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## BAY VILLAGE NEIGHBORHOOD ASSOCIATION, INC.

Hi Bay Village Neighbors:

I expected last Tuesday night to be a relaxed, even languid, summer meeting with a typically low-key July agenda and several EC members on vacation. Instead, we had the displeasure of being “Zoom bombed” by an individual who apparently had nothing better to do with his evening than to disrupt our on-line gathering with shouted obscenities, Nazi symbols, and offensive music. My thanks go out to Sarah Herlihy and Brian Boisvert for helping me to quickly circulate an alternative link and get us all reassembled in less than fifteen minutes, and for the patience and flexibility of our busy guests. I hope that we didn’t lose too many of you in the transition!

We will be better prepared at the next meeting to deal with disruptions, so if this disturbing behavior repeats, be on the lookout for an alternative meeting ID sent to members’ registered email addresses and individually to our special guests. We want our meetings to be accessible to all neighbors, so at this time I’m loath to institute fiddly passwords or individual invitations or pre-registrations that will require neighbors to rummage through their inboxes before joining a call. We will also continue to post reminders on NextDoor, which does leave us open to intrusions. You can help us by making sure that your membership and email address on bayvillage.net is up-to-date, and when you join Zoom Sessions, please make sure your login screen shows your full name, or at least one that I can recognize!

This is yet one more reason why I hope we will be able to return to in-person meetings in the fall.

### **SPECIAL TOPICS:**

#### **Mayoral Candidate: Jon Santiago**

State Representative Jon Santiago, whose district covers much of the South End adjacent to us, was our latest guest in the series of meet-the-candidate sessions. Some of you will have also met Jon at the Spring clean-up. We had a good discussion covering topics large and small, including housing affordability, problematic behavior on the Common, budget priorities, and enforcement and clarification of the ordinance regulating short-term rentals. (For the record, Jon supports the ADCO positions on eliminating the loopholes around short-term rentals and electronic billboards). I was grateful for the enthusiastic turnout on a Tuesday after a holiday, especially given the rather awkward start of the meeting. Just as I was putting the finishing touches on this newsletter, Jon released a statement that he was ending his campaign, which I know will be a disappointment to many in the downtown neighborhoods.

## **State Representative Aaron Michlewitz**

Our own representative, Aaron Michlewitz, also joined us, in part to highlight his enthusiastic endorsement of his friend and colleague Jon Santiago, and also to give us an update on developments at the State House, particularly around budget issues, as Aaron is the House Ways and Means Chair. The good news is that the State's revenue estimates were very conservative, and receipts are now projected to come in much higher than anticipated, in part because of the economic rebound, but also because of greater federal aid. At the time of our meeting, an agreement between the State Senate and House of Representatives had not yet been reached, but Aaron told us they were close, and indeed they did reach a compromise shortly afterward. Aaron did not get everything he wanted in this compromise – he was a strong advocate for making voting by mail permanent, given the positive experience in Massachusetts during the pandemic. However, the budget compromise now ensures increased funding for education, no draw from the state's "rainy day" fund (the "safeguard" to help preserve programs in the event of recessions now seems likely to increase), and a much-needed supplemental payment toward the state's unfunded pension liability.

## **Committee Updates: Licensing and Planning**

Before addressing the latest development plan, Sarah elaborated about some of the points that I touched on in last month's newsletter, particularly around the questions of, "why do we vote on some projects but not on others?" and "can I bring my concern about Project X to a BVNA vote to stop it?" I thought I should elaborate a bit further here. The short answer on the first question is that neighborhood input is generally only sought by the City on projects that require some type of Zoning Board of Appeals or Historical Commission or Licensing Board approval, and our input is expected to be relevant to the particular issues requiring relief or sign-off by the appropriate agency. That means that if your neighbor is undertaking some construction that is completely within zoning, we have no formal say in the matter, and we may not even be aware of the project, although we *always* encourage developers and residents to reach out to abutters before undertaking any potentially disruptive construction. That's just being neighborly.

As noted in the last newsletter, roof decks often don't require a zoning variance (although sometimes they do – the determination is made by the Inspectional Services Department, and they can sometimes be a bit quirky/inconsistent). Because Bay Village is built on 19<sup>th</sup> Century landfill and our row houses are supported by submerged pilings, all new construction is required to get a ZBA sign-off for groundwater; but at a purely groundwater-focused hearing, the ZBA zeros in on the engineering approval and is uninterested in comments about aspects of the project that are compliant with the zoning code. All projects within Bay Village that entail a modification to the exterior appearance of an existing building or a new building require review by the BVHDC, but the historic commission only has

jurisdiction over elements that are visible from a public way, so rear elevations and rooftop elements that can't be seen from the street are generally outside their purview. Liquor, Entertainment, and Cannabis licenses must also go through review processes, but simple same-site "transfers" (i.e., from one operator to another without a significant change) tend to be strictly *pro forma* affairs focused on the suitability of the applicant. This is why we are so careful whenever a *new* license or a *modification in hours* is proposed in or near Bay Village. If there is already a 2AM license in place at a given location, the Licensing Board will generally be uninterested in our views unless we can tie our opposition to specific instances of disruptive behavior (e.g., repeated 911 calls for fights or noise violations). Similarly, the Cannabis Board and ZBA turn a deaf ear to public comments that sound like blanket opposition to the ballot referendum passed in 2016: applications are only potentially denied for specific reasons such as concentration (the "half-mile rule"), issues with traffic or egress, proximity to schools, or other concerns that might be relevant to any retail establishment.

If you have never "sat in" on a zoning, historical, or licensing meeting, I would strongly encourage you to do so! One modest benefit of the pandemic has been to make these hearings accessible to people who never had the time to make the trek to City Hall. While the Bay Village Historic District Commission meetings are usually quite small and focused on a few agenda items – given our small size – ZBA and Licensing Board hearings can be very lengthy and rapid-fire, as the boards work through dozens of appeals and applications. You can make comments, but your time is strictly limited.

The ZBA has historically reflected the wishes of the mayor's office, and has generally been favorably inclined toward new development. After all, new construction increases the tax base that pays for the mayor's overall agenda, and set-asides, mitigation payments, and linkage funds tied to larger developments help the mayor and council fulfill promises around greenspace and (especially) affordable housing. In my experience, it's very difficult for individual abutters to sway the ZBA. They are keenly aware of Boston's housing shortage and entirely uninterested in alternative theories of supply and demand.

Does this mean that we cannot successfully oppose projects that are inappropriate for Bay Village? No! But having sat through dozens of these hearings, I can say that the proposals that are most often rejected face concerted opposition from 1) the relevant neighborhood association 2) numerous individual letters from residents 3) district and at-large city councilors and 4) the Mayor's Office of Neighborhood Services. Therefore, we need to pick our battles, and we need to be united if we expect our voice to be heard.

#### - **Addition Planned for 95-97 Broadway**

An upcoming project that WILL need to go before the Zoning Board of Appeals is a proposed addition to 95-97 Broadway, corner of Winchester. No matter what is done here, it will require a variance for FAR (Floor/Area ratio) and lack of yard space, as this building essentially covers its entire lot. At this point, we have only had a very

preliminary review with the project proponent, and they understand that we will not be in a position to review a formal proposal until September at the earliest. We strongly prefer NOT to have EC votes or to entertain potentially controversial topics in mid-summer, when attendance at our meetings is inevitably a bit thin.

The high-level proposal described to Sarah and the Planning team was for an addition that would add two residential units to the building, which is currently a commercial condominium. Meichi Peng, an interior designer who currently has a commercial suite in the building, has stated an intent to build her own residence on a new third floor. Most of the current building is two floors, with a small one-story section: build-out to three stories would still leave it shorter than many of its neighbors. The developer has told us that they are in the process of reaching out to abutters, as we have encouraged. I know there are some concerns about existing trees and a proposed headhouse for roof deck access. Sarah pushed hard for clarity about intent on roof decks – as noted in my last newsletter, residents should generally assume that roof decks will eventually be part of any new proposal, but we will do our best to surface intent at the outset. More to come on this one.

#### - **280 Stuart**

A new, revised proposal for this previously-approved building has surfaced, and we will be asked to comment. 280 Stuart is the ~9 story masonry building between the Loews Hotel and the Clarendon: the latest rendition calls for this to be replaced by a ~350 foot-tall, mostly-glass example of the jenga-tecture trend, as the canyonization of Stuart continues apace. On the plus side, this version seems to offer superior ground-level streetscape to the prior version. The rights to the project were sold by John Hancock some time ago, so they've also scrapped the gerbil tube originally proposed to span Stuart Street to attach this to the old Hancock. There will be an Impact Advisory Group and Public Meeting on Tuesday July 27<sup>th</sup> at 6:30 PM.

Pre-registration is required:

[www.zoomgov.com/webinar/register/WN\\_NEI6bOCpRpOnJ-fGw3BHRg](http://www.zoomgov.com/webinar/register/WN_NEI6bOCpRpOnJ-fGw3BHRg)

Meeting ID: 160 951 8595

Toll Free: (833) 568-8864

#### - **Other projects**

Construction at 212 Stuart continues, the crane has now been removed. There seems to be much less disruption now that the panels and many of the windows are in place and the focus turns toward inside work. Work is also proceeding at 69 Church Street, perhaps a bit slower than all of us would like, but progress is visible.

Construction at 1-17 Edgerly continues, and we've been told that all, or virtually all, of these townhouses are already under agreement. The redevelopment of Our Lady of Victories continues to wend through the approvals process – it has received the thumbs-up from the BPDA, the next step is a Zoning Board of Appeals hearing on July 27<sup>th</sup>.

#### **Parks**

##### - **Dog Park**

Signs indicating City rules and regulations are finally here! Thanks to Sarah Herlihy for coordinating this, and thanks to Steve and Marie Nolan for installing them. You'll now at least have something to point to when you see individuals with a dozen dogs, or people who don't clean up after their pets! The next steps of the dog park team will include some improvements to fencing and another refresh of the wood chips. Use of the park continues to be very heavy.

We have created a Google Doc for signing up for taking out the trash at the dog park, which has historically been handled by just one or two people, with Steve Nolan doing the lion's share of the work. It's unfair for this burden to fall on the same people every week, and for them to face an overflow nightmare when they return from vacation. Taking out the trash entails (i) removing the bag from the can and tying it up, (ii) placing a new bag in the can (they are in the small plastic box) and (iii) carrying the old bag across Warrenton Street to the corner by Lyndeboro Place. Please don't do this any earlier than 5pm on Thursday and Sunday evenings. Anyone can click on the link below and add their name to a particular day: dog owners and dog walkers, please pitch in!

<https://docs.google.com/document/d/1rf3f1fEI-2r1-obiQKKq2K5cmxBfOWpmZk39aYqhuYk/edit?usp=sharing>

#### **- Other Parks**

As always, thanks go out to Carol, Aoife, Joe, Tom, and others who have given tons of their time to the upkeep of our parks this wet summer. We've made a small amount of dollars go a long way. We continue to press the BPDA and the Parks Department regarding the status of our parks-dedicated funds and the timing of potential improvements we'd like to see. As summer drifts on, responses have been even slower. We will keep the heat on these organizations, and expect to hear more about neighborhood meetings on parks refurbishment in the not-distant future, including more on the Brown Fund-enabled improvements to the Bay Village Park at Broadway/Fayette/Melrose.

#### **City Services**

Graffiti continues to be a problem. We have reached out to the Revere Hotel to address the repeated tagging of the rear of their building.

#### **ADCO**

Whac-a-Mole on electronic billboards and short-term rental loopholes also continues. Somehow a large electronic billboard snuck through at 7ink, the latest Ink Block development building at 217 Albany Street near I-93.

#### **Kerry Village**

This month's then-and-now is a look across Broadway/Charles (formerly Carver). Thanks to Steve Dunwell for the current picture:



You'd be forgiven for thinking, at first glance, that these pictures couldn't possibly be related, but the Courtyard Marriott (née Bradford) Hotel on Tremont Street looming in the background gives the game away. Virtually all of the other buildings visible in the 1956 photo are gone, and a new dog-leg of Warrenton Street now connects to Charles Street South.

Two things are notable in the 1956 photo. First, you'll see the "Kerry Village" store – as many of you will know, this was an earlier name for Bay Village, the bounds of which were generally understood to extend across these streets at that time. A few short years later, in 1959, the Bay Village Neighborhood Association was founded, "Bay Village" being a made-up term that incorporated the "Village" of Kerry Village while acknowledging the kinship of the district to the Back Bay of the Charles River, which was filled in the early nineteenth century to create much of the land we now occupy.

At least one historian claims that residents were eager to dump the "Kerry Village" tag because of the bad reputation the area had at that time, but the renaming probably also reflected the changing demographics of the area, which by the 1950s was much more ethnically diverse. Certainly, by 1959 many other neighborhoods in Boston boasted a higher percentage of the sons and daughters of Eire: Bay Village at the time featured a mix of rooming houses and small commercial enterprises, and residents included a number of Greek Americans, and also some Syrian/Lebanese Americans displaced from the disastrous New York Streets urban renewal project where the Ink Block development stands today. The 1950s probably represented the high-water mark for commercial activity in Bay Village. The "urban pioneers" who began reclaiming townhouses for residential use and founded the BVNA – mostly white-collar professionals, including gay couples and empty-nesters, and some bohemian artists and creatives – were overwhelmingly white, as was Boston overall at the time (91% in 1960), but not dominated by any particular European ethnic heritage.

The second notable difference in the earlier photo is that the streets were much narrower. The townhouses on Lyndeboro Place, visible through the trees in the current photo, were obviously present in 1956, but they were hidden behind an entire row of buildings that has been obliterated. Indeed, Lyndeboro is a tiny remnant of a large rabbit warren of small streets and early c19 residential rows that spanned all the way across what is now the Tufts Medical campus to the Fort Point Channel. A few other bits and pieces of this old neighborhood can also be found in residential Chinatown (e.g., townhouses on Johnny Court and Oak Street).

Many of you will be familiar with the story of the Southwest Expressway and Inner Belt projects (I-95 and I-695) that were suspended by Governor Sargent in 1970, but not before unleashing a swath of destruction through the city, epitomized by the massive right-of-way cleared for what is now Melnea Cass Boulevard. The BRA pursued a similar strategy at the neighborhood level, playing ham-fisted Haussmann, blasting wide arterial streets through Boston's historically narrow grid. The result was less than Parisian. These street-widenings were completed piecemeal as part of several different urban renewal projects, some of which were amended or abandoned along the way, and there wasn't much, if any, science around traffic flow projections, beyond a vague goal of "improving access to downtown." This resulted in multiple too-wide blocks out of scale with the roads that fed them, clumsy fringes of dead space, awkward lots too small for development, and, of course, the wholesale destruction of urban fabric associated with almost every 20<sup>th</sup> Century BRA effort. Charles Street South was one of last of these arterials, a capstone of efforts to speed downtown access along an East Berkeley-Tremont-Charles corridor through Park Square – the enormous East Berkeley Street block where the community garden replaces another row of townhouses was another phase of this. Previously, traffic snaked slowly through narrow Broadway and Carver Streets when it reached Bay Village.

The net of all this bulldozing is that Bay Village is smaller than it was historically, and the transition to our east is abrupt. But thanks largely to the efforts of our neighbors and their predecessors, lemonade has been made from lemons: the Bay Village Park is in the former Broadway right-of-way (and is still owned by Public Works), neighbors plant and tend the curiously-shaped leftover parcel that screens Lyndeboro Place, another BRA/BPDA leftover parcel hosts our Dog Park, and over the years we have been huge contributors and advocates for Eliot Norton Park, which for decades stood as sad, empty, wind-swept testament to BRA arrogance. It's now well patronized and almost looks intentional. Ironically, the City and even the BPDA have come around on the subject of urban dragstrips, and are now deploying paint and flexible barriers for bike lanes to narrow arterials with almost the same zeal they dynamited buildings to create them in the first place.

Until next month,

Tom Perkins  
President, BVNA