



BAY VILLAGE NEIGHBORHOOD ASSOCIATION, INC.

Hi Bay Village Neighbors:

Construction, construction, construction ... both in process and proposed ... continues to dominate conversation in the 'hood.

SPECIAL TOPICS:

At-Large City Council Candidate: Ruthzee Louijeune

Last week we continued our series of meet-the-candidate meetings, hosting Hyde Park resident and At-Large Councilor candidate Ruthzee Louijeune. She described her background and the key issues that are driving her platform and answered questions from neighborhood residents. The conversation was upbeat, but it would be great if we could increase the participation and get a bit more of a diverse cross-section involved in Q&A sessions! While it's definitely helpful to hear different candidates' responses to the same question, I don't want these conversations to be driven only by the concerns of just a handful of members who are comfortable speaking up, not least including me. In general, it seems like there are a large number of young, energetic people running for City Council this year, most with pretty similar left/progressive agendas and platforms. Distinguishing them on the basis of their take on policing and housing affordability may be difficult, so we may want to press harder on nuts-and-bolts constituent services issues that are the focus of so much effective council work.

1-17 Edgerly Place Project Update: David Goldman, New Boston Ventures

We had a pretty lively discussion about an update on the project at 1-17 Edgerly Place. David Goldman returned to inform the neighborhood about his intention to add roofdecks to the nine townhouses under construction, and to address construction-related disruption in the past month. The digging associated with tearing up the asphalt and preparing the site caused notable shaking even a couple of blocks from the construction site on several different days. David apologized for the approach taken by the contractors, which he agrees was unacceptable and promises will not be repeated. The construction team has been meeting with individual neighbors and giving more precise updates. Following feedback from BVNA, Tim McGovern from New Boston Ventures has also been posting regular updates on NextDoor, the latest being that the team anticipates that the pile driving will be complete by the end of the week, with future phases of construction expected to be less noisy. Residents with concerns should reach out to Tim. David also agreed to have his structural engineer look at neighboring properties if residents had concerns related to the earlier phases of construction.

The roofdeck proposal garnered some criticism – some neighbors felt that this project change reneged on verbal commitments made earlier in the process. This is not the first time that some members have been miffed about roofdecks and curious about the process by which they are approved, and whether BVNA takes a position on roofdeck proposals. The gist is, permission to build a roofdeck is governed by Article 63 of the Boston Zoning Code, which reads as follows:

An open roof deck may be erected on the main roof of a building with a flat roof or a roof with a slope of less than five (5) degrees, provided that (a) such deck is less than one (1) foot above the highest point of such roof; (b) the total height of the building, including such deck, does not exceed the maximum building height allowed by this Article for the location of the building; (c) access is by roof hatch or bulkhead no more than thirty (30) inches in height above such deck, unless after public notice and hearing and subject to Sections [6-2](#), [6-3](#), and [6-4](#), the Board of Appeal grants permission for a stairway headhouse; and (d) an appurtenant hand rail, balustrade, hatch, or bulkhead is set back horizontally, one (1) foot for each foot of height of such appurtenant structure, from a roof edge that faces a street more than twenty (20) feet wide.

Roof structures, headhouses, and mechanical equipment normally built above the roof and not designed or used for human occupancy shall be included in measuring the building height if the total area of such roof structures, headhouses, and mechanical equipment exceeds in the aggregate: (a) 330 square feet, if the total roof area of the building is 3,300 square feet or less; or (b) ten percent (10%) of the total roof area of the building, if such total roof area is greater than 3,300 square feet.

Ultimately, the ability to build a roofdeck depends on the willingness of Boston’s Inspectional Services Department (ISD) to grant a permit, and in many but not all cases, this depends also on approvals from the Bay Village Historic District Commission (BVHDC) or the Zoning Board of Appeals (ZBA). The BVHDC has a say if the proposed roofdeck is visible from a public way; ZBA approval is required, as the text above indicates, if certain conditions apply, notably if a headhouse taller than 30 inches is proposed, or the building exceeds the maximum building height for the location. In the case of the Edgerly Place townhouses, though, none of these conditions apply – architect Jonathan Garland has indicated that nothing will be visible from the street, and these townhouses are all being built “as of right” with respect to height and floor-area ratios. So, there is nothing within the purview of the BVHDC and, as of this writing, nothing I can see that would require action by the ZBA. And if there is no public hearing or approval required, there’s literally nothing for us to vote on – whether we like or dislike something is immaterial.

In practice, of course, even those roofdecks that *do* require ZBA waivers are usually approved, because, as a quick glance over the neighborhood from the Revere Garage will confirm, decks have become almost the rule rather than the exception. While the ZBA, BPDA, and developers all will say that zoning variances are reviewed “situation by situation,” the fact is that precedent *does* matter to them, so they are unlikely to deny a waiver unless there are circumstances are truly unique. My ultimate guidance on this topic is that if your neighbor doesn’t already have a roof deck, it’s safest to assume that he/she would/could. My main focus as President and

Sarah's as Planning chair is to ensure that proper processes are followed and to try to get the neighborhood some advance notice of what's coming, even if work is as-of-right and no notice is legally required.

Committee Updates: Licensing and Planning

- Project change at 10 Edgerly Place

The roofdeck amendment at 1-17 Edgerly was not the only approved project with a design change: the townhouse across the street, where Jonathan Lee is the developer, has also amended plans, in this case to change from a two-family residence to a single family, with the inclusion of a garage.

I owe a public apology to Jonathan, since I called him out for not responding to our invite to the EC Monday meeting, but I inadvertently sent my email to the wrong Jonathan Lee. The good news is that this change does not seem to be controversial, as the design is consistent with the townhouses across the street, which already include garages, and there is already a curb cut in place. Unlike the roofdecks, this change *did* require sign-off by the Historic District Commission (since the garage is a change that obviously is visible from the street) and this was unanimously approved. Jonathan has promised me that he will also stay in touch with the neighborhood about the construction schedule on this parcel, and I asked him to give us ample notice if he decides to include a roofdeck on this project. As noted above, however, even if a roofdeck isn't ultimately proposed as part of the construction, none of us should be surprised if some years down the road, an owner later comes back with a roofdeck plan ...

- Early starts at 212 Stuart Street

We've had some further back-and-forth with Ryan Souls of Greystar and Brent Keyser of Consigli regarding some rogue subcontractors who have persisted in starting work well before 7 AM. They have again promised a crack-down, and the last two weeks have again been much better.

- Upcoming construction at Josiah Quincy Upper School

We were contacted by the City about construction this summer at JQUS, which is being done in conjunction with the larger project that many of you are familiar with to build an all-new JQUS on Harrison Avenue. As part of this project, the city will be renovating some classrooms at the current JQUS to enable moving 6th and 7th grade students from modular units at 900 Washington Street to the JQUS Arlington Street building. Turner Construction has the contracts for both the new school and this "swing space" renovation, and they've already been debriefed on our concerns about noise and the need to strictly prohibit early starts to construction. The biggest near-term impact of this project is that none of us should even *think* about parking in the school lot over the summer – they'll need it for construction vehicles and project staging and won't hesitate to tow.

Over the longer term, we will need to stay posted on the City's future plans for the Arlington Street building after the "new" JQUS opens in the fall of 2024.

- **Our Lady of Victories Redevelopment**

Last week the BPDA formally approved the KEMS Corporation proposal to redevelop Our Lady of Victories, in accordance with the Article 80 Process. In addition to the affordable housing provisions already discussed, the City is requiring the developer to contribute \$50K to BTM to address crosswalk and transportation-related improvements in Bay Village – we don't (yet) know precisely what they have in mind. The next and final step for this project will be the Zoning Board of Appeals review.

Parks

- **Deployment of 212 Stuart Street Mitigation Funds**

Sarah Herlihy and Clyde Bergstresser continue to press the BPDA and the Parks Department to get some action on the funds that were paid by the developer to the City about year ago and earmarked for improvements to Bay Village Parks, and to clarify how funds from the second tranche, payable upon issuance of a certificate of occupancy for the building, will be handled in a year's time. The Parks Department is now insisting that some of the first-tranche funds be diverted to Eliot Norton Park – ironically, the one park that was explicitly **excluded** from the original agreement, given that we had already funded this extensively with earlier mitigation monies and donations raised from neighbors. At the same time, the Parks Department is giving us a hard time about the deployment of funds toward parks not technically owned by their department, including the Isabella Street Park (property of the Fire Department) and the Bay Village Park (Tom's Park) (property of the Department of Public Works), even though the Parks Department apparently has a contract with Public Works to maintain the latter! And even for the Bay Village Garden, which **is** Parks-owned, we've been told that they can't proceed with improvements because they don't have an available project manager. At times the City bureaucracy is truly Kafkaesque.

We of course do not begrudge some further investment in Eliot Norton, but it's frustrating that one year on, all of the plantings and minor upgrades you've seen in our Parks have been paid for with existing BVNA funds and donations, and the major improvements we have promised are no closer than they were before construction of 212 Stuart began. On Monday, the EC voted to authorize the subcommittee to divert up to \$20K from the Parks fund toward Eliot Norton if in return the BPDA and Parks Department are able to provide us greater control over the second tranche of funds and get some movement toward the actual priorities for these monies that were agreed to years ago.

It should be noted that progress is particularly difficult under an interim mayor in an election year, when a huge number of City employees have been decamping for greener pastures and City departments have trouble maintaining continuity from one meeting to the next. Timely and appropriate distribution of our parks improvements is obviously not very high on anyone's priority list. We can only hope that after the election some sense of order and direction is restored.

Despite the continued pffaffing about by the City departments with respect to these monies, we have been able to initiate meetings on improvements to the Bay Village Park in conjunction with the Brown Fund, which is providing us professional design help. Aoife Austin has been spearheading this effort, and a link to the first presentation is included in the email with this newsletter. There will be further meetings on this topic which will be posted on NextDoor, and I encourage all who are interested in the future of this park to attend and give input. We have a chance to make this little space even more special.

Separately, the EC also voted up to \$600 for plantings at each of the Bay Village Park, Bay Village Garden, and Isabella Street Garden. The work that volunteers have continued to do at these pocket parks has been extraordinary. They look good even if drainage is still poor, utilities hookups are missing, and footing and accessibility is a bit precarious.

City Services

Thanks to Meredith Boericke, Penni McLean-Conner, and Nicole Bowden at Eversource, some combination of whom finally managed to get progress from their organization on graffiti removal at the Carver Street Substation after repeated follow-up from me and Marie Nolan. As of this writing, tags remain on the roll door and the fencing, but the brickwork looks much better. They promise to return to address to the other surfaces shortly with different equipment.

My thanks go to Related/Beal and the folks at 100 Arlington Street, who not only participated in last month's Neighborhood Clean-Up, but also donated monies to offset our costs. This came in particularly handy when, in addition to our usual coffee and donut expenditures, we ended up paying for some brooms, as the City provided more T-shirts than equipment. My personal thanks go to Ian, Brian, and Allie for coordinating everything in my absence, and to all who participated – it was great to return from a week away to a much cleaner neighborhood.

Social / Membership

Craig is promising a new initiative to reinitiate face-to-face social events. Stay tuned!

Administrative Notes:

Because of the July 4th holiday, the next EC meeting will be on TUESDAY July 5th. As of this writing, Mayoral candidate Jon Santiago plans to join us. I will re-initiate the meeting series on the BVNA website, with the hope that we can return to in-person meetings some time in the autumn.

Downtown Neighborhoods Mayoral Candidates Forum:

As noted on NextDoor and in previous communications, BVNA is co-sponsoring a Mayoral Candidates Forum with virtually all of the Downtown neighborhoods on

Tuesday, June 22nd from 6 – 7:30 PM. This event is free and accessible to all of us, and a great chance to hear all of the candidates address issues of particular concern to people living downtown. Pre-registration is required at the following link:

[Downtown Neighborhoods Mayoral Candidates Forum Free Tickets, Tuesday, June 22, 2021 at 6:00 PM | Eventbrite](#)

The Spa ...

As a companion piece to the photo comparison I included in May's newsletter, I'm attaching another photo set from the corner of Melrose and Church Streets, this time looking down Melrose toward Broadway.





In this case, most of the buildings have survived since 1956, although the direction of traffic flow has been reversed. Note also the absence of brick sidewalks and trees and the much higher proportion of the original gable dormers in the older photo – many top floors were altered, not always tastefully, in the '60s and '70s prior to the establishment of historic district regulations. The most notable change is the elimination of the one-story “Nestis Spa” in favor of the little townhouse at 33-37 Church Street.

Younger people and non-Bostonians may well ask, “what the heck is a spa?” This is an antique Eastern Massachusetts regionalism, originally used to denote a store that had a soda fountain (i.e., a source of bubbling water, hence, “spa”). A “spa,” of course, sold “tonic,” the beverage that New Yorkers called soda, Chicagoans called pop, and Atlantans call “coke,” no matter what the flavor.

The soda fountains are long gone, and few old timers remain who use the term “tonic” to refer to a flavored carbonated beverage, but the term “Spa” remains on some of the hold-out commercial enterprises that are now generally referred to as convenience stores or (following New York practice) bodegas, e.g., Victoria Spa in Watertown, Palace Spa in Brighton, or the Brookline Spa on Harvard Street, which has been modified by its owners into a pizza place while retaining the historical name.

We often note with a measure of regret and nostalgia the loss of regional architectural styles or retail enterprises, but the loss of regional variation in language and accents is even more striking. Upon moving to New England for college, I remember asking, “what the heck is a grinder?” even though I grew up only an hour away outside Albany. With each passing year these regionalisms have less currency, and many have pretty much been wiped out in Boston proper, an international city where so many residents come from someplace else. These days, you are far more likely to hear “Boston English as it was” among older residents in the less-trafficked corners of Worcester or Haverhill or Revere ... and even there, it seems to be on the wane.

Until next month,

Tom Perkins
President, BVNA