

MEMORANDUM

APRIL 14, 2016

TO: BOSTON REDEVELOPMENT AUTHORITY AND
BRIAN P. GOLDEN, DIRECTOR

FROM: JONATHAN GREELEY, DIRECTOR OF DEVELOPMENT REVIEW
MICHAEL CHRISTOPHER, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW/GOVERNMENT AFFAIRS
PHIL COHEN, PROJECT MANAGER

SUBJECT: 40 TRINITY PLACE PROJECT, NOTICE OF PROJECT CHANGE

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (the "BRA" or "Authority"): (1) authorize the Director of the Authority to issue a Determination pursuant to Section 80A-6 of the Boston Zoning Code (the "Code") in connection with the Notice of Project Change (the "NPC") for the development of the 40 Trinity Place Project (the "Proposed Project"); (2) authorize the Director of the Authority to issue a Certification of Compliance for the Proposed Project pursuant to Section 80B-6 of the Code, upon successful completion of Article 80 Large Project Review; and (3) authorize the Director of the Authority to take any and all actions and execute any and all documents deemed necessary and appropriate by the Director in connection with the foregoing, including, without limitation, executing and delivering a Development Impact Project Agreement, Boston Residents Construction Employment Plan, Cooperation Agreement, Affordable Housing Contribution Agreement, Affordable Housing Agreement and any and all other agreements and documents as may be deemed necessary and appropriate by the Director.

PROJECT SITE

The Proposed Project comprises land at 40 Trinity Place in the Back Bay Neighborhood of Boston and a portion of air rights appurtenant to the adjacent University Club at 426 Stuart Street (the "Project Site"). The Project Site is bounded by Trinity Place to the west, Stuart Street to the north, property owned by the University Club to the East, and property owned by an affiliate of Boston Properties to the south.

The existing conditions of the Project Site include the approximately 8-story Boston Common Hotel and Conference Center, operated as a 64-room hotel and conference facility with commercial office space and ground floor retail use.

DEVELOPMENT TEAM

The development team consists of Trinity Stuart LLC, comprised of Gary Saunders, Jeffrey Saunders, and Jordan Warshaw, as Proponent; The Architectural Team as project and exterior architect; Stonehill & Taylor Architects, P.C. as hotel architect; Howard-Stein-Hudson Associates, Inc. as civil and traffic engineers; Epsilon Associates, Inc. as permitting consultant and Goulston & Storrs, P.C. serving as legal counsel.

HISTORY

On August 21, 2012 Trinity Stuart LLC (the "Proponent") submitted a Letter of Intent to the BRA followed by the submission of the Project Notification Form ("PNF") on October 29, 2012. The BRA issued a Scoping Determination in response to the PNF on March 1, 2013. During this time period the Proponent met with the community, elected officials, abutters, and the Boston Civic Design Commission ("BCDC").

On July 17, 2013, in response to the Scoping Determination as well as comments on the PNF from local agencies, the community, and from BCDC, the Proponent submitted a Draft Project Impact Report ("DPIR"). On October 30, 2013, the Proponent provided additional details to the BRA regarding mitigation to address wind in the surrounding area beyond the immediate Project Site. These details demonstrated an improvement over the pedestrian level wind conditions in the No Build condition as described in the DPIR (the "2013 Proposed Project").

The 2013 Proposed Project was approved by the BRA on December 19, 2013 and the Project received a Preliminary Adequacy Determination Waiving Further Review dated April 1, 2014 (the "PAD"). As described further in the PNF and DPIR, the Project was designed in accordance with the Stuart Street Planning Study Proposed Development Review Guidelines issued by the BRA dated November 2010 (the "Stuart Street Guidelines"). As contemplated by the Stuart Street Planning Study, the Zoning Commission approved new Article 48 to the Zoning Code, effective March 23, 2016, for the Stuart Street area to implement the Stuart Street Guidelines. The Proposed Project has been designed in accordance with Article 48.

The 2013 Proposed Project:

The 2013 Proposed Project included the demolition of the existing building on the Project Site and the construction of an approximately 400' high building with an FAR of approximately 17.5 (calculated as described in the DPIR). The building contained hotel uses for approximately 227 guest rooms, conference and ballroom areas, and a pool and fitness center, as well as approximately 115 modern condominium units, three restaurants and lounges totaling approximately 11,300 square feet and an expansion space for the adjacent University Club. A two level garage accessed by automobile

elevators was proposed to be located on floors 4 and 5 of the new building providing approximately 100 on-site parking spaces for the residential units.

NOTICE OF PROJECT CHANGE

On December 28, 2015 the Proponent submitted a Notice of Project Change (the "NPC Project") which proposed to (1) move the parking off-site, (2) modify the unit mix, and (3) satisfy the Inclusionary Development Policy ("IDP") requirements by developing units off-site.

Elimination of On-Site Parking:

In lieu of the approximately 100 on-site parking spaces in the Approved Project, the Proponent proposes 100 off-site parking spaces under a long-term agreement with the parking garage at 131 Dartmouth Street. In addition, the 26 spaces at the garage at 100 Clarendon, which were allocated to hotel uses in the DPIP, are now anticipated to service Project residents. Both of these garages are located a short walk from the Project site.

Modification of Unit Mix:

The NPC Project now includes 73 fewer hotel keys (now approximately 154 keys) and 31 more residential units, including studio units, (now approximately 146 residential units) than in the 2013 Proposed Project.

Modified Inclusionary Development Commitment:

The 2013 Proposed Project included 17 on-site IDP homeownership units (calculated at 17.5% of the total amount of market rate units, as required by the Stuart Street Guidelines). The Notice of Project Change proposed locating all IDP units off-site. The Proponent and BRA held meetings with the IAG on February 2, 2016, and April 4, 2016, to review the Notice of Project Change and, in particular, the affordable unit proposal.

In response to comments received at these meetings and other meetings, the BRA and Proponent explored whether it was feasible to locate affordable units on-site. The BRA conducted a financial feasibility analysis in connection with the NPC Project and determined that satisfying the IDP commitment solely via on-site unit creation would result in a rate of return deemed to be below the limit of financial feasibility.

In recognition of the need to create both market rate and affordable units in the City, and recognizing that IDP contributions can be leveraged to create many more IDP units outside of the Proposed Project, the BRA will allow the Proponent to create seven (7) units on-site and make a contribution to the Inclusionary Development Fund sufficient to satisfy the remainder of the IDP commitment pursuant to An Order Relative to the Inclusionary Development Policy of 2006 and An Order Relative to the Inclusionary Development Policy's Income Policy of 2007.

Of the seven (7) on-site IDP units, four (4) will be made affordable to households earning not more than 80% of the Area Median Income ("AMI") as based upon the United States Department of Housing and Urban Development ("HUD"), and the remaining three (3) will be made affordable to households earning greater than 80% of AMI but not more than 100% of AMI.

In addition to the on-site IDP units, the Proponent has agreed to contribute approximately \$13,586,465, paid to the City Department of Treasury (the "Treasury") for the IDP Fund.

The development team has agreed to pay their IDP contribution in three phases: \$1,646,350 no more than 30 days after the issuance of the initial full building permit, \$4,939,050 no more than 30 days after the issuance of the Certificate of Occupancy and, the remainder of half the differential between the actual market rate unit prices and the IDP units prices, determined based on the average actual sales prices and listing prices for unsold units, by unit type, no more than one year after the issuance of the Certificate of Occupancy.

This contribution, combined with the seven (7) on-site units, will allow creation of a number of affordable units equivalent to 17.5% of the market rate units in the NPC Project and shall satisfy fully the IDP requirements pursuant to An Order Relative to the Inclusionary Development Policy of 2006 and An Order Relative to the Inclusionary Development Policy's Income Policy of 2007 and the affordable unit requirements in Article 48 of the Zoning Code. An Affordable Housing Contribution Agreement ("AHCA") and an Affordable Housing Agreement ("AHA") must be executed along with, or prior to, the approval of final construction drawings for the NPC Project.

The Proponent must also submit an Affirmative Marketing Plan (the "Plan") to the Boston Fair Housing Commission and the BRA. Preference will be given to applicants who meet the following criteria, weighted in the order below:

- (1) Boston resident;
- (2) Household size (a minimum of one (1) person per bedroom); and
- (3) First time homebuyer.

The IDP Units will not be marketed prior to the submission and approval of the Plan. A deed restriction will be placed on the IDP Units to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with a BRA option to extend for an additional period of twenty (20) years). The household income of any subsequent renter of the IDP Units during this fifty (50) year period must fall within the applicable income for each IDP Unit. The BRA or its assigns or successors will monitor the ongoing affordability of the IDP Units.

Additional Modifications:

The above revisions described in the NPC result in minor changes to the ground floor layout, an improvement in vehicular drop-off and circulation configuration, and the reduction in height from the 2013 Proposed Project of approximately seven feet and two stories, as well as a slight reduction in the 2013 Proposed Project's gross floor area. Therefore, the NPC Project results in an approximately 393' high building with an FAR of up to approximately 17.5 (calculated as described in the DPIR) containing hotel uses with approximately 154 guest rooms, conference and ballroom areas, and a pool and fitness center, approximately 146 modern condominium units, restaurants and lounges totaling approximately 11,300 square feet and expansion space for the adjacent University Club.

As described in the NPC, these project changes do not significantly increase project impacts.

ARTICLE 80 REVIEW PROCESS

On Tuesday February 2, 2016 an IAG meeting was held at 40 Trinity Place to discuss the NPC Project. The IAG meeting was posted on the BRA website and a notice was distributed to all those who sign up for project notifications in the Back Bay.

A second meeting was held in collaboration with the Bay Village Neighborhood Association on February 18, 2016 at the Revere Hotel, Carver Room and, after receiving feedback from the Bay Back and Bay Village communities, an additional IAG meeting was held on April 4, 2016 at 40 Trinity Place.

DEVELOPMENT IMPACT PROJECT EXACTION

The NPC Project includes an estimated 172,105 square feet dedicated to Development Impact Uses. Therefore, the NPC Project will provide estimated linkage funds of \$567,446.35 for the Housing Exaction and \$113,204.85 for the Jobs Exaction pursuant to the provisions of Article 80, Section 80B-7 of the Code. The estimated linkage payments are calculated as follows:

Housing Linkage	
DIP Uses	172,105 square feet
Exclusions	<u>-(100,000)</u>
	72,105
	<u>x \$7.87 /square feet</u>
	\$567,466.35

Jobs Linkage	
DIP Uses	172,105 square feet
Exclusions	<u>-(100,000)</u>
	72,105
	x <u>\$1.57</u> /square feet
	\$113,204.85

RECOMMENDATION

Based on the foregoing, staff recommends that the Authority : (1) authorize the Director of the Authority to issue a Determination pursuant to Section 80A-6 of the Boston Zoning Code (the "Code") in connection with the Notice of Project Change (the "NPC") for the NPC Project; (2) authorize the Director of the Authority to issue a Certification of Compliance for the NPC Project pursuant to Section 80B-6 of the Code, upon successful completion of Article 80 Large Project Review; and (3) authorize the Director of the Authority to take any and all actions and execute any and all documents deemed necessary and appropriate by the Director in connection with the foregoing, including, without limitation, executing and delivering a Development Impact Project Agreement, Boston Residents Construction Employment Plan, Cooperation Agreement, Affordable Housing Contribution Agreement, Affordable Housing Agreement and any and all other documents as may be deemed necessary and appropriate by the Director.

Appropriate votes follow:

VOTED: That the Director be, and hereby is, authorized to issue a Determination (the "Determination") under Section 80A-6 of the Code which finds that the NPC submitted to the Authority by Trinity Stuart LLC (the "Proponent"), on December 28, 2015: (1) adequately describes the impacts of the NPC Project; (2) does not significantly increase those impacts; and that waives further review of the NPC Project, subject to continuing design review; and

FURTHER

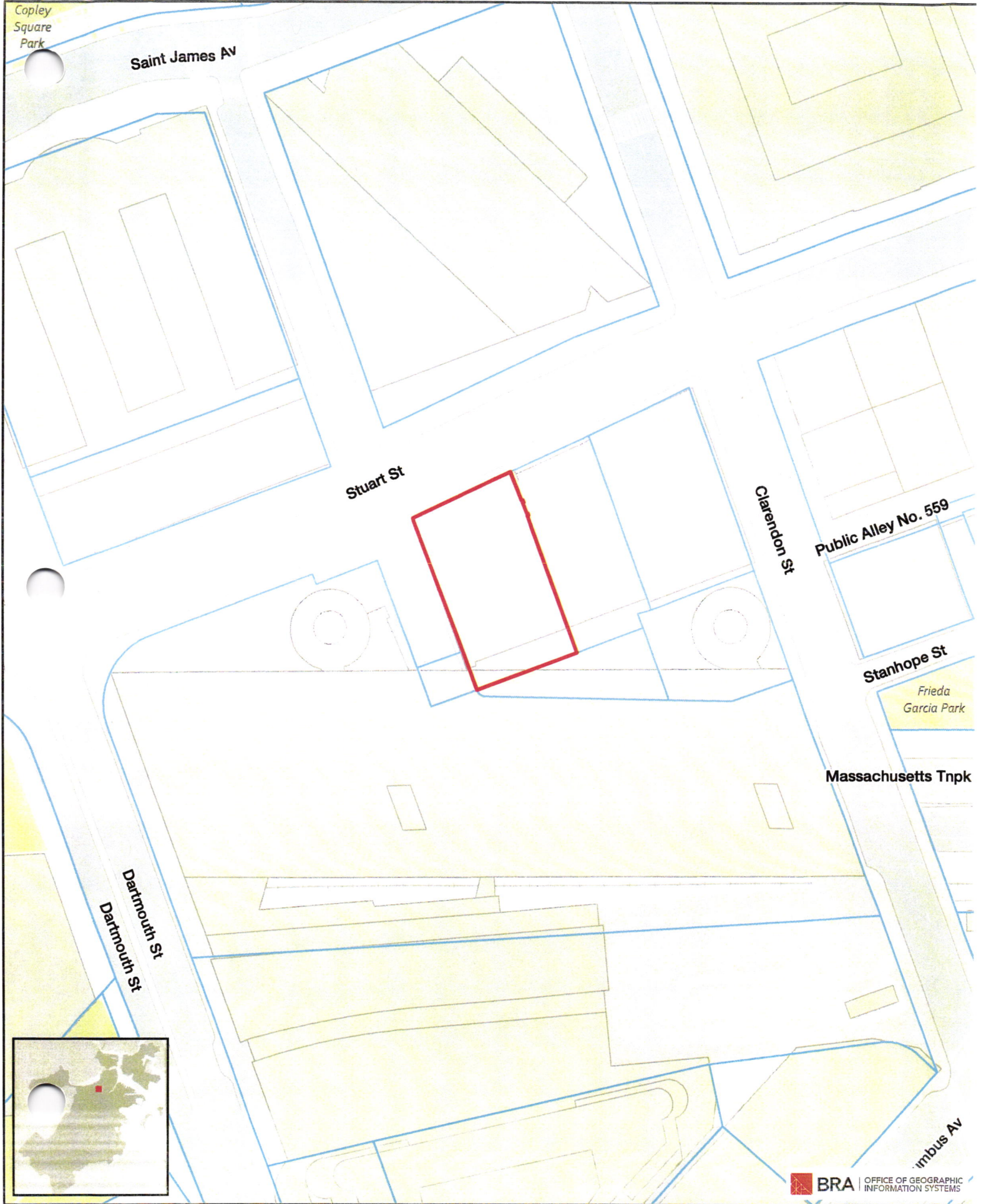
VOTED: That the Director be, and hereby is, authorized to issue a Certification of Compliance for the NPC Project upon the successful completion of the Article 80 Large Project Review process; and

**FURTHER
VOTED:**

That the Director be, and hereby is, authorized to take any and all actions and execute any and all documents deemed necessary and appropriate in connection with the foregoing, including, without limitation, executing and delivering a Development Impact Project Agreement, Boston Residents Construction Employment Plan, Cooperation Agreement, Affordable Housing Contribution Agreement, Affordable Housing Agreement, and any and all other agreements and documents as may be deemed necessary and appropriate by the Director upon terms and conditions determined to be in the best interest of the Authority, in connection with the NPC Project.

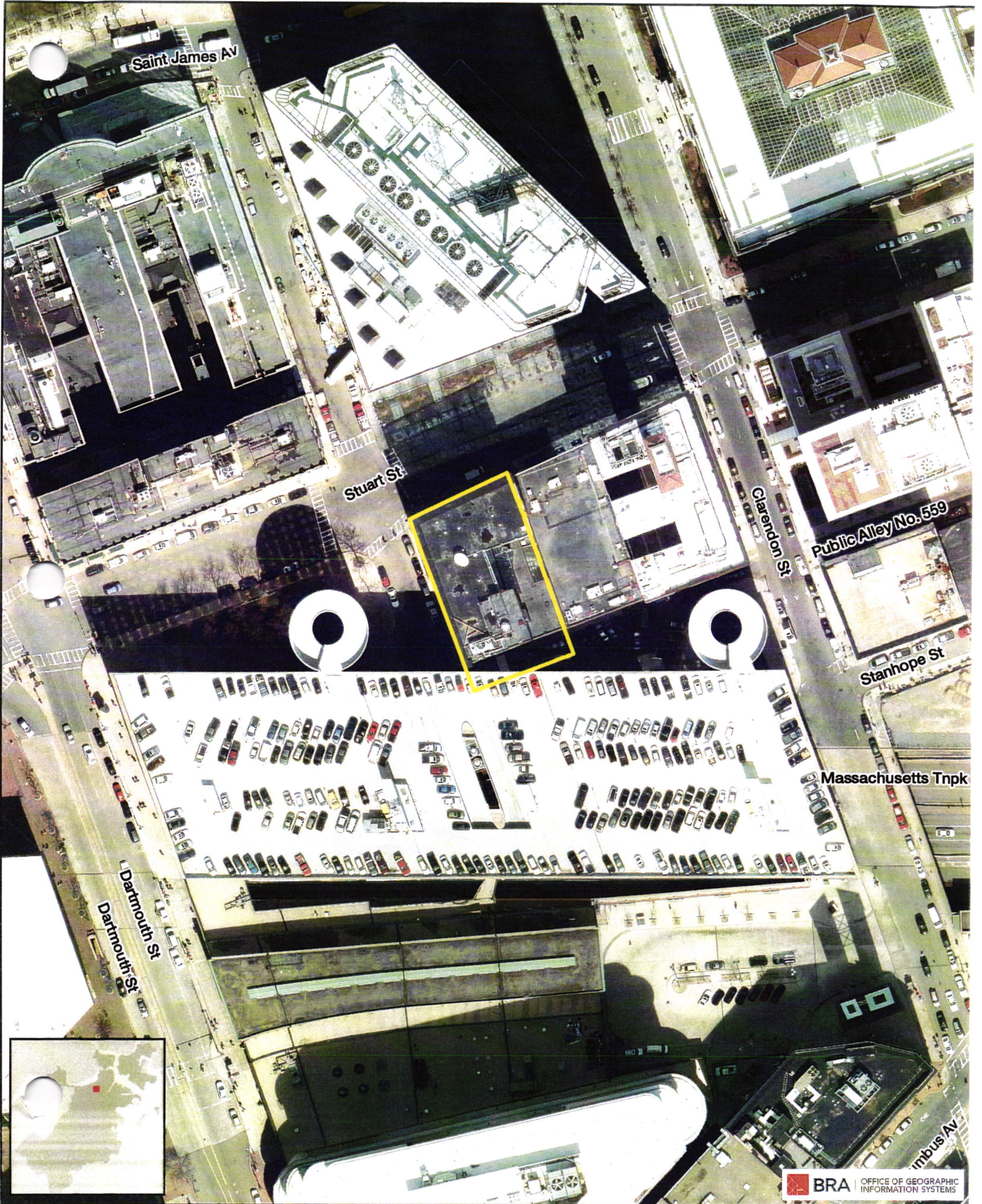
40 Trinity Place

1:1,200



40 Trinity Place

1:1,200





Tom Parsi <tomparsi@me.com>

10:33 AM (29 minutes ago)

to me, bill.linehan, samuel.chambers, tim.davis, michelle.wu, ayanna.pressley, aaron.m.michle., sbherlihy (-)

Dear Boston Redevelopment Authority Board,

My name is Tom Parsi and I am a member of the Bay Village Neighborhood Association. I recently attended a public hearing that was held on Tuesday 2/2/2016 with regards to the "notice of change project" for the redevelopment of the site at 40 Trinity Place in Back Bay. The sudden magnitude of changes presented at this meeting directly impact the Bay Village neighborhood. First and foremost, it is quite puzzling that all those directly involved with this project were not properly notified in accordance with the current laws and regulations.

As you are aware, in order to secure proper permitting to commence this project, the 40 Trinity Place developer had agreed to provide "**17 on-site affordable housing units**" in 2014. At the recent public hearing, it became evident that due to the current market demands and expeditious profitability in the luxury condominium market in the city of Boston, the developer has chosen to reduce the number of the hotel rooms for his project. Specifically, two floors previously designated for the hotel room usage have now been diverted to residential units. By increasing the number of the residential units, the developer has accordingly failed to **proportionally increase** the number of the on-site affordable housing units for this project from the 17 initial units. To make the matters worse, the developer has chosen to offer **NO affordable housing units** in his building and relocate the entire affordable housing units to an off-site property outside of the Back Bay neighborhood (Cortes and Arlington Street).

The developer claimed that by moving the affordable housing project to an off-site location, he will provide 36 affordable housing units. We, the Bay Village Neighborhood Association, are respectfully requesting that a meeting be held in our neighborhood with the BRA and the developer. At this meeting, we would like to discuss that the rationale presented by the developer is seriously flawed. In reality, the off-site affordable housing project as it was presented at this public hearing actually **decreases the net number of the designated affordable housing units in the city of Boston**. This is contrary to the goals set forth by Mayor Marty Walsh in his state of the City speech. Furthermore, this project contributes to the existing socio-economic segregation that already exists and highlights the wide gap in income inequality in the city of Boston. Unfortunately, our beloved city was recently ranked as the number one offender in all the major cities in the United States in this category.

Lastly, I am hoping that you take our Neighborhood Association's request into consideration and give us the opportunity to amicably discuss our views in a neighborhood meeting. It is also my strong belief that the 56 families that currently live in the buildings on Cortes and Arlington street be properly notified and be given a voice to be involved in their future.

Very Truly yours,

Tom Parsi

Susan Morris

Mar 9 (2 days ago)



to me, Sheila, Tim, Carol, mayor, Jonathan, Michael (-)

Dear Mr. Cohen,

If it wasn't financially feasible to put that many units in the building when they applied for the height exemption then the developer should never have negotiated to do that in order to get an exemption. And if the goal of IMAGINE 2030 is to make the neighborhoods more mixed use and income then allowing in all LUXURY building in the Back Bay above the height and density restrictions is way off strategy. I ask you to never approve one of these "bait and switch" deals for the future of Boston and income diversity is at stake.

Do you think we are so stupid to think that buying off site low income housing is a legitimate reason for giving out zoning restriction exemptions? Off site is NOT at all the same as a mixed income building. For the sake of the Back Bay community which NEEDS younger families with children please keep the Trinity Place project mixed income. Granting the off site solution is like not putting the parent killer in prison because he is now an orphan.

Thank you for your reply.

Susan W Morris

Susan W Morris

[617794-3552](tel:6177943552)

usan Morris

Mar 9 (2 days ago) ☆



me, Sheila, Tim, Carol, mayor, Jonathan, Michael ▾

Dear Mr. Cohen,

It wasn't financially feasible to put that many units in the building when they applied for the height exemption then the developer should never have negotiated to do that in order to get an exemption. And the goal of IMAGINE 2030 is to make the neighborhoods more mixed use and income then allowing all LUXURY building in the Back Bay above the height and density restrictions is way off strategy. I ask you to never approve one of these "bait and switch" deals for the future of Boston and income diversity is at stake.

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Thank you for your reply,

usan W Morris

usan W Morris

17)794-3552

Meeting request

Inbox x



 **Stephanie Howard** <stephanie.howard@me.com>

9:40 PM (12 hours ago) ☆



to me, bill.linehan, samuel.chambers, tim.davis, michelle.wu, ayanna.pressley, aaron.m.mic

Dear Mr. Cohen,

I just learned that the project "40 Trinity Place" has made a change that will create 38 affordable housing units in the Bay Village neighborhood (an "offsite" location).

As a Bay Village resident, I am writing to request that the developer and the BRA hold a meeting in the neighborhood so that residents can have any questions answered.

Many thanks,
Stephanie Howard

42 Melrose St
Boston MA 02116
stephanie.howard@me.com

40 Trinity Place

Inbox x



 **Saralynn Busch** <saralynn0907@gmail.com>

5:39 PM (22 hours ago) ☆



to me, mayor, samuel.chambers, Michelle.Wu, Bill.Linehan, Ayanna.Pressley, A.E.George, aaron.m.michle., jwarshaw, sbherlihy

Mr. Cohen:

I am a resident of Bay Village and support the BVNA's position that the BRA should delay the vote on the proposed change to the affordable housing portion of 40 Trinity Place.

Sincerely,

Saralynn Busch

12 Piedmont Street, Unit 1

Boston, MA 02116

Trinity Place -- Request for presentation to Bay Village

Inbox x



Sarah Herlihy

8:53 AM (3 hours ago) ☆



to me, Samuel, Nancy, tim.davis, James, James, michelle.wu, Bill, blake.webber, Aaron, Ben, Kenzie, Ayanna

Phil:

It was nice to meet you last night. As president of the Bay Village Neighborhood Association, I wanted to reiterate the concerns I expressed at the 40 Trinity IAG meeting on the proposed changes to the project notification form for this project.

As I mentioned, I received and read the 1/28/16 email regarding the proposed project changes. I also reviewed the attached letter outlining the changes. While the letter refers to the change in the affordable housing project to provide off-site instead of on-site units, nowhere in the letter or the BRA email is Bay Village mentioned. Indeed, the letter notes that the units will be "in the same neighborhood as the Project." In short, neither the developer nor the BRA provided any notice that this project would be having an impact on Bay Village. During last night's meeting, the developer excused this by saying that they "thought" the properties were in the Back Bay.

Whatever the reason for the omission, it is clear that even the most diligent Bay Village resident has received no notice that this project would be having any impact on Bay Village. It was not until the night before the IAG meeting that an IAG member informed us that the units would be in Bay Village.

Since notifying the neighborhood of the proposed change, many residents have asked why Bay Village was not specifically notified, and whether the BRA and developer would provide an opportunity for Bay Village residents to ask questions about the plans for 1-5 Cortes and 123 Arlington. Bay Village has a history of supporting diversity in its population, and has consistently supported affordable housing in its neighborhood. The residents of Bay Village, however, want an opportunity to ask questions about the plans for these properties and share information about our community that could help maximize the use of these properties.

Please let me know if the BRA and the developer will agree to meet with Bay Village residents, in Bay Village, to present their plans and answer questions. Our regularly scheduled planning meeting is on February 15th at 7:00 pm, but we can also provide meeting space on a different day.

...

Sarah Herlihy
BVNA President

Proposed off site affordable units for the 40 Trinity Place project in Bay Village



Inbox x

 **Ronan Flynn** <ronanflynn1@googlemail.com> Feb 4 (8 days ago) ☆

to bill.linehan, me, samuel.chambers, tim.davis, michelle.wu, ayanna. ▾

Good afternoon Mr. Cohen,
I own a condo at 17 Cortes Street (Apt. # 3) and have just been made aware of the above.

Our condo association along with the BYNA and I imagine a number of other local owners and condo associations would like to urgently request a meeting with the BRA to understand more about this and to hear directly from the developer and the BRA why this project change has not sought to locate these much-needed units in the same neighborhood as the proposed development?

When I bought my condo in 2005, the Columbus Centre project over the Mass Pike was the much-heralded development that was going to considerably enhance both Boston in general and our neighborhood in particular. This failed to materialise and the local residents had to endure considerable disruptions to our day-to-day living due to the legacy issues of this project.

Please let me know when a meeting can be arranged for the Bay Village residents to meet and discuss this project change in more detail and to provide us with a suitable forum to express our thoughts and concerns.

Thank you,
Ronan Flynn

40 Trinity Place Notice of Project Change

Inbox x



 Robert Lashway <rlashway@floydadvisory.com>

2:11 PM (3 hours ago) ☆



to me, mayor, samuel.chambers, Michelle.Wu, Bill.Linehan, Ayanna.Pressley, A.E.George, ;

Phil – I am writing regarding the developer of 40 Trinity Place's request to relocate its affordable housing requirement from Back Bay to Bay Village. I am a homeowner and resident in Bay Village and support the Bay Village Neighborhood Association's (BVNA) request that the BRA delay its vote on the matter. The developer provided "last minute" notice to the BVNA on its intentions and has not provided adequate information on the project. In fact, the developer was unable to answer basic questions about the project at the 2/18/2016 special meeting with the BVNA.

The delay is necessary to allow the developer to provide the BVNA with adequate information and allow the residents to process it once received.

Thank you for your time,
Rob & Jennifer Lashway
45 Winchester St.
617-270-3570

ROBERT W. LASHWAY, CPA, CFF, ABV
PARTNER

FloydAdvisory

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BVNA meeting



Inbox x



Prilla Smith Brackett <psb@prillasmithbrackett.com>

3:27 PM (19 hours ago) ☆



to me, bill.linehan, samuel.chambers, tim.davis, Michelle, ayanna.pressley, aaron.m.michle. |v|

Hello Mr. Cohen,

Please schedule a meeting so the Bay Village community has an opportunity to ask questions and give feedback about the proposal to have the affordable housing units for 40 Trinity Place, Back Bay, be located in Bay Village at 123 Arlington and 1,3, and 5 Cortez.

Thank you,

Prilla Smith Brackett
45 Church Street #5
Boston, MA 02116



40 Trinity Place, Back Bay

Inbox x



Buta, Paul <paul@buta.org>

9:02 AM (1 hour ago) ☆



to me, cityreps |v|

Dear Mr Cohen:

I live in Bay Village, and I was surprised to hear that the affordable housing units for 40 Trinity Place have been removed from the building and sent off-site to our neighborhood instead. I know developers dislike affordable housing in their buildings, but I've seen a few excellent examples in the city where it seems to have worked quite well.

I am not necessarily against Back Bay's affordable housing units being relocated to Bay Village, but we need to know more about the plans for these buildings in the context of the historic character of our small neighborhood. We have fewer than 1,000 households here, so 38 affordable housing units could have quite an impact. I understand that the Bay Village Neighborhood Association has requested a neighborhood meeting with the developer of the 40 Trinity Place project. I strongly encourage such a meeting to help residents understand the implications if this project proceeds as planned.

If you have any questions, or if you would like to discuss this matter further, please do not hesitate to contact me.

Thank you,

Paul Buta
9 Knox Street #2
Boston, MA 02116
(617) 504-0837



Panagiota A. Pappas <ppappas22@gmail.com>

10:52 AM (11 minutes ago) ☆



to me, aaron.m.michle., sbherlihy, bill.linehan, samuel.chambers, tim.davis, michelle.wu, ayanna.pressley

Mr. Cohen,

I have lived in Bay Village for 7 years and own a condo at 17 Cortes Street. As you may know, Bay Village is a unique neighborhood in Boston with it's own individual character and charm. I moved to the neighborhood at the tail end of the failed Columbus Center Project, and had the unfortunate experience of having to live through the mess and mismanagement of a failed project.

Additionally, we have been extremely patient with the construction at 7-11 Cortes next door. Half our street parking has been eliminated due to dumpsters and construction permits for over 6 months. Dirt/dust/debris has been excessive — but we understand the need to update the transitional housing next door.

While I do understand the need for affordable housing, I think that the developers of 40 Trinity Place are missing the point by reassigning their required affordable units to an off-site location. I would think that the purpose of these developers to be required to accommodate lower-income citizens is to integrate and diversify the population in less affordable neighborhoods and high end buildings. Ultimately, "off-site" affordable housing has the opposite effect— it continues to keep lower-income residents grouped together and not integrated into the population of that luxury building.

Additionally, 40 Trinity Place is very distinctively a Back Bay project. I would think that the developer would have their "off-site" affordable units in the same neighborhood. Why would the developer propose to put the units in Bay Village?

I feel as of the residents and neighbors of Bay Village have been left in the dark about this proposal. It is imperative that a meeting is held with the BRA and the developer in order to discuss this proposal with the residents of Bay Village.

Thank you,
Peggy Pappas

Panagiota (Peggy) Pappas, Esq.
Telephone: (617) 505-6919
Mobile: (339) 364-0005
Fax: (617) 505-6921
ppappas@lisslawboston.com
www.lisslawboston.com

Olivia Dan <odan@athenahealth.com>

10:29 AM (1 hour ago) ☆



to me ▾

Hello

I would like to support the call for a meeting about the 40 Trinity Place and the developer's decision to place the affordable units in Bay Village.

Thinking that the Bay Village is Back Bay is negligence on the developer's part and should not be an excuse for not incorporating the units into the building. Honestly, it feels like a subterfuge and the residents of the fiercely loyal and small neighborhood should have the right to be heard.

Thanks

Olivia

Olivia N. Dan

Chief of Staff, GSG Client Organization

311 Arsenal Street | Watertown, MA 02472

o: [339.226.1802](tel:339.226.1802) | c: [617.402.6344](tel:617.402.6344)



Cloud-based services and mobile tools for medical groups and health systems.



Nat Heald <natheald@yahoo.com>

8:08 PM (14 hours ago) ☆



to me, bill.linehan, samuel.chambers, tim.davis, michelle.wu, ayanna.pressley, aaron.m.mic

Phil -

I was disappointed to receive such very short notice yesterday regarding the meeting to discuss the Notice of Change for 40 Trinity Place. Ultimately I was able to attend the meeting but I know that many of my neighbors were not - and a high proportion of the Bay Village community has not had an opportunity to hear about the proposed changes

I am interested to learn more about 40 Trinity's proposal for moving its affordable housing component to the Bay Village. I can tell you that without knowing as much as I would like to about the project (again - there has been little effort to involve me and my neighbors), I am initially somewhat skeptical. First because of the way yesterday's meeting was handled and (not) publicized, it almost seemed designed to avoid notice. Second because its not clear to me that my neighborhood stands to equitably share in the economic benefit of 40 Trinity. I also question how the reduction in number of affordable units (currently 58 which will be reduced to 38) benefits anyone - particularly of course the community it is ostensibly intended to serve.

I feel that the developers of 40 Trinity owe the Bay Village community an opportunity to learn more about the project and their motivations for segregating its affordable component to another neighborhood. To my mind this runs counter to the idea of "inclusive" housing which all of us who choose to live in the heart of Boston support.

Please schedule a meeting for the Bay Village to learn more about this project and the proposed changes

thank you,

Nat Heald

0 Trinity Place

Inbox x



 Nancy Morrisroe <nmorrisroe@alum.bu.edu>

8:12 PM (12 hours ago) ☆



to me ▾

Dear Mr. Cohen,

I'm on the board of the Bay Village Neighborhood Association (former president for the past 3 years) and something was just brought to my attention that caught me completely off-guard. I have just learned that the affordable housing units attached to the 40 Trinity Place development will be located in Bay Village. Can you please explain how this came to pass and why no one in Bay Village was alerted to this nor was anyone asked to sit on the IAG? Why aren't these units being established in Back Bay where the actual development will be? I also heard that there will be a final meeting tomorrow night. Where and what time is this taking place? Please call me Tuesday at your earliest convenience to discuss. I can be reached at [617-308-6745](tel:617-308-6745).

Regards,

Nancy Morrisroe
Sr. VP, BVNA

40 Trinity Place Project: Request for Meeting in Bay Village

Inbox x



Nan P Rubin <nprubin@msn.com>

6:59 AM (3 hours ago) ☆



to me, bill.linehan, samuel.chambers, tim.davis, michelle.wu, ayanna.pressley, aaron.m.mic

Dear Mr. Cohen,

Last Monday evening, we ,members of the Bay Village Neighborhood Association, were notified by the Back Bay equivalent of the BVNA that the affordable housing units related to the 40 Trinity Place Project would be at 123 Arlington and 1, 3, and 5 Cortes. The plan is for 38 one-bed and studio units. Bay Village is not part of Back Bay.

I am supporting the BVNA's request to hold a meeting with the developer and the BRA in our neighborhood so that residents can have any questions answered and can then provide informed feedback.


Thank you,
Nan Rubin
10 Melrose Street
Bay Village
Boston, Ma.

Together we can build a world beyond war.

Request to delay BRA vote

Inbox x



 **Molly Williams** <mollywilliams13@gmail.com>

11:46 AM (5 hours ago) ☆



to me, mayor, samuel.chambers, Michelle.Wu, Bill.Linehan, Ayanna.Pressley, A.E.George, ;

Dear Mr. Cohen,

Thank you for attending the Bay Village Neighborhood Association (BVNA) meeting on February 18, 2016 regarding the 40 Trinity development.

As a resident of Bay Village since 2013 and with several family members occupying other condos in the neighborhood, I am expressing concern with the process to date. As an advocate for affordable housing in the city and for the preservation of this historic neighborhood, I hope for more time to address questions, concerns, and process to the satisfaction and agreement of the BVNA.

I am writing to request delay for the BRA vote, in agreement with many other BVNA members who have written the same.

Thank you,
Molly Williams
29 Fayette St G-1
Boston, MA 02116
617-390-6064

/ote to Delay 40 Trinity Hearing

Inbox x



Michael Winston <michael.winston@me.com>

1:32 PM (2 hours ago) ☆



to me, mayor, samuel.chambers, Michelle.Wu, Bill.Linehan, Ayanna.Pressley, A.E.George, aaron.m.michle., jwarshaw, Sarah ▾

Mr. Cohen,

Respectfully, I would like more time for me and my neighbors of Bay Village to consider the developer's proposal to locate affordable housing units on Cortes Street. Please delay the vote so discussions can continue with the developer.

Thank you,
Michael

—
Michael Winston
[714-553-6216](tel:714-553-6216)
michaelswinston.com

40 Trinity proposed impact on Bay Village

Inbox x



Michael Winston <msw@michaelswinston.cc> Feb 4 (8 days ago)

to me, bill.linehan, samuel.chambers, tim.davis, michelle.wu, ayanna.

Mr. Cohen,

As a resident of Bay Village and real estate developer, I respectfully request a meeting with the developer of the 40 Trinity Place project, the BRA, the Bay Village Neighborhood Association, and residents of Bay Village.

I don't believe the plan to place the BRA required affordable units in an adjacent neighborhood respects the intentions of the regulation.

Thank you,
Michael

--
Michael Winston
714-553-6216
michaelswinston.com

Fwd: 40 Trinity Place - Project Change



Inbox x



Matt Conway <matt.conway@towards50.com>

10:17 PM (12 hours ago) ☆



to me, sbherlihy, aaron.m.michle., ayanna.pressley, michelle.wu, tim.davis, samuel.chambers, bill.linehan

Hi Phil,
Although I am happy to hear that 38 units of affordable housing are planned for the 40 Trinity Place project, I am concerned that the Bay Village community has not been given an opportunity to collaborate in the process. Please make every effort to schedule a meeting to present the plans to the community in which the project is being proposed.
I look forward to hearing from you.
Sincerely,

Matt Conway
17 Melrose Street

—
Matt Conway
Towards 50 - Percent Building Energy Savings
Towards50.com
matt.conway@towards50.com
[\(781\) 264-3968](tel:(781)264-3968)

From: Mary Jane Hanlon

Sent: Wednesday, February 03, 2016 10:24 PM

To: bill.linehan@boston.gov; samuel.chambers@boston.gov; tim.davis@boston.gov;

michelle.wu@boston.gov; ayanna.pressley@cityofboston.gov; aaron.m.michlewitz@mahouse.gov;

sherlihy@yahoo.com

Subject: Bay Village

Mr. Cohen,

I have recently moved into the Bay Village neighborhood. While I am a new resident, I have been working here for 4 years and attended dental school at Tufts in the 90's. I waited to find the right place to move to, just because I love the feel of Bay Village and the "neighborhood" it represents. There was no other neighborhood that I considered to purchase in.

I do hope that as the plan for the development of affordable housing at 123 Arlington Street and 1, 3 and Cortes Street continues, that you will give the residents of this area an opportunity to comment on the impact it may have. While I am not opposed to change, I do feel strongly that I want to be aware of and prepared for the potential impact it may have on my investment and daily living. I look forward to meeting you personally to discuss this.

Sincerely,

MJ Hanlon

Dr. MaryJane Hanlon

School of Dental Medicine

Assistant Dean of PreDoctoral Clinical Administration

One Kneeland Street

Boston, MA 02111



 **Mark Slater** <markslater@alum.mit.edu>

Feb 5 (7 days ago)



to me, bill.linehan, samuel.chambers, tim.davis, michelle.wu, ayann@

Mr Cohen

As a past President of the Bay Village Neighborhood Association (BVNA), I have many interactions with the Boston Redevelopment Authority (BRA) and the required public process for projects under Article 80, including serving on multiple IAGs.

In the case of the 40 Trinity Place, I find it an outrage of incompetence—even by BRA standards—that on-site affordable housing for 40 Trinity Place was moved off site without wide public notice, and then placed in a different historic district because "no one knew" that the proposed location of these units on Cortes Street was not in Back Bay, but was in fact in Bay Village.

Bay Village—if anyone at the BRA cares to do research—is home to many affordable units already, and is ringed by large scale affordable developments. It is inappropriate to simply shift these Back Bay units in Bay Village, and reinforces the perception that under cover of "redevelopment," the BRA seeks to turn Bay Village into a handy, concentrated dumping ground for below market units purely for the benefit of real estate developers.

This decision needs to be revisited in a fully public process, and not in fashion where the BRA's obligations for this public process under Article 80 are met only in limited form and not in substance.

Lynn Andrews

8:25 AM (6 hours ago) ☆



to me, jaylivingston, Samuel, Aaron, James, Tim, bill.linehan, Michelle, ppappas22, william_suter, Ronan, Diane.Barry, Art ▾

I understand that there has been an agreement that the BVNA will appoint a "subcommittee" about this proposal who will meet with the developer. Yes, the "subcommittee" will include a rep. from Isabella and Cortes Street.

While I appreciate that the developer has agreed not to put this proposal on the BRA March agenda I wonder why this process has become a "subcommittee". Just a week ago approx. 75 people, including residents of Back Bay, Bay Village and Ellis attended a meeting to hear the developer's rationale, plans, etc. Now the developer is meeting with a 'subcommittee' who will hear the information that was promised at last week's public meeting. I am disappointed that this process is, once again, not public. Can you explain why this is not a public meeting with all impacted neighborhoods and residents invited? Very concerning....

...

Phone: (617) 939-7242

Zip: 02116

Comments: To Whom It May Concern: It was with great concern that I recently learned that Trinity Place Project has submitted a change in their proposal that would put 35+ affordable housing units on Cortes and Arlington Street. I live on Cortes Street and am concerned that the neighbors were not informed or notified. But more importantly I bought my condo knowing that 35+ affordable units occupied three building on the street. I have no problem with it, in fact, we are all good neighbors. However, adding another 35+ units to the street means there will be approx. 75 units on one street. That doesn't seem to be in keeping with the "spirit" of affordable housing. I hope someone will call me and clarify this proposal change and explain why Cortes Street was selected. I have called and left messages but, to date, no one has responded. It seems rather odd that neighbors weren't notified and, from what I understand, this is on a BRA agenda for approval. But, again, what is most concerning is why the city would want to concentrate so much "affordable" on one street. I can be reached at 617-939-7242. Thank you. Lynn Andrews

Lynn Andrews <lpandrews@yahoo.com>

Feb 9 (3 days ago)



40 Trinity St - affordable housing



Inbox x



Liza Burke <lmburke1984@gmail.com>

3:00 PM (19 hours ago) ☆



to me, samuel.chambers, tim.davis, aaron.m.michle., michelle.wu, sbherlihy, ayanna.pressle

Hello,

as a resident of Bay Village, I was surprised to learn of the intended construction at 123 Arlington Street. There are numerous implications to this project, and it's concerning that a project change with this level of impact might be broached as an FYI, rather than an item that requires approval from the BVNA. I think that it's important for the residents of the community to be given the opportunity to have an open dialog with the developers. And, in particular to address the question - if the affordable housing is going up as a requirement of a new luxury build in Back Bay - why is the affordable housing property being put up in Bay Village?

Thanks,

Liza Burke, 30 Fayette St

40 Trinity Place

Inbox x



8



Leslie Colburn <jamboston@aol.com>

12:59 PM (4 hours ago) ☆



to me, mayor, samuel.chambers, Michelle.Wu, Bill.Linehan, Ayanna.Pressley, A.E.George, i | v

Dear Mr. Cohen,

I would like to go on record that I strongly support the position of the Bay Village Neighborhood Association and its request that the BRA delay any vote on proposed changes to the 40 Trinity Place project.

The BVNA letter on this subject dated February 20, 2016 outlines a disturbingly flawed process and the need to allow actual community input.

Thank you for your consideration.

Sincerely,
Leslie J. Colburn
8 Church Street
Bay Village
Boston, MA 02116

Sent from my iPhone

Leslie Col
jamboston@



Request for meeting regarding affordable housing project in Bay Village



Inbox x

 khull@longnook.com

6:43 PM (15 hours ago) ☆



to me, bill.linehan, samuel.chambers, tim.davis, michelle.wu, ayanna.pressley, aaron.m.mic ▾

Dear Mr. Cohen,

As a resident of the Historic Bay Village neighborhood in Boston, I was extremely surprised to find out, last night, that the 40 Trinity Place development in Back Bay's developers have negotiated for their affordable housing requirement to be located not only "off site," but in an entirely different neighborhood, viz., in Bay Village.

Surely, this is an unusual plan.

As you know, Bay Village is the smallest historic neighborhood in the City of Boston. Thus, any alterations in the neighborhood have a potentially bigger impact than they might have in one of the larger historic neighborhoods, financially, socially, with respect to parking, etc. We, the residents of Bay Village, have had no notification regarding the proposed alterations to our neighborhood.

I am requesting that you arrange a meeting in Bay Village to discuss these possibilities as soon as possible so that residents of Bay Village are not only informed, but also in a position to get more information about the plans that are under consideration.

Thank you kindly for your consideration,

Sincerely,

Kathleen Hull
45 Church Street
Boston, MA 02116
tel. 908.267.2397



judy komarow

6:27 PM (21 hours ago) ☆



to me, mayor, samuel.chambers, Michelle.Wu, Bill.Linehan, Ayanna.Pressley, A.E.George, aaron.m.michle., jwarshaw, Sarah ▾

To whom it concerns;

As a resident of Bay Village, I am very concerned by recent actions and decisions made by the BRA and the developer of the 40 Trinity Place project located in the neighborhood of Back Bay.

I attended the meeting last Thursday which occurred due the efforts of the BVNA . I find it extremely disturbing that if a member of NABB had not notified the BVNA of the situation, that the BRA in cahoots with the developer would have slipped this issue through the approval process - essentially circumventing public process.

As a citizen and taxpayer, I am requesting that the BRA delay the vote on the proposed change to 40 Trinity Place to at least April. More time is needed to reflect upon this matter which will have a large impact on Bay Village. According to the IAG, the developer promised to placing all 17.5% of the affordable units **on site**. Relatively recently a NPC stated that developer proposed to provide 39 **off-site** residential units in lieu of the on-site housing initially agreed upon. To add insult to injury, the proposed units are not even in the Back Bay but a distance away in Bay Village.

Bay Village residents are well aware of the fact that developers regularly make promises to impacted neighborhoods and break those promises without repercussions by the BRA or the City. It is essential that ALL options for the affordable housing requirement of the 40 Trinity Place project are examined and include input from effected neighborhoods.

My neighborhood must not be used and abused again by a luxury developer and the BRA.

Thank you.

Judy Komarow


8 Melrose Street
Bay Village

0 Trinity Place

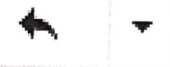


Inbox x



 **judy_kom** <judy_kom@yahoo.com>

8:02 PM (14 hours ago) ☆



to me, bill.linehan, samuel.chambers, tim.davis, michelle.wu, ayanna.pressley, aaron.m.mic ▾

I am very concerned about the recent announcement that the developer of 40 Trinity Place has suddenly named Bay Village as the off-site low income answer to their affordable housing requirement. The fact that the selected units are in a totally different neighborhood from their development is not only inappropriate but insulting to the residents of Bay Village.

The Bay Village Neighborhood Association's request to organize a meeting between the neighborhood, the developer, and the BRA is more than reasonable and I sincerely hope that you will support the residents of Bay Village to make this meeting happen.

Sincerely,

Judith Komarow
8 Melrose St.
Bay Village

shagourys@aol.com

10:16 AM (2 hours ago) ☆



to me, bill.linehan, samuel.chambers, tim.davis, michelle.wu, ayanna.press ▾

I am a resident of Bay Village and would like to support the Bay Village BVNA request for a meeting with the BRA and the Developer to ask questions and better understand the changes being proposed to the Back bay project

John Shagoury
2 Fayette St
Boston

request to delay BRA vote on 40 Trinity Place

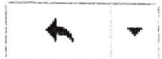


Inbox x



James McCormick <jameslives@icloud.com>

6:16 PM (21 hours ago) ☆



to me, mayor, samuel.chambers, Michelle.Wu, Bill.Linehan, Ayanna.Pressley, A.E.George, aaron.m.michle., jwarshaw, Sarah ▾

Dear Mr. Cohen. I am writing to request that the BRA delay its' vote on moving affordable housing at 40 Trinity Place to the buildings at 1, 3, and 5 Cortes Street in Bay Village and 143 Arlington.

I own a condo at 8 Isabella and am an abutter to this proposed project as all 4 buildings on Cortes and Arlington are literally in my backyard. I would not describe myself as a NYBY but it is not right that I along with my neighbors were not notified of this project. We need more time as neighbors to understand the project and the major impact it has on our neighborhood.

I request you delay your proposed vote in March so that myself and my neighbors have time to understand what you are proposing. As an abutter, and a Boston home owner, this proposed 39 unit project impacts me directly and I am afraid financially.

I support the Mayors efforts to expand affordable housing in Boston but railroading this project through is not right, and I don't believe that Mayor Walsh could possibly support this as proposed. Please delay your vote. Give us the time to understand the impact of what you are proposing.

Request for Meeting: 40 Trinity Place project & Bay Village



Inbox x



Ian Johnson <ianwjohanson@gmail.com>

8:05 PM (14 hours ago) ☆



to me, [bill.linehan](#), [samuel.chambers](#), [tim.davis](#), [michelle.wu](#), [ayanna.pressley](#), [aaron.m.mic](#) ▾

Hi Mr. Cohen,

As a resident of Bay Village, I would be in support of a meeting with the developer of the 40 Trinity Place project, the BRA, the Bay Village Neighborhood Association, and residents of Bay Village. In this meeting I would hope to have a forum to discuss the plan for the 38 affordable housing units at 123 Arlington and 1, 3, and 5 Cortes. It's important to give the residents a chance to understand any potential changes to the neighborhood and this forum will allow the developer a chance to understand how to build and support a project that fits with and preserves Bay Village's historic character.

Thank you,
Ian

22 Church St Apt 6
Boston, MA 02116

Ian W. Johnson
ianwjohanson@gmail.com
[603-560-5244](tel:603-560-5244)

Sent from my iPhone.

40 Trinity Place Project



Inbox x



 **George Graham** <gmgraham3@gmail.com>

10:05 PM (12 hours ago) ☆



to me, sbherlihy, bill.linehan, samuel.chambers, tim.davis, michell.wu, ayanna.pressley, aart [v]

Dear Mr. Cohen:

I'm writing this email in support of the BVNA's request for a meeting with the developer of 40 Trinity Place and the BRA regarding the developer's decision to move their affordable housing units to Bay Village. The residents of Bay Village deserve an opportunity to question this decision.


Thank you.



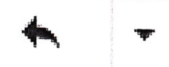
Request for a meeting with Bay Village Neighborhood re 40 Trinity's designating
Bay Village sites as affordable housing units



Inbox x

 Gaye Bok <gbok357@aol.com>

5:16 PM (17 hours ago) ☆



to me, Samuel.chambers, tim.davis, michelle.wu, ayanna.pressley, aaron.m.michle., sbherli ▾

Phil,

I'd like to reinforce Bay Village's desire to hear directly from the 40 Trinity developer regarding their plans to meet their affordable housing requirement through units at 1,3, and 5 Cortes Street as well as 123 Arlington Street.

It seems most appropriate that there be a meeting with the Bay Village Neighborhood Association, the developer and the BRA to understand the plan for those properties going forward..

Thank you,
Gaye

Gaye Bok
gbok357@aol.com
[617-594-1022](tel:617-594-1022)

REPLY EMAIL:christianajanina@gmail.com

REPLY PHONE:[6178401599](tel:6178401599)

SUBJECT:BRAs opaque actions in gerrymandering Back Bay on-site affordable housing to off site housing to different neighborhoods with high-density affordable housing

MESSAGE:Dear Mr. Walsh, After attending the public meeting hosted by the Bay Village Association, BRA and developers of 40 Trinity Place this evening, February 18th 2016, it has become obvious that the BRA and the developers of 40 Trinity Place have taken a blind eye to the fact that the affordable housing that is meant to be allocated in affluent Back Bay has been offloaded through gerrymandering into a completely different neighborhood, Bay Village, without little concern for transparency and due diligence to both Boston citizens who strongly uphold the belief that affordable housing should be dispersed throughout ALL of Boston, including wealthy areas such as Back Bay as intended, and to Bay Village home owners, such as my husband and I, who have been completely hoodwinked by the recent turn of events that now has the intended Back Bay on-site affordable housing, offloaded onto Cortes Street which already has a dense network of affordable housing, essentially a affordable-housing enclave. We implore you, Mr. Wash, as Major of Boston, that has made heartfelt efforts to increase affordable housing in areas such as Back Bay, to explain the rash decision to change the intended Back Bay on-site affordable housing to off-site housing in a completely different neighborhood with a higher-than-normal affordable housing mix, in Bay Village on Cortes Street. The rash and opaque decision between the developers of 40 Trinity Place and the BRA leave Boston residents with many questions regarding the relationship between the BRA and power-wielding developers who can pick and chose where to place affordable housing that best suits their pocket books via gerrymandering, in the face of smaller communities, such as Bay Village. We thank you in advance for your time. Proud residents of Boston and Bay Village, Christiana Ball and Jasper Vicenti

40 Trinity Place - Project Change

Inbox x



 **Bethany Patten** <patten.bethany@gmail.com> Feb 4 (8 days ago) 

to me, bill.linehan, samuel.chambers, tim.davis, michelle.wu, ayanna: 

This is a note to say, as an executive committee member for the Bay Village Neighborhood Associate, and resident, I support the request by the neighborhood for the developer of the 40 Trinity Place to meet with Bay Village residents to answer questions about a their proposal to move their affordable housing unit requirement "off site" in our neighborhood.

It appears this is a project that the developer hoped would fly under the neighborhood's radar, and it's upsetting that they wouldn't have the integrity to responsibly research the neighborhood they were planning to develop in.

We hope they will now rectify this by listening to the neighborhoods concerns.

Thank you,
Bethany Patten
9 Melrose St.

40 Trinity affordable housing proposal



Inbox x



Barry Doyle <barry.n.doyle@gmail.com>

4:41 PM (18 hours ago) ☆



to me, samuel.chambers, Michelle.Wu, Bill.Linehan, Ayanna.Pressley, A.E.George, aaron.m.michle., jwarshaw, Sarah, me ▾

Good afternoon Phil. My name is Barry Doyle and I am a resident of Bay Village and a member of the Bay Village Neighborhood Association (BVNA).

This correspondence is being sent as unconditional and unwavering support of the positions outlined by Sarah Herlihy, BVNA President, in correspondence sent to you on February 20, 2016. The letter clearly articulates positions I believe that should be adhered to pertaining to the proposed relocating of affordable housing as part of the 40 Trinity Project into the Bay Village neighborhood. In fairness the BVNA should be provided the small window of time being requested to consider this as it is obvious and apparent that this was not properly vetted.

Thank you for your consideration.



Aviva Figler <aviva@intex.com>

9:56 AM (2 hours ago) ☆



to me, bill.linehan, samuel.chambers, tim.davis, michelle.wu, ayanna.press

Dear Phil,

I am writing to express great concern with regard to the notice of a project change for the 40 Trinity Place Project's affordable housing units to 123 Arlington Street and 1, 3 and 5 Cortes Street in Bay Village.

As a Bay Village resident who lives on Arlington Street directly across the street from the proposed change of location for the affordable housing units, I would like to know why residents of Bay Village were never notified until yesterday of the change in the location of a Back Bay project's affordable housing units to a different neighborhood - Bay Village?!?!? To be sure, why were Bay Village residents not informed about this sooner and why was the input/feedback of Bay Village residents who would be directly affected by this change in the project not be sought? As you can imagine, as a tax-paying, property-owning resident who will be greatly affected by such a change in a project which isn't even in our neighborhood, I'm VERY concerned, let alone angry, that such a proposal was made ... such a deceptive fashion.

This e-mail serves as a request to have the developer of the 40 Trinity Project hold a meeting with BNVA residents immediately to discuss this proposed change as well as to express our concerns (and utter objections) to this proposal. We would like to have a say with regard to what is occurring in our neighborhood by developers who don't seem to even be aware that the portions of Arlington Street and Cortes Street aren't even in the neighborhood of their development.

If you or the appropriate person could please let me know your thoughts on the above as well as what safeguards are in place to prevent this type of behavior from developers from recurring, that would be greatly appreciated.

Kind regards,

Aviva Figler

136 Arlington Street, Unit 3

Boston, MA 02116

617-283-8719

Artie Rice

8:40 AM (6 hours ago) ☆



to Lynn, me, jaylivingston, Samuel, Aaron, James, Tim, bill.linehan, Michelle, ppappas22, william_suter, Ronan, Diane.Bar | v |

Dear Mr. Cohen,

I am pleased to hear that the developers of 40 Trinity Place will not go before the BRA at the March Meeting to try to move forward their ill-advised proposal. However I am confused as to why only a few people from the BVNA will meet with a developer who was not forthcoming at the public meeting. As this proposal affects all neighborhoods, shouldn't there be another public meeting with representatives from the Back Bay and Ellis Neighborhood. As I stated previously, this proposal should never have been allowed to go forward and certainly not in the sneaky way it was done. This proposal was wrong before and is wrong today. The developer needs to walk away now.

...

Sincerely,

Artie Rice

17 Cortes St.

Dear Mr. Cohen,

I trust you heard loudly and clearly last night that there is considerable neighborhood (Bay Village, Ellis Neighborhood and Back Bay) concern and opposition to the developer of 40 Trinity moving their onsite affordable housing units to Cortes and Arlington Streets.

We made clear that Cortes St. is perhaps already one of the most affordable streets in the area. Caritas owns 7-11 for transitional housing that we have embraced. We have a number of affordable rentals as well. To place more here is to go against all arguments for where and why we need affordable housing and you are removing 20 units from the total here as well.

I do not need to go on as you heard enough last night and I hope understand that this is a very bad and ill-considered plan. It is reprehensible that there was an attempt to sneak this through so no one would notice until it was too late. **BOTTOM LINE:** The units need to stay at 40 Trinity in the Back Bay, as approved and supported by NABB. We all trust that the developer and the BRA will make the wise and educated decision. We look forward to your reply.

Sincerely,

Artie Rice

17 Cortes St. #1

Boston, MA 02116

617.942.7579



Artie Rice <arice@geiger.com>

6:28 PM (16 hours ago) ☆



to me, bill.linehan, samuel.chambers, tim.davis, michelle.wu, ayanna.pressley, aaron.m.mic

Dear Mr. Cohen,

We own a condo at 17 Cortes St. and have just received word of a proposed change for Cortes St.

We have lived here for almost 9 years. We have survived the Columbus Center debacle and worked for years to clean up our neighborhood. We have been good neighbors to the transitional housing next door at 7-11 Cortes and supported Caritas in their remodeling efforts while living through 6 months of construction.

To now hear of this proposal of a high end development to move their obligation of affordable housing to another neighborhood that is not part of the theirs without any discussion with the residents of Cortes St. is a slap in the face and inexcusable to say the least.

I trust that you will be in contact us to discuss further or notify us of an upcoming meeting.

Sincerely,

Arthur T. Rice
17 Cortes St. Apt. 1
781-942-7578

Relocation of the Affordable Housing Units for the 40 Trinity
Place project



Inbox x



Aquil H. Abdullah <aquil.abdullah@gmail.com>

Feb 4 (8 days ago)



to me, bill.linehan, samuel.chambers, tim.davis, michelle.wu, ayanna

Dear Mr. Cohen,

It has come to my attention that the affordable housing units for the 40 Trinity project in Back Bay are being moved to Bay Village. As a Bay Village resident for the past seven years I would like to request a meeting so that residents can voice their opinions about this decision.

Thank You,
Aquil H. Abdullah
99 Broadway Street
Bay Village

Request for 40 Trinity Developers to meet with BVNA



Inbox x

Anne sanford <annesanford55@gmail.com> Feb 6 (6 days ago)



to me, Bill.Linehan, samuel.chambers, tim.davis, michelle.wu, sbher

I'm writing to request that the developers of Trinity Place hold a meeting with the BVNA to discuss the issue of placing a significant number of off-site affordable housing in Bay Village.

It would seem to me that given the impact this could have on our neighborhood this is a very reasonable request. I appreciate your assistance in this matter.

...

Sir-

As a homeowner on Cortes Street in the Bay Village neighborhood of Boston, it has come to my attention that Cortes Street is now being considered as the location for affordable housing that is required of the proposed development project at 40 Trinity Place in the Back Bay neighborhood of Boston. My understanding is that this is the result of a recent project change proposed by the developers to move the required affordable housing component of the project to an "off-site" location. I am writing to express my concern for both the proposed change and for a process that has involved no communication with residents of Cortes Street.

At the outset, I wish to convey my recognition of the importance of affordable housing and its role in creating a more socially just, opportunity rich, and economically healthy Boston. I strongly support initiatives that promote socio-economic diversity in Boston's core neighborhoods--such as the affordable housing requirement at 40 Trinity Place. But I also believe that moving this important affordable housing requirement "off-site" goes against the spirit of the requirement and ultimately defeats its purpose. This is especially true in the case of 40 Trinity Place where the proposed "off-site" location is not even in the same neighborhood as the proposed development. How are the goals of integrated affordable housing and socio-economic diversity served if the required affordable housing units are parceled out of the project itself and shipped to another neighborhood?

The selection of Cortes Street is also incongruous with these goals. Although a mere one block in length, Cortes Street is among the most diverse streets in Boston: home to young families with small children, students and interns at nearby medical centers, young professionals, not-so young professionals, retirees, and elderly persons, representing a wide range of racial, cultural, social and economic backgrounds and circumstances. The street's residents include a balance of owners, renters, boarders, and residents of institutional housing, including Section 8/transitional housing. Moving a significant number of affordable housing units to this street not only goes against the intended goals of the affordable housing requirement, it risks impacting the existing diversity balance that already exists at Cortes Street.

In light of the fact that no attempt has thus far been made to communicate the changes associated with the 40 Trinity Place project with residents of Cortes Street, it is urgent that the BRA, the project's developers, and residents of Cortes Street have an opportunity to meet and discuss these changes.

Respectfully,
W.D. Suter

Dear Mr. Cohen,

I own a condo at 17 Cortes Street and have lived in Bay Village for 3 years. I moved here because Bay Village is a unique Boston neighborhood. It is only a short distance from The Common and Copley Square, but as the street is only a single block long, it offers a quiet and intimate setting where neighbors sit out on the stoop and residents tend to know each other by sight.

Because of the close setting, we have had good communication up to this point about changes to the neighborhood and projects which will impact us all. For example, about a third of the buildings on our street are section 8/transitional housing. When the authority in charge of the transitional housing at 7-11 Cortes wanted to remodel and update those buildings, we met, talked, planned, and agreed with their vision for their buildings. In the interests of being good neighbors, and to support the planned improvements, we endured without much complaint six months of dumpsters and construction trucks taking over most of the parking on our street, and a summer and fall spent with windows and doors closed due to the substantial dust and debris. As good neighbors and good Bostonians, we supported the improvements to transitional housing in our neighborhood and cheered for our neighbors.

As a successful example of a mixed use street, we are dismayed to learn that 40 Trinity Place is planning to shirk its civic responsibility and shunt its required affordable units to an "off-site" location, rumored to be our street. As I understand the affordable housing requirements, the object was to create integrated housing, where the population in the target area would be of differing financial means, and thus prevent the establishment of a protected zone solely for the affluent. Our street is already integrated in this way, while it appears to us that Trinity Place is attempting an end run of the letter and the spirit of the affordable unit requirement and create exactly the kind of housing the affordability requirements were intended to prevent.

Additionally, 40 Trinity Place is definitively a Back Bay project. If it is decided that the developer is permitted to shunt its affordable housing to a different site, that location should still be located within Back Bay, and not in Bay Village. The situation has been made worse by Trinity Place's attempts to do this on the sly, without informing the residents of Bay Village and Cortes Street and without holding the community comment meetings necessary for this kind of project. We feel that we have been kept purposefully in the dark by the developer. It is imperative that a meeting is held with the BRA and the developer in order to discuss this proposal with the residents of Bay Village where our concerns can be properly heard and taken into account.

Thank you,

Diane E. Barry

Diane E. Barry, Esq.
17 Cortes Street, Unit 2
Boston MA 02116
Mobile: [\(617\) 230-8369](tel:6172308369)
Diane.Barry@outlook.com

Dear Mr. Phil Cohen:

Thank you for attending the Bay Village Neighborhood Association's ("BVNA") February 18, 2016 special meeting regarding the proposal from the 40 Trinity developer to satisfy its obligations under the Inclusionary Development Plan ("IDP") by locating approximately 39 units of affordable housing in historical brownstone buildings at 1, 3, 5 Cortes Street and 143 Arlington Street. As set forth in this letter, the BVNA has strong objection to this plan proceeding without further public process.

Failure To Provide Adequate Public Notice Of Project Change

In October 2012 the developer submitted its Project Notification Form ("PNF") for this project. In this PNF, the developer expressly stated:

The Project will comply with the Mayor's Inclusionary Development Policy by providing on-site affordable units and/or a monetary contribution to an affordable housing fund.

PNF, p. 1-7. The developer engaged in an extensive public process, including with respect to its obligations under the IDP. The Independent Advisory Group (the "IAG") supported the developer's promise to locate affordable housing units on-site. As stated in the September 18, 2013 letter from a majority of IAG members:

The IAG understands that the developers of 40 Trinity have committed to placing all 17.5% of the affordable units on site. We are pleased with this decision but want to be clear that it is our further understanding that the affordable units will be dispersed within the residential portion of the building rather than isolated in one section, and that the affordable units will be of the same size (3Br, 2Br, and 1Br) as the market rate units. This inclusion will help to preserve the character of our common neighborhood as one that is favorable to residential properties and families as well as commercial spaces. We believe that the developers' stated goal of having 40 Trinity become part of the fabric of the neighborhood will benefit from the successful inclusion of mixed income families in this property.

The project proposed by the developer, including on-site affordable housing, was approved by the BRA Board on December 19, 2013.

On December 28, 2015 the developer filed a Notice of Project Change

(“NPC”). Amongst the changes proposed in the NPC was to move the affordable housing off-site. As set forth in the NPC:

*... the Project now proposes, in lieu of on-site affordable units, providing approximately 39 off-site residential units that will be located in townhouse buildings in the vicinity of the Project site. **The increased number of affordable units will further the City’s goal of increased housing and affordable housing production in the same neighborhood as the Project***

NPC, p. 3 (emphasis supplied).

The BRA scheduled a public IAG meeting on project changes proposed in the NPC. Notice of the public IAG meeting was sent by email from the BRA late on Thursday afternoon, January 28, 2016, for a meeting on Tuesday, February 2, 2016. Neither the NPC nor the BRA notice identified the address of the proposed off-site locations or identified that they were in Bay Village.

The developer, who has long owned extensive property in Park Square (adjacent to Bay Village), provided no notice of its proposed project changes to the BVNA, any Bay Village resident or any abutter. This lack of communication is in direct contrast to its promise to “meet directly with local neighborhood groups, abutters and community organizers.” PNF, p. 2-5. The BRA also provided no notice to the BVNA, any Bay Village resident or any abutter.

The BVNA first received notice that the proposed changes set forth in the NPC would impact Bay Village when NABB’s representative on the IAG informed the BVNA’s Senior Vice-President of this fact less than 24 hours before the February 2, 2016 meeting.

Information Unavailable At The Meeting

Following the attendance of several Bay Village residents at the hastily-convened IAG meeting, the BVNA requested that the developer and the BRA agree to attend a meeting to answer questions regarding the changes proposed in the NPC and the plans for 1, 3, 5 Cortes Street and 143 Arlington Street. That meeting took place on February 18th. In advance of the meeting, and to ensure that the meeting would be productive, the BVNA provided the BRA and the developer on February 12th with an extensive list of questions from Bay Village residents regarding the project.

While we appreciate the efforts of representatives from the BRA, the developer and the Department of Neighborhood Development (“DND”) to respond to questions from Bay Village residents, there were two areas in which we did not receive adequate answers.

- **First, the neighborhood did not receive a straightforward answer**

with respect to rationale for the decision to move the affordable units off-site. The process of deciding to move these units off-site appears to have been made behind closed doors without any input from the IAG and without any public process. The neighborhood is entitled to understand what issue is motivating the proposed transition to a location off-site.

- Second, it was clear at the special meeting that the developer's

plan for the development of 1, 3, 5 Cortes Street and 143 Arlington Street is inchoate. Bay Village is a tiny neighborhood. The renovation of four historic buildings will have a significant impact on our neighborhood. The residents should have the ability to comment on this plan before approvals are provided, but ***we cannot provide feedback on a plan that does not exist.*** Representatives from the developer, BRA and DND did not have answers to basic questions about the project, such as whether the units would be offered as rentals or condos.

With the developer's minimum commitment set at \$16.8 million, residents have legitimate and serious concerns about the ability of the developer to complete a quality affordable housing project at these historic properties. While we repeatedly heard promises from the developer, BRA and DND representatives that the project would be done well, comply with their minimum standards and ultimately improve Bay Village, such blanket promises carry little weight absent any semblance of a plan.

Indeed, with the gross area of these properties represented at 14,592 square feet, the 39 units proposed would be significantly less than 375 square feet per unit, assuming uniformly sized units and without any deduction for common areas, including hallways, laundry facilities and entryways.

While we were assured that these units would comply with DND's minimum standards, it is clear that they will not, as the design guidelines posted on-line by the DND provide for a 500 square foot minimum unit size for studio units.

The residents of Bay Village are not newcomers to the fact that luxury developers can easily make promises to impacted neighborhoods and just as easily break those promises without repercussions. Bay Village supported the Columbus Center project only to have Cortes Street left in far worse condition when the developer did preliminary demolition on that street and then pulled out of the project without fully repairing the damage.

Bay Village also supported the W Hotel project, and entered into a contract with the developer of that property, the BRA and the City of Boston which promised streetscape and other improvements for the neighborhood. The

BRA, City of Boston and the developer failed to provide the improvements promised in this written agreement. Despite this, the project was issued occupancy permits and neither the BRA nor the City has ever held themselves or the developer accountable for what the neighborhood was promised.

The promises made by the developer, BRA and DND representatives at the special meeting carry no weight with Bay Village absent a more fully fleshed out plan, a clear understanding of how the plan will be implemented and safeguards to ensure that our neighborhood is not once again used by a luxury developer and the BRA with no offsetting benefit.

The Need For Additional Community Process

Many Bay Village residents articulated at the special meeting that they support the original agreement negotiated with the IAG's input. This agreement retained these affordable units on-site and with a mix of unit sizes and locations in the building. The developer, BRA and DND have yet to provide a rational explanation as to why off-site units that (i) **are not in the neighborhood of the proposed project**, (ii) reduce the total number of affordable units at 1, 3, 5 Cortes Street and 143 Arlington Street, (iii) **are in an area that already has significant affordable housing**, (iv) **will provide a mix of units that is far less desirable than that planned for 40 Trinity**, and (v) will clearly not meet DND minimum design guidelines, are preferable to on-site units.

To allow time for this actual community process, we ask the BRA confirm no later than February 25th (as per the original request in Sarah Herlihy's email dated Feb 20th) 2016 that it will not vote on the 40 Trinity NPC in March and that it will support the additional community process outlined in this letter.

Thank you.

Sincerely,
Mrs. Christiana Ball and Mr. Jasper Vicenti,
Proud residents of Bay Village (19 Cortes St) and Boston

Good Morning Mr. Cohen,

This email is in support of the BVNA's request for more time to consider the proposal of change to the current plan for the development of 40 Trinity place.

The attached PDF is a summary of a meeting that took last week at the BVNA [Bay Village Neighborhood Association](I am a member) that I was unable to attend.

While the letter from the BVNA questions motivation and planning I will be more direct:

The revision to the plans is a bait and switch/cash grab by the developer in an attempt to stuff more high end luxury condos/apartments into the project.

By removing the affordable housing, parking structure, hotel rooms and adding a layer called "Pied de Terre" (Aka more apartments) that is nothing more than taking low return on equity per square footage and turning it into high ROE SQF.

In 2012 The developers in their initial BRA plan said that approx. 17.5% of their apartments would meet the low income criteria and be evenly dispersed throughout their project. That equated to 17 units under the prior plan but now would equate to 26 units using the same math. Comparing 17 units to 39 units is misleading and disingenuous.

I believe in the mission of affordable housing that is integrated into the fabric of the neighborhood not one that is a box checking exercise for developers. At the 11th hour they are now trying to push through a bunched offsite development of low income housing which abuts almost an entire block of low income housing deep in the Bay village neighborhood.

I walk down Cortes street every night. The renovation of these 4 buildings would essentially concentrate on one block close to 100 units of low to extremely low income housing. That number is the supposed 39 units of affordable housing plus the 48 rooms (Currently under renovation) of the Caritas communities who provided for Single men and women, many of whom have been homeless, are employed in low-wage, service-sector jobs or are on fixed income, such as Social Security or disability insurance.

<http://www.caritascommunities.org/about.html>

http://www.caritascommunities.org/bos_BayVillage.html

There are 4 issues I see many of which were covered in the excellent BVNA letter:

1 BVNA has not seen any legitimate plan for the 39 units at 1,3,5 Cortes and 143 Arlington and the current footprint contained in those buildings doesn't provide enough space for the minimum 500 square footage for affordable housing.

2: 26 units spread throughout the development is not as impactful to the neighborhood/area as converting an entire block in bay village into a de-facto project.

3: **This plan actually reduces the affordability of the housing stock in Boston.** I say that because the proposed properties are currently at low market rents based on there location, configuration, and proximity to the caritas communities buildings. If you think otherwise, go on zillow and look at the apartment rental costs for these buildings currently offered at \$850-\$1500 per month.

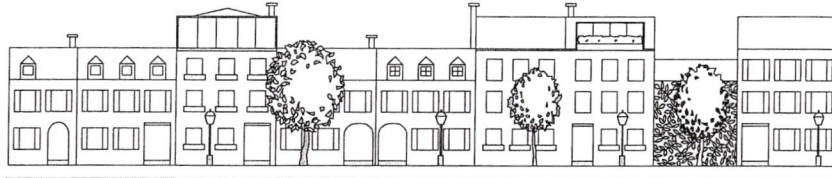
4: As stated in the letter 40 Trinity is in Back Bay neighborhood; the plan would disparately impact the Bay Village neighborhood. http://bostonneighborhoodmap.com/bay_village_map.html

In the end will a supposed 39 units of affordable housing in bay village out-weigh the 26 units spread throughout the development?

Possibly, but our neighborhood needs to see a well thoughtout plan so we can weight the options.

Please call or email me with any questions on this matter.

Reed Whitman
44 Fayette St
Boston MA
02116
617-947-2901



BAY VILLAGE NEIGHBORHOOD ASSOCIATION, INC.

February 20, 2016

Via Electronic (phil.cohen@boston.gov) and Regular Mail

Phil D. Cohen
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201

Re: 40 Trinity Place

Dear Mr. Cohen:

Thank you for attending the Bay Village Neighborhood Association's ("BVNA") February 18, 2016 special meeting regarding the proposal from the 40 Trinity developer to satisfy its obligations under the Inclusionary Development Plan ("IDP") by locating approximately 39 units of affordable housing in historical brownstone buildings at 1, 3, 5 Cortes Street and 143 Arlington Street. As set forth in this letter, the BVNA has strong objection to this plan proceeding without further public process.

Failure To Provide Adequate Public Notice Of Project Change

In October 2012 the developer submitted its Project Notification Form ("PNF") for this project. In this PNF, the developer expressly stated:

The Project will comply with the Mayor's Inclusionary Development Policy by providing on-site affordable units and/or a monetary contribution to an affordable housing fund.

PNF, p. 1-7. The developer engaged in an extensive public process, including with respect to its obligations under the IDP. The Independent Advisory Group (the "IAG") supported the developer's promise to locate affordable housing units on-site. As stated in the September 18, 2013 letter from a majority of IAG members:

The IAG understands that the developers of 40 Trinity have committed to placing all 17.5% of the affordable units on site. We are pleased with this decision but want to be clear that it is our further understanding that the affordable units

will be dispersed within the residential portion of the building rather than isolated in one section, and that the affordable units will be of the same size (3Br, 2Br, and 1Br) as the market rate units. This inclusion will help to preserve the character of our common neighborhood as one that is favorable to residential properties and families as well as commercial spaces. We believe that the developers' stated goal of having 40 Trinity become part of the fabric of the neighborhood will benefit from the successful inclusion of mixed income families in this property.

The project proposed by the developer, including on-site affordable housing, was approved by the BRA Board on December 19, 2013.

On December 28, 2015 the developer filed a Notice of Project Change ("NPC"). Amongst the changes proposed in the NPC was to move the affordable housing off-site. As set forth in the NPC:

. . . the Project now proposes, in lieu of on-site affordable units, providing approximately 39 off-site residential units that will be located in townhouse buildings in the vicinity of the Project site. The increased number of affordable units will further the City's goal of increased housing and affordable housing production in *the same neighborhood as the Project*

NPC, p. 3 (emphasis supplied).

The BRA scheduled a public IAG meeting on project changes proposed in the NPC. Notice of the public IAG meeting was sent by email from the BRA late on Thursday afternoon, January 28, 2016, for a meeting on Tuesday, February 2, 2016. Neither the NPC nor the BRA notice identified the address of the proposed off-site locations or identified that they were in Bay Village.

The developer, who has long owned extensive property in Park Square (adjacent to Bay Village), provided no notice of its proposed project changes to the BVNA, any Bay Village resident or any abutter. This lack of communication is in direct contrast to its promise to "meet directly with local neighborhood groups, abutters and community organizers." PNF, p. 2-5. The BRA also provided no notice to the BVNA, any Bay Village resident or any abutter.

The BVNA first received notice that the proposed changes set forth in the NPC would impact Bay Village when NABB's representative on the IAG

informed the BVNA's Senior Vice-President of this fact less than 24 hours before the February 2, 2016 meeting.

Information Unavailable At The Meeting

Following the attendance of several Bay Village residents at the hastily-convened IAG meeting, the BVNA requested that the developer and the BRA agree to attend a meeting to answer questions regarding the changes proposed in the NPC and the plans for 1, 3, 5 Cortes Street and 143 Arlington Street. That meeting took place on February 18th. In advance of the meeting, and to ensure that the meeting would be productive, the BVNA provided the BRA and the developer on February 12th with an extensive list of questions from Bay Village residents regarding the project.

While we appreciate the efforts of representatives from the BRA, the developer and the Department of Neighborhood Development ("DND") to respond to questions from Bay Village residents, there were two areas in which we did not receive adequate answers.

First, the neighborhood did not receive a straightforward answer with respect to rationale for the decision to move the affordable units off-site. The process of deciding to move these units off-site appears to have been made behind closed doors without any input from the IAG and without any public process. The neighborhood is entitled to understand what issue is motivating the proposed transition to a location off-site.

Second, it was clear at the special meeting that the developer's plan for the development of 1, 3, 5 Cortes Street and 143 Arlington Street is inchoate. Bay Village is a tiny neighborhood. The renovation of four historic buildings will have a significant impact on our neighborhood. The residents should have the ability to comment on this plan before approvals are provided, but *we cannot provide feedback on a plan that does not exist*. Representatives from the developer, BRA and DND did not have answers to basic questions about the project, such as whether the units would be offered as rentals or condos.

With the developer's minimum commitment set at \$16.8 million, residents have legitimate and serious concerns about the ability of the developer to complete a quality affordable housing project at these historic properties. While we repeatedly heard promises from the developer, BRA and DND representatives that the project would be done well, comply with their minimum standards and ultimately improve Bay Village, such blanket promises carry little weight absent any semblance of a plan.

Indeed, with the gross area of these properties represented at 14,592 square feet, the 39 units proposed would be significantly less than 375 square feet per unit, assuming uniformly sized units and without any deduction for common areas, including hallways, laundry facilities and entryways. While

we were assured that these units would comply with DND's minimum standards, it is clear that they will not, as the design guidelines posted on-line by the DND provide for a 500 square foot minimum unit size for studio units.

The residents of Bay Village are not newcomers to the fact that luxury developers can easily make promises to impacted neighborhoods and just as easily break those promises without repercussions. Bay Village supported the Columbus Center project only to have Cortes Street left in far worse condition when the developer did preliminary demolition on that street and then pulled out of the project without fully repairing the damage.

Bay Village also supported the W Hotel project, and entered into a contract with the developer of that property, the BRA and the City of Boston which promised streetscape and other improvements for the neighborhood. The BRA, City of Boston and the developer failed to provide the improvements promised in this written agreement. Despite this, the project was issued occupancy permits and neither the BRA nor the City has ever held themselves or the developer accountable for what the neighborhood was promised.

Respectfully, the promises made by the developer, BRA and DND representatives at the special meeting carry no weight with Bay Village absent a more fully fleshed out plan, a clear understanding of how the plan will be implemented and safeguards to ensure that our neighborhood is not once again used by a luxury developer and the BRA with no offsetting benefit.

The Need For Additional Community Process

Many Bay Village residents articulated at the special meeting that they support the original agreement negotiated with the IAG's input. This agreement retained these affordable units on-site and with a mix of unit sizes and locations in the building. The developer, BRA and DND have yet to provide a rational explanation as to why off-site units that (i) are not in the neighborhood of the proposed project, (ii) reduce the total number of affordable units at 1, 3, 5 Cortes Street and 143 Arlington Street, (iii) are in an area that already has significant affordable housing, (iv) will provide a mix of units that is far less desirable than that planned for 40 Trinity, and (v) will clearly not meet DND minimum design guidelines, are preferable to on-site units.

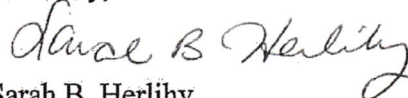
To the extent that the developer intends to pursue the buildings at 1, 3, 5 Cortes Street and 143 Arlington Street as an off-site location for affordable housing mandated by this project, there should be no BRA vote on this proposed change until Bay Village residents have an opportunity to work with the developer on a plan for the redevelopment of these buildings, discuss possible mitigation, and consider a reasonably complete plan proposed by the developer. The IAG should also have an opportunity to consider a more fully developed plan before the NPC is voted on by the BRA. The prospects for high-quality

preservation of affordable housing at this location – with excellent specifications, a considerate relocation process, and strong long-term plans for replacement reserves and property management – would be better as the result of a thorough community process.

To allow time for this actual community process, we would ask that the BRA confirm no later than February 25, 2016 that it will not vote on the 40 Trinity NPC in March and that it will support the additional community process outlined in this letter. Bay Village has no interest in causing further delay, but the process that should be completed prior to a BRA vote can certainly not be completed by March 17, 2016.

Thank you for your consideration of our position.

Sincerely,



Sarah B. Herlihy
BVNA President
617-755-3869 (m)
617-305-1296 (o)
sbherlihy@yahoo.com

cc: The Honorable Martin J. Walsh (mayor@boston.gov and samuel.chambers@boston.gov)
Councillor Michelle Wu (Michelle.Wu@boston.gov)
Councillor Bill Linehan (Bill.Linehan@boston.gov)
Councillor Ayanna Pressley (Ayanna.Pressley@boston.gov)
Councillor Anissa Essaibi-George (A.E.George@boston.gov)
Rep. Aaron Michlewitz (aaron.m.michlewitz@mahouse.gov)
Sheila Dillon, Chief of Housing and Director of the DND
Tim H. Davis, Housing Policy Manager, BRA (tim.davis@boston.gov)
Jordan Warshaw (jwarshaw@noannet.com)
Jacquelin Yessian, NABB (jyessian@gmail.com)
Jonathan Smith, Ellis NA (jasmith02116@comcast.net)

Dear Mr. Cohen

I'm a NABB member with a continuing interest and involvement with the 40 Trinity proposal particularly regarding its affordable housing component. Although I am part of a NABB group which evaluates the proposal and advises NABB leadership, I write now **as an individual and not representing NABB's present or future positions.**

I am requesting information which was provided at the time of the applicant's 2013 proposal, but has not yet been made available for the current proposal.

By way of background: members of the IAG, including its Chairman and NABB as well as non-member Bay Village NA (BVNA) were taken by surprise when they learned in late January of the dramatic changes which the developers have requested in their NPC.

#1- Recent revision of the Mayor's Inclusionary Development Program (IDP) strongly incentivizes developers in higher income neighborhoods to provide all required affordable units on site. Despite NABB's (and 7 other IAG members) strong interest in keeping all the affordable units in the Back Bay developers have chosen **to move all units to Bay Village.**

#2- The basic residential features of the proposed remaining building have been dramatically altered. Hotel rooms have been stripped out and replaced by additional residential units including 38 'micro condos', representing over 25% of total units. Such small units have not been permitted in the Back Bay for 50 years and would fundamentally change the family oriented nature of our neighborhood's housing.

For the past month BVNA has been in discussions with the Developers and the BRA. As I understand it, NABB (and the IAG) has meanwhile been urged by the developer to delay any direct talks until BVNA's talks have been completed.

I am therefore requesting the following information:

1. Detailed data about sizes of the newly proposed market based units for 40 Trinity. Details should be identical to those the developer provided us about the originally proposed numbers and sizes of both market rate and affordable units in a Sept. 7, 2013 e-mail to Deirdre Rosenberg, NABB's IAG rep, which was CCed to me. In it he also promised to match those numbers proportionately 'with any overall program

changes.’ (Additionally, a ‘typical floor plan’ such as in Figure 2-3 of the Oct.29, 2012 PNF would be helpful)

2. Square footage numbers for each of the 38 ‘micro studios’ (likewise a typical floor plan for the 2 floors with ‘micro studios would be useful).

3. Confirmation of a Mar. 30th IAG meeting date & time which we understand is planned. (it had not appeared on the BRA calendar as of yesterday)

Thank you for your help. I expect that the information requested is already at hand for the Developer and therefore that you’ll be able to send it along by the close of business tomorrow.

If you require any clarification of the info I’ve requested or you anticipate any delay in sending any part of it along, please let me know.

Yours truly,

Marvin Wool

617-266-2275, or if busy 617-266-0822

Blog - <http://theenergycollective.com/posts/published/user/1653676>----- Forwarded message -----

From: Bay Village Neighborhood Association <admin@bayvillage.net>

Date: Wed, Feb 3, 2016 at 7:26 PM

Subject: 40 Trinity Place - Project Change

To: Matt Conway <matt.conway@towards50.com>

M
m
E



Dear Matt Conway,

Apologies if you've seen this already on NextDoor. The 40 Trinity Place project (a hotel/luxury condo development near the University Club/old YWCA on Clarendon) recently issued a notice of project change. One of the changes was to move the affordable housing that the project is required to create from "on-site" units to "off-site" units. The formal notice of project change indicated that the "off-site" units would be "in the neighborhood" without further identifying the location. Monday evening, we were notified by the Back Bay equivalent of the BVNA that the affordable housing units would be at 123 Arlington and 1, 3, and 5 Cortes. The plan is for 38 one-bed and studio units.

Several members of the neighborhood attended last night's meeting to raise concerns as to why Bay Village was never notified that this change would have an impact on our neighborhood. The developer's position was that they "thought" the buildings were in the Back Bay.

The BVNA has asked the developer and the BRA to hold a meeting in the neighborhood so that residents can have any questions answered and can then provide informed feedback. To support our request for a meeting, please send an email to: phil.cohen@boston.gov. Please copy bill.linehan@boston.gov; samuel.chambers@boston.gov; tim.davis@boston.gov; nichelle.wu@boston.gov; ayanna.pressley@cityofboston.gov; aaron.m.michlewitz@mahouse.gov; sbherlihy@yahoo.com

PLEASE NOTE: I am not suggesting any position one way or the other -- just that we should have an opportunity to ask questions.

Sarah Herlihy, BVNA President

[Unsubscribe](#)

----- Original Message -----

From: Susan Morris <susanmorrisuk@yahoo.com>

Date: 3/7/2016 10:37:04 AM

To: Mayor <mayor@cityofboston.gov>; Josh Zakim <josh.zakim@boston.gov>

Subject: Circumventing the spirit of your imagination

Dear Mayor Walsh,

The Trinity Place developers, working with the Back Bay neighborhood and the BRA, negotiated height and density exemptions by including low income housing in their luxury project. Because I truly believe mixed income housing is what the Back Bay needs to come a vital community, I might have thought that was a valid exemption, even though the charm of Boston as a low density city is really its success story. However, now the developers have bought a separate building for the low income units, accidentally in Bay Village they say, which would make their project high density high income which might have been their goal all along but certainly circumvents the spirit of your imagination that Boston becomes a city of residents of all incomes, working together for the best schools and transportation.

Please ask the BRA to stop this project unless the low income housing on site is restored. In addition, one of the requirements should be that all the units are owner occupied, that they are not rentals or piedaterres.

Thank you,

Susan W. Morris

Sent from my iPad



Lee Steele

Feb 8 (4 days ago) ☆



to me ▾

Hello Phil:

Thanks for keeping us in the loop on this project. Been traveling recently and unable to attend the meeting last week. The changes you listed seem reasonable to me.

Regards,

Lee

Lee Steele

For the St. Botolph Neighborhood Association

Home Office Address:

3 Durham Street

Boston, MA 02115-5318

617-267-7266 home/office

617-901-1101 cell

617-266-7404 fax

lee.steele@verizon.net



Tormey, Paul (COP) <Paul.Tormey@fairmont.com>

8:32 PM (14 hours ago) ☆



to me ▾

I think the developer has done a great deal to satisfy the "affordable housing component" of this development and should be congratulated. An additional gesture, albeit likely expensive, would be to turn one of the BLUE floors, on the diagram, into affordable housing also. There could then be no reasonable debate on the matter.

Respectfully,

Paul Tormey