



BRIGHTON NEIGHBORS UNITED

Analysis of the information released on December 3, 2008 by Boston College concerning “revisions” to its Institutional Master Plan

Executive Summary

Through the Article 80 Institutional Master Plan (IMP) process, Boston College (BC) seeks to change the current zoning and conservation restrictions on the former Archdiocese property by introducing a stadium and dormitory use into that site. BC also proposes to change the zoning of 2000 Commonwealth Avenue to permit its conversion to dormitory use. BC presented the latest set of “revisions” to its IMP on December 3, 2008 with a PowerPoint presentation and no other documentation then or since.

After careful review, Brighton Neighbors United (BNU) has concluded that BC’s “revisions” are not significant and do not address the concerns voiced by the Task Force and the community at large. In fact, the opposite is true since BC has moved the most objectionable aspects of the project into Phase 1 of the project.

Thus, BNU urges the Boston Redevelopment Authority (BRA) to reject the IMP on the basis that the statutory standard (Zoning Code, Article 7, Section 7.3 (c)) for a change in zoning is that the change “*will not be injurious to the neighborhood or otherwise detrimental to the public welfare*” has not been met. BC must be required to fulfill the requirements of the Article 80 process, including responses to BRA’s Scoping Determination, and adequately address the community’s concerns.

The only action that may produce progress is to definitively reject BC’s zoning change requests and require BC to develop a Plan for dormitories within the Chestnut Hill campus.

Granting Boston College the zoning changes it has requested will make a mockery of the zoning variance process and will set a dangerous precedent of taking away the only protection, namely zoning restrictions, that residential neighborhoods rely on to maintain their character and quality of life.

The BRA has attempted to mitigate the situation by suggesting that acceptable aspects of the IMP be allowed to go forward. However, the aspects identified by BC for initial approval are unfortunately among the most objectionable.

Instead, as a start, BNU would urge the BRA to work with BC and the community to fully explore all possibilities for the maximum use of the St. Thomas More site. BNU believes that options for higher density housing on this site have not been fully explored. For instance, this site is significantly larger than the site of 2000 Commonwealth Avenue. Since BC now finds the density of 2000 Commonwealth Avenue acceptable, developing this site to provide housing density proportionally similar to that of the 2000 Commonwealth Avenue site would result in well over 1,000 beds on this site alone. This approach would provide a significant portion, if not all, of the new housing needs and presents many significant benefits to all parties concerned:

1. Boston College gains the much-needed credibility it lacks today with the community by substantively demonstrating that it is serious in fulfilling the 100% on-campus housing objective.
2. The site with the most potential and least objections from the community is developed first.
3. The economic benefits, primarily job creation for a larger variety of trades, are significantly greater with this project than construction of smaller buildings or renovation of 2000 Commonwealth Avenue.

BNU believes that solutions acceptable to all parties are achievable, provided that Boston College demonstrates a serious commitment to address the community’s concerns in an open and transparent process and works towards gaining the community’s trust.

Background

The BC Institutional Master Plan seeks to change the current zoning and conservation restrictions on the former Archdiocese property by introducing a stadium and dormitory use into that site. BC also proposes to change the zoning of 2000 Commonwealth Avenue to permit its conversion to dormitory use.

The statutory standard (Zoning Code, Article 7, Section 7.3 (c)) for a change in zoning is that the change "will not be injurious to the neighborhood or otherwise detrimental to the public welfare". The standard for BRA to approve the Institutional Master Plan includes this broad requirement and also demands that the Plan address the elements of the Scoping Determination. Neither requirement is analyzed, let alone satisfied, in the December 3, 2008 PowerPoint presentation.

The BRA appointed a Task Force to facilitate community input into the process and provide advice to BRA. The Task Force held an extensive set of meetings and developed an appropriate scope of issues to be analyzed by BC to support its Institutional Master Plan. The Mayor supported this effort and the BRA established the scope of work that BC was to follow.

BC then proceeded to ignore significant parts of the required scope. The overwhelming preponderance of public comments submitted to the BRA by September 5, 2008 was in general acceptance of much of the academic improvement agenda, contingent on BC embracing the responsibility to house 100% of undergraduates on the Chestnut Hill campus, and specific overwhelming opposition to three unacceptable features of the BC proposal:

- (1) the proposed stadium use on the former Archdiocese property, with its disruptive night lighting, noise, and parking;
- (2) the proposal to introduce dormitories on the former Archdiocese property, in violation of commitments made by BC at the time of purchase of that property; and
- (3) the conversion of 2000 Commonwealth Avenue, an attractive resource of rental housing, into a dormitory for 576 students, [BC secretly purchased this property after the scope was set].

The public comment also included significant concern and opposition to changes in the transportation system (re-routing of St Thomas More Road, relocation of the MBTA station to the median of Commonwealth Avenue, destruction of the stone walls and rock outcroppings, and Olmsted landscape on Commonwealth Avenue), excessive parking (especially on the former Archdiocese property), which will cause excessive congestion on Commonwealth Avenue, Lake Street, Foster Street, and Washington Street. Many public comments also objected to further real estate acquisition outside of the Chestnut Hill campus.

The Task Force (and local elected officials) filed extensive comments on September 5, 2008, informed through patient listening through the public meeting process, but unable to benefit from the formal public comment, because their own comments were also due on September 5, 2008. Generally the Task Force accepted the academic facility improvements proposed by BC but:

- (1) opposed any dormitory use on the former Archdiocese property (p. 12);
- (2) reluctantly accepted the stadium and athletic field use on the former Archdiocese property, contingent on strict limits on lighting, use and parking (p. 3);
- (3) reluctantly accepted dormitory use on 2000 Commonwealth Avenue, accepting the definition of "university controlled" housing, in order to achieve the 100% goal with further dormitory construction on the Chestnut Hill campus, subject to an agreement to halt further institutional expansion (p. 11); and
- (4) proposed substantial changes to the BC transportation plan, retaining the St. Thomas More to Lake Street connection, restricting parking north of Commonwealth Avenue, adding parking to the Thomas More and Beacon/Hammond sites, and provision of independent expert consultants to analyze traffic impact (pp. 5-9).

It is important to underscore that the Task Force did not have the benefit of the formal community comments when they issued their report. The Task Force did subsequently hold a public meeting to get feedback on their report, which reflected strong support for the task force transportation recommendations, strong support for the prohibition of dormitories on the seminary site, and substantial concern with the stadium on the seminary site, and 2000 Commonwealth Avenue issues. There was also concern expressed that the emerging economic crisis raised significant new issues about the financial feasibility of the BC proposed plan in terms of the financial limits of BC's capacity to implement, and the risk that partial implementation would fall short of the 100% housing goal, and even worsen conditions because of the proposal to eliminate Edmonds Hall, with its 790 units of dormitory housing, for the gym complex, driving 790 students into the community.

Kairos Shen of the BRA then intervened, attempting to identify consensus items that might proceed, so that the IMP process would not gridlock.

Analysis of the "revisions"

On December 3, 2008, at a meeting hosted by the BRA, BC provided a PowerPoint presentation of "revisions" to its Institutional Master Plan. Such "revisions" were the results of a 10-week long effort between BRA officials and BC planners to make controversial aspects of the plan acceptable to the community. In fact, the "revisions" were defined as a "response" to community concerns expressed during the many public meetings hosted by both the Task Force and the BRA, the plan's comment periods, and in the Task Force letter of September 5, 2008.

The community was promised documentation and analysis, but all that BC has made available to date is the PowerPoint presentation. There is dubious improvement in the "revisions" BC presented on December 3, 2008:

- (1) BC withdraws its proposal to close the St. Thomas More Road to Lake Street connector. [*That is, a public street remains open to the public.*]
- (2) BC provides more detail on the sequence of dormitory construction and demolition over the next 10 years. [*This sequencing actually results in 150 fewer beds on the Chestnut Hill Campus by the end of Phase 1 and shows a ridiculously low target of a net gain of 230 new beds on the Chestnut Hill campus by the completion of the ten year plan.*]
- (3) BC proposes temporary reductions in seating capacity of the baseball stadium and softball field on the former Archdiocese site. [*BC stated that it will increase capacity "after meeting operating and management standards", none of which are defined.*]
- (4) BC proposes monitoring committees on stadium use and student behavior at 2000 Commonwealth Avenue.
- (5) BC proposes to delay (for approximately three to five years) the construction of a 500-space garage on the former Archdiocese site. [*This delay will only defer rather than eliminate traffic concerns.*]
- (6) BC commits to introducing a 25% subsidy of T passes for its "full-time employees who forgo campus parking pass". [*How many are likely to forgo parking if parking spaces are added rather than reduced?*]
- (7) BC commits to retaining a 50' green buffer on a portion of the steep slope facing Lake Street for the next 25 years. [*This is not a concession. Under the existing zoning, the 50' setback is **required** per Article 51, Section 51-10.]*

The bad news, however, is certain and much more significant:

- (1) BC continues to propose a dormitory with 150 beds on the former Archdiocese site, ignoring strong community and Task Force opposition.
- (2) A 350-bed dormitory previously proposed to be located on the former Archdiocese site "is under study" leaving at least 350 students to reside off campus. Since BC refuses to add more dorms to its Chestnut Hill Campus, either this dorm will be built on the former Archdiocese site, or BC will fail to meet its promise of housing 100% of its undergraduates.
- (3) A dormitory with 130-beds will be built on Shea Field, disrupting the existing baseball field. There is ambiguous reference to conflicts with the MWRA at that site, but no clarity on the nature of such conflicts or on the condition of the soil in the former landfill under the Shea Field site.
- (4) According to BC's presentation to the BRA Civic Design Committee on the proposed dormitory on the former Archdiocese site, the College seems intent on imposing maximum destruction of the stone walls and rock outcrops along Commonwealth Avenue as an early action.
- (5) There is no response to the Task Force recommendation to increase parking on the St. Thomas More site instead of the former Archdiocese site.
- (6) There was no traffic analysis on the impact of the median break on Commonwealth Avenue on traffic signal progression and congestion.
- (7) There is no indication of the process to be followed on the Foster Street property, which is part of the IMP but leased to the Jesuits.
- (8) BC meanwhile continues to make secret real estate purchases in the neighborhood. *[BC purchased the property at 10 Wade Street in November 2008.]*
- (9) The Massachusetts Historical Commission (MHC), a state agency, in its letter dated August 18, 2008, stated that many of its concerns remained unaddressed or inadequately addressed.
 - (9a) For instance, "The MHC remains concerned that the proposed IMP planning process has not considered preservation of key elements of the former Chancery-St. John's Seminary district...".
 - (9b) The MHC's, "comments are offered to assist in compliance with Mass. General Laws Chapter 9, sections 26-27C (950 CMR 71).
- (10) Concerns regarding BC's proposal to move the tomb of Cardinal O'Connell with no recognition of his importance to the history of the region and BC itself has not been adequately addressed.
- (11) Finally, and most significantly, there is no indication of the financial capacity of BC to carry out this investment program, and no way of ensuring that the most important elements of the plan, such as student housing, and perhaps some academic investments receive first priority.

In addition to the failure to respond to the Task Force comments, the BC PowerPoint presentation has no response to the extensive comments provided by the Boston Parks Department, or the very large number of citizen comments.

In short, the response of BC is minimal, with no permanent assurances of anything, yet even with the "revisions", the IMP continues to prioritize the projects which require BC to secure zoning changes for the three most unacceptable aspects:

- the stadium on the Seminary,
- the construction of dorms on the Seminary, and
- the conversion of 2000 Commonwealth Avenue to dormitory use.

Additionally, the plan proposes building on sites that gratuitously require demolition of the stone walls, rock outcrops, and landscape aspect of Commonwealth Avenue. In no way does this comply with Kairos Shen's criterion of going forward with consensus items.

So where does this non-response leave us at Brighton Neighbors United, and what do we believe are the implications for the BRA and the Task Force?

BNU believes that before convening a public Task Force meeting, that the Task Force should insist on seeing documentation of analysis by the BRA (from sources independent of BC):

- (1) Where is the traffic analysis that identifies the impact of traffic flow on Commonwealth Avenue by adding a median break at the proposed new Seminary entrance? Where is the analysis of the demand restriction and parking relocation recommendation of the Task Force? The BRA refused the request for the independent consultants to evaluate transportation on the basis that the city could produce the appropriate analysis. Where is it?
- (2) Where is the analysis of higher density housing on the Chestnut Hill campus?
- (3) What are the MWRA and soil condition issues near Shea Field?
- (4) The proposed roadway adjacent to the cemetery near the St. Thomas More site is, we believe, property of the Boston Park department, leased to MWRA. Could the BRA clarify the ownership of the land, and the process by which BC proposes to convert it to non-park purposes?
- (5) Where is the analysis of, and response to, the Boston Park Department comments? And to that of citizen comments?
- (6) Where is the analysis of the financial strength of BC to invest over the next several years?

In addition, we believe that the Task Force has an obligation to deal with the fact that BC has no intention to provide permanent assurance of any kind, or any significant mitigation, and should change its recommendations to the BRA accordingly. To be specific:

- (1) The Task Force recommended no housing on the former Archdiocese site. Once again, BC has stonewalled, and continues to propose housing on that site.
- (2) The Task Force reluctantly agreed to support the stadium with mitigating conditions of where and when lighting would be permitted, and with no added parking. BC has not fully divulged those mitigating conditions. BNU believes the Task Force now has an obligation to oppose the stadium use on the former Archdiocese property.
- (3) The Task Force reluctantly agreed to allow dormitory use at 2000 Commonwealth Avenue in order to achieve the goal of 100% undergraduate housing on campus. But BC, which was supposed to locate 500 more units on the Chestnut Hill campus, has instead located 150 units on the former Archdiocese property, proposes to replicate the current low density of the "mods" and to "study" where they might put 350 units. Thus, at least 350 students will continue to reside off campus. Since BC refuses to add more dorms to its Chestnut Hill Campus, either this dorm will return to the former Archdiocese site, or BC will fail to meet its promise of housing 100% of its undergraduates.
- (4) Moreover, BC has continued the practice of acquiring real estate in Brighton, and has now purchased additional property on Wade Street. This is totally inconsistent with the Task Force recommendation. Again, we feel that the Task Force has an obligation to withdraw its support for the conversion of 2000 Commonwealth Avenue to dormitory use.
- (5) The Task Force recommended permanent conservation easements and setbacks to protect the stone walls and rock outcrops on Commonwealth Avenue, the key open space assets of the former

archdiocese property (p. 16). BC proposes no permanent easements, and continues to propose destruction of the stone wall with the 150-unit dormitory.

The totally unsatisfactory response of BC on December 3, 2008 leads us to feel an urgent need for a proposal that could move us towards 100% on-campus housing. The Task Force made several specific suggestions of where on the Chestnut Hill campus housing could be added (p. 13), including the St. Thomas More site, retention and renovation of Edmonds Hall, housing at Beacon and Hammond, mixed-use with any new student center or gym, densification of the mod site, which BC continues to ignore.

BC has taken a position against high-rise housing on the Chestnut Hill campus, but has insisted that it can convert the high-rise building at 2000 Commonwealth Avenue into an acceptable dormitory. The St. Thomas More site is across St. Thomas More Road from the Chestnut Hill campus, and abuts the cemetery. If structures with density comparable to that of 2000 Commonwealth Avenue were added to the St Thomas More site (a site that is much larger than where 2000 Commonwealth Avenue is situated), that site could accommodate well over 1,000 units, easily absorbing the 150 units that BC should not build on the former Archdiocese property, the units that should not be built on Shea Field, and the 356 net new student units BC proposes at 2000 Commonwealth Avenue. Dormitory use could also be added to the site at Beacon and Hammond. If, in addition, Edmonds Hall remains and is renovated as advocated by the Task Force, 100% of undergraduate housing can clearly be achieved on the Chestnut Hill campus. Finally, the mod site could also be redeveloped at higher density, as proposed by the Task Force. We request that the BRA put urban design resources into developing two or three options to provide 100% on-campus housing units for BC to consider.

In the other major Institutional Master Plan process going on in Allston-Brighton, that of Harvard, Harvard has provided financial resources to fund consultants to the BRA and the community to consider a variety of alternative approaches to transportation, open space academic buildings, student housing, and density. Why are there not similar resources available in the case of BC? BC has refused to study alternatives, as required in the Scope. We believe the Task Force and BRA have an obligation to refuse to approve the IMP or a zoning change, and instead should commission independent consultants to prepare technical alternatives for the community.

The fact is that the economic downturn has had significantly negative impact on the finances of all universities. BC should not be allowed to use limited funds to "create inevitability" by destroying stone walls and outcroppings, changing zoning, breaking the Commonwealth Avenue median, and relocating baseball activities. They should be constrained to do one integral redevelopment of the St Thomas More site, with substantial parking and dormitory density similar to 2000 Commonwealth Avenue, to show a coherent achievable element with significant benefit to BC and the community, and be definitively prohibited from building the stadium or dorms on the Seminary site, or using 2000 Commonwealth Avenue as a dorm.

Conclusion

BNU urges the Task Force to recognize that BC has rejected all of the essential elements of the September 5, 2008 Task Force Report, and that the worsening of the economic climate makes it even more urgent to develop a sound plan consistent with the scope. BC has had several opportunities to provide analyses and permanent conditions to demonstrate that its proposals conform to the statutory requirements for Institutional Master Plan and zoning change approval. It has failed to do so.

BC has not provided adequate written documentation of their commitment to many details and various mitigation actions requested by the community and the Task Force. A common response is to either make verbal commitments or that they will be provided in future phases of "the process". Unfortunately, BC has demonstrated multiple times throughout this process that any verbal commitments its representatives make are non-binding. Thus, the ONLY leverage the community has in getting BC to make any binding commitments is prior to any approvals.

BNU believes that the plan as it exists today, does not guarantee 100% housing on campus – neither on the Chestnut Hill campus nor in "university controlled housing".

BC's "Phase 1" includes every contested issue. With approval of these items first, BC gets the baseball stadium and softball field, 2000 Commonwealth Avenue and the dormitories on the former Archdiocese property without any likely way to stop additional dormitories there once the zoning is changed, or to stop more dormitories after the 10-year moratorium on student enrollment expires.

Approval of the IMP gives BC permission to build things, but doesn't require them to be built. That is, if at the end of Phase 1 BC decides not to build the promised dormitories, they can choose not to, or hold the community hostage by insisting more dormitories be built on the former Archdiocese property. It allows BC to selectively complete their pet projects while removing any further neighborhood leverage. That is why the plan as it exists today is so damaging.

On issues of commitment or enforcement, an example is the exchange between Task Force members and BC representatives during the presentation on December 3, 2008, where BC representatives were not able to clearly articulate how they were going to mandate ALL students to move in to "university controlled housing". If they end up with students who choose not to live in "university controlled housing", BC ends up with empty beds. Also, many colleges and universities have stated that they will be looking at increasing their student enrollment as an option to address the shortages caused by the current economic downturn. Given that BC is no more immune to the present economic conditions than other colleges and universities, it is reasonable to assume that BC will face similar pressures to consider an increase in enrollment to address budget shortfalls.

Thus, approval of the IMP means that BC will get the Stadiums, the dorms (2000 Commonwealth Avenue and the 150 bed dormitory on the former Archdiocese property), will tear down Edmunds Hall, and in exchange will give a temporary 50 foot buffer that already legally exists, all in the name of an unlikely goal of reaching 100% "university controlled housing".

The only action that may produce progress is to definitively reject BC's zoning change requests and require BC to develop a Plan for dormitories within the Chestnut Hill campus.

Granting Boston College the zoning changes it has requested will make a mockery of the zoning variance process and will set a dangerous precedent of taking away the only protection, namely zoning restrictions, that residential neighborhoods rely on to maintain their character and quality of life.

BNU believes that the best way to make progress is to focus on an aspect of the project that has some common ground among all parties. BC's current proposal for the St. Thomas More site does not maximize the potential of this site. Developing the St. Thomas More site to provide proportionally similar density to that of the 2000 Commonwealth Avenue site, which BC now finds acceptable, would result in well over 1,000 beds on this site. This approach would provide a significant portion, if not all, of the new housing needs and presents many significant benefits to all parties concerned:

1. Boston College gains the much-needed credibility it lacks today with the community by showing that it is serious in fulfilling the 100% on-campus housing objective.
2. The site with the most potential and least objections from the community is developed first.
3. The economic benefits, primarily job creation for a larger variety of trades, are significantly greater with this project than construction of smaller buildings or renovation of 2000 Commonwealth Avenue.
4. The site is much closer to campus, which should make it better for the students.
5. Better to build a more suitable facility tailored to the students' needs than retrofitting and being constrained with the limitations of an existing structure.

BNU believes that solutions acceptable to all parties are achievable, provided that Boston College demonstrates a serious commitment to address the community's concerns in an open and transparent process and works towards gaining the community's trust.