

Design Review by the Boston Parks and Recreation Commission

Section 7-4.11 - The 100' Rule

The City of Boston Municipal Code Section 7-4.11 (the “100’ rule”) requires the approval of the Boston Parks and Recreation Commission for all buildings and structures that are constructed or altered within 100 feet of a park or parkway. The City generally interprets this code to apply to development that is adjacent to publicly owned parks and parkways, or that is adjacent to privately owned property that is permanently protected by a conservation restriction.

Development projects that are adjacent to open space benefit from this relationship. The purpose of the Parks Commission review is to ensure that projects which are adjacent to open space are designed so that they do not negatively impact the protected open space or public realm. The Parks Commission review encourages developers and property owners to acknowledge the value of open space in the neighborhood, and consider how the project can help improve the quality, character or ongoing maintenance and upkeep of that open space.

The final approval of the Parks Commission is granted after a project has been approved by all other agencies, such as the BRA, the Zoning Board of Appeals, the Landmarks Commission, the Conservation Commission, etc. This is to ensure that the Parks Commission is approving the final design of the project in relation to the public open space, with no further modifications.

Review Criteria

The Parks Commission’s design review typically includes a review of the following:

- Siting and site design
- Project context and adjacencies
- Height, massing and setbacks
- Design in the public realm and interface, streetscape, ingress / egress
- Shadow and wind impacts
- Density, uses and size of units
- Removal of existing significant vegetation, landscape plan and tree preservation
- Grading, drainage and storm water control
- Appropriateness of site design – design along park frontage, general layout and access, edge conditions, planting, materials, lighting, trash, fencing, walls, signage, etc.
- Staging and construction management plan, particularly for projects that abut parks.
- Application of low-impact site design / sustainable design principles
- Input gathered through community outreach efforts relevant to parks
- Mitigation for impacts and community contributions negotiated through Article 80.

Application

Applicable projects must obtain approval of the Parks Commission prior to receiving a building permit from the City. Projects that are small in scale may be reviewed administratively by staff. Please contact the Executive Secretary, Boston Parks Commission, 1010 Massachusetts Ave., Boston, MA 02118 at 617-961-3074 to determine if a project requires Commission review.

Review Process

The Parks Commission meets on the last Monday of each month at 10:00am at the Parks and Recreation Department, Third Floor, 1010 Massachusetts Avenue, Boston, MA 02118.

Proponents are encouraged to meet with staff early in the City's review process. Submittal of an application does not guarantee that a project will be on the next agenda, as staff will work with the developer to make sure that all issues of concern to the Parks Commission are addressed. Below is a typical timeframe for a project to be put on the agenda for a hearing.

- During the Article 80 or ISD Permitting Process – Contact the Executive Secretary of the Parks Commission to discuss the project and determine issues and timeframe for review. Staff may request plans and other materials to guide this discussion. Staff may request a meeting with the applicant to review the project prior to submittal of an application. Once the staff feels that all issues have been resolved, the item will be scheduled for a hearing.
- First Friday of the month – Submit an application package to the Parks Commission. Proponents will be notified if additional materials are required to complete the Commission application package. Insufficient information will mean deferral of a hearing.
- Second Friday of the month – A final and complete application package is due.
- Third Friday of the month - Provide ten copies of the package by the third Friday. Staff will prepare a memorandum of review on the project, and the packages will be distributed.
- Last Monday of the month - The applicant will present at the hearing. The team generally consists of a developer, architect and landscape architect. Plans should be presented on boards (easels are available). With prior notice a laptop, projector and screen is available.

Submittals

Applications for project review should submit the items listed below to the Parks Commission.

Administrative Review: For renovations and small additions, please submit a locus map, site plan, floor plans, elevations, and a landscape plan with a list of plant materials. A grading and drainage plan may also be requested as part of the review.

Commission Review: For new construction requiring a Commission hearing, please submit the items listed below, typically in booklets, each with a titled cover page, index page, narrative sections and graphic plans. Please limit the size of materials to 8.5" x 11" or 11"x17".

Materials for Parks Commission Review

Plan Information

- Context plan showing neighborhood locus and relevant park or parkway
- Existing conditions plan
- Building plans including the floor plans and elevations
- Plans showing grading, drainage and storm water control
- Site development plan describing specific materials, walks, driveways, parking, lighting fixtures, drainage treatment and fencing
- Plans showing vegetation removal and tree preservation, as well as landscape plan with locations and list of plant types by botanical genus, species, variety, size and quantity
- All engineered plans shall be dated, signed and stamped by a licensed engineer.
- Staging and construction management plan, particularly for projects that abut parks.

Narrative Information

- Project context and adjacencies
- Building type, whether commercial, industrial, institutional, office or residential
- Building program including square feet, height, stories, number and type of units, whether rental or condominium, description of common space, etc.
- Description of how the project will address the open space needs for the neighborhood as defined in the *2015-2021 Open Space and Recreation Plan* which is available at <http://www.cityofboston.gov/Parks/openspace/>
- Projects that abut property under the jurisdiction of the Department of Conservation and Recreation should provide an update of review by that agency.
- Description of to whom the building will be marketed.
- Building services including storage, parking, (if applicable) trash collection and disposal
- Shadow and wind studies for buildings exceeding the height of adjacent structures
- Application of low-impact site design / sustainable design principles
- Evidence of community outreach, summary of input and documentation of support
- Commitments made for community benefit contributions or mitigation of impacts

**BOSTON PARKS COMMISSION
APPLICATION FORM FOR DESIGN REVIEW**

City Ordinance 7-4.11 requires the approval of the Boston Parks Commission for all buildings or structures that are constructed or altered within 100 feet of a park or parkway.

Please complete and submit this form to start the review process. Staff will contact you to discuss further submittal requirements. For questions - please contact Carrie Marsh, Boston Parks Commission, 617-961-3074, carrie.marsh@boston.gov.

DATE: _____ ISD APPLICATION # _____

PROJECT NAME: _____

PROPERTY ADDRESS: _____

APPLICANT: _____

ADDRESS: _____

EMAIL: _____ PHONE: _____

PARK WITHIN 100': _____

PROJECT DESCRIPTION: _____

COMMUNITY OUTREACH: _____

STATUS OF APPROVALS:

Boston Redevelopment Authority

Zoning Board of Appeals

Boston Transportation Department

Public Improvement Commission

Boston Civic Design Commission

Boston Landmarks Commission

Boston Conservation Commission

Boston Art Commission

Boston Water and Sewer

State (DCR, MEPA, Chap. 91, ACEC, NPDES, etc.)
