neighborhoods other than communities actually impacted by projects like PDA No. 56.

This is the fourth request to amend this PDA. In the second amended PDA, previously approved by the BRA Board, the developer agreed to comply with the Mayor's Executive order on Inclusionary Development and with section 66-28.1 of the Zoning Code. On page 8 of that document, the developer committed to making 15% of the market-rate units affordable at 70 % of AMI. The current proposal would produce a larger building, more density, but fewer affordable housing units. This does not look like progress to us.

According to the current Project Notification Form (PNF) filed with the BRA, Samuels & Associates seeks to add 5 residential floors and one mechanical floor to the building, bringing the height from approximately 270 feet to approximately 340 feet (top of amenities). In addition, they propose to add 30 residential units and shift from all apartments to 109 condominiums and

240 apartments. They also seek to reduce the retail area from approximately 40,000 sq. ft. to 20,000 sq ft.

The BRA held a public meeting on January 14 to review these proposed changes. We learned that the usual Inclusionary Development Policy rules do not exclusively govern affordable-housing requirements in this area. Section 66 of the zoning code also comes into play. It gives the developer a choice between making 20% of the units on site affordable or making a minimum of 10% of units affordable and making cash contributions to agreed-upon community-benefits funds in lieu of the remainder of the project's IDP obligation.

At that meeting, the developer proposed adopting the second approach: making 10% of units affordable (32 rental units and 3 condominiums) and contributing cash to the IDP fund in place of the unbuilt units.

The BRA must weigh this request in context of the recent development in the Fenway. More than 2,400 luxury units have been built or will open in the Fenway in the next two years. No project has included the full potential complement of on-site affordable units under the city's IDP. Instead, the developers have promised tens of millions of dollars to the City's pool of discretionary funds, with no benefit to the Fenway. Meanwhile, there are no vacancies in existing affordable units in the neighborhood, and some properties have long waiting lists. The longstanding policy of diverting such monies to the IDP, while maintaining impediments to the Fenway's access to these funds, has and continues to have a significant negative impact on the socio-economic, racial and ethnic diversity of the Fenway. In addition, the concentration of affordable housing in other than non-impacted neighborhoods, based primarily on the ability to build a higher number of units in a non-impacted neighborhood or area, is arguably realigning City neighborhoods along socio-economic, racial and ethnic lines.

Fenway CDC believes that a request to add height and units brings increased responsibility to mitigate impacts and contribute to the surrounding community. We believe the BRA should only approve the requested changes in the proposal in return for Samuels & Associates' making 15% of the revised project's units affordable at 70% of AMI and earmarking the contributions that represent the remaining IDP obligation for use in the Fenway.

Thank you for your consideration in this important matter.

Sincerely,

Wendy Nicholas



Interim Executive Director

Fenway CDC

cc: Brian Golden, Executive Director
Senator William Brownsberger
Erico Lopez
Representative Gloria Fox
Representative Byron Rushing
Representative Jay Livingstone
City Councilor Josh Zakim
City Councilor Tito Jackson
Shaina Aubourg