



Boston City Council Committee on Ways and Means

Dockets #0588-0596 FY21 Budget

Boston Landmarks Commission

Working Session: Wednesday, May 6, 2020, 2:00 p.m.

Hearing: Thursday, May 12, 2020, 12:00 p.m.

The following is a collection of questions that were asked by the Committee regarding the Boston Landmarks Commission at the Working Session on Wednesday, May 6, 2020 at 2:00 p.m. Recording here: <https://youtu.be/VceizZUhKb8?t=3817>

The Administration is requested to respond to all questions in one of three ways:

1. Verbally at the hearing on Thursday, May 14th, at 12PM.
2. For factual questions, through written responses supplied prior to May 12th, including budget book page numbers or other references where appropriate.
3. By deferring to a specific scheduled departmental budget hearing.

Please annotate and return this information request before May 14th, indicating how each question will be answered.

Landmarks Commission Budget Questions

Councilor Kenzie Bok, Chair, asked:

1. When the Landmarks Commission was created, saving single important historical landmarks was really the cutting edge of historic preservation. Because of this, the standards for designating a landmark set a high bar for what counts as historically significant, which can frustrate the public when a beloved community resource fails to make the cut. Now that the world of historic preservation has come to better recognize a wider definition of historical value, do you think we have the right tools in our toolbox for this work? If you could make one change to the state enabling legislation, what would it be?

Response: The definition of what is historically significant has grown to encompass a recognition of the importance of all parts of a community to its full story. In the state enabling legislation, "landmark" is defined as "any physical feature...which in whole or part has historical, social, cultural, architectural or aesthetic significance to the city and the commonwealth, the New England region or the nation." Changing the last "and" to a comma would give the Landmarks Commission a greater ability to designate sites particularly important to Boston's history as landmarks.

2. Demolition delay is one of the Landmarks Commission's two main tools, but all it can really do is to buy time for a last-ditch negotiation, and many developers now



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start the demolition delay clock long before they intend to actually begin construction in order to head off even this possibility. Do you still think demolition delay provision as written in the Zoning Code suits our purposes, and how from the Landmarks Commission's perspective could it be better?

Response: Residents, preservation professionals, and developers have all voiced discontent with the current operation of Article 85. The Zoning Code, of course, is under the jurisdiction of the BPDA. However, the City has been engaged in both internal and external discussions about how the demolition-evaluation process could be clearer and more effective.

3. Historic preservation is viewed in some quarters as throwing an eleventh-hour wrench in the works of development, but this is partly because its role comes so late in the development process, after a great deal of money and time has often already been spent on negotiating design. Have you and the BPDA thought about ways to incorporate historic preservation input earlier in the development process?

Response: BPDA staff and Environment staff frequently discuss how to bring climate, historic preservation, energy, and other environmental concerns earlier into the review process. To this end, we have increased participation in each other's planning processes, consistent and early notification of projects under review, and informal consultation. Another important measure is wider public education and outreach around historic preservation so that both developers and neighborhood stakeholders are aware of preservation goals and processes.

4. Retrofitting old buildings is going to be a critical part of reducing Boston's carbon footprint over the next few decades; to what extent is the Landmark Commission specifically equipped to advise on historically-sensitive techniques for making this older building stock more environmentally friendly?

Response: Within the Environment Department, the climate team and the historic preservation team meet monthly to further collaborations to decarbonize historic buildings. This includes piloting energy retrofits in City-owned historic buildings, involving the historic preservation community in the development of building decarbonization policy, and developing resources and guidelines for carbon-neutral and climate-ready retrofits in historic buildings.



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5. My understanding is that there is a backlog of sites up for landmark review; what is the size of that current backlog, and what are the prospects for clearing it? Is Landmarks adequately staffed to complete this work?

Response: There are currently 86 pending landmarks and districts. *Pending* means that the Landmarks Commission has voted to accept an initial petition, which then requires more detailed study, development of guidelines, and final approval by the Commission, the Mayor, and the Council. We are hoping to produce at least several study reports by the end of this fiscal year.

6. My impression is that one way for the Landmarks Commission to provide upstream active input to help shape how the city treasures, uses, and repurposes its historic assets would be to do more active preservation planning, with adequate staff capacity to take on proactive assessments of certain areas rather than only reacting to projects. What is our current capacity like in that regard, and do we have plans to improve it?

Response: The historic preservation team engages in the types of activity described as much as possible. The building boom of the last several years and the increased number of project reviews required certainly have stressed the staff's capacity, even with the addition of a staff position in FY18. The length of time needed to fill the currently vacant architect's position--also affected by the building boom--has added to that.

7. Is the Landmarks Commission able to competitively compete to hire and retain preservation planners with the right backgrounds and credentials?

Response: Because of the importance of our program and the opportunities in Boston, the City has been able to attract superbly qualified historic-preservation staff members. In the past few years, turnover has been higher than we would have liked, and many of those who left cited compensation concerns as a factor.

8. I remember that when I was involved in the CPA campaign, it came up that a citywide survey of historic resources was very much overdue, and could also help to direct the priorities of the CPA funds for historic preservation. Is this something we have considered doing?



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9. There was also some talk at the time of using some of the 5% permitted administration funds from CPA to make such a plan; has that been considered?

Response to #8 and #9: Yes, we have discussed this possibility with CPA staff.

10. How does Landmarks support the CPC in its deliberations?

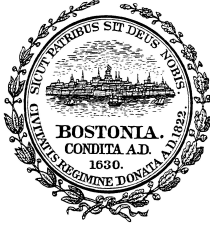
Response: The Landmarks Commission supports the Community Preservation Committee (CPC) in three ways. 1) By law, one Landmarks Commissioner is a member of the CPC. The current representative, Felicia Jacques, serves as the CPC chair. 2) Landmarks determines whether properties not currently listed on the State Register of Historic Places have historic significance and are therefore eligible for CPA funding. 3) CPC-funded projects that are not required to obtain formal design approval by Landmarks or other commissions are invited by the Commission for an advisory review of their proposed work.

11. I am interested in how we employ a huge number of young people this summer, and I've just been reading about a teenager who famously ran around making the best existing catalog of monuments in Cornwall, England; is there any way that Landmarks could train a corps of youth to do some kind of very preliminary survey work this summer?

Response: This is an interesting idea, but probably not feasible for this summer. We are very interested in working with youth and have been trying to expand the number of volunteer opportunities for all ages.

12. As you know, I represent the Beacon Hill Historic District and the Back Bay Architectural District, along with architectural conservation districts at Bay State Road and the Mission Hill Triangle. I've recently heard from constituents interested in a district designation for the historic core of the Fenway neighborhood; could you discuss what the process is for designating a new historic district or architectural conservation district, and what the distinction there is?

Response: In brief, the architecture and history in an architectural conservation district are of local significance; in a landmark district, the architecture and history have wider--that is, regional or national--significance.



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In brief, the process for successfully establishing a district or designating an individual landmark is as follows:

1. The Landmarks Commission formally accepts a petition at a public hearing.
2. a. For a district: A study committee, appointed by the Mayor and approved by Council, works with staff to create a draft study report that includes proposed district boundaries and guidelines.
b. For an individual landmark: Staff create a study report that includes proposed design standards and criteria.
All draft study reports, including guidelines, are released to the public.
3. The Commission reviews the draft study report at a public hearing, and adopts the proposal and votes on designation at a subsequent public hearing.
4. The Mayor and the Council approve the designation.

This process could fail at any step.

Councilor Liz Breadon asked:

1. Historic preservation as we think of it in community can and should include buildings and public spaces and certain businesses (e.g. Doyle's, Jacob Wirth – historic pubs and meeting places) that mean a lot to people but may not have national historical significance. Can our approach to historic preservation be adjusted to more reliably preserve some of those spaces important to the culture and life of the City?

Please see response to first question of Councilor Bok.

Councilor Matt O'Malley asked:

1. Could you provide an update on a unit on Heath Street, on the edge between District 6 and 8, that's currently waiting for guidance in terms of landmark designation?

Response: This seems to refer to the Eblana Brewery on Heath Street. If that is correct, historic preservation staff has met with a local community advocate to discuss the requirements for a landmarking petition.



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2. Generally, what is the process for designating a landmark?

Please see response to last question of Councilor Bok.

Councilor Julia Mejia asked:

1. Could you provide an overview of the Landmarks Commission, who is on it, and how it operates?

Response: The Landmarks Commission designates individual landmarks and historic districts (see response to question #12 of Councilor Bok), reviews and approves changes to individual landmarks, and reviews requests for building demolition under Zoning Article 85. Nine historic district commissions review and approve changes to structures in those districts. The 92 commissioners across all commissions are subject to varying requirements of residency and nomination, though all must live in Boston. The commissions make their decisions in public hearings where community members can speak and submit comments. The historic preservation staff in the Environment Department support the commissions and assist constituents in understanding preservation requirements and preparing applications. Please also see the response to question #10 of Councilor Bok.

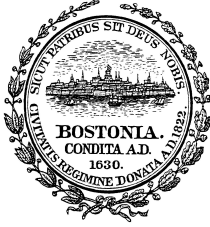
2. What outreach is done to communities that don't speak English? Are documents on the Landmarks Commission website available in other languages?

Response: Historic preservation staff are working with the City's Language and Communication Access team to translate our most used documents--applications, fee schedules, standards and guidelines, and hearing calendars. For hearings, our goal is to have, with advance notice, interpreters available for the city's six most common languages and to indicate this on abutter notices.

3. Please provide information regarding community input in terms of landmark designation.

Please see response to last question of Councilor Bok.

4. Can you speak to landmarks that uplift diverse communities? Has the Landmarks Commission done an assessment of the diversity of what it helps to protect?



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Response: We think that all Boston landmarks are important for all members of the Boston community because of the value of understanding the entirety and the complexity of Boston's history. However, some landmarks that may be of particular interest to often under-represented groups are:

In Roxbury, the Malcolm X-Ella Little-Collins House, William Monroe Trotter House, St. James African Orthodox Church, William Lloyd Garrison House, Bond-Hampton House.

In Mattapan, the Fowler-Clark-Epstein Farm.

In Dorchester, the Industrial School for Girls.

In addition to specific landmarks, the department's archaeology program has given particular attention to under-represented communities in the last few years.

Councilor Annissa Essaibi-George asked:

1. What is the Landmark Commission's role in CPA projects?

Please see response to question #10 of Councilor Bok.

2. How has the pandemic impacted the work of the Landmarks Commission?

Response: All commissions in the Environment Department, including Landmarks and the district commissions, are holding virtual hearings. We've initiated policy changes such as allowing electronic applications in addition to hard copy.