

TO: **BOSTON REDEVELOPMENT AUTHORITY**
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY
AND BRIAN P. GOLDEN, DIRECTOR

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

SUBJECT: 212 STUART STREET, BAY VILLAGE

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (the "BRA") d/b/a Boston Planning & Development Agency ("BPDA")* authorize the Director to: (1) issue a Scoping Determination waiving the requirement of further review pursuant to Article 80, Section 80B-5.3(d) of the Boston Zoning Code (the "Code") for the 212 Stuart Street project in the Bay Village neighborhood of Boston (as further described below, the "Proposed Project"); (2) issue a Certification of Compliance under Section 80B-6 of the Code upon successful completion of the Article 80 review process for the Proposed Project; and (3) execute and deliver a Cooperation Agreement, a Boston Residents Construction Employment Plan, an Affordable Rental Housing Agreement and Restriction, and any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

PROJECT SITE

The approximately 7,712 square foot project site comprises four parcels, 212-222 Stuart Street and 17-19 Shawmut Street (a portion of which was renamed Coconut Grove Lane in 2013), located within the Bay Village neighborhood in Boston. The site is generally bound by Stuart Street to the north, Shawmut Street to the south,

* Effective October 20, 2016, the BRA commenced doing business as BPDA.

the 200 Stuart Street parking garage to the east, and a pedestrian-only portion of Church Street to the west (the "Church Street plaza") ("The Project Site"). Currently, the western half of the site is dominated by a surface parking lot containing approximately 20 spaces. A one-story, approximately 600 square foot brick office/garage building, located in the center of the northern portion of the site, serves as the parking attendant office for the adjacent parking lot. The currently vacant eastern portion of the site was once occupied by a three-story brick and concrete building, which a prior owner demolished and replaced with a fenced-off gravel surface in 2014.

The Project site is lined to the west by the Church Street plaza, a pedestrian thoroughfare, and beyond by the residential South Cove Plaza, which contains two mid-rise brick and masonry towers, composed of one and two bedroom apartments restricted to elderly and disabled households. The limestone and concrete Motor Mart parking garage is located to the north across Stuart Street. The site shares a property line with the pre-cast concrete Revere Hotel and above-grade parking garage to the east. A series of brick townhomes face the Project site across Shawmut Street to the south.

PREVIOUS ARTICLE 80 FILINGS ON THE SITE

Two previous developments were approved by the BRA for the site in 2006 and 2008.

In 2005, Ceres-MHP Development LLC proposed an eight-story, plus penthouse at 115 feet tall, residential building on the 212 Stuart Street site; the 222 Stuart Street parcel was not included in the project. The BRA Board approved the project on June 29, 2006.

In September 2007, Rena, LLC purchased the 212 Stuart Street property, along with the adjacent 222 Stuart Street property. A PNF for the proposed redevelopment of 212-222 Stuart Street was submitted to the BRA on April 28, 2008. The project included the construction of a ten-story (approximately 112-feet in height), approximately 65,700 sf building with a mixed-use program consisting of office and retail space. No on-site parking was proposed. The BRA Board approved the 212-222 Stuart Street project on August 12, 2008. However, construction on the project never commenced.

DEVELOPMENT TEAM

The Development Team for the Proposed Project consists of:

Proponent:	<u>Transom Real Estate, LLC</u> Peter Spellios Neal Howard Bryan Lee
Executive Architect:	<u>Sasaki Associates, Inc.</u> Victor Vizgaitis Benjamin Kou
Design Architect	<u>Höweler + Yoon Architecture</u> Eric Höweler Meejin Yoon Kyle Coburn
Landscape Architect	<u>Sasaki Associates</u> Isabel Zempel
Legal Counsel:	<u>Rubin and Rudman LLP</u> Paula Devereaux
Environmental Permitting Consultants:	<u>Epsilon Associates, Inc.</u> Geoff Starsiak
Transportation Consultant:	<u>Howard Stein Hudson</u> Michael Santos
Civil Engineer:	<u>Nitsch Engineering</u> John Schmid
MEP Engineer:	<u>AHA Consulting Engineers, Inc.</u> Dan Campia
Geotechnical and Environmental Consultant:	<u>Haley & Aldrich, Inc.</u> Mike Atwood Elliot Steinberg

DESCRIPTION AND PROGRAM

The project includes the development of an approximately 146,000 square foot, 19-story (approximately 199 feet in height) building that will consist of approximately 133 residential units and approximately 3,000 square feet of ground floor retail space for potential local businesses, such as a restaurant ("The Proposed Project"). The residential units are anticipated to be rentals in a range of sizes and number of bedrooms, including studios and one to three bedrooms. The final types and sizes will be determined during the final design phases and will be dependent on market analyses. The Proposed Project will contain one basement level that will include retail, back of house functions, residential amenity spaces, bike storage and building operational needs. No on-site parking is proposed, but the Proponent has finalized a long-term parking lease for up to 50 parking spaces in the adjacent 200 Stuart Street garage.

The Proposed Project is anticipated to be of flat slab concrete construction with a half-floor mechanical penthouse integrated into the design of the north elevation. Adjacent to the mechanical penthouse on the southern side of the roof will be an outdoor amenity deck for use by the residents of the building. The Proposed Project includes many important features that were also included in projects previously proposed at this site, including:

- Loading and service areas accessed from Stuart Street instead of Shawmut Street or Coconut Grove Lane;
- Public realm improvements around the perimeter of the building, including the adjacent Church Street plaza to the west of the site; and
- Ground floor retail to activate the immediate area.

ARTICLE 80 REVIEW PROCESS

The Proposed Project is subject to Large Project Review under Article 80 of the Code. On November 2, 2016, the Proponent filed a Letter of Intent in accordance with the BPDA policy regarding Provision of Mitigation by Development Projects in Boston. An Impact Advisory Group ("IAG") was formed as part of the review process.

On December 8, 2016, the Proponent filed a Project Notification Form ("PNF") with the BPDA pursuant to Article 80B of the Code. A Scoping Session for City and State

officials was held on December 19, 2016 and was attended by several IAG members. An IAG meeting was held on January 9, 2017 in Bay Village and was open to all residents. The IAG meeting was posted on the BPDA website, was distributed to the BPDA Bay Village email list and was advertised by the Bay Village Neighborhood Association (BVNA).

On March 20, 2017, the BPDA convened a public meeting for the community's review and comment. The public meeting was advertised in the local paper, posted on the BPDA website, and distributed to the BPDA Bay Village email list. This meeting was co-hosted with the BVNA and was advertised to its members through flyers, email, a community bulletin board and an electronic community bulletin board.

During this public meeting, certain residents voiced concerns about the Proposed Project's height, density, wind impacts, shadow impacts and lack of connectivity to the Bay Village neighborhood. In response, the Proponent worked with the community, BPDA Staff, and other city agencies to:

- Reduce the buildings footprint and extend the setback from Church Street to allow for a larger pedestrian plaza.
- Add two townhouse units on the Shawmut Street side of the building to better connect with the Bay Village neighborhood and improving the activity along the public realm.
- Change the color of the façade to add warmth and better blend with material palettes the surrounding neighborhoods.

The Proponent also submitted a more comprehensive Shadow Study and Daylight Analysis to satisfy to community concerns regarding shadow impacts on the Boston Common and Public Garden. The Proponent also held a public meeting that focused specifically on the wind analysis to explain the impacts and ways they would be mitigating those impacts.

On March 30, 2017, another IAG meeting was held, in which the IAG members responded positively to the proposed changes. The meeting was posted on the BPDA website, was distributed to the BPDA Bay Village email list.

The 30-day public comment period was extended from January 13, 2017 to April 14, 2017.

INCLUSIONARY DEVELOPMENT COMMITMENT

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 ("IDP"), and is located within Zone A, as defined by the IDP. The IDP requires that 13% of the total number of units within the development be designated as IDP units. In lieu of creating all on-site IDP Units, the developer has requested to make an IDP contribution to the IDP Special Revenue Fund ("IDP Fund"). BPDA staff have reviewed the Proposed Project's finances and are recommending a partial buy out.

Eleven (11) units within the Proposed Project will be created as IDP rental units (the "IDP Units"), made affordable to households earning not more than 70% of the Area Median Income ("AMI"), as based upon the United States Department of Housing and Urban Development ("HUD").

The location of the IDP Units will be finalized in conjunction with BPDA staff and outlined in the Affordable Rental Housing Agreement and Restriction ("ARHAR"), and rental prices and income limits will be adjusted according to BPDA published maximum rents, as based on HUD AMIs, available at the time of the initial rental of the IDP Units. IDP Units must be comparable in size, design, and quality to the market rate units in the Proposed Project, cannot be stacked or concentrated on the same floors, and must be consistent in bedroom count with the entire Proposed Project.

The ARHAR must be executed along with, or prior to, the issuance of the Certification of Compliance for the Proposed Project. The Proponent must also submit an Affirmative Marketing Plan (the "Plan") to the Boston Fair Housing Commission and the BPDA. Preference will be given to applicants who meet the following criteria, weighted in the order below:

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

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 limit for each IDP Unit. The BRA or its assigns or successors will monitor the ongoing affordability of the IDP Units.

In addition to the eleven (11) designated IDP Units the Developer has agreed to make an IDP contribution to the IDP Special Revenue Fund ("IDP Fund") managed by the Department or Neighborhood Development ("DND"). Combined, this contribution together with the eleven (11) designated IDP Units satisfies fully the IDP requirements pursuant to the December 10, 2015 IDP.

For the Proposed Project, the contribution is based on 18% of the remaining units (48.38 total units x 0.18), or 8.71 units, multiplied by \$380,000, for a total payment of \$3,309,507.69. The IDP Contribution shall be made as follows: (1) in seven equal annual installments of \$472,786.81, made to the City's Treasury Department (the "Treasury"), with the first payment required within 30 days after the issuance of the initial Building Permit by the City's Inspectional Services Department ("ISD"); or (2) a one time, upfront payment of the equivalent contribution calculated based on the net present value of the Contribution at a discount rate calculated by adding 50% of the Proponent's costs of funds to 50% of the City's most recent (ten-year) municipal bond yield.

The Proponent and the community have expressed a strong interest in assuring that the affordability accruing from the Proposed Project remain in the vicinity of the Proposed Project or in the central Boston neighborhoods (Bay Village, Chinatown, Downtown, the North End, the Back Bay, Beacon Hill, or the South End). As a result, the developer, in cooperation with BPDA staff, will work together to identify potential sites to 1) create off-site units in the vicinity of the Proposed Project, or 2) identify an income-restricted housing project in the central Boston neighborhoods that could be a recipient of the Contribution.

MITIGATION AND PUBLIC BENEFITS

Expected public benefits from the Proposed Project include improvements to the infrastructure, economy, pedestrian experience, and the urban design of the surrounding neighborhood. Below is an outline of the mitigation and public benefits.

Public Benefits:

- Creation of approximately 300 construction jobs and 30 permanent jobs;

- The addition of 133 housing units consistent with the goal of Boston: 2030 to create 53,000 housing units by 2030.
- The project will transform a vacant blighted lot and surface parking lot along a major thoroughfare with a complimentary building framing a pedestrian gateway to Bay Village;
- The elimination of the parking use and the curb cut on Shawmut Street terminating existing vehicular access from Stuart Street into the neighborhood.
- A complete renovation and expansion of the Church Street plaza along the western border of the site. In addition to the renovation of the existing plaza, the building is stepped back from the property line increasing the size of the plaza establishing it as the gateway to the neighborhood;
- The creation of 2 townhouse units along Shawmut Street, which activate the Street and relate to the site history;
- All loading and unloading will take place from the loading dock accessible only from Stuart Street;
- All new hardscapes, sidewalks, tree plantings and landscaping along the perimeter of the building;
- The widening of the alleyway between the building and the Revere Hotel providing a safe and well light passageway;

Mitigation:

- Creation of 11 on-site affordable units together with contributions in excess of \$3.3 million to the IDP Special Revenue Fund;
- Significantly increased real estate taxes to the City of Boston;
- The Proponent has agreed to contribute approximately Two Hundred and Ninety Two Thousand Dollars (\$292,000), of which 50% will be issued upon full building permit and 50% will be issued at first certificate of occupancy, for various uses, identified by the BVNA, specific to the ongoing care and maintenance of Statler Park and the City “pocket” parks located throughout the Bay Village neighborhood (consisting of the Bay Village Garden, Bay Village Neighborhood Park, Warrenton Street Dog Park, Isabella Street Garden), including but not limited to:
 - the addition or repair of electrical and water sources (including fountains) throughout the “pocket” parks;
 - the provision of “Big Belly” trash receptacles in the vicinity of each “pocket” park;
 - the addition or replacement of community notice boards at each of the “pocket” parks; and

- the provision of perennial plantings at different “pocket” parks throughout the neighborhood.

Such payments shall be made to the BPDA, and the BPDA will work with the City of Boston and the BVNA to distribute these funds accordingly. All funds must be used for the benefit of Statler Park and the identified “pocket” parks within the Bay Village neighborhood for the initiatives identified by the BVNA in consultation with the City.

- The Proponent has agreed to contribute Two Hundred and Fifty Thousand Dollars (\$250,000), of which 50% will be issued upon full building permit and 50% will be issued at first certificate of occupancy, for the Proposed Project to be used for specific safety initiatives, open space improvements and other initiatives identified by the BVNA within the Bay Village neighborhood. Such payment shall be made to the BPDA, and the BPDA will grant the allocated funds to the agreed upon entity, specific to each initiative. The provision of not less than Seventy-Five Thousand Dollars (\$75,000) from such contribution shall be made directly to the BVNA to support activities consistent with the non-profit mission of the BVNA to promote a strong community of residents that value mutual respect, including but not limited to community building activities such as holiday wreaths, block parties, coffee hours, neighborhood clean-ups, neighborhood public safety initiatives, neighborhood information pamphlets, neighborhood communication, the preservation of historical plaques and archives, and beautification.

These commitments of the Proponent will be set forth in the Cooperation Agreement between the Proponent and the BPDA, which will be executed before any full building permit is issued for the Proposed Project.

ZONING

The Proposed Project site is located at 212-222 Stuart Street and 17-19 Shawmut Street within the Bay Village Neighborhood District which is governed by Article 63 of the Boston Zoning Code (Code). The majority of the site is located within the Multifamily Residential (MFR) subdistrict with a small portion of the site located in the Rowhouse subdistrict (RH). The site is presently comprised of four separate parcels and it is proposed that the parcels be combined to allow for the construction and operation of the Proposed Project. It is anticipated that relief from the provisions of the Code will be obtained for the Proposed Project from the Boston Board of Appeals. The relief will include, without limitation, relief for use (for example, multifamily use and ground floor retail uses are not allowed in the

Rowhouse subdistrict, but are generally allowed in the MFR subdistrict) as well as relief for dimensional requirements such as height, floor area ratio, and yard violations. A conditional use permit from the Board of Appeals for groundwater recharge under Article 32 of the Code will also be required.

RECOMMENDATION

BPDA staff believes that the PNF adequately describes the Proposed Project's potential impacts, satisfying the criteria for the issuance of a Scoping Determination Waiving Further Review under Section 80B-5 of the Code. It is therefore recommended that the BPDA authorize the Director to: (1) issue a Scoping Determination waiving the requirement of further review pursuant to Article 80, Section 80B-5.3(d) of the Code for the Proposed Project; (2) issue a Certification of Compliance under Section 80B-6 of the Code upon successful completion of the Article 80 review process for the Proposed Project; and (3) execute and deliver a Cooperation Agreement, a Boston Residents Construction Employment Plan, an Affordable Rental Housing Agreement and Restriction, and any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

Appropriate votes follow:

VOTED: That the Director of the Boston Redevelopment Authority (the "BRA") be, and hereby is, authorized to issue a Scoping Determination under Section 80B-5.3(d) of the Boston Zoning Code (the "Code") which (i) finds that the Project Notification Form adequately describes the potential impacts arising from the 212 Stuart Street project in the Bay Village neighborhood (the "Proposed Project"), and provides sufficient mitigation measures to minimize these impacts; and (ii) waives further review of the Proposed Project under Section 80B-5 of the Code, subject to continuing design review; and

FURTHER

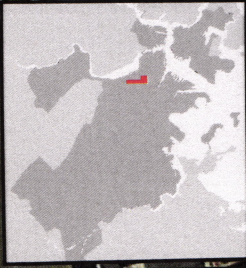
VOTED: That the Director be, and hereby is, authorized to issue a Certification of Compliance under Section 80B-6 of the Code for the Proposed Project upon the successful completion of all Article 80 processes; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute a Cooperation Agreement, a Boston Residents Construction Employment Plan, an Affordable Rental Housing Agreement and Restriction, and any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

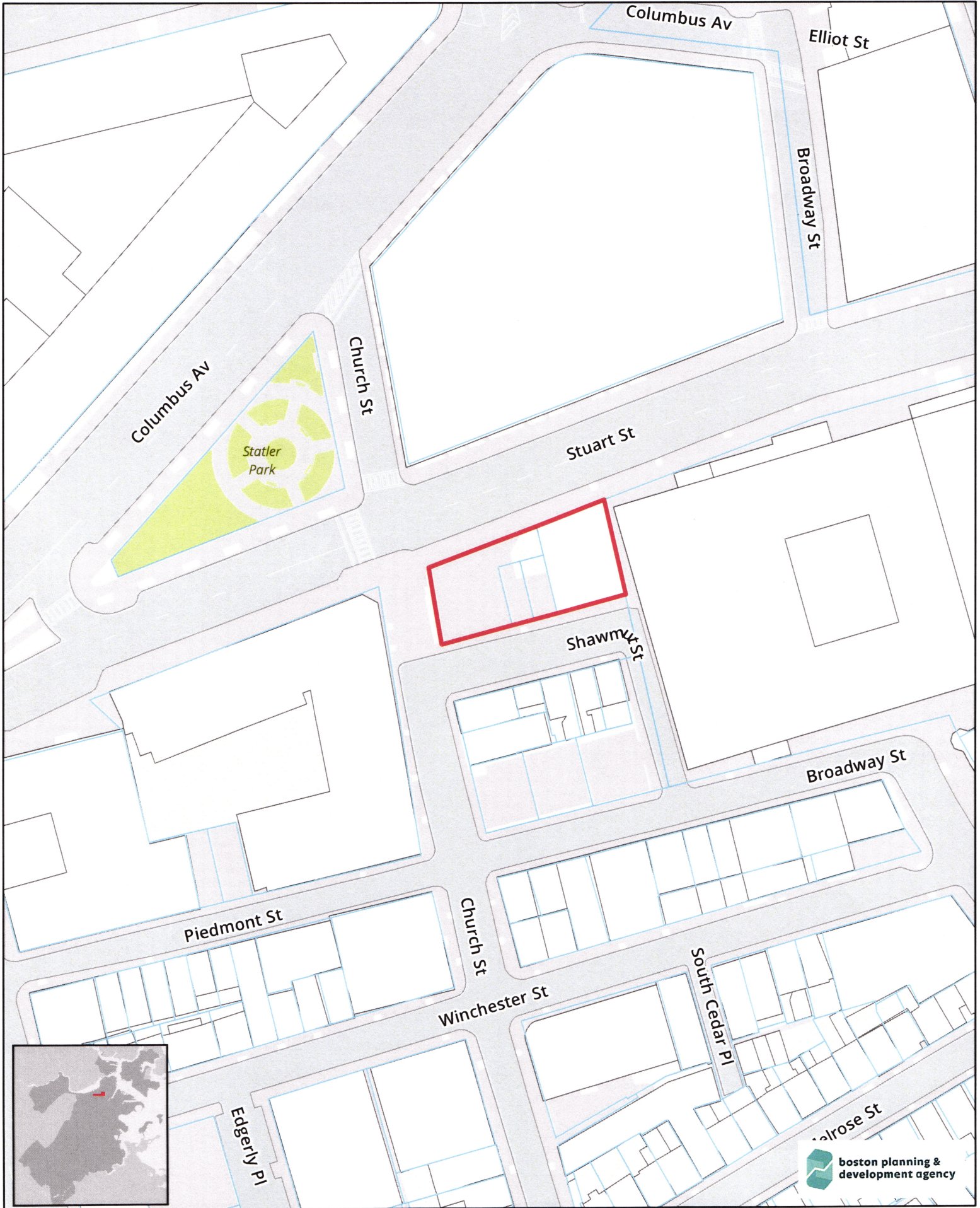
212-222 Stuart St, 17-19 Shawmut St
Bay Village

1:1,000



212-222 Stuart St, 17-19 Shawmut St Bay Village

1:1,000



Michael Rooney, Project Manager
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Cc: (via email):

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April 3, 2017

In re: 212 STUART STREET

Dear Mr. Rooney:

As members of the Impact Advisory Group ("IAG"), we write to provide comments on the above referenced project, as described in the December 8, 2016 Project Notification Form ("PNF") and as amended in subsequent revisions. We all appreciate the opportunity to serve on the IAG and hope that our comments are useful in identifying the impacts on the surrounding historic and residential neighborhood so they may be addressed appropriately. The undersigned are jointly commenting in this Impact Advisory Letter. Other members appointed to the IAG may or may not be presenting additional written submissions.

History of Proposed Site

The project site comprises four parcels at 212-222 Stuart St. and 17-19 Shawmut St., locations that have in the past been home to a church, restaurant, and 2 townhouses. Currently, the site includes a surface parking lot and a fenced-in, unused parcel. We note that the project proposed in the original and revised PNF represents the fourth attempt at building on this site in the past 15 years, as documented by public filings:

- 2003: The first such attempt proposed building residential units with a 10' penthouse addition to the then-existing structure on the site of 212 Stuart Street; such construction ultimately proved infeasible.

- 2005: The second proposal envisaged retaining the facades of the building at 212 Stuart Street, and in various iterations, residential towers on either 212 Stuart Street or on both 212 Stuart Street and the adjacent lots of 222 Stuart Street and 17-19 Shawmut Street.
- 2007: The third proposal started as a residential project on 212 Stuart only and later changed into a proposed office building both at 212 Stuart Street and on the adjacent lots; demolition approved by the BPDA in advance of the developer receiving construction financing resulted in an empty shell at 212 Stuart, which was ultimately declared unsafe by the Inspectional Services Department, and an order for demolition was issued.

General Comments

We note that this project has resulted in contentious discussions within Bay Village, and that many of the community comments directed at IAG members exhibit a confused understanding of the role of the Impact Advisory Group. We are writing this letter as instructed under the Executive Orders promulgated by Mayor Menino's office, which formalized the instructions for the BPDA on how to gather community input on identifying potential impacts of a project as proposed in a PNF, as well as suggested possible mitigants.

Transom Real Estate, LLC on behalf of its affiliates, (the Proponent) has presented its plans numerous times to residents. The Proponent has made two public presentations to the Bay Village Neighborhood Association (BVNA), one outlining the original project on January 23, 2017, and revised plans for the project on March 20, 2017 with the latter meeting jointly hosted by the BVNA Planning committee and the BPDA. Notification of these meetings was broadly circulated to the surrounding community by the BVNA, using email, web posting, and posting flyers. Nearly 100 residents attended each of these public forums and everyone who wished to comment was allowed to speak. Each of these meetings was over two hours in length.

The BPDA also hosted two IAG meetings, one on January 17, 2017, and the second on March 30, 2017; notice was likewise broadly circulated. Attendance was lower than at the general meetings, but still considerably higher than for other IAG meetings on which the undersigned have participated. The Proponent has also held additional meetings on specific issues, most notably one regarding the wind impact study on February 16, 2017. We note that despite efforts made by the BVNA and the Proponent to encourage attendance at the various public meetings, comments and engagement from the direct abutters at the 230 Stuart Street elderly housing complex has been minimal. We are encouraged that a meeting will be held between the Proponent and those residents in the near future and expect they as abutters will be contacting the BPDA directly.

Community opinion in Bay Village regarding the building is divided, and while outside the scope of an Impact Advisory Group, we note the following general themes as necessary context, but without comment. Opponents to the project consistently identify the height of the building as

excessive relative to the scale of the Bay Village Historic District: some opponents of the height have suggested that strict adherence to Article 63 is required; others have suggested that the height of the neighboring Revere Hotel garage might be appropriate. Multiple additional concerns have also been raised, including wind impact and shadows on Statler Park, among others. Those not opposing the project have exhibited a more varied set of rationales, but these could be broadly characterized as expressing the belief that the design and streetscape improvements represent an improvement over the current vacant lot and dilapidated parking lot, that the design is substantially better than previous proposals, that development of a greater number of residential units is an imperative for the City, and that in balance these perceived benefits make the proposed height acceptable on the northern border of the historic district.

We expect and have encouraged such opinions to be communicated in detail to the BPDA by the BVNA and in individual letters, as for all other BPDA projects.

Impacts and Proposed Mitigants

The revised project as proposed by the Proponent at the IAG meeting on March 30, 2017, presents the following impacts as identified by community residents and the IAG. We note cases where identified impacts in the original proposal have been resolved in subsequent revised proposals, as well as instances where impacts still exist and proposed possible mitigants.

Height

The height of the proposed building is substantially in excess of limits in Article 63.

- ❑ The excess height will adversely impact the Shawmut Street residents' access to Daylight versus what they currently enjoy, and what they may have anticipated should the existing height restrictions prevail. This is addressed further in the Daylight impact section.
- ❑ In addition to the height of the project itself, there are substantial concerns that any contemplated exemptions issued for this project by the BPDA will serve as de facto precedent for any subsequent developments on the border of or within the historic district. The undersigned are unaware of possible legal remedies to this situation, but look forward to receiving BPDA staff responses with regard to possible solutions to this identified impact.
- ❑ The height of the project necessarily entails high residential density in a historic district with substantially lower existing overall density. This will place substantially greater strain on surrounding public spaces and infrastructure, including parks, as well as greater pedestrian traffic within Bay Village:
 - ❑ Higher density and greater pedestrian traffic will likely result in increased issues with litter.

- ❑ Higher density will result in increased utilization and wear and tear on local parks.
- ❑ Higher density increases the attractiveness of the area for petty crime.
- ❑ Higher density with at-market rental rates will further skew the composition of the community to upper-income groups. Bay Village is increasingly out of reach for mid-range incomes while already providing low income and elderly subsidized housing nearby (Tremont Village, 230 Stuart, Castle Square, MassPike towers).
- ❑ Bay Village is a residential neighborhood and would be negatively impacted should the proposed rental units be used as short-term rentals. The Proponent has stated that short-term rentals (such as Airbnb and HomeAway) are forbidden by a deed restriction in the initial purchase.

Identified mitigants include:

- ❑ Purchase, installation and maintenance of Big Belly trash receptacles at areas in and around Bay Village identified as existing or likely post-construction high litter areas.
- ❑ City of Boston agreement (and enforcement mechanism for same) with the owners of 230 Stuart Street to find alternate methods of trash disposal to simply piling up trash bags on the Church Street Plaza.
- ❑ Contract with City Year, Project Place, or similar organization to provide twice weekly litter pickup in and around Bay Village.
- ❑ Provision of electricity outlets and water outlets in all Bay Village Parks in order to facilitate upkeep and maintenance of these areas.
- ❑ Purchase, installation and maintenance of City of Boston security cameras at locations identified as high-crime by local residents in cooperation with the City of Boston Police Department.
- ❑ Affordable housing requirements being met through providing an appropriate number of on-site, 70% Average Median Income (AMI) housing that include a representative mix of 1, 2 and 3 bedroom units.
- ❑ Any TAPA or Cooperation Agreements executed by the BPDA, the City of Boston and the BVNA with the developer should memorialize that short term rentals or sublets are prohibited.

Wind Impacts

The wind analysis contained in the PNF concludes that wind impacts meet regulatory requirements as mandated by City Code.

We do note some residents have presented concerns with regard to wind impacts on specific locations in and around the project. We are unable to present these concerns coherently, as they have been expressed in ways which appear to be based on a substantial misunderstanding of both the analytical methods used and the results of those analyses: the wind speed in the reports represents wind speeds occurring 1% of the time, but is represented in impact comments received by the IAG as suggesting an increase in wind speed overall, or of an absolute increase in days lost to higher winds. We direct the BPDA staff to individual letters or the letter from the BVNA, which may be able to more adequately explain the rationale for this identified impact.

- ❑ While the undersigned are unable to identify meaningful wind impacts specific to the project, there is some degradation in the mean speed categories as measured in the original PNF by those sensors closest in the “Church Street Plaza” area as well as along the southern edge of Statler Park. Decreasing wind impacts in those areas is identified as meaningful to the neighborhood.

Identified mitigants include:

- ❑ More trees purchased and installed in locations identified by local residents as benefitting from such installation, in cooperation with the Boston Parks Department and the Boston Transportation Department.

Shadows on City Parks and Daylight Within Bay Village

Since the proposed project sits at the northern boundary of Bay Village, shadows within the residential district are not a substantial impact. Loss of Daylight, as defined, is identified as a significant impact for all of the Bay Village district east of Arlington Street, with particular impact on areas from Winchester Street Northwards.

- ❑ The proposed project does introduce new shadows onto Statler Park. Despite the proximity of the Public Garden and Boston Common, park space immediately around Bay Village is limited. Short of reduction in height to limits contemplated by Article 63, shadows will be cast on the park.
- ❑ Loss of daylight for locations within Bay Village is calculated relative to previous proposed projects at this site approved by the BPDA board. Nonetheless, the loss of daylight in absolute terms is a significant impact for inhabitants on Shawmut Street Extension, at 230 Stuart Street, and to lesser, albeit still significant degree, to those residing on Piedmont Street.

Identified mitigants include:

- ❑ The area at the intersection of Arlington Street and Cortes Street was previously proposed as the site for creation of a new neighborhood park as mitigation for the proposal by 40 Trinity to add a significant number of deed-restricted affordable housing to Cortes Street. Rehabilitation of this space by the City of Boston and turning it into a park as previously contemplated would increase available park space for residents.
- ❑ We also request that the Proponent engage Shawmut Street residents directly to discuss potential mitigation for their loss of Daylight.

Juxtaposition with Historic District

The proposed project is identified by the proponent as a gateway between the more modern elements of Boston visible on Stuart Street and Statler Plaza and those of Bay Village, which is principally, but not wholly, composed of Greek Revival and Art Deco buildings of 4 stories and less.

- ❑ The Building by virtue of its size and location may occlude Bay Village from the Stuart Street side and make the historic district, parks and businesses more difficult to find.

Identified mitigants include:

- ❑ The Church Street plaza immediately abutting the proposed project on its westerly side is a principal pedestrian entrance to Bay Village and should include clear maps and directional signs to local parks and businesses, as well as wayfinding in the plaza containing historical information about the Bay Village Historic District.
- ❑ Restoration and repair of the historic gas street lights in the vicinity of the proposed project.

Residential Parking

Parking has been acknowledged in the PNF as an impact and has also been identified as of consistent concern to residents, given the number of new cars potentially introduced into the district. The scope for disruption from construction and service workers parking in Bay Village is also identified as an impact given the large size of the workforce relative to the number of legal parking spaces in Bay Village

Identified mitigants include:

- ❑ Any TAPA or Cooperation Agreements executed by the BPDA, the City of Boston and the BVNA with the developer should memorialize the commitment to provide up to 50 Parking Spaces at the Revere Garage for tenants.

- ❑ Any TAPA or Cooperation Agreements with the developer executed by the BPDA, the City of Boston and the BVNA should memorialize a commitment to exclude residents of the proposed project from being eligible for City of Boston issued Bay Village Resident Parking Permits. Further, all rental leases should be required to inform prospective tenants of this restriction, and to require a tenant signature acknowledging receipt of this notification.
- ❑ Any TAPA or Cooperation Agreements executed by the BPDA, the City of Boston and the BVNA with the developer should memorialize parking plans for contractors and service providers which prohibit parking within Bay Village.

Services Delivery / Removal

Shawmut Street Extension is a small, narrow street immediately abutting the proposed project on its southerly exposure. Piedmont street currently suffers from drivers using it as a shortcut around the Stuart Street intersection with Charles Street South and as an alternative route to the Expressway which bypasses Arlington Street (via Church Street, Oak Street and Shawmut Avenue).

- ❑ Deliveries, trash removal, moving trucks, or any other service vehicles using Piedmont and Shawmut Street Extension are identified as substantially negative impacts.

Identified mitigants include:

- ❑ Any TAPA or Cooperation Agreements executed with the developer by the BPDA, the City of Boston and the BVNA should memorialize the commitment made in the PNF to prohibit making construction, commercial and residential deliveries, or removing trash, from any entrance to the building other than those facing Stuart Street.

Noise from Building Systems and Amenity Deck

Under the revised project, the IAG understands the building systems will be enclosed and vented when necessary either on Stuart Street or the alley on the east side of the building, thereby reducing potential systems noise on Shawmut Street or into the Church Street plaza.

The revised project contemplates an Amenity Deck, the purpose of which has not yet been defined. The nearby Revere Hotel roofdeck has from time-to-time posed a noise pollution problem for the neighborhood.

Identified mitigants include:

- ❑ Any Cooperation Agreements executed with the developer by the BPDA, the City of Boston and the BVNA should include the commitment to prohibit excessive noise emanating from the Amenity Deck, especially between the hours of 11pm and 8am, and

be at least as restrictive as other City Ordinances that pertain to personal roof decks in Bay Village.

Retail Space / Forbidden Uses

The retail space for the first floor of the proposed project abuts an elderly housing complex and is also adjacent to residential units on Shawmut Street. It abuts the principal pedestrian entrance into Bay Village.

- Certain uses (e.g., high volume, fast food franchises; liquor stores selling “nips”; nightclubs) are inappropriate at this location.
- Certain hours of operation (early and / or late) are inappropriate at this location.
- Garish or disturbing signage is not appropriate at this location.

Identified mitigants include:

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Construction Related Impacts

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- The scope for construction related damage to surrounding homes is higher than usual.
- Hours of operation have a far greater than usual chance of disrupting residential activities and sleep.
- The prospects of rat infestations are greater than usual.

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- An engineer certified plan for providing a survey of existing conditions for those buildings deemed to be at risk for structural damage, as well as ongoing re-examination to ensure construction activities are not causing damage.

- ❑ Communication mechanisms and contact information widely circulated within the neighborhood so that construction problems can be identified and corrected quickly.
- ❑ An aggressive rodent control program should be incorporated into the proponent's Construction Management Plan.

Miscellaneous Impacts and Mitigation

The undersigned note that some impacts identified in the original PNF have been addressed in revised plans presented in public forums to the community and to IAG members.

- ❑ The street level facade facing Shawmut Street Extension has been revised to include townhouse style units which echo facing houses. This has been a significant contribution to softening the streetscape and to better integrating the project at the street level into the surrounding neighborhood.
- ❑ The footprint of the project now includes a 10' setback of the southwest corner of the property from the lot line, as well as an indentation overhang along the northwest corner allowing more generous sightlines into and out of Bay Village from the North-South axis of Church Street, and making that access more pedestrian friendly than contemplated in the original PNF. We understand this setback reduced the overall square footage of the project by the equivalent of approximately one floor.
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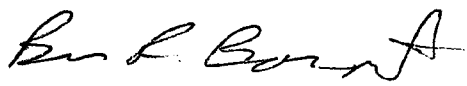
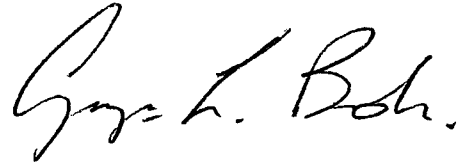
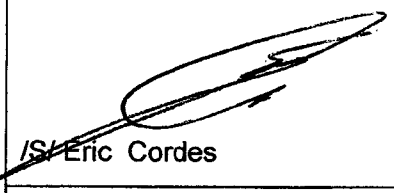
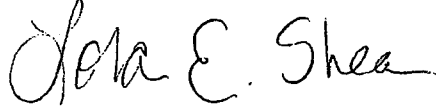

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Sincerely,
Undersigned Impact Advisory Group Members

 /S/ Brian Boisvert	 /S/ Gaye Bok
 /S/ Eric Cordes	 /S/ Lora Shea
 /S/ Mark Slater	



Michael Rooney <michael.rooney@boston.gov>

212 Stuart St

1 message

dombarakat@yahoo.com <dombarakat@yahoo.com>
To: "michael.rooney@boston.gov" <michael.rooney@boston.gov>

Sun, Mar 26, 2017 at 7:59 AM

Dear Michael,

Thank you again for moderating the meeting on Monday. It was helpful that Transom has listened to some of the neighborhood feedback, however, it is still very discouraging that they ignored many legitimate concerns raised by the residents that diminish the public realm. My primary concerns are the following:

1. The height of the building. I don't want to repeat all the reasons however would appreciate if you have Transom answer the question posed by a resident how the piedmont park square development was economically viable? The parcels are similarly sized and that developer built a 4 story building that matches the character of the neighborhood and is unanimously by residents.
2. 230 Stuart Street South Cove. He twice dismissed requests to engage the approximately 200 frail and disabled residents who will arguably be the most impacted by the project. Please make them accountable for engaging the residents, regardless of the language and physical barriers. Does the BPDA work with or know of advocacy groups supporting the elderly and disabled in similar situations?

Given the amount of outstanding items yet to be properly considered and addressed, I'd like to request that the April 14th deadline be postponed. Please add this to public record.

I appreciate your assistance in ensuring follow up with Transom and articulating, with facts, why the BPDA believes that this project makes sense for Bay Village but also avoids a precedent of developers exploiting other neighborhoods that are designated historical districts.

Thank you in advance,

Dominic Barakat



Michael Rooney <michael.rooney@boston.gov>

212 Stuart Street - Request for Updated Comprehensive Shadow Study

2 messages

Dominic Barakat <dombarakat@yahoo.com>

Thu, Apr 6, 2017 at 10:42 PM

Reply-To: Dominic Barakat <dombarakat@yahoo.com>

To: Samuel Chambers <samuel.chambers@boston.gov>, "david.carlson@boston.gov" <david.carlson@boston.gov>, "mdavis@bergmeyer.com" <mdavis@bergmeyer.com>, "daniel.stclair@ssinvests.com" <daniel.stclair@ssinvests.com>, "dcrosby@cssboston.com" <dcrosby@cssboston.com>, "dhacin@hacin.com" <dhacin@hacin.com>, "dmanfredi@elkus-manfredi.com" <dmanfredi@elkus-manfredi.com>, "pmcdonough@goulstonstorr.com" <pmcdonough@goulstonstorr.com>, "michelle.wu@boston.gov" <michelle.wu@boston.gov>

Cc: "jonathan.greeley@boston.gov" <jonathan.greeley@boston.gov>, "michael.rooney@boston.gov" <michael.rooney@boston.gov>

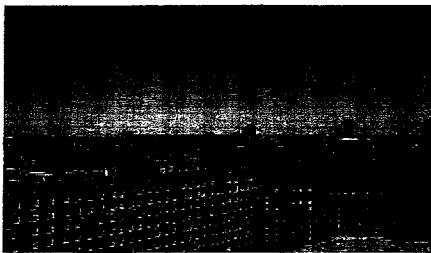
Dear City Officials,

Thank you for all that you do for the City of Boston. I believe that that shadow study included within the PNF (submitted by Transom Real Estate LLC) in conjunction with the proposed 199-foot tower within the Bay Village Historic District (zoned for 65 feet) is insufficient and I'm respectfully requesting that your agencies mandate a more comprehensive study be conducted to confirm compliance with the State Shadow Laws. I also wanted to share an image that was part of a number of pictures and videos collected by an FAA-approved drone at various heights, including 199 feet. The image, taken at 199 feet shows that the Common is clearly visible and buildings on Beacon Street on the far side of the Public Garden are also visible. Given that the proposed building is not located in the Midtown Cultural District and is not eligible for the shadow bank, it raises the question whether enough analysis was performed by Transom to demonstrate conformance with the applicable State Shadow Laws because of the proximity to the parks and the estimated shadow generated by the proposed building.

In my opinion, this request adds to the list of important questions that have been raised by residents that have yet to be addressed. As a result, I request that the comment period deadline be extended indefinitely until there is satisfactory resolution of the issues raised.

Thank you in advance for your consideration,

Dominic Barakat
45 Church St.



Beacon Street Behind Public Garden and Common at ~199 ft.JPG
3827K

gbernarduci@gmail.com <gbernarduci@gmail.com>

Thu, Apr 6, 2017 at 10:49 PM

To: Dominic Barakat <dombarakat@yahoo.com>

Cc: Samuel Chambers <samuel.chambers@boston.gov>, "david.carlson@boston.gov" <david.carlson@boston.gov>, "mdavis@bergmeyer.com" <mdavis@bergmeyer.com>, "daniel.stclair@ssinvests.com" <daniel.stclair@ssinvests.com>, "dcrosby@cssboston.com" <dcrosby@cssboston.com>, "dhacin@hacin.com" <dhacin@hacin.com>, "dmanfredi@elkus-manfredi.com" <dmanfredi@elkus-manfredi.com>, "pmcdonough@goulstonstorr.com" <pmcdonough@goulstonstorr.com>, "michelle.wu@boston.gov" <michelle.wu@boston.gov>, "jonathan.greeley@boston.gov" <jonathan.greeley@boston.gov>, "michael.rooney@boston.gov" <michael.rooney@boston.gov>

I am a voter who resides in Bay Village. I also strongly oppose the 212 Stuart Street project and ask further research be done.

Michael Rooney, Project Manager
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201

Cc: (via email):

Senator Boncore, joseph.boncore@masenate.gov
Representative Michlewitz, aaron.m.michlewitz@mahouse.gov
Mayor Walsh, mayor@boston.gov
Office of Neighborhood Services Rep. Chambers, samuel.chambers@boston.gov
Councillor Linehan, bill.linehan@boston.gov
Councillor Essaibi George, a.e.george@boston.gov
Councillor Flaherty, michael.f.flaherty@boston.gov
Councillor Pressley, ayanna.pressley@boston.gov
Councillor Wu, michelle.wu@boston.gov

April 3, 2017

In re: 212 STUART STREET

Dear Mr. Rooney:

As members of the Impact Advisory Group ("IAG"), we write to provide comments on the above referenced project, as described in the December 8, 2016 Project Notification Form ("PNF") and as amended in subsequent revisions. We all appreciate the opportunity to serve on the IAG and hope that our comments are useful in identifying the impacts on the surrounding historic and residential neighborhood so they may be addressed appropriately. The undersigned are jointly commenting in this Impact Advisory Letter. Other members appointed to the IAG may or may not be presenting additional written submissions.

History of Proposed Site

The project site comprises four parcels at 212-222 Stuart St. and 17-19 Shawmut St., locations that have in the past been home to a church, restaurant, and 2 townhouses. Currently, the site includes a surface parking lot and a fenced-in, unused parcel. We note that the project proposed in the original and revised PNF represents the fourth attempt at building on this site in the past 15 years, as documented by public filings:

- 2003: The first such attempt proposed building residential units with a 10' penthouse addition to the then-existing structure on the site of 212 Stuart Street; such construction ultimately proved infeasible.

- 2005: The second proposal envisaged retaining the facades of the building at 212 Stuart Street, and in various iterations, residential towers on either 212 Stuart Street or on both 212 Stuart Street and the adjacent lots of 222 Stuart Street and 17-19 Shawmut Street.
- 2007: The third proposal started as a residential project on 212 Stuart only and later changed into a proposed office building both at 212 Stuart Street and on the adjacent lots; demolition approved by the BPDA in advance of the developer receiving construction financing resulted in an empty shell at 212 Stuart, which was ultimately declared unsafe by the Inspectional Services Department, and an order for demolition was issued.

General Comments

We note that this project has resulted in contentious discussions within Bay Village, and that many of the community comments directed at IAG members exhibit a confused understanding of the role of the Impact Advisory Group. We are writing this letter as instructed under the Executive Orders promulgated by Mayor Menino's office, which formalized the instructions for the BPDA on how to gather community input on identifying potential impacts of a project as proposed in a PNF, as well as suggested possible mitigants.

Transom Real Estate, LLC on behalf of its affiliates, (the Proponent) has presented its plans numerous times to residents. The Proponent has made two public presentations to the Bay Village Neighborhood Association (BVNA), one outlining the original project on January 23, 2017, and revised plans for the project on March 20, 2017 with the latter meeting jointly hosted by the BVNA Planning committee and the BPDA. Notification of these meetings was broadly circulated to the surrounding community by the BVNA, using email, web posting, and posting flyers. Nearly 100 residents attended each of these public forums and everyone who wished to comment was allowed to speak. Each of these meetings was over two hours in length.

The BPDA also hosted two IAG meetings, one on January 17, 2017, and the second on March 30, 2017; notice was likewise broadly circulated. Attendance was lower than at the general meetings, but still considerably higher than for other IAG meetings on which the undersigned have participated. The Proponent has also held additional meetings on specific issues, most notably one regarding the wind impact study on February 16, 2017. We note that despite efforts made by the BVNA and the Proponent to encourage attendance at the various public meetings, comments and engagement from the direct abutters at the 230 Stuart Street elderly housing complex has been minimal. We are encouraged that a meeting will be held between the Proponent and those residents in the near future and expect they as abutters will be contacting the BPDA directly.

Community opinion in Bay Village regarding the building is divided, and while outside the scope of an Impact Advisory Group, we note the following general themes as necessary context, but without comment. Opponents to the project consistently identify the height of the building as

excessive relative to the scale of the Bay Village Historic District: some opponents of the height have suggested that strict adherence to Article 63 is required; others have suggested that the height of the neighboring Revere Hotel garage might be appropriate. Multiple additional concerns have also been raised, including wind impact and shadows on Statler Park, among others. Those not opposing the project have exhibited a more varied set of rationales, but these could be broadly characterized as expressing the belief that the design and streetscape improvements represent an improvement over the current vacant lot and dilapidated parking lot, that the design is substantially better than previous proposals, that development of a greater number of residential units is an imperative for the City, and that in balance these perceived benefits make the proposed height acceptable on the northern border of the historic district.

We expect and have encouraged such opinions to be communicated in detail to the BPDA by the BVNA and in individual letters, as for all other BPDA projects.

Impacts and Proposed Mitigants

The revised project as proposed by the Proponent at the IAG meeting on March 30, 2017, presents the following impacts as identified by community residents and the IAG. We note cases where identified impacts in the original proposal have been resolved in subsequent revised proposals, as well as instances where impacts still exist and proposed possible mitigants.

Height

The height of the proposed building is substantially in excess of limits in Article 63.

- ❑ The excess height will adversely impact the Shawmut Street residents' access to Daylight versus what they currently enjoy, and what they may have anticipated should the existing height restrictions prevail. This is addressed further in the Daylight impact section.
- ❑ In addition to the height of the project itself, there are substantial concerns that any contemplated exemptions issued for this project by the BPDA will serve as de facto precedent for any subsequent developments on the border of or within the historic district. The undersigned are unaware of possible legal remedies to this situation, but look forward to receiving BPDA staff responses with regard to possible solutions to this identified impact.
- ❑ The height of the project necessarily entails high residential density in a historic district with substantially lower existing overall density. This will place substantially greater strain on surrounding public spaces and infrastructure, including parks, as well as greater pedestrian traffic within Bay Village:
 - ❑ Higher density and greater pedestrian traffic will likely result in increased issues with litter.

- ❑ Higher density will result in increased utilization and wear and tear on local parks.
- ❑ Higher density increases the attractiveness of the area for petty crime.
- ❑ Higher density with at-market rental rates will further skew the composition of the community to upper-income groups. Bay Village is increasingly out of reach for mid-range incomes while already providing low income and elderly subsidized housing nearby (Tremont Village, 230 Stuart, Castle Square, MassPike towers).
- ❑ Bay Village is a residential neighborhood and would be negatively impacted should the proposed rental units be used as short-term rentals. The Proponent has stated that short-term rentals (such as Airbnb and HomeAway) are forbidden by a deed restriction in the initial purchase.

Identified mitigants include:

- ❑ Purchase, installation and maintenance of Big Belly trash receptacles at areas in and around Bay Village identified as existing or likely post-construction high litter areas.
- ❑ City of Boston agreement (and enforcement mechanism for same) with the owners of 230 Stuart Street to find alternate methods of trash disposal to simply piling up trash bags on the Church Street Plaza.
- ❑ Contract with City Year, Project Place, or similar organization to provide twice weekly litter pickup in and around Bay Village.
- ❑ Provision of electricity outlets and water outlets in all Bay Village Parks in order to facilitate upkeep and maintenance of these areas.
- ❑ Purchase, installation and maintenance of City of Boston security cameras at locations identified as high-crime by local residents in cooperation with the City of Boston Police Department.
- ❑ Affordable housing requirements being met through providing an appropriate number of on-site, 70% Average Median Income (AMI) housing that include a representative mix of 1, 2 and 3 bedroom units.
- ❑ Any TAPA or Cooperation Agreements executed by the BPDA, the City of Boston and the BVNA with the developer should memorialize that short term rentals or sublets are prohibited.

Wind Impacts

The wind analysis contained in the PNF concludes that wind impacts meet regulatory requirements as mandated by City Code.

We do note some residents have presented concerns with regard to wind impacts on specific locations in and around the project. We are unable to present these concerns coherently, as they have been expressed in ways which appear to be based on a substantial misunderstanding of both the analytical methods used and the results of those analyses: the wind speed in the reports represents wind speeds occurring 1% of the time, but is represented in impact comments received by the IAG as suggesting an increase in wind speed overall, or of an absolute increase in days lost to higher winds. We direct the BPDA staff to individual letters or the letter from the BVNA, which may be able to more adequately explain the rationale for this identified impact.

- ❑ While the undersigned are unable to identify meaningful wind impacts specific to the project, there is some degradation in the mean speed categories as measured in the original PNF by those sensors closest in the "Church Street Plaza" area as well as along the southern edge of Statler Park. Decreasing wind impacts in those areas is identified as meaningful to the neighborhood.

Identified mitigants include:

- ❑ More trees purchased and installed in locations identified by local residents as benefitting from such installation, in cooperation with the Boston Parks Department and the Boston Transportation Department.

Shadows on City Parks and Daylight Within Bay Village

Since the proposed project sits at the northern boundary of Bay Village, shadows within the residential district are not a substantial impact. Loss of Daylight, as defined, is identified as a significant impact for all of the Bay Village district east of Arlington Street, with particular impact on areas from Winchester Street Northwards.

- ❑ The proposed project does introduce new shadows onto Statler Park. Despite the proximity of the Public Garden and Boston Common, park space immediately around Bay Village is limited. Short of reduction in height to limits contemplated by Article 63, shadows will be cast on the park.
- ❑ Loss of daylight for locations within Bay Village is calculated relative to previous proposed projects at this site approved by the BPDA board. Nonetheless, the loss of daylight in absolute terms is a significant impact for inhabitants on Shawmut Street Extension, at 230 Stuart Street, and to lesser, albeit still significant degree, to those residing on Piedmont Street.

Identified mitigants include:

- ❑ The area at the intersection of Arlington Street and Cortes Street was previously proposed as the site for creation of a new neighborhood park as mitigation for the proposal by 40 Trinity to add a significant number of deed-restricted affordable housing to Cortes Street. Rehabilitation of this space by the City of Boston and turning it into a park as previously contemplated would increase available park space for residents.
- ❑ We also request that the Proponent engage Shawmut Street residents directly to discuss potential mitigation for their loss of Daylight.

Juxtaposition with Historic District

The proposed project is identified by the proponent as a gateway between the more modern elements of Boston visible on Stuart Street and Statler Plaza and those of Bay Village, which is principally, but not wholly, composed of Greek Revival and Art Deco buildings of 4 stories and less.

- ❑ The Building by virtue of its size and location may occlude Bay Village from the Stuart Street side and make the historic district, parks and businesses more difficult to find.

Identified mitigants include:

- ❑ The Church Street plaza immediately abutting the proposed project on its westerly side is a principal pedestrian entrance to Bay Village and should include clear maps and directional signs to local parks and businesses, as well as wayfinding in the plaza containing historical information about the Bay Village Historic District.
- ❑ Restoration and repair of the historic gas street lights in the vicinity of the proposed project.

Residential Parking

Parking has been acknowledged in the PNF as an impact and has also been identified as of consistent concern to residents, given the number of new cars potentially introduced into the district. The scope for disruption from construction and service workers parking in Bay Village is also identified as an impact given the large size of the workforce relative to the number of legal parking spaces in Bay Village

Identified mitigants include:

- ❑ Any TAPA or Cooperation Agreements executed by the BPDA, the City of Boston and the BVNA with the developer should memorialize the commitment to provide up to 50 Parking Spaces at the Revere Garage for tenants.

- ❑ Any TAPA or Cooperation Agreements with the developer executed by the BPDA, the City of Boston and the BVNA should memorialize a commitment to exclude residents of the proposed project from being eligible for City of Boston issued Bay Village Resident Parking Permits. Further, all rental leases should be required to inform prospective tenants of this restriction, and to require a tenant signature acknowledging receipt of this notification.

- ❑ Any TAPA or Cooperation Agreements executed by the BPDA, the City of Boston and the BVNA with the developer should memorialize parking plans for contractors and service providers which prohibit parking within Bay Village.

Services Delivery / Removal

Shawmut Street Extension is a small, narrow street immediately abutting the proposed project on its southerly exposure. Piedmont street currently suffers from drivers using it as a shortcut around the Stuart Street intersection with Charles Street South and as an alternative route to the Expressway which bypasses Arlington Street (via Church Street, Oak Street and Shawmut Avenue).

- ❑ Deliveries, trash removal, moving trucks, or any other service vehicles using Piedmont and Shawmut Street Extension are identified as substantially negative impacts.

Identified mitigants include:

- ❑ Any TAPA or Cooperation Agreements executed with the developer by the BPDA, the City of Boston and the BVNA should memorialize the commitment made in the PNF to prohibit making construction, commercial and residential deliveries, or removing trash, from any entrance to the building other than those facing Stuart Street.

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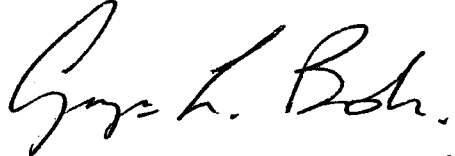
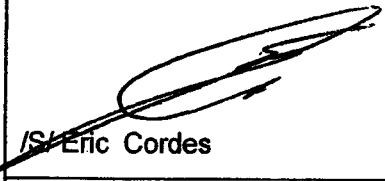
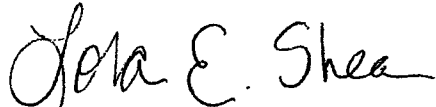

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Sincerely,
Undersigned Impact Advisory Group Members

 /S/ Brian Boisvert	 /S/ Gaye Bok
 /S/ Eric Cordes	 /S/ Lora Shea
 /S/ Mark Slater	



Michael Rooney <michael.rooney@boston.gov>

212 Stuart Meeting 5/3

dombarakat@yahoo.com <dombarakat@yahoo.com>
To: Michael Rooney <michael.rooney@boston.gov>

Tue, May 2, 2017 at 4:32 PM

Mike,

Here is a list of some preliminary topics that we'd like to cover. We understand that other questions will also be addressed. See you tomorrow.

1. Provide insight into the Stuart Street Corridor / High Spine perspective as it relates to the original intention to preserve Park Square and historic residential neighborhoods.
2. What changes in planning policy have occurred since the previous approved height of 120 feet on the parcels
3. Explain comfort with 199 feet given the proposed height is inconsistent with recently developed guidelines governing areas directly proximate: Area One of the Stuart Street Planning Project, the existing BV zoning and the Midtown Cultural District
4. How does the planning team consider the effect on public realm when determining the appropriate height of the building
5. Explain how this building respects the purpose of a historic district as outlined in the Guidelines for Establishing Local Historic Districts, which are published by the MA Historical Commission
6. Update on outstanding items (e.g. shadow study compliance with state laws, height precedent, South cove (elderly commission and resident meeting))

Dominic

From: Michael Rooney
Sent: Tuesday, May 2, 2017 11:16 AM
To: Dominic Barakat
Subject: 212 Stuart Meeting 5/3

Hi Dominic,

[Quoted text hidden]

bostonplans.org



Michael Rooney <michael.rooney@boston.gov>

Opposed 212 Stuart st 17-19 Shawmut St. petition to

1 message

Paul Miller <pmiller.re@gmail.com>

Fri, Apr 14, 2017 at 2:01 PM

To: Michael Rooney <michael.rooney@boston.gov>, "David.Carlson@boston.gov" <David.Carlson@boston.gov>, "preservebayvillage@gmail.com" <preservebayvillage@gmail.com>, Michelle Wu <Michelle.Wu@boston.gov>, ANNISSA ESSAIBI GEORGE <A.E.George@boston.gov>, Ayanna Presley <Ayanna.Pressley@boston.gov>, "tammy.donovan@boston.gov" <tammy.donovan@boston.gov>, mayor@boston.gov
Cc: "mdavis@bergmeyer.com" <mdavis@bergmeyer.com>

Dear Michael,

Please find attached a petition to oppose the above referenced project with 65 signatures. The extensive issues surrounding this Development are addressed in the petition.

Signatures are still being collected.

If this project goes forward it will send a clear signal that the city AND your agency will be moving toward abolishing HISTORIC DISTRICTS in our city.

Please add this petition and these comments in opposition to the public record. Please make reference to these Votes in opposition in all interdepartmental meetings and public forums.

As discussed at previous meetings additional comments will be accepted by your agency beyond this date.

Please note that there is to my knowledge, in addition to the enclosed, another separate online petition with more than 70 separate signatures in opposition circulating as well.

The issue of the 200 elderly residents at South Cove is still a major issue. They have been informed of this project only TEN days ago. The residents there live 30 feet from these four sites (ALL OF WHICH ARE WITHIN THE HISTORIC DISTRICT) and I understand there are at least 8 different dialects and languages spoken in the building. The last minute presentation had one Mandarin translator. These residents were not counted in the recent neighborhood vote(67 in favor 32 opposed) although they are the most vulnerable and will be the most effected by this out of scale monster of a building.

This building should be 100 feet at most (including a 14 foot head house for mechanicals)

The public comment period should be extended indefinitely (at least 120 days) to address all the issues surrounding this project.

Thank you for your hard work on this project and all that you do to protect smart growth in our great city.

Best regards,

Paul R. Miller
Bay Village

Pmiller.re@gmail.com

Opposed 212 Stuart st 17-19 Shawmut St. petition to.pdf
1793K

PETITION TO OPPOSE
212 STUART STREET & 17-19 SHAWMUT STREET BOSTON 02116

We, the undersigned, residents of Bay Village, CITIZENS of Boston, and neighbors to the proposed development located at
212-222 STUART STREET & 17-19 SHAWMUT STREET BOSTON 02116
 (the "Property"), hereby notify the Boston Planning and Development Authority (BPDA), our City and State representatives, our mayor, Mayor Walsh and both the Planning Commission and Executive Committee of the Bay Village Neighborhood Association that we are resolutely opposed to the development as currently proposed by Tammara Land Etc., LLC, under the owner of the Property. Specifically, we are opposed to the new construction on the basis of 1) violations of Boston City Zoning; 2) violations of General Laws of the Commonwealth of Massachusetts; and 3) unaccepting injury to the Bay Village Neighborhood and to the public welfare if this construction were to go forward as proposed.

- All zoning approvals from the City ("BRA") regarding previous proposals for this site (in 2006 and in 2008) have expired and should be considered null and void in relation to this project.
- The project is located within the **BAY VILLAGE HISTORIC DISTRICT**, established under MA General Laws Ch. 40C (Historic Districts Act of 1960), which prohibits new construction which would "materially impair the historical, social, cultural, architectural, or aesthetic significance of the district." Tammara's proposed building will damage the architectural integrity and historic character of the neighborhood as established by the Massachusetts legislature due to the building's excessive height (189 feet) which is out of scale and character with this historic residential neighborhood and will disrupt the rhythm of the north to south street frontages extending from the buildings on Sister Park to the 35-65 foot facades along Church Street.
- Building Height as proposed violates zoning height restrictions in the Historic District on all 4 streets by between 400% (184 feet), at most, and 200% (134 feet), at least. Proposed project height is unacceptable and incompatible with existing low-rise buildings in the vicinity and will destroy the historic character of the neighborhood. Especially, the building would physically isolate and limit the light and air surrounding properties on Bay Shawmut Street.
- Off-Street Parking Inadequacies. The proposal seeks long-term parking leases for "up to 50 spaces" in the nearby Revere Hoist garage, for a building of 133 units. There is insufficient parking in the area to accommodate the extra cars anticipated and the overcrowding will harm the neighborhood especially during snowstorms when everyone has to move off-street.
- Floor Area Ratio (FAR) is excessive: 1300% more than FAR zoning for this parcel. See Article 43-B Density Limitation Regulations (Bay Village Neighborhood District). See also Map 1M, Zoning Districts of City of Boston.
- Light pollution generated by the project will flood the neighborhood and has not been studied or addressed by the developer.
- Blind sky will be blocked out of Bay Village. Developer's claim that the building will only be seen by 20% of the Village are inaccurate, due to a faulty methodology. This will be a looming building seen by everyone facing north from sidewalks and windows facing north.

PETITION TO OPPOSE
212 STUART STREET & 17-19 SHAWMUT STREET BOSTON 02116

Suz D. Whiting *Suz Whiting* 35 Fayette 02116
 Mary Sherman *Mary Sherman* 6 Cornhill & Platts St. 02116
 Edith Bowers *Edith Bowers* 149 Church St. 02116
 Sandra Ilyin *Sandra Ilyin* 28 W. Cedar St. 02108
 Janis Pacheco *Janis Pacheco* 73 Church St. 02129
 Lisa MacLachlan *Lisa MacLachlan* 60 Beacon St. 02114
 Franklin Mead *Franklin Mead* 60 Beacon St. 02108
 BOSTON, MA 02108

PETITION TO OPPOSE
212 STUART STREET & 17-19 SHAWMUT STREET BOSTON 02116

NAME	SIGNATURE	EMAIL (optional)
16 Richard Heuer	<i>Richard Heuer</i>	rheuer@ccandh.com
18 Glenn Lohan	<i>Glenn Lohan</i>	glohan@slbtan.com
12 Brandon Beckwith	<i>Brandon Beckwith</i>	brandon@slbtan.com
I FAR HALL	<i>I Far Hall</i>	ifhall@slbtan.com
P. GENE WALLE	<i>P. Gene Walle</i>	pgwalle@slbtan.com
Kevin Conway	<i>Kevin Conway</i>	kconway@slbtan.com
Susan Farrell	<i>Susan Farrell</i>	sfarrell@slbtan.com
Patrick Kelly	<i>Patrick Kelly</i>	pkelly@slbtan.com
Miles Sklaroff	<i>Miles Sklaroff</i>	msklaroff@slbtan.com
Sophia Billias	<i>Sophia Billias</i>	sbillias@slbtan.com
Nardra Ubana	<i>Nardra Ubana</i>	nubana@slbtan.com
Theresa A. Minicelli	<i>Theresa A. Minicelli</i>	tminicelli@slbtan.com
Scott Sandron	<i>Scott Sandron</i>	ssandron@slbtan.com

Respectfully submitted,

NAME: **TERESA LAWRENCE** SIGNATURE: *Teresa Lawrence* ADDRESS: **780 Boylston St. Boston MA 02116**

It is in the public good, and will notify and substantially notify the public of the proposed development and the historic fabric of the neighborhood. We encourage and respectfully request that the Zoning and Planning Commission and the Executive Committee of the Bay Village Neighborhood Association take steps to stop this project as proposed by voting to oppose. File this document to the public record at each meeting regarding this project.

Respectfully submitted,

NAME	SIGNATURE	ADDRESS
LENA HERRON	<i>Lena Herron</i>	100 W. Cedar St. Boston, MA 02108
KAREN NYDEN	<i>Karen Nyden</i>	100 W. Cedar St. Boston, MA 02108
AARON LAWSON	<i>Aaron Lawson</i>	100 W. Cedar St. Boston, MA 02108
MARGOT BURNS	<i>Margot Burns</i>	100 W. Cedar St. Boston, MA 02108
Laura Kim	<i>Laura Kim</i>	100 W. Cedar St. Boston, MA 02108

212 STUART STREET & 17-19 SHAWMUT STREET BOSTON 02116
 PETITION TO OPPOSE

NAME	SIGNATURE	EMAIL (optional)
Mark Kelly	[Signature]	
Sam Watson	[Signature]	
Bruce Chavez	[Signature]	
Ashlee Roseberry	[Signature]	sberishline@gmail.com
Samuel Bushline	[Signature]	
Maria Winthrop	[Signature]	m1kanrpt@gmail.com
Earl Winthrop	[Signature]	
Erica...	[Signature]	
John Ellis	[Signature]	

212 STUART STREET & 17-19 SHAWMUT STREET BOSTON 02116
 PETITION TO OPPOSE

NAME	SIGNATURE	EMAIL (optional)
Angela Dunwell	[Signature]	angelakatuwal@gmail.com
Erica...	[Signature]	segeog@psa.com
James H. Chipman	[Signature]	chipman@psa.com
Davis B. Wright	[Signature]	dwright@psa.com
John...	[Signature]	john@psa.com
Law...	[Signature]	law@psa.com
Chad...	[Signature]	chad@psa.com
Sam...	[Signature]	sam@psa.com
W. Travis	[Signature]	travis@psa.com
Steven...	[Signature]	steven@psa.com
John...	[Signature]	john@psa.com
LEAD MEMBERS	[Signature]	

212 STUART STREET & 17-19 SHAWMUT STREET BOSTON 02116

NAME	SIGNATURE	EMAIL (optional)
Pilla Smith Brackett	[Signature]	pob@prillasmithbrackett.com
Regina...	[Signature]	regina@psa.com
Caroline...	[Signature]	caroline@psa.com
George...	[Signature]	george@psa.com
Susan...	[Signature]	susan@psa.com
Bill Nigro	[Signature]	bill@psa.com

20 Shawmut
 212 STUART STREET & 17-19 SHAWMUT STREET BOSTON 02116
 PETITION TO OPPOSE

NAME	SIGNATURE	EMAIL (optional)
Rebecca Heald	[Signature]	rebecca@psa.com
John Logan	[Signature]	jlogan@slbtar.com
Brenden Bechor	[Signature]	bendor@psa.com

212 STUART STREET & 17-19 SHAWMUT STREET BOSTON 02116
 PETITION TO OPPOSE

- SHADOW CRITERIA. Developer has yet to provide complete data proving that proposed building satisfies Article 3B-16 (Environmental Impact Standards) of the Midtown Cultural District code, requiring that no project shall cast shadows on any single Shadow Impact Area depicted on Map 1A of the Zoning Code for more than 2 hours from 8 am thru 2:30 pm on any day from March 21 thru October 21. Stater Park is a Shadow Impact Area.
- WIND CRITERIA. Developer's own studies already show that the 199-foot structure would increase wind in the vicinity, at times over 14.1 miles per hour during normal conditions, likely in excess of the Environmental Impact Standards established in Section 3B-16 of the code for the Midtown Cultural District ("Open Plaza and Park Areas"). Wind in the vicinity of South Cove Apartments, in Stater Park, and within Bay Village itself will degrade the quality of life of Bay Village residents. See attached Wind Analysis.
- SOUTH COVE ELDERLY APARTMENT. During construction the project will severely limit access for the elderly residents within the Church St. Plaza as well as along Shawmut St. Once completed, per the Wind Analysis, the area outside the entrance (which includes the residents' public space) will be negatively affected 100% of the time.
- There are no conditions especially affecting this parcel which do not affect the zoning district in general.

In conclusion, the proposed new structure will cause substantial hardship to the community, cause detriment to the public good, and will nullify and substantially deplete from the interest and purpose of the zoning ordinance and the historic fabric of the neighborhood. We encourage and respectfully request that the Zoning and Planning Committee and the Executive Committee of the Bay Village Neighborhood Association take steps to stop this project as proposed by voting to oppose. Please add this document to the public record at each meeting regarding this project.

Respectfully submitted,

NAME	SIGNATURE	EMAIL (OPTIONAL)
SEIONA U. AZUMA	[Signature]	seiona@psa.com
Stella Walsh	[Signature]	walsh@psa.com

Scanned by CamScanner



Michael Rooney <michael.rooney@boston.gov>

Development, 212 Stuart Street, Boston

1 message

John Quintal <jjquintal88@yahoo.com>

Fri, Apr 14, 2017 at 12:44 PM

To: michael.rooney@boston.gov

Cc: gbemaduci@gmail.com, wbemaduci@gmail.com, Paul Miller <pmiller.re@gmail.com>, khull@longnook.com, sara.e.heaney@gmail.com, Sheila Geoghegan <sfgeoghegan@gmail.com>, earlwinthrop@gmail.com, gfhale65@gmail.com, Jeany <jeany501@yahoo.com>, michelle.wu@boston.gov, samuel.chambers@boston.gov, skifsst4_2000@yahoo.com, claudia@snowlionyoga.com, "dombarakat@yahoo.com" <dombarakat@yahoo.com>, Brucefriedman <brucefriedman@outlook.com>, egjacob@longnook.com

Mr. Rooney:-

As a 15-year resident of Bay Village, I'm writing to voice my opposition to the proposed 199 foot residential tower at 212 Stuart Street, which is inside the Bay Village neighborhood footprint. The previous improvements to the site were 3-4 stories in height. The proposed height of 199 feet is several stories higher than even the adjacent Revere Hotel garage, which is outside the historic Bay Village neighborhood footprint.

A principal line of reasoning from BVNA, which voted not to oppose, was that the developer would not make a profit at a height less than 199 feet. The project sponsor has also made this statement in Bay Village public forums. This seems an odd line of reasoning for supporting a private venture. Would the same logic apply to a restaurant or bar owner on issues related to licensing and permitting? I trust the Licensing Board would never come to such a conclusion, especially on a matter concerning an historic Boston neighborhood.

That said, under what circumstances does the BRA allow a variance of this magnitude in a historic district for the benefit of a private venture? The property-type for 212 Stuart is luxury housing, which is not in short supply in Boston according to many housing advocates. Shouldn't further financial disclosure be required from any project sponsor to ensure there is reasonable accuracy to this sort of claim? This is effectively a public subsidy, going from the current zoning of 35-65 feet to 199 feet, that accrues directly to private ownership.

Quotes made in public by the Bay Village leadership are also of concern. In the Boston Sun, the President of Bay Village was quoted that "we don't want another South Cove". As you know, the residents of South Cove are elderly, ethnic Chinese and low income. Many are disabled and would face daily challenges navigating the neighborhood during a construction period. The remark is callous and does not reflect the views of myself, my spouse, who is ethnic Chinese, and many of our friends and neighbors in Boston. Low and moderate income housing are badly needed in Boston, and Mayor Walsh and Governor Baker are vigorous defenders. Neighborhood leaders should also be supportive and not use them as reasons to justify support for an alternative use.

My understanding is that South Cove, an abutter to the proposed project and therefore a significant stakeholder, was only given notice by the project sponsor a scant 24-hours before the BVNA Executive Committee voted. Previous efforts by the project sponsor to adequately engage South Cove during the past several months appear tepid at best. Given the age and wellness of many South Cove residents, extra care should have been taken to include them in these critical discussions.

The concerns about the degree of adequate engagement with the residents of South Cove aside, I would support the project if there is a reduction in height from 199 feet. A prior review of the site by the BRA, circa 2008, was for a proposed project of approximately 120 feet. Therefore, a reasonable compromise between 120 feet and 199 feet, would be a favorable outcome and earn my support.

Warmest regards,

John Quintal

15 Winchester Street, Boston, MA

4/14/2017

City of Boston Mail - Development, 212 Stuart Street, Boston



Michael Rooney <michael.rooney@boston.gov>

Opposition to 212 Stuart Street Project

2 messages

Ian Williams <ian_robert_williams@yahoo.com>

Fri, Apr 14, 2017 at 10:51 AM

Reply-To: Ian Williams <ian_robert_williams@yahoo.com>

To: "michael.rooney@boston.gov" <michael.rooney@boston.gov>, "mdavis@bergmeyer.com" <mdavis@bergmeyer.com>, "david.carlson@boston.gov" <david.carlson@boston.gov>, "samuel.chambers@boston.gov" <samuel.chambers@boston.gov>, "preservebayvillage@gmail.com" <preservebayvillage@gmail.com>, "mark.beamis@boston.gov" <mark.beamis@boston.gov>, "Jeffrey.Hampton@boston.gov" <Jeffrey.Hampton@boston.gov>, "michelle.wu@boston.gov" <michelle.wu@boston.gov>, "bill.linehan@boston.gov" <bill.linehan@boston.gov>

Dear BPDA,

RE: 212 Stuart Street 17-19 Shawmut Street Boston Proposed TOWER -OPPOSED

Please extend the public comment period on 212 Stuart Street an additional 90 days.

I am opposed to this project because it is located with in the Historic District and violates zoning height by 135 feet(469%). This project will destroy the historic character of Bay Village. and it will set a precedent within the historic districts.

It has come to my attention that the elderly residents at South Cove Stuart St have only become aware of the above referenced project seven days ago and need time to digest this project that will most effect them ...25 feet away from their homes.

There is no conclusive study included in the developer's filing that definitively shows that there will be no shadow impact on the Public Garden, The Boston Common and Statler park. These three parks are treasures of our city, our Commonwealth, and must be protected.

Please add this correspondence to the public record

Respectfully submitted

Ian Williams
22 Piedmont Street

Jonathan Greeley <jonathan.greeley@boston.gov>

Fri, Apr 14, 2017 at 11:34 AM

To: Michael Rooney <michael.rooney@boston.gov>

----- Forwarded message -----

From: Mark Beamis <mark.beamis@boston.gov>

Date: Fri, Apr 14, 2017 at 11:00 AM

Subject: Fwd: Opposition to 212 Stuart Street Project

To: Jonathan Greeley <jonathan.greeley@boston.gov>

Hi Jonathan,

Here's another.

Mark
[Quoted text hidden]



Mark Beamis

Consultant/Contractor

Mayor's Office of Workforce Development, BPDA

617.918.5230 (o) | <617.470.7235 (c)

Office of Workforce Development

43 Hawkins Street | Boston, MA 02114

owd.boston.gov

@OWDBoston



Jonathan Greeley, AICP

Director of Development Review

617.918.4486

Jonathan.greeley@boston.gov

Boston Planning & Development Agency (BPDA)

One City Hall Square | Boston, MA 02201

bostonplans.org



Michael Rooney <michael.rooney@boston.gov>

RE: 212 Stuart Street 17-19 Shawmut Street Boston Proposed TOWER -OPPOSED

1 message

Trevaria Henderson <trevaria@mindspring.com>
To: michael.rooney@boston.gov

Fri, Apr 14, 2017 at 9:22 AM

Dear Michael,

RE: 212 Stuart Street 17-19 Shawmut Street Boston Proposed TOWER -OPPOSED

Please extend the public comment period on 212 Stuart Street an additional 90 days.

I am opposed to this project because it is located within the Historic District and violates zoning height by 135 feet(469%). This project will destroy the historic character of Bay Village. It will set a precedent within the historic districts.

It has come to my attention that the elderly residents at South Cove Stuart St have only become aware of the above referenced project seven days ago and need time to digest this project that will most effect them ...25 feet away from their homes.

There is no conclusive study included in the developer's filing that definitively shows that there will be no shadow impact on the Public Garden, The Boston Common and Statler park. These three parks are treasures of our city, our Commonwealth, and must be protected.

Please add this correspondence to the public record,

Thank you,

Trevaria Henderson

100 Pembroke Street

25-year Boston resident

Active voter



Michael Rooney <michael.rooney@boston.gov>

RE: 212 Stuart Street 17-19 Shawmut Street Boston Proposed TOWER -OPPOSED

2 messages

Catherine Creighton <catherinelcreighton@gmail.com>

Tue, Apr 11, 2017 at 4:27 PM

To: michael.rooney@boston.gov, mdavis@bergmeyer.com, david.carlson@boston.gov, samuel.chambers@boston.gov, preservebayvillage@gmail.com, mark.beamis@boston.gov, Jeffrey.Hampton@boston.gov, michelle.wu@boston.gov, bill.linehan@boston.gov

Dear BPDA,

Please extend the public comment period on 212 Stuart Street an additional 90 days.

I am opposed to this project because it is located with in the Historic District and violates zoning height by 135 feet(469%). This project will destroy the historic character of Bay Village. It will set a precedent within the historic districts.

It has come to my attention that the elderly residents at South Cove Stuart St have only become aware of the above referenced project seven days ago and need time to digest this project that will most effect them ...25 feet away from their homes.

There is no conclusive study included in the developer's filing that definitively shows that there will be no shadow impact on the Public Garden, The Boston Common and Statler park. These three parks are treasures of our city, our Commonwealth, and must be protected.

Please add this correspondence to the public record

Thank you,
Catherine Creighton

Sent from my iPhone

Jody Saarmaa <jsaarmaa@gmail.com>

Wed, Apr 12, 2017 at 3:46 PM

To: michael.rooney@boston.gov, mdavis@bergmeyer.com, david.carlson@boston.gov, samuel.chambers@boston.gov, preservebayvillage@gmail.com, mark.beamis@boston.gov, Jeffrey.Hampton@boston.gov, Michelle Wu <michelle.wu@boston.gov>, bill.linehan@boston.gov

Dear BPDA,

Please extend the public comment period on 212 Stuart Street an additional 90 days.

I am opposed to this project because it is located with in the Historic District and violates zoning height by 135 feet(469%). This project will destroy the historic character of Bay Village. It will set a precedent within the historic districts. I have lived in many of these districts -- including Beacon Hill and Back Bay. Their beauty is a testament to the protections they receive. This historical nature brings in tourism to Boston and people who want to live and work here.

It has come to my attention that the elderly residents at South Cove Stuart St have only become aware of the above referenced project seven days ago and need time to digest this project that will most effect them ...25 feet away from their homes.

There is no conclusive study included in the developer's filing that definitively shows that there will be no shadow impact on the Public Garden, The Boston Common and Statler park. These three parks are treasures of our city, our Commonwealth, and must be protected.

Please add this correspondence to the public record

Thank, you.

—

Jody Saarmaa
1313 Washington St. 223
Boston, MA 02118



Michael Rooney <michael.rooney@boston.gov>

Fwd: Back Bay/South End Gateway project

1 message

NABB Development and Transportation Committee <dtnabb@nabbonline.com>

Wed, Apr 12, 2017 at 2:43 PM

Reply-To: dtnabb@nabbonline.com

To: Michael.Rooney@boston.gov

Cc: lkulig@verizon.net

—— Original Message ——

Subject:Back Bay/South End Gateway project

Date:2017-04-11 09:00

From:lkulig@verizon.net

To:christopher.tracy@boston.gov

Cc:dtnabb@nabbonline.com

Hi Christopher:

I am writing to oppose this project. This is a high pedestrian and car traffic area that will be further congested. Additionally, we are not New York City. We have enough construction of mid and high rise buildings that are causing darkness, wind tunnels and changing the landscape of our city. Boston is a walkable city that offers sunlight, many parks and gardens and openness. Leave the BackBay MBTA station alone. There are already enough condos and retail in that area.

Thank you!

Leslie Kulig

221 West Springfield St

Boston



Michael Rooney <michael.rooney@boston.gov>

212 Stuart

1 message

Jennifer Lashway <jennylashway@gmail.com>
To: Michael.Rooney@boston.gov

Wed, Apr 12, 2017 at 9:14 AM

Hi Michael -

I'm writing in regards to the building proposal for 212 Stuart Street. I am opposed to this development at the current height. If the developer were to come back with a proposal with a height more appropriate for the neighborhood I would be able to support that. The current height is over 3x the current zoning and will cast shadows and block views of the sky for much of the neighborhood. Our neighborhood is such a great place to live because it has such a neighborhood feel to it and there are small parks that will no longer be enjoyable to sit in because they will be dark, windy and unable to grow any beautiful flowers that contribute so beautifully to the neighborhood. I am very concerned with the precedent that it is setting for the area and I worry that we will end up like seaport where you feel like you are in a windy cave. I also think that the plan should consider including more 2 or 3 bedrooms instead of all 1 bedrooms. Our neighborhood has many families with small children and single bedroom apartments will not be conducive for that. I feel like the developer is "swinging for the fences" and just trying to make as much money as possible and not taking into consideration the impact to the surrounding area. He knows it will be difficult for the neighborhood to shut-down his plans so he's trying for the highest possible height.

Sincerely,
Jennifer Lashway



Michael Rooney <michael.rooney@boston.gov>

Transom Real Estate + 212 Stuart St = Profits Over People

1 message

malcolm travis <malcolmtravis@gmail.com>

Tue, Apr 11, 2017 at 3:45 PM

To: david.carlson@boston.gov, samuel.chambers@boston.gov, joseph.comish@boston.gov, josh.zakim@boston.gov, michelle.wu@boston.gov, Michael.Rooney@boston.gov, tim.logan@globe.com

Ladies and Gentlemen:

If you are not aware there is a development under consideration that threatens to destroy the quality of life in our neighborhood. It is the proposed erection of a 19 story glass and concrete tower which will directly abut the building that I reside in, 230 Stuart St. The main players involved are Transom Real Estate.....<https://www.bisnow.com/boston/news/multifamily/transom-re-plans-residential-tower-for-stuart-st-68826#ath>(the main developers) and Howeler & Yoon who are the primary architects. There are so many troubling facets to this misguided project and the way it's been handled, not only by the developers but also the Bay Village Neighborhood Association, (led by president, Sara Herlihy) the very people who are entrusted to secure and protect the unique nature of our area. If you are already not aware, 230 Stuart St houses many elderly and handicapped tenants, the majority of which are Chinese and they share as many as eight dialects. Although the BVNA find South Cove Plaza a convenient place to hold their meetings when moved to do so, a presentation by Transom for the tenants was announced only one day before it happened and was staffed by only one interpreter who spoke only one dialect and fell way short of allowing tenants any meaningful input. This is the modus operandi for Transom and the BVNA which at the moment is dominated by people who not only seek to pad their portfolios and make themselves feel important, driven by their classist attitude, but to engage, in and degrading and discount the tenants who live in 230 Stuart subtly and in most cases NOT so subtly....verbally and by their actions of not considering the tenants here of any consequence whatsoever. It borders on discrimination of the kind of which I have never experienced until now.

This high rise building, if constructed, will negatively impact the immediate surroundings in the following ways:

- 1) ANY remaining sunlight that touches Park Sq.(only 90 minutes tops now) will be blocked by the sheer height of this structure impacting the persons that will reside directly next to the parcel upon which they plan to break ground (in the fourth quarter of 2017 according to their website). Imagine living right next to this oversized and unwanted building (not by myself or my neighbors-it's an overwhelming consensus) and seeing any remaining sunlight disappear. Would you want this building next to your house? The developers were even asked that question point blank at a public meeting which took place at the Revere Hotel (the owners of which will also benefit financially from this project, due to their ownership of one of the parcels that make up the tract) and even they conceded that they wouldn't. That said it all for me right there.
- 2) The wind levels this building will create would impede the elderly and handicapped tenants, some who use walkers and wheelchairs to function, and this fact has been minimized and glossed over by Transom Real Estate when challenged by anyone to this fact. They have willfully chosen to ignore this problem. Maximum wind speeds that would be created by this high-rise were shown in studies to equal hurricane gales. Would you elish the thought of your grandmother or grandfather taking a header on the sidewalk? I'm guessing not.
- 3) The noise and disruption, that will add to an already EXTREMELY noisy neighborhood, will now include the usurping of what was once eight handicapped parking spaces which at this moment now number three. Their plan intends to eliminate ALL handicapped due to their appropriation of this entire block (between Shawmut St. and Piedmont St.) in order to create a pedestrian mall/ walkway. I was under the impression that if there was public space that lay outside of the footprint of any property purchased by a builder/ developer/architect it was not to be touched but apparently they seem to be under the false impression that it's up for grabs. I would like to see this clarified and acted upon by legal action if they are indeed outside the law on this issue. Eminent domain does not apply here the last time I checked.
- 4) Breaking ground for such a large scale project will result in an already untenable vermin situation thus causing it to be tenfold. Since the developers won't have to live in it's proximity (If the project goes through I'll be forty feet from the face of our building)and the majority of Bay Village neighbors who reside in the more interior sections of the neighborhood won't be impacted, there is a wholly misguided feeling that this is not a real issue. Well, if you lived directly next door to the plot in question it would be. Let's not forget, when the Park Sq. Fountain was under construction it resulted in packs of rats being misplaced, and they did make themselves known and quite at home after the sun went down. I don't look forward or welcome a re-run of this scenario. Would you?

These are just some of the potential problems that will occur if this project moves forward not to mention the chipping away at a historic and valued neighborhood that will suddenly have this ugly behemoth stapled onto the north side of it. Again, this is not what I need as an individual (with handicaps of my own) that will have to endure two years of noise, rats, nowhere to park by way of the construction of a building that has these built-in problems that Transom Real Estate don't care about at all.

This brings up the larger question of what do we want the city of Boston to look like? Do we need more towers of overpriced condos for the elite composed of steel and glass dotting the skyline? Is there no conscience left in the hearts of these land grabbing, narcissistic architects and developers like Transom Real Estate and Howeler & Yoon who just want to make their mark at the expense of Boston's citizens not forgetting that this all about money and creating a hefty return for investors who don't live here or care about the surrounding neighbors/neighborhood. Let's not kid ourselves, OK?

Consider the header of this email and have a conscience and oppose any blanket approval of the 212 Stuart St proposal keeping the points I've raised in mind. As a handicapped citizen of Boston I implore you to do so.

Thank you-
Malcolm Travis
malcolmtravis@gmail.com



Michael Rooney <michael.rooney@boston.gov>

Transom Real Estate + 212 Stuart St = Profits Over People

1 message

malcolm travis <malcolmtravis@gmail.com>

Tue, Apr 11, 2017 at 3:45 PM

To: david.carlson@boston.gov, samuel.chambers@boston.gov, joseph.comish@boston.gov, josh.zakim@boston.gov, michelle.wu@boston.gov, Michael.Rooney@boston.gov, tim.logan@globe.com

Ladies and Gentlemen:

If you are not aware there is a development under consideration that threatens to destroy the quality of life in our neighborhood. It is the proposed erection of a 19 story glass and concrete tower which will directly abut the building that I reside in, 230 Stuart St. The main players involved are Transom Real Estate.....<https://www.bisnow.com/boston/news/multifamily/transom-re-plans-residential-tower-for-stuart-st-68826#ath>(the main developers) and Howeler & Yoon who are the primary architects. There are so many troubling facets to this misguided project and the way it's been handled, not only by the developers but also the Bay Village Neighborhood Association, (led by president, Sara Herlihy) the very people who are entrusted to secure and protect the unique nature of our area. If you are already not aware, 230 Stuart St houses many elderly and handicapped tenants, the majority of which are Chinese and they share as many as eight dialects. Although the BVNA find South Cove Plaza a convenient place to hold their meetings when moved to do so, a presentation by Transom for the tenants was announced only one day before it happened and was staffed by only one interpreter who spoke only one dialect and fell way short of allowing tenants any meaningful input. This is the modus operandi for Transom and the BVNA which at the moment is dominated by people who not only seek to pad their portfolios and make themselves feel important, driven by their classist attitude, but to engage, in and degrading and discount the tenants who live in 230 Stuart subtly and in most cases NOT so subtly....verbally and by their actions of not considering the tenants here of any consequence whatsoever. It borders on discrimination of the kind of which I have never experienced until now.

This high rise building, if constructed, will negatively impact the immediate surroundings in the following ways:

- 1) ANY remaining sunlight that touches Park Sq.(only 90 minutes tops now) will be blocked by the sheer height of this structure impacting the persons that will reside directly next to the parcel upon which they plan to break ground (in the fourth quarter of 2017 according to their website). Imagine living right next to this oversized and unwanted building (not by myself or my neighbors-it's an overwhelming consensus) and seeing any remaining sunlight disappear. Would you want this building next to your house? The developers were even asked that question point blank at a public meeting which took place at the Revere Hotel (the owners of which will also benefit financially from this project, due to their ownership of one of the parcels that make up the tract) and even they conceded that they wouldn't. That said it all for me right there.
- 2) The wind levels this building will create would impede the elderly and handicapped tenants, some who use walkers and wheelchairs to function, and this fact has been minimized and glossed over by Transom Real Estate when challenged by anyone to this fact. They have willfully chosen to ignore this problem. Maximum wind speeds that would be created by this high-rise were shown in studies to equal hurricane gales. Would you wish the thought of your grandmother or grandfather taking a header on the sidewalk? I'm guessing not.
- 3) The noise and disruption, that will add to an already EXTREMELY noisy neighborhood, will now include the usurping of what was once eight handicapped parking spaces which at this moment now number three. Their plan intends to eliminate ALL handicapped due to their appropriation of this entire block (between Shawmut St. and Piedmont St.) in order to create a pedestrian mall/ walkway. I was under the impression that if there was public space that lay outside of the footprint of any property purchased by a builder/ developer/architect it was not to be touched but apparently they seem to be under the false impression that it's up for grabs. I would like to see this clarified and acted upon by legal action if they are indeed outside the law on this issue. Eminent domain does not apply here the last time I checked.
- 4) Breaking ground for such a large scale project will result in an already untenable vermin situation thus causing it to be tenfold. Since the developers won't have to live in it's proximity (If the project goes through I'll be forty feet from the face of our building)and the majority of Bay Village neighbors who reside in the more interior sections of the neighborhood won't be impacted, there is a wholly misguided feeling that this is not a real issue. Well, if you lived directly next door to the plot in question it would be. Let's not forget, when the Park Sq. Fountain was under construction it resulted in packs of rats being misplaced, and they did make themselves known and quite at home after the sun went down. I don't look forward or welcome a re-run of this scenario. Would you?

These are just some of the potential problems that will occur if this project moves forward not to mention the chipping away at a historic and valued neighborhood that will suddenly have this ugly behemoth stapled onto the north side of it. Again, this is not what I need as an individual (with handicaps of my own) that will have to endure two years of noise, rats, nowhere to park by way of the construction of a building that has these built-in problems that Transom Real Estate don't care about at all.

This brings up the larger question of what do we want the city of Boston to look like? Do we need more towers of overpriced condos for the elite composed of steel and glass dotting the skyline? Is there no conscience left in the hearts of these land grabbing, narcissistic architects and developers like Transom Real Estate and Howeler & Yoon who just want to make their mark at the expense of Boston's citizens not forgetting that this all about money and creating a hefty return for investors who don't live here or care about the surrounding neighbors/neighborhood. Let's not kid ourselves, OK?

Consider the header of this email and have a conscience and oppose any blanket approval of the 212 Stuart St proposal keeping the points I've raised in mind. As a handicapped citizen of Boston I implore you to do so.

Thank you-
Malcolm Travis
malcolmtravis@gmail.com

4/11/2017

City of Boston Mail - Project Comment Submission: 212-222 Stuart

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1730

Form inserted: 4/10/2017 5:41:14 PM

Form updated: 4/10/2017 5:41:14 PM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart

Origin Page Url: /projects/development-projects/212-222-stuart

First Name: Roger

Last Name: Yorkshaitis

Organization: Bay Village Condo Owner and Resident

Email: roofnaz@aol.com

Street Address: 6 Edgerly Place

Address Line 2: Apt. 503

City: Boston

State: MA

Phone: (617) 320-9698

Zip: 02116

Comments: I am writing to express my 100% opposition to this project. I have been a Bay Village condo owner and resident for over 27 years. Through the years we have had many good projects completed in the neighborhood that have lived, substantially, within the bounds of our historic character, including height restrictions. This project is excessively over-sized for our historic district. I purchased my home in Bay Village because it was an historic district and because I expected that the nature of the neighborhood would be maintained. We have opposed large projects in the past and have been supported by the City. Approving such a towering structure will "wall off" the neighborhood from Stuart Street and sets a bad precedent for other parcels in the neighborhood, including the parcel directly across from 6 Edgerly Place (presently a parking lot and the Boston Center for Adult Education). Should the 212-222 Stuart Street project be approved, it will be very difficult to stop a similar size development from sprouting there and elsewhere. After all, if a developer can get a 199 foot structure approved, he could pay handsomely for a few adjoining lots and ask for zoning to go vertical the same 199 feet. Further, the design of the building is not at all in keeping with the period architecture that dominates the neighborhood; a glass and stone and steel project simply is inconsistent with the rest of the neighborhood. Although the building will not necessarily cast a shadow on Bay Village because it is on the northern edge of the neighborhood, it will still block the views we presently have beyond Stuart Street, which will have the feeling of closing us in. While it has made some design changes, the Developer has made no concession on the height of the building, which is clearly a major concern of many Bay Village residents and many were clearly disappointed when that was discussed at the March 27 hearing in the neighborhood. The Developer purchased the land knowing the property was in an historic district, we should not be forced to accept this building because the Developer chose to buy an expensive piece of property assuming it could build a large structure unlike any other in the neighborhood to justify the cost of the land. The City has a responsibility to protect the character of its historic neighborhoods, please do not allow this over-sized, contemporary looking building into historic Bay Village. Thank you for your consideration.

PMContact: michael.rooney@boston.gov



Michael Rooney <michael.rooney@boston.gov>

Objection to 212 Stuart St

1 message

Ernest Jacob <egjacob@longnook.com>
To: Michael Rooney <michael.rooney@boston.gov>

Wed, Mar 29, 2017 at 12:00 PM

Dear Michael,

I would like to register my objection to the height of the proposed project at 212 Stuart Street. Please include my comments in the public record.

The height of the proposed project, 199 feet, will have a significant adverse impact on my quality of life as a Bay Village resident. I live in an apartment at 45 Church Street, a building with 7 units. Six of the seven units face north along Winchester Street; these six units will lose most of their view of blue sky to the north as a result of the height of the proposed structure. There are two additional residential buildings on Winchester Street that face north which will be similarly affected. On the north side of Winchester Street there are four residences with a third floor having a norther exposure; these will also lose significant blue sky. On Piedmont Street, there are seven properties facing north (addresses ranging from number 12 to 28) that will similarly lose their view of blue sky. Finally, there are 4 properties on Shawmut Street that will be most severely affected by the loss of blue sky from the project. Thus, I estimate that a total of 23 residential units will experience a significant loss of blue sky as a result of the project's height.

The developer apparently responded to this issue in a letter to you, Mr. Rooney, dated January 23, 2017, signed by Peter Spellios. In his Response #4, he quotes the result of four new data points added to the BRA Daylight Analysis program. Three of the four data points experience no loss of daylight, with the fourth (v3) estimated to experience a minor loss of daylight.

Data point v2, for which no loss of daylight is projected, happens to be right outside of my front door. I can tell you that this particular model output is completely incorrect: I will lose roughly 50% of my current view of blue sky. It thus looks to me as though the program used in this analysis is a classic case of "garbage in, garbage out," and it troubles me greatly that the BPDA may give the developer a pass on this critical aspect of the project.

Thank you for your consideration.

Ernest Jacob

45 Church Street



Michael Rooney <michael.rooney@boston.gov>

212-222 Stuart Street / 17-19 Shawmut Street

1 message

Sara Heaney <sara.e.heaney@gmail.com>
To: michael.rooney@boston.gov

Sat, Feb 4, 2017 at 10:29 PM

Dear Michael,

I am writing as a concerned citizen of Boston, a taxpayer and voter and also as a Bay Village neighborhood resident.

I would like to express my concern about the proposed project at 212-222 Stuart Street. As I have learned through recent neighborhood postings and meetings, this building far exceeds the scale of both zoning laws as well as previously approved projects for the site. At the proposed height of 199 ft, the building meaningfully detracts from the treasured historic neighborhood of Bay Village, the treasured historic Statler Park and will create hugely disruptive (and potentially dangerous) wind patterns for local residents and pedestrians, including those at the South Cove residence and local families and children. An appendix in the developer's Project Notification Form indicates that during the winter wind levels will increase substantially such creating legitimate concern. In addition, light pollution, environmental impact, blocking of open sky and the darkening of Statler Park are among the negative immediate impacts that a building of this scale will have on the surrounding area and public realm.

I am most deeply concerned that both the size and appearance of the building are in direct conflict with the commitment to historic preservation of the city and neighborhood. All four of the parcels involved in the project fall within the Bay Village Historic District as established in 1983. A review of the Bay Village neighborhoods show primarily historically preserved row house style buildings. New residential developments have been of the appropriate scale and style so as not to detract from the neighborhood, while still maintaining a modern appearance. It saddens me that zoning, shadow and historic requirements all seem to be waived for a project that has few apparent benefits for the neighborhood and contributes to the loss of history, culture and enjoyment for Boston citizens and visitors alike.

I recently articulated some of my concerns regarding the proposed project at 212-222 Stuart / 17-19 Shawmut Street at the Bay Village Neighborhood Association Planning Meeting on 1/23/17. Please see below for written summaries of these specific points and I kindly request that you add these to the public record.

Traffic Impact on Shawmut Street: It is reasonable to expect that residents of the proposed building may exit the rear of the building (17-19 Shawmut Street) and use this address for personal pick-ups / drop-offs, taxi and other ride-sharing services. **Personal pick-ups/drop-offs are likely to have a significant impact on the traffic in Bay Village that was not addressed in the developers Project Notification Form.**

Bike Traffic Impact: The developer has proposed dedicated parking for 131 bicycles. The city of Boston currently allows cyclists to ride (with appropriate caution) on city sidewalks. The Park Square area is particularly busy with both pedestrian and car traffic. **The PNF does not adequately address the impact of a significant increase in cyclist traffic, future requirements for bike lanes and measures that will be taken to ensure the safety of pedestrians and cyclists on these very busy streets filled with commuters, tourists, families, and elderly and disabled neighbors.**

Emergency Parking Impact: The Bay Village neighborhood has a current arrangement with the Revere Hotel whereby neighborhood residents are able to use the hotel's parking facilities in the event of emergency. As you can recall, during

the winter of 2014/2015, the ability to get cars off the road in emergency situations was a necessity. The proposed building has arranged for 50 leased parking spots for its proposed 131 units (under a 5-year lease with options to renew for a longer period). The parking need may be far greater than the proposed 50 spots as well. As of the BVNA Planning Meeting on January 23, 2017, the developer did not appear to be aware of the arrangement between Bay Village and the Revere Hotel and any impact that the parking arrangement and demand from the new building might have on this. **How will the increase in parking demand impact the current arrangement between Bay Village residents and the Revere Hotel? How will the increase in parking demand impact emergency situations and parking bans going forward? How will the city manage the increase in vehicles in the city with respect to emergency situations?**

Wind Impact: The developers Project Notification Form indicates significant material impacts to wind at the street level both year round and seasonally. It deeply concerns me that the meaningful increase in wind levels around the proposed building will have a real negative impact on the public realm as families, neighbors and tourists will not be able to pleasantly stroll through parts of Bay Village or Statler Park year round. Sitting, standing and strolling are all likely to become uncomfortable and unmanageable in certain situations (particularly for our disabled neighbors, children and families). As a walking commuter and mother, I know first-hand what it is like to walk along the "High Spine" on a daily basis. The stretch on Stuart Street between Berkley and Clarendon Streets is so particularly brutal that I have, on multiple occasions, had to turn in the opposite direction during gusting or even seek shelter in a local establishment. I have also had my city stroller become almost completely unwieldy and exceptionally unsafe. **I would like to understand what the developer proposes to mitigate the impact of wind, to ensure that neighbors and visitors of Boston will continue to be able to enjoy Stater Park and walk comfortably and safely in and around Bay Village and Park Square.**

Please note that I originally raised these concerns with the developer at the Bay Village Planning Meeting on January 23, 2017. As of February 4, 2017 I still have not heard back with regards to my specific questions or the other questions and concerns that my fellow neighbors articulated at the meeting almost two weeks ago.

Thank you for your consideration.

Sincerely,

Sara Barakat

Bay Village neighborhood resident



Michael Rooney <michael.rooney@boston.gov>

212 Stuart St. Project

1 message

Robert Lashway <rlashway@floydadvisory.com>

Thu, Jan 26, 2017 at 1:30 PM

To: "michael.rooney@boston.gov" <michael.rooney@boston.gov>

Cc: "BILL.LINEHAN@BOSTON.GOV" <BILL.LINEHAN@boston.gov>, "MICHELLE.WU@BOSTON.GOV" <MICHELLE.WU@boston.gov>, "Aaron.M.Michlewitz@mahouse.gov" <Aaron.M.Michlewitz@mahouse.gov>, "Jenny Steger (jlashway@baupost.com)" <jlashway@baupost.com>

Dear Mr. Rooney --

I am writing on behalf of myself and my wife, Jennifer, to convey our STRONG opposition to the proposed development at 212 Stuart Street. We agree that the parcel should be developed, but we do not understand how the proposed height can be allowed given Bay Village's designation as a "historic district". Importantly, 212 Stuart Street is clearly part of the historic neighborhood.

The proposed height is approximately 4 TIMES larger than what is allowed in the neighborhood and approximately double the size approved in 2008. The new and permanent winds, shadows, noise, and sunlight reduction are just a few of the effects a 200 foot building would impose on this historic neighborhood. **It also would set a horrible precedent for future developers in Bay Village and other historic neighborhoods in Boston to try and side-step these laws.**

We've lived in Bay Village for almost 5 years and previously lived in Roxbury, South Boston, and Dorchester for a combined add'l 10+ years. With 2 young kids we intend to stay in Bay Village for years to come, send our kids to BPS, and enjoy everything about the neighborhood. In our relatively short time in Bay Village, we have enjoyed the community's dedicated approach to ensure structural changes are conforming and consistent with the neighborhood's history. **The 212 Stuart St. developer, Transom, should be held to the same standard as everyone else.**

Thank you for taking the time to read this note. We look forward to future community meetings about this project.

Best Regards,

Rob and Jennifer Lashway

45 Winchester St.

617 270-3570 (Mobile)

ROBERT W. LASHWAY, CPA/CFF/ABV*PARTNER***FloydAdvisory**

STRATEGY & VALUATION | SEC REPORTING & TRANSACTION ANALYSIS | LITIGATION SERVICES

TEL: 1+ 617.586.1085 | rlashway@floydadvisory.com | www.floydadvisory.com

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Michael Rooney <michael.rooney@boston.gov>

212 Stuart St. Project

1 message

Robert Lashway <rlashway@floydadvisory.com>

Thu, Jan 26, 2017 at 1:30 PM

To: "michael.rooney@boston.gov" <michael.rooney@boston.gov>

Cc: "BILL.LINEHAN@BOSTON.GOV" <BILL.LINEHAN@boston.gov>, "MICHELLE.WU@BOSTON.GOV" <MICHELLE.WU@boston.gov>, "Aaron.M.Michlewitz@mahouse.gov" <Aaron.M.Michlewitz@mahouse.gov>, "Jenny Steger (jlashway@baupost.com)" <jlashway@baupost.com>

Dear Mr. Rooney –

I am writing on behalf of myself and my wife, Jennifer, to convey our **STRONG** opposition to the proposed development at 212 Stuart Street. We agree that the parcel should be developed, but we do not understand how the proposed height can be allowed given Bay Village's designation as a "historic district". Importantly, 212 Stuart Street is clearly part of the historic neighborhood.

The proposed height is approximately 4 TIMES larger than what is allowed in the neighborhood and approximately double the size approved in 2008. The new and permanent winds, shadows, noise, and sunlight reduction are just a few of the effects a 200 foot building would impose on this historic neighborhood. **It also would set a horrible precedent for future developers in Bay Village and other historic neighborhoods in Boston to try and side-step these laws.**

We've lived in Bay Village for almost 5 years and previously lived in Roxbury, South Boston, and Dorchester for a combined add'l 10+ years. With 2 young kids we intend to stay in Bay Village for years to come, send our kids to BPS, and enjoy everything about the neighborhood. In our relatively short time in Bay Village, we have enjoyed the community's dedicated approach to ensure structural changes are conforming and consistent with the neighborhood's history. **The 212 Stuart St. developer, Transom, should be held to the same standard as everyone else.**

Thank you for taking the time to read this note. We look forward to future community meetings about this project.

Best Regards,

Rob and Jennifer Lashway

45 Winchester St.

617 270-3570 (Mobile)



Michael Rooney <michael.rooney@boston.gov>

Fwd: 17-19 Shawmut Street/ 212 Stuart Street

2 messages

Sheila F Geoghegan <sfgeoghegan@gmail.com>
To: Michael.rooney@boston.gov

Mon, Jan 30, 2017 at 2:30 PM

Begin forwarded message:

From: Sheila F Geoghegan <sfgeoghegan@gmail.com>
Subject: Re: 17-19 Shawmut Street/ 212 Stuart Street
Date: January 25, 2017 at 10:32:40 AM EST
To: Sheila Geoghegan <sfgeoghegan@gmail.com>

On Jan 12, 2017, at 3:49 PM, Sheila Geoghegan <Sfgeoghegan@gmail.com> wrote:

Sent from my iPhone

Begin forwarded message:

From: Sheila F Geoghegan <sfgeoghegan@gmail.com>
Date: January 12, 2017 at 11:13:06 AM EST
To: mdavis@bergmeyer.com, Daniel.StClair@SSIInvests.com, dmanfredi@elkus-manfredi.com, dhacin@hacin.co, leastley@gmail.com, dcrosby@cssboston.com, pmcdonough@goulstonstorr.com, wrawn@rawnarch.com, david.carlson@boston.gov
Cc: Joseph.Cornish@boston.gov
Subject: 17-19 Shawmut Street/ 212 Stuart Street

Dear Sirs:

As a 47-year resident of Boston and specifically Bay Village, I am writing of my concerns with regard to the proposed development at 17-19 Shawmut Street (212 Stuart Street). For many years in the leadership of the Bay Village Neighborhood Association and thereafter as an active member, my husband and I have made a priority of staying informed and participant in the business of 'protecting' the character of Boston. We have attended countless meetings, worked on countless committees and attended countless hearings.....all in the name of keeping the aesthetic and

architectural integrity of our city and our unique little jewel of a community.

Most egregiously, the proposed building is completely and intrusively mismatched with the whole of Bay Village. This neighborhood is principally comprised of 19th century Victorian and Federal townhouses, with a few small business buildings such as New England School of Law.....all of which are consistent with urban design guidelines established by the Bay Village Historic District and by the Midtown Cultural District with regard to scale, height, etc. We have worked very diligently to ensure that the new developments in our neighborhood are sensitive to spatial experience and kept on a human scale. We cherish the identity of Bay Village, it's quaint people-friendly brick streets and lamplights, it's rituals of community street-cleaning and street Fairs, holiday decorating and Caroling, the fact that our majority are homeowners and longterm renters and therefore we know each other, shovel out our old people and fraternize on the streets, we even have the proverbial corner coffee shop and gathering place.....once people move here, they generally want to stay.....we are not a transient neighborhood. Also, we contribute mightily to the tax support of Boston.

We have welcomed our Chinese Senior Citizens after negotiating their buildings to a scale that is suitable to the rest of the neighborhood, and reciprocally we now use one of their activity rooms for our BVA meetings. We have also welcomed our new neighbors at Piedmont Square, after once again collaborating on appropriate scale and design, just to example the kind of development the neighborhood has supported and to suggest we are not anti-development. Of very great concern about this proposed building known as 212 Stuart Street, is the effect it will have on LIGHT and SKY, implications for every North-facing building in Bay Village. Shawmut and Piedmont Streets will basically be a tomb, to say nothing of the wind channel effects. Our adjacent little Statler Park, which was only renovated and relandscaped very recently, will be dark and windy as well and we will lose a pleasant place to enjoy the fountain and a cup of coffee in the sun.

I'm thinking of my olden days when I lived in Georgetown in Washington, D.C. and how that city has grown and changed, and yet preserved it's own little jewel of a neighborhood. And I'm as well suggesting that this tower would never be allowed by Beacon Hill. I'm thinking of the historic richness of Boston because of it's identifiable districts, Bay Village being a Star among them. We are only five small streets of carefully preserved architecture and character, why must we suffer a building which essentially erects a wall against us. My very dear friend, now in a Nursing Home after so reluctantly leaving her Bay Village home where she lived for 50 years, happened to have the distinction of being the first woman to graduate from Harvard's School of Architecture. Her last words to me upon leaving our neighborhood were, "don't let them ruin this precious spot." I'm asking you the same.

Sincerely,
Sheila Geoghegan
13 Winchester Street

Michael Rooney <michael.rooney@boston.gov>
To: Sheila F Geoghegan <sfgeoghegan@gmail.com>

Mon, Jan 30, 2017 at 3:13 PM

Hi Sheila,

Thank you for forwarding your comment letter. I will be sure to pass this along to our planning and urban design staff. If you have any other questions or concerns please feel free to reach out anytime.

2/8/2017

City of Boston Mail - Fwd: 17-19 Shawmut Street/ 212 Stuart Street

Best,
Mike

[Quoted text hidden]

--



Michael Rooney

Project Manager

617-918-4237

Boston Planning & Development Agency (BPDA)

One City Hall Square | Boston, MA 02201

bostonplans.org



Michael Rooney <michael.rooney@boston.gov>

212 Stuart St. Project

1 message

Robert Lashway <rlashway@floydadvisory.com>

Thu, Jan 26, 2017 at 1:30 PM

To: "michael.rooney@boston.gov" <michael.rooney@boston.gov>

Cc: "BILL.LINEHAN@BOSTON.GOV" <BILL.LINEHAN@boston.gov>, "MICHELLE.WU@BOSTON.GOV" <MICHELLE.WU@boston.gov>, "Aaron.M.Michlewitz@mahouse.gov" <Aaron.M.Michlewitz@mahouse.gov>, "Jenny Steger (jlashway@baupost.com)" <jlashway@baupost.com>

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Thank you for taking the time to read this note. We look forward to future community meetings about this project.

Best Regards,

Rob and Jennifer Lashway

45 Winchester St.

617 270-3570 (Mobile)



Michael Rooney <michael.rooney@boston.gov>

212 Stuart - South Cove Resident

2 messages

dombarakat@yahoo.com <dombarakat@yahoo.com>

Mon, Apr 10, 2017 at 2:31 PM

To: "michael.rooney@boston.gov" <michael.rooney@boston.gov>, "samuel.chambers@boston.gov" <samuel.chambers@boston.gov>, "claudia@snowlionyoga.com" <claudia@snowlionyoga.com>

Michael,

Thanks again for your time today. We appreciate how thoughtfully the BPDA is approaching this project especially given the negative feedback on height.

As discussed, here's what I posted. Please note that this is an excerpt of the letter. There was additional commentary about the residents possibly being confused whether they were getting pitched on a nice new building where they could possibly live vs the negative impacts of it to their lives. I'm also copying Sam and Claudia.

I have been in contact with a 25+ year South Cove resident and BVNA member and she asked that I post this to Nextdoor. She asked that I include her contact information. Please reach out to her directly if you have questions.

Claudia Biddle

Phone: (617) 426-4727

Message below:

As a member of the BVNA from 230 and one who knows the Asian residents as a neighbor, I begged Transom to consider the harm to us months ago at the initial planning meeting. I gave the developer and architect my contact info and heard NOTHING. They waited until the last minute and provided less than 15 hrs notice to showcase they valued a 'meeting'. No one has attempted any inclusive thoughtful exchange. The timing of this 45 min puff presentation and being 24 hours from the vote meeting shows their utter lack of concern. This idea that Transom has tried to engage South Cove is a myth and to propitiate it is ridiculous.

I spoke personally to the PR rep who slipped the notice. I informed her of the concerns that should have translated as could not attend due to work and the lack of advance notice of this Transom gathering in our building. She was completely in the dark about what this monolith will cause and how it will harm the residents in a real physical way. I personally sent a rep for myself and asked for a delay. They were here less than one hour with translation provided for only one of 8 languages, not inclusive of English, to STATE a pitch leaving out ALL concerns I asked her to include with their pre-scripted translator. I may add when my English speaking husband made any attempt to speak to the translator she fled. Additionally that night the Chinese community let me know that they still had very little understanding of the project and were under the impression a low income building was there to give a presentation to notify residents there was will be new low income units they can apply for.

4/10/2017

City of Boston Mail - 212 Stuart - South Cove Resident

The condo project one block away at Church and Piedmont was very disruptive and this will be 50 fold that plus more. It abuts us on all fronts and will cause permanent destruction to our homes by the obscene shadow blocking out of ANY direct sun, dangerous wind, noise, vermin, traffic, parking and more impacting elders and handicapped.

Claudia Biddle SLY <claudia@snowlionyoga.com>

Mon, Apr 10, 2017 at 3:23 PM

To: dombarakat@yahoo.com

Cc: "michael.rooney@boston.gov" <michael.rooney@boston.gov>, "samuel.chambers@boston.gov" <samuel.chambers@boston.gov>

Hello Dominic,

I'd like to add a correction and comment.. I have actually been here over 36 years. I was disabled as a young teen moved here at eligibility of 18 within the first two years of it opening. I am now close to senior in my fifties.

I'm more impacted than ever by the building in this area after 18 surgeries and losing one husband to cancer at 39. With both my husbands ill and myself also gravely impacted by chronic building, riveters, losing parking to not only Park Plaza restorations, but chain restaurants, crushing garbage/glass from 2-4 am, street cleaning needed 7 nights a week 4-6 am and the other increasing constant migraine inducing noise from overbuild. We are in a maze of vermin from the constant agitation and replacing of pipes and toxic extermination. Now we will loose all direct UV/sun due to Transoms greed blocking our only sun light from 230 all together and never considering a height appropriate to the neighbors or Bay Village. The city can speak if the "spine" of Stuart all they wish, but our building accommodated by making the complex 8/6/& 4 stories as not to destroy the esthetic of the historic buildings.

This montrocity will be the MOST intrusive and egregious of all we have lost in the 35 PLUS years of my residency.

Thank you for your consideration and caring about South Cove.

-Claudia Biddle Travis

[Quoted text hidden]



Michael Rooney <michael.rooney@boston.gov>

Project Comment Submission: 212-222 Stuart

no-reply@boston.gov <no-reply@boston.gov>

Sat, Apr 15, 2017 at 12:00 AM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1741

Form inserted: 4/14/2017 11:59:30 PM

Form updated: 4/14/2017 11:59:30 PM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart

Origin Page Url: /projects/development-projects/212-222-stuart

First Name: Stephanie

Last Name: Markos

Organization:

Email: bostonsteph@gmail.com

Street Address: 14 Edgerly Place

Address Line 2: #2

City: Boston

State: MA

Phone: (857) 284-3139

Zip: 02116

Comments: I oppose the development at this height at this site. The height is totally of scale with the neighborhood and I understand from several knowledgeable residents that the developer spent 10 million for the site parcels and intends to spend more than \$150 million on the building. This is not necessary!!!! Another "parcel" nearby was built on and resulted in 6 condos that are no higher than 4 stories. 199 ft is simply too tall and making the street level of Church St narrower does NOT address the unnecessary height. No parking will be built that means that 130 apts will have residents who will add to the "burden" of parking. How many more residents will the Motor Mart Garage and the Revere Parking Garage be able to handle, cars of even half the residents and this would be in addition to the most recent changeover of 100 Arlington St to rentals. The developer of Piedmont Sq. built in parking and is the same size lot and is only 4 stories. That was financially feasible and the developer must have made profits. The Revere Hotel is on the wide on Stuart and Tremont and so is 100 Arlington. The long-time residents (since 1970) are being ignored just making the Shawmut look like townhouse and supposedly more neighborhood type materials does not mitigate in any meaningful way the new shadows, "loss of blue sky" and increased wind that this tall building will cause. This is not the best that can be built there without giving the developer such a financial windfall. I

PMContact: michael.rooney@boston.gov

BOSTON PRESERVATION ALLIANCE

April 14, 2017

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The Otis House
141 Cambridge Street
Boston, MA 02114
617.367.2458
bostonpreservation.org

Mr. Michael Rooney
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201
Via email: Michael.rooney@boston.gov
Re: 212-222 Stuart Street, Bay Village

Dear Mr. Rooney,

The Boston Preservation Alliance is Boston's primary, non-profit advocacy organization that protects and promotes the use of historic buildings and landscapes in all of the city's neighborhoods. With 40 Organizational Members, 98 Corporate Members, and a reach of 35,000 friends and supporters we represent a diverse constituency advocating for the thoughtful evolution of the city and celebration of its unique character. We appreciate the opportunity to offer comments on projects that impact the historic character of the city.

The Alliance has reviewed the proposal for a 19-story residential building at 212-222 Stuart Street which is within the boundaries of the Bay Village Historic District. Designated in 1983, the Bay Village neighborhood is protected as a local historic district because of its visual consistency, charming character, and intimate scale. The Guidelines for the district allow for new construction but state that plans must be "consistent with or complimentary to the historical character and appearance of the neighborhood" with particular attention to "scale, materials, and rhythm of the street facades."

The proposed new construction on this site is unquestionably out of character with the Landmark District, in violation of the District Guidelines. The building is substantially taller than the average height of Bay Village and thus is very much out of scale when viewed from the District of which it is a part. While we appreciate the proposed creative and textured limestone façade, this attempt to reference historic styles in the neighborhood with a modern take on classical columns expressed with fluting draws upon a design element not strong within Bay Village.

We understand that the proponent, based on feedback from the community, has made several alterations to the project that improve its presence in the pedestrian realm, particularly on Shawmut Street. We are aware that the neighborhood, however remains much divided regarding this project, with many residents harboring significant concerns regarding the height of the building which is proposed at a scale clearly not in keeping with the goals and intent of the Landmark District.

The Alliance shares concerns about the height of the building and its visual inconsistencies with the Landmark District, potential shadow impacts on nearby historic resources (such as Statler Park Square which received an Alliance award in 2012), and the possibility of precedent for future projects within this and other protected Landmark Districts. Projects that are allowed to proceed that so clearly stray from the intent of Landmark Districts and their Guidelines ultimately weaken the protections that all Landmark Districts are afforded. Assuring the stability and consistency of application of Landmark District Guidelines is necessary to keep the character-defining uniqueness of each of Boston's Landmarked neighborhoods.

However, we acknowledge that this site is has some unique characteristics. It is without a doubt underutilized and, rather than in the middle of the historic district, it is on its edge and along a corridor that is already dotted with several buildings of larger scale that were built in a style not sympathetic to the district, although those are clearly outside the historic district so the same rules don't apply. The challenge facing the design is to develop a project that is on one side of the Bay Village Historic District but on the other of the more developed Stuart Street Corridor. The adjacent Stuart Street buildings are not within the Landmark District and not of a design appropriate for the district, as this building must be.

While we are encouraged that the proponent has refined the design to be somewhat less jarring to the aesthetic of Bay Village, the Alliance cannot currently support the project without further refinement and reconsideration of scale and massing. Additional renderings to better understand the proposal as it is viewed from various points within the Historic District, such as multiple views approaching the site from Church Street, would be valuable. Additionally, better analysis of shadow impact, in particular on Statler Park as well as any more distant shadow effects are necessary to fully understand the proposal's impacts.

As this proposal evolves we urge the BPDA and the Boston Landmarks Commission to be vigilant and cautious regarding the implications for future projects within this or other Boston Landmark Districts. While here we have an uncommon situation with a site protruding from the bulk of this Historic District and abutted by non-historic and larger structures, we still have a building proposed within a protected area. We are concerned that approvals here could set precedent for future development in the Bay Village Historic District or perhaps other districts.

Our local historic districts are set aside to protect the unique character of these neighborhoods. New development of this scale that alters the historic setting is not a right of the developer nor an expectation or requirement for the growth of the city. Those proposing new infill construction within Landmark District boundaries need to recognize that the Architectural Commissions are not only within their right but have a duty to uphold the guidelines of the District. Exceptions to guidelines such as the scale proposed here should only be granted when unique circumstance are at play, when there is no reasonable alternative to doing so, and when the proposal offers a

unique opportunity for the neighborhood, if not the city.

We strongly encourage the proponent to continue dialogue with abutters, the Bay Village Neighborhood Association, and the Boston Landmarks Commission to continue to refine the design to be more fitting with the Historic District. We would be happy to meet and provide additional feedback.

Sincerely,

A handwritten signature in black ink, appearing to be the initials 'GA' or a similar stylized name.

Greg Galer
Executive Director

CC:

Kenzie Bok, Bay Village Neighborhood Association
Rosanne Foley, Boston Landmarks Commission



Michael Rooney <michael.rooney@boston.gov>

212 Stuart will destroy the homes and lives of HP and elderly

1 message

Claudia Biddle SLY <claudia@snowlionyoga.com>

Sun, Apr 9, 2017 at 8:45 PM

To: david.carlson@boston.gov, Samuel.chambers@boston.gov, joseph.comish@boston.gov, josh.zakim@boston.gov, michelle.wu@boston.gov, Michael.Rooney@boston.gov, tim.logan@globe.com

To Whom It Concerns;

As one of the longest handicapped residents of South Cove Plaza, moving here in the dawn of the 80's, we have been purposefully left out of any discussion of this monstrosity. We are residents who have desperately tried to bring attention to the horrid and permanent damages and the closest and most vast residential building 212 it will impact.

I am

pleading with the city of Boston to look beyond its pockets, listen to the residents as the past Mayor cared so deeply for. A mayor who would never have allowed this gross project to get pushed through without regard to South Cove Plaza at 230 Stuart. Mayor Menino shared Thanksgiving and other occasions with us and heard our concerns regularly.

The bloated monolith proposal at 212 Stuart is utterly unwelcome by every person I know at my building and face the 'lot' personally. My neighbors at South Cove

Plaza W. and East campuses are confused or frightened, have been left and misled from the truths re the project. The builders and architects as well as some BVNA members have omitted facts and the only contact has been last minute.

All involved refuse to acknowledge the lasting health hazards to the population of its hundreds of handicapped and elderly neighbors, human beings who will live here throughout their lives due to their infirmaries, age or finances. Mayor Menino held us dear to his heart. Transom, the city, and the president of BVNA, have totally disregarded and refused to acknowledge the lasting effects of emotionally depressing permanent 'direct sun black out' for home bound residents, hazardous and dangerous hurricane wind levels capable of harming those with difficulty ambulating, pest explosion leaving us regularly bombarded with toxic exterminations, garbage, increase of 24/7 traffic and deafening noise from construction, creating a barrier from the beauty of the neighborhood from The South End to the Public Garden. These issues added to permanent noise and loss of privacy with transient and permanent residents renting rooms and apartments, retail and food at 212 within a few yards of our windows will permanently, irrevocably destroy our quality of life.

Transom Developers is not only spearheading a grotesque out of scale building at 212 Stuart Street, they purposefully continue to leave out or manipulate a false/last minute picture of this 5x plus sized skyscraper and the true nature of how it will destroy the entry to Bay Village. For myself and others within throwing distance on Church and Stuart it leaves dangerous hazards in its gargantuan shadow. It is clearly only a profit realty the city has put no thought beyond financial. The president and "executive committee" of Bay Village Neighborhood Association have bullied, rallied and seduced those who own real estate to pad their portfolios by voting yes as they can make money and leave the rat infested windy, sunless neighborhood they can sell or leave during and after building destroys Bay Village.

The ways it promises to negatively affect the most fragile and most directly affected by it's largess have been utterly, disgracefully, and blatantly ignored by Transom, the City, and the the highest BVNA member. When I moved into this neighborhood the, LGBTQ, families, HP, children to seniors and every creature who was a companion and a support to them were its priority. Our neighbors and or neighborhood association were supportive, protective, and made the neighborhood's safety and quality of life a priority. From

our communal clean-ups to our street fairs, neighborhood parking to volunteer watches. I am saddened to have a divisive associates threatened by those opposed of any 'major building'. We cared about each other, renters or owners. Now the focus of the neighborhood assoc. is seducing money makers and builders for the city's income. It is more than sad these are the voices of Bay Village and not the heart of the neighborhood.

Re 212, the 'mock up' of the final project and all along is misleading. It depicts sun dappled trees that are impossible as 212 at 19 stories blocks out all direct sun which comes only from behind the Revere from 6-8 am. Reflected sun late day off Park Plaza windows is not a UV source, needed for all living beings.

This colossal giant will literally make us sick! To make this perfectly clear.. even a CHILD can understand: It's wind will knock us over! It's noise and constant traffic eliminate our very peace and transportation! The pests and ridding of them more toxic and poison exposure! The history? You won't be able to see it.

I have personally reached out to the above after I discovered this project quite by accident after months bedridden myself. No one had made South Cove aware

of this horrid project. I saw a poster on lamppost next to our last 2 HP spaces in the neighborhood. They have remained silent to South Cove for months yet they still claim there has been no input from South Cove Plaza. The owners of South Cove are not the resident advocates and do not speak for the residents. Those making money off this do not want to hear from the elderly and HP they are destroying the homes and lives therein. The stress alone promises to make us all ill on at least one of multiple levels.

This clumsy ogre of a building, to be seen from the Boston Public Garden and Common to Copley and all points imaginable is far to high and to invasive for the small older neighborhood and it's frail neighbors to endure.

The 5 story condo one block away prevented snow removal during record winters, created a massive and costly infestation we still fight. This building threatens 10 times the infestation of rats, mice, and roaches as does every project nearby. Each of the 200 plus immune suppressed residents is bombarded with toxic chemicals repeatedly threatening our very lives to suite fat and happy land owners sucking the life out of the frail.

Sadly South Cove residents are portrayed as an Asian ghetto. It was illegally populated however there are all races and the scale is low to market value. Some pay upwards of \$4,000+, work when able and do not deserve the scourge from the parties above. Transom and even the new leader of BVNA make false statements regarding the efforts made to South Cove residents, yet ONLY ONE effort was made, an 11th hour meeting with less than 15 hours notice in one of 8 languages the day before a vote on the project.

Not only the beauty of once intimate and caring mixed neighborhood are at risk of destruction, a future of a limestone behemoth that promises to endanger us from our very doors and invasion into our lives 24/7 to eternity. Since 230 Stuart are the most impacted neighbors and we will bear the brunt if you allow this nightmare to pass, why is no one attempting?

When the very idea of reducing the height even one inch the greed mongering and ego concerned architects and developers shut down the suggestion with no hiding it was all about making \$\$\$\$\$ profits.

As a 35+ year resident at 230 Stuart Street, literally next door to this monstrosity, we will be the most negatively and permanently affected by this hideous high rise.

The first ludicrous meeting glossed over the issues this will create.

Bay Village and Boston will continue to buckle under the mind-numbing 'over building' in this city. The influx of wealthy irresponsible residents and their neurotic pets turned on the public as unleashed dogs, has already made an terrible increase in wildlife attacks and killings, lack of parking and sun. This current climate is destroying livability as far out as our public parks. Why is Boston destroying itself?

Mayor Menino would never have aloud the fragile residents to be impacted by endorsing this type of off scale project at this location.

Years of blasting, being literally blown over entering and exiting our homes in walkers. wheelchairs, with frail bodies etc. including baby strollers.

He would have investigated the false notion Transom had made any effort to work to reduce their greed profit height to lesson their horrific impact on the disabled and elderly neighbors and obliterate the miniature scale of Bay Village. The imposing towering mess will send a clear message that Boston rather uncaring developers, money and profits to humans. To allow this to hide the achievements of our original architecture, is to disgrace the very buildings/neighborhoods that impact and inspire historians, visitors, and residents. It's what makes

people love Boston, we do not need more tacky limestone with a few 3D pseudo eruptions to "allude to brick". The preposterous idea this in any way fits into our beautiful Bay Village, is foolish. people come to explore and all behind it 212 with its 19 stories compared to the average 4 stories of the beautiful historic neighborhood will send a sad message about Boston's priorities.

To reiterate, my husband and I, have spoken and left contact information with the developer only to have their PR company give an 11th hour 45 min presentation in only one language, not English, to push their agenda. They refused to reveal the great deal of problems those who are aware of the project will pose or respond to anyone directly. I was never made aware of this project to begin with by Transom or BVNA or the city.

If you allow this behemoth tower to go up at 19 stories it will contradict all that Boston should be.

Claudia Biddle-Travis

Apology for spell check or other grammatical errors. Our HP technology is not always up to speed.

If you need clarification on any topics I am happy to return a call when I am available.

Phone calls are preferable. Please leave a name/number/and suggested times to return a message.

My mobile landline is 617-426-4727



Michael Rooney <michael.rooney@boston.gov>

Oppose Proposed Development on 212-222 Stuart Street

1 message

Jean Quintal <jeanq15@gmail.com>
 Cc: Dominic Barakat <dombarakat@yahoo.com>
 Bcc: Michael.Rooney@boston.gov

Thu, Apr 6, 2017 at 9:39 PM

Dear Sir:

I live in Bay Village and have come to love and appreciate the unique aspects of the community. In many ways, this neighborhood has a very intimate European feel with its tiny homes and narrow streets. The view of the Executive Committee of the Bay Village Neighborhood Association of which there are about a dozen people, do not reflect the view of many of our neighbors.

I oppose the proposed building on 212-222 Stuart Street because of its height. I'm not opposed to development but only to development that exceeds the height of current zoning standards that had been put in place to prevent this type of building. Boston is not Manhattan and this building will destroy the charm and character of our neighborhood leaving it in a perpetual dark shadow while the renters enjoy sunlight stolen from the neighborhood. See below points below:

Height : 199 ft vs. current zoning of 45/65 feet (~3x relief requested)

- o Overwhelming to Bay Village neighborhood: Places, sense of place in Bay Village due to historic architecture, small scale.; building to "loom" over neighborhood
- o Negative impact on lived environment/public realm: shadow, wind, pleasure, spatial experience, loss of daylight.
- o Wind: material impact per developer's materials, impact on safety and enjoyment of residents, tourists, commuters, etc.

Historical District / Design: All parcels fall within the BV Historic District

- o Lack of appropriate fit / transition on Bay Village side
- o Inconsistent with urban design guidelines established by Bay Village Historic District AND by Midtown Cultural District (scale, height, e.g.). Architecturally incompatible with surrounding structures.
- o Importance of preserving the richness of Boston through its identifiable districts, unique spaces.

Please help us prevent this WALL of a building from being built in our neighborhood. I do not want Bay Village to be a walled city.

Thank you for your time and consideration.

Kind regards,

Jean Quintal
 Bay Village resident
 15 Winchester Street

Thus building does not belong in our historic neighborhood.

Kind Regards,

Gina

"America's Top Women Advisor" - Forbes Magazine, 2017

Watch my CNBC "Closing Bell" interview! <http://app.criticalmention.com/app/#clip/view/25343176?token=747fd665-2afb-4c01-95c4-8fbde31bb701> *

Featured as "Woman of Influence" for 2016 by the Boston Business Journal

Gina Bolvin Bernarduci
President
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[Quoted text hidden]

<Beacon Street Behind Public Garden and Common at ~199 ft.JPG>



Michael Rooney <michael.rooney@boston.gov>

212 Stuart Street including 17 and 19 Shawmut Street

Gene & Fay Hale <gfhale65@gmail.com>
To: Michael.rooney@boston.gov

Thu, Jan 12, 2017 at 5:38 PM

My wife, Fay, and I have lived on Shawmut St. in Bay Village since 1970. The street is very small with only four residential houses and a restaurant remaining on the south side. Just before we moved here the street had been cut off to make way for the Howard Johnson Hotel and its massive garage. All the historic buildings were lost on that end of the street. Since then all structures left standing on the north side of the street have been razed.

A plan to build a massive 19-story apartment building to occupy the entire north side of Shawmut Street is moving through the approval process. This building will tower over the neighborhood, cast shadows over the Statler Park, and create a massive wall that will be felt by residents on both sides.

Should this building be approved, my wife and I will see nothing but the massive wall, not even the sky. And according to the current placement of the mechanicals, we are likely to hear a constant roar. The environment may be severely comprised in ways that have not yet been resolved such as wind, light, congestion and parking.

This is a drastic departure from the zoning code and the character of this historic district. Bay Village residents have worked diligently to save and preserve this urban jewel. If this plan should be approved, much will be lost.

My wife and I have been registered voters, taxpayers, and fully engaged citizens of this great city since 1970. We remain hopeful that the 212 Stuart Street Plan will be redrawn to create a building that the city and the neighborhood can look to with pride.

Sincerely, Fay and Gene Hale, 20 Shawmut St, Boston 02116

Analysis of Transom's Wind Data as Provided in the PNF for 212 Stuart Street Development

Developer claims that all new wind conditions produced by proposed building of 199 feet are "not significant" and "acceptable" under the BRA/BPDA's "effective gust velocity criterion of 31 mph." Translation: Developer's wind analysis data suggests that the building will not produce "Near Gale" winds (we are using the famous Beaufort Wind Scale in which 31 mph winds are considered Near Gale). That is a very low standard, indeed, when examining the quality of life of Bay Villagers and near neighbors as effected by the new wind which will be produced by the proposed building. It's true: we will not have Near Gale conditions in the area. But here is what we will have, which we believe are significant effects on the neighborhood.

In the vicinity of South Cove residence for elderly:

1. In the SE corner of what developer calls **Church Plaza**, it is currently "comfortable for sitting" during 4 seasons. After building the 199-foot tower, there will be wind increases on this location up to 100% at certain times of the year—it will become "**uncomfortable for sitting or standing**" there in all seasons. During gusting periods, it will be even worse. This area is used by senior residents of South Cove who enjoy the outdoors in their wheelchairs, who get picked up and dropped off there, and who walk around the area with canes and shopping carts.
2. **In front of the South Cove building**, at the entrance to the hairdresser, the wind will increase in all seasons. **In spring and winter, it will become "uncomfortable to sit or stand there,"** not counting gusting.

In **Statler Park's** walking and strolling areas, in over half of the locations measured by the developer, the wind increases will be significant.

3. **NW corner of Stuart Street and Church Street.** With the proposed building, it will no longer be "comfortable to stand" on that corner while waiting for the traffic light to change in the spring and winter—indeed, it will become "**uncomfortable for walking**" there in spring and winter, that is, the mean wind speed will be **20 mph or higher (Fresh Breeze)**.
4. In at least **four locations** in Statler Park, if the proposed building is constructed, it will **no longer be "comfortable for sitting"** during at least one season and up to 3 seasons of the year at some locations. Currently, even during gusty conditions, this park is "comfortable for walking." After the building goes up, developer's studies show that it will be "**uncomfortable to walk**" here at a number of locations within the Park under gusty conditions.
5. The entrances in front of **Fleming's Steak House and Maggiano's Italian Restaurant** will suffer **winds of greater than 14 miles per hour during 3 seasons**, will become "uncomfortable for standing or walking" under gusty conditions, and will no longer be "comfortable for standing" in the winter. This change will affect workers who serve as valets and customers who enter and exit these restaurants.
6. Two corners of the **intersection of Arlington and Stuart Street**, will become "**uncomfortable for standing or walking**" during average conditions in the **Spring** while waiting for the light to change. In contrast, today it is "comfortable for standing and walking" here in Spring.

Within Bay Village Historic District:

Dear Sirs:

As a 47-year resident of Boston and specifically Bay Village, I am writing of my concerns with regard to the proposed development at 17-19 Shawmut Street (212 Stuart Street). For many years in the leadership of the Bay Village Neighborhood Association and thereafter as an active member, my husband and I have made a priority of staying informed and participant in the business of 'protecting' the character of Boston. We have attended countless meetings, worked on countless committees and attended countless hearings.....all in the name of keeping the aesthetic and architectural integrity of our city and our unique little jewel of a community.

Most egregiously, the proposed building is completely and intrusively mismatched with the whole of Bay Village. This neighborhood is principally comprised of 19th century Victorian and Federal townhouses, with a few small business buildings such as New England School of Law.....all of which are consistent with urban design guidelines established by the Bay Village Historic District and by the Midtown Cultural District with regard to scale, height,etc. We have worked very diligently to ensure that the new developments in our neighborhood are sensitive to spatial experience and kept on a human scale. We cherish the identity of Bay Village, it's quaint people-friendly brick streets and lamplights, it's rituals of community street-cleaning and street Fairs, holiday decorating and Caroling, the fact that our majority are homeowners and longterm renters and therefore we know each other, shovel out our old people and fraternize on the streets, we even have the proverbial corner coffee shop and gathering place.....once people move here, they generally want to stay.....we are not a transient neighborhood. Also, we contribute mightily to the tax support of Boston.

We have welcomed our Chinese Senior Citizens after negotiating their buildings to a scale that is suitable to the rest of the neighborhood, and reciprocally we now use one of their activity rooms for our BVA meetings. We have also welcomed our new neighbors at Piedmont Square, after once again collaborating on appropriate scale and design, just to example the kind of development the neighborhood has supported and to suggest we are not anti-development.

Of very great concern about this proposed building known as 212 Stuart Street, is the effect it will have on LIGHT and SKY, implications for every North-facing building in Bay Village. Shawmut and Piedmont Streets will basically be a tomb, to say nothing of the wind channel effects. Our adjacent little Statler Park, which was only renovated and relandscaped very recently, will be dark and windy as well and we will lose a pleasant place to enjoy the fountain and a cup of coffee in the sun.

I'm thinking of my olden days when I lived in Georgetown in Washington, D.C. and how that city has grown and changed, and yet preserved it's own little jewel of a neighborhood. And I'm as well suggesting that this tower would never be allowed by Beacon Hill. I'm thinking of the historic richness of Boston because of it's identifiable districts, Bay Village being a Star among them. We are only five small streets of carefully preserved architecture and character, why must we suffer a building which essentially erects a wall against us. My very dear friend, now in a Nursing Home after so reluctantly leaving her Bay Village home where she lived for 50 years, happened to have the distinction of being the first woman to graduate from Harvard's School of Architecture. Her last words to me upon leaving our neighborhood were, "don't let them ruin this precious spot." I'm asking you the same.

Sincerely,
Sheila Geoghegan
13 Winchester Street



Michael Rooney <michael.rooney@boston.gov>

Project Comment Submission: 212-222 Stuart

no-reply@boston.gov <no-reply@boston.gov>

Wed, Feb 15, 2017 at 12:34 PM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

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Document Name Path: /Development/Development Projects/212-222 Stuart

Origin Page Url: /projects/development-projects/212-222-stuart

First Name: Paul

Last Name: Miller

Organization: PROPERTY OWNER, TAX PAYER IN THREE BOSTON NEIGHBORHOODS,VOTER, BAY VILLAGE RESIDENT

Email: pmiller.re@gmail.com

Street Address: WINCHESTER & PIEDMONT STREETS

Address Line 2:

City: BOSTON

State: MA

Phone: (617) 201-0150

Zip: 02116

Comments: RE: 212 Stuart street 17-19 Shawmut Street 1.This project Lies 100 % within the HISTORIC district of Bay Village as defined and created by act of the Massachusetts state legislature. All zoning approvals from the City ("BRA") regarding previous proposals for this site (in 2006 and in 2008) have expired and should be considered null and void in relation to this project. 2.The project is located within the BAY VILLAGE HISTORIC DISTRICT, established under MA General Laws Ch. 40C (Historic Districts Act of 1960), which prohibits new construction which would "materially impair the historical, social, cultural, architectural, or aesthetic significance of the district." Transom's proposed building will denigrate the architectural integrity and historic character of the neighborhood as established by the Massachusetts legislature due to the building's excessive height (199 feet) which is out of scale and character with this historic residential neighborhood and will disrupt the rhythm of the north to south street facades extending from the buildings on Statler Park to the 35-65 foot facades along Church Street. 3. Building Height as proposed violates zoning height restrictions in the Historic District on all 4 parcels by between 469% (164 feet), at most, and 206% (134 feet), at least. Proposed project height is unacceptable and incompatible with existing low-rise buildings in the vicinity and will destroy the intimate character of the neighborhood. Especially, the building would physically isolate and limit the light and air surrounding properties on tiny Shawmut Street. 4.Off-Street Parking Insufficient. The proposal states long-term parking leases for "up to 50 spaces" in the nearby Revere Hotel garage, for a building of 133 units. There is insufficient parking in the area to accommodate the extra cars anticipated and the overcrowding will harm the neighborhood especially during snowstorms when everyone has to move off-street. 5.Floor Area Ratio (FAR) is excessive: 1300% more than FAR zoning for this parcel. See Article 63-9 Density Limitation Regulations (Bay Village Neighborhood District). See also Map 1N, Zoning Districts of City of Boston. 6. Light pollution generated by the project will flood the neighborhood and has not been studied or addressed by the developer. 7.Blue sky will be blocked out of Bay Village. Developer's claims that the building will only be seen by 29% of the Village are inaccurate, due to a faulty methodology. This will be a looming



Michael Rooney <michael.rooney@boston.gov>

Project Comment Submission: 212-222 Stuart

no-reply@boston.gov <no-reply@boston.gov>

Wed, Feb 15, 2017 at 3:34 PM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1542

Form inserted: 2/15/2017 3:34:15 PM

Form updated: 2/15/2017 3:34:15 PM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart

Origin Page Url: /projects/development-projects/212-222-stuart

First Name: Dominic

Last Name: Barakat

Organization: BV resident

Email: dombarakat@yahoo.com

Street Address: 45 church St, #4

Address Line 2:

City: Boston

State: MA

Phone: (704) 907-5674

Zip: 02116

Comments: I understand that redevelopment makes sense however I believe that the proposed height is abusive and violates the entire philosophy of maintaining Bay Village's designation as a historic district. While living in Bay Village, I have observed and come to appreciate the community's steadfast support to maintaining the integrity of our neighborhood, where we ensure that even small changes to existing structures are conforming. It is very discouraging that a developer is proposing something that exceeds the zoned height by over 100 feet and 300% while not admitting the real motive is profit as opposed to improving the neighborhood. The developer should be held to the same standard and base its design on something that conforms to the character and guidelines that are clearly respected by the community. In addition to being incongruous with the neighborhood, I strongly believe that the consequence of the proposed height substantially degrades any public benefit due to the wind and shadows caused in Statler Park. We have a two year old child and intentionally avoid the part of Stuart Street in front of the W Hotel since the effective wind tunnel makes walking there with a stroller unappealing and, despite all the wording in the wind analyses, we worry it will have the same affect in Statler Park. South Cove elderly residents will likely be as or more impacted and it was very discouraging to learn that the developer hasn't even consulted those residents. I welcome engaging with the developer if they work within the parameters under which the long-term residents operate.

PMContact: michael.rooney@boston.gov



Michael Rooney <michael.rooney@boston.gov>

212 Stuart St.

1 message

Gene & Fay Hale <gfhale65@gmail.com>
To: Michael.rooney@boston.gov

Tue, Feb 28, 2017 at 8:56 AM

To: Mr. Michael Rooney. Project manager, 212 Stuart St.

Dear Mr. Rooney:

My wife, Fay, and I have lived at 20 Shawmut St. since February, 1970, and throughout that time our neighborhood association has worked to protect and enhance our heritage and to make this historic village a safe and cherished place to call home. Today, we face a very disturbing proposal to build a massive tower within the boundaries of Bay Village at 212 Stuart St., 17 and 19 Shawmut St.

At the first unveiling of this project, it became quite clear that our street had been turned into the developer's back alley, a distance of just 40 feet including the sidewalks from their back wall to our front door. The venting system, the mechanicals, and five back doors were located on Shawmut St. - not one owner on Shawmut St was contacted by the developer during the planning stage.

If this 199 ft. structure should be approved as is, it will tower over Park Plaza and Bay Village. Tenants of the 131 apartments would have sweeping views over Park Plaza and Bay Village. But residents of Bay Village will be looking at a massive wall. For those of us who live and work on Shawmut Street, there will be no view at all, the 199 foot wall just 40 feet from our front door will block out the sky. A 199 ft tower on this narrow residential street is unacceptable.

The profit motive rather than the historical significance of the location seems to be what's driving this development. Although the developer disagrees with me and stands by his conclusion that the 199 ft height is necessary to make the project economically viable, I believe we have the data to prove otherwise.

Both the developer and the architect have been quick to respond to my complaints and promised to have a revised plan ready for review in about two weeks. A full month has passed since then. Meanwhile, we have been informed that work continues on a revised plan.

Today we have a world class Park Plaza which has replaced a blighted and dangerous Park Square. We have Park Plaza today because the Back Bay residents waged a long war against Mort Zuckerman's plans to construct a high rise spine of commercial buildings from Arlington St. through Park Square alongside the Public Garden and on down to Washington St.

We, my wife, our daughter, and I lived through all of the turmoil. We would welcome the opportunity to stroll with you around Park Plaza to see how successful and how beautifully the plaza blends with its immediate neighbors including Commonwealth Avenue, Newbury Streets, Bay Village, and the Public Garden.

If this 212 Stuart St. development is allowed to go forward, it will be a lot more than a disaster for those of us who live and work on Shawmut Street, it will undermine much of what has been accomplished in Bay Village and Park Plaza since the 1950's. Because of our many battles and remarkable progress over time, we have come to view this historic area of Boston as Hallowed Ground.

Many thanks for listening to our concerns.

Sincerely, Palmer Gene Hale

20 Shawmut Street
617 423 6453
gfhale65@gmail.com.



Michael Rooney <michael.rooney@boston.gov>

212-222 Stuart St 02116

1 message

Sally <sgw.35@att.net>

Sun, Mar 19, 2017 at 8:19 PM

To: "michael.rooney@boston.gov" <michael.rooney@boston.gov>

Dear Sir,

As a very long-term resident of BOSTON for several decades and of Bay Village for the last 38 years I have been very proud to show off my beautiful historic built to scale neighborhoods which are part of the draw to Boston for businesses, tourists and residents. City and state are very fortunate to have such Unique and Aesthetically appealing real estate attracting people from around the world.

1) While the Transom development is very good-looking it is in the wrong location. It is, unfortunately an out of scale distraction from the rest of "Statler" square with its early 20th century architecture (Peter Fuller's Motor Mart building, Hotel Statler now the Park Plaza hotel, Paine furniture building, The castle/armory, the Boston Edison building now 100 Arlington St.-The latter being a perfect example of recycling by RelatedBeal).

And 2) it totally isolates an historically unique part of the city, Depreciating value of the real estate located behind the development. Please note that Shawmut Street is a very short street, narrow with only a handful of houses bordered by South Cove and Revere garage. A 199 foot building would completely deprive the houses of air and light. In spite of the architectural renderings of trees there would be absolutely no sunlight at any time of day either on Shawmut Street or the Church Street passageway. It would be a sterile lifeless space ideal for illicit activity to which the occupants of 212-222 Stuart Street would be oblivious.

Please please give it serious thought before we make this a tragic mistake to our city. It is so important that the city be inclusive in its development and not create stagnant dead pockets.

Thank you for hearing me out and considering all aspects. It really is important to the city.

Yours truly

SG Withington

Fayette Street 02116

Sent from my iPhone



Michael Rooney <michael.rooney@boston.gov>

212 Stuart St 17-19 Shawmut March 20 meeting

6 messages

Paul Miller <pmiller.re@gmail.com>

Thu, Mar 9, 2017 at 9:48 AM

To: "michael.rooney@boston.gov" <michael.rooney@boston.gov>, "David.Carlson@boston.gov"

<David.Carlson@boston.gov>

Cc: "preservebayvillage@gmail.com" <preservebayvillage@gmail.com>, Michelle Wu <Michelle.Wu@boston.gov>, "tito.jackson@boston.gov" <tito.jackson@boston.gov>, Bill Linehan <bill.linehan@boston.gov>, ANNISSA ESSAIBI GEORGE <A.E.George@boston.gov>, MICHAEL FLAHERTY <Michael.F.Flaherty@boston.gov>, Ayanna Presley <Ayanna.Pressley@boston.gov>, I Fay Hale <gfhale65@gmail.com>

Dear Micheal & David,

Please accept this email as our request to separate the dual meeting scheduled for March 20 regarding above referenced project.

We are voters, citizens of Boston, taxpayers and own Real Estate in three different neighborhoods in the city.

The combination of the Bay Village Neighborgood association Planning meeting and the one and only BPDA public meeting is in no way serving the public good.

Your agency has an obligation, as set forth in your mission statement and the organizational frame work, to serve the citizens of Boston to enhance the public realm.

By combining these two meetings your organization is shirking its responsibilities. This is a project seeking to violate existing zoning by 469% violate FAR by 1600%.

build in a historic district,

It will throw shade on Staler Park AND the Public Garden.

Please protect our neighborhood!

Micheal, you were in attendance at the last planning meeting regarding this project. It went on for 2+ hours just on the designs.

With the developers presenting new designs on the 20th there will be no time to engage your Orhanzation.

Clearly the meeting on the 20th is an attempt to push this project through without appropriate public comment.

There is an enormous amount of discourse on this subject in Bay Village, the neighborhood is split. There are at least two separate groups organizing against this project.

A open, public meeting lead by YOUR organization is absolutely required AFTER the developer presents their latest design on the 20th.

Please add this letter, in opposition to the project, to the public record.

Please enter it as THREE separate residents in opposition.

Please schedule a separate meeting organized and mediated exclusively BY the BPDA and allow for the process of public comment to progress in the manner in which it was designed.

Best regards,

Paul R. Miller
Pia T. Miller
Zachary Graves Miller
Bay Village

Sent from my iPhone 5s



Michael Rooney <michael.rooney@boston.gov>

Project Comment Submission: 212-222 Stuart

2 messages

no-reply@boston.gov <no-reply@boston.gov>

Tue, Apr 4, 2017 at 9:46 AM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1720

Form inserted: 4/4/2017 9:46:14 AM

Form updated: 4/4/2017 9:46:14 AM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart

Origin Page Uri: /projects/development-projects/212-222-stuart

First Name: Aviva

Last Name: Figler

Organization:

Email: aviva@intex.com

Street Address: 25 Piedmont Street

Address Line 2: Unit 4

City: Boston

State: MA

Phone: (617) 283-8719

Zip: 02116

Comments: I am against this project. I am a property owner/resident of Bay Village. A 19 story building is too high: that height doesn't comply with zoning height in Bay Village, doesn't warrant a zoning variance just because 19 stories is the only way this project can be economically viable for whoever develops it/owns the property, and overall, this project will affect my property value. I did NOT purchase my property with the expectation that a 19 story building would be built in a neighborhood that doesn't allow for a building of that height to be built. Again, strongly against this.

PMContact: michael.rooney@boston.gov

no-reply@boston.gov <no-reply@boston.gov>

Tue, Apr 4, 2017 at 3:38 PM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1721

Form inserted: 4/4/2017 3:37:09 PM

Form updated: 4/4/2017 3:37:09 PM

Document Name: 212-222 Stuart

Lastly the BCDC has a meeting this Tuesday and their agenda has not been published. Is this project on that agenda to be voted on ?
If so, the notice period does not comply with the required timeframe and their vote should be postponed at least one month.

See you tomorrow.
Please contact me directly with any questions.

Best regards,

Paul Miller
Bay Village
6172010150
pmiller.re@gmail.com

[Quoted text hidden]

James Chan <james.chan@boston.gov>
To: Michael Rooney <michael.rooney@boston.gov>

Mon, Mar 20, 2017 at 1:51 PM

Michael,

what is the height for this location for "as of right?"

James Chan
Chief of Staff

Office of Boston City Councilor Bill Linehan, District 2
One City Hall Square
5th floor
Boston, MA. 02201
617-635-3203

On Mon, Mar 20, 2017 at 8:28 AM, Bill Linehan <bill.linehan@boston.gov> wrote:
[Quoted text hidden]

Michael Rooney <michael.rooney@boston.gov>
To: James Chan <james.chan@boston.gov>

Mon, Mar 20, 2017 at 2:31 PM

Hi James,

45 ft is the allowed zoning height, but a project on this location was approved by the BPDA and ZBA in 2008 with a 120 ft height.

Mike
[Quoted text hidden]

James Chan <james.chan@boston.gov>
To: Michael Rooney <michael.rooney@boston.gov>

Mon, Mar 20, 2017 at 2:41 PM

thanks

James Chan
Chief of Staff

Office of Boston City Councilor Bill Linehan, District 2
One City Hall Square



Tammy Donovan <tammy.donovan@boston.gov>

Opposed 212 Stuart st 17-19 Shawmut St. petition to

1 message

Paul Miller <pmiller.re@gmail.com>

Fri, Apr 14, 2017 at 2:01 PM

To: Michael Rooney <michael.rooney@boston.gov>, "David.Carlson@boston.gov" <David.Carlson@boston.gov>, "preservebayvillage@gmail.com" <preservebayvillage@gmail.com>, Michelle Wu <Michelle.Wu@boston.gov>, ANNISSA ESSAIBI GEORGE <A.E.George@boston.gov>, Ayanna Presley <Ayanna.Pressley@boston.gov>, "tammy.donovan@boston.gov" <tammy.donovan@boston.gov>, mayor@boston.gov
Cc: "mdavis@bergmeyer.com" <mdavis@bergmeyer.com>

Dear Michael,

Please find attached a petition to oppose the above referenced project with 65 signatures. The extensive issues surrounding this Development are addressed in the petition.

Signatures are still being collected.

If this project goes forward it will send a clear signal that the city AND your agency will be moving toward abolishing HISTORIC DISTRICTS in our city.

Please add this petition and these comments in opposition to the public record. Please make reference to these Votes in opposition in all interdepartmental meetings and public forums.

As discussed at previous meetings additional comments will be accepted by your agency beyond this date.

Please note that there is to my knowledge, in addition to the enclosed, another separate online petition with more than 70 separate signatures in opposition circulating as well.

The issue of the 200 elderly residents at South Cove is still a major issue. They have been informed of this project only TEN days ago. The residents there live 30 feet from these four sites (ALL OF WHICH ARE WITHIN THE HISTORIC DISTRICT) and I understand there are at least 8 different dialects and languages spoken in the building. The last minute presentation had one Mandarin translator. These residents where not counted in the recent neighborhood vote(67 in favor 32 opposed) although they are the most vulnerable and will be the most effected by this out of scale monster of a building.

This building should be 100 feet at most (including a 14 foot head house for mechanicals)


The public comment period should be extended indefinitely (at least 120 days) to address all the issues surrounding this project.

Thank you for your hard work on this project and all that you do to protect smart growth in our great city.

Best regards,

Paul R. Miller
Bay Village

Pmiller.re@gmail.com

 **Opposed 212 Stuart st 17-19 Shawmut St. petition to.pdf**
1793K

PETITION TO OPPOSE
212 STUART STREET & 17-19 SHAWMUT STREET BOSTON 02116

We, the undersigned, residents of Bay Village, CITIZENS of Boston, and neighbors to the proposed development located at

212-222 STUART STREET & 17-19 SHAWMUT STREET BOSTON 02116

(the "Property") hereby notify the Board of Planning and Development (BPD), our City and State representatives, our Mayor, Maria Walsh, and both the Planning Committee and Executive Committee of the Bay Village Neighborhood Association that we are unequivocally opposed to the development as currently proposed by Transcom Real Estate, LLC, and/or the owner of the Property. Specifically, we are opposed to the new construction on the basis of a) violations of Boston City Zoning; b) violations of General Laws of the Commonwealth of Massachusetts; and c) anticipated injury to the Bay Village Neighborhood and to the public welfare if this construction were to go forward as proposed:

- All zoning approvals from the City ("BRA") regarding previous proposals for this site (in 2006 and in 2008) have expired and should be considered null and void in relation to this project.
- The project is located within the BAY VILLAGE HISTORIC DISTRICT, established under MA General Laws Ch. 40C (Historic Districts Act of 1960), which prohibits new construction which would "materially impact the historical, social, cultural, architectural, or aesthetic significance of the district." Transcom's proposed building will denigrate the architectural integrity and historic character of the neighborhood as established by the Massachusetts legislature due to the building's excessive height (199 feet) which is out of scale and character with this historic residential neighborhood and will disrupt the rhythm of the north to south street facades extending from the buildings on Starker Park to the 35-65 foot facades along Church Street.
- Building Height as proposed violates zoning height restrictions in the Historic District on all 4 parcels by between 405% (164 feet), at most, and 205% (134 feet), at least. Proposed project height is unacceptable and incompatible with existing low-rise buildings in the vicinity and will destroy the intimate character of the neighborhood. Especially, the building would physically isolate and limit the light and air surrounding properties on tiny Shawmut Street.
- Off-Street Parking Insufficient. The proposal states long-term parking leases for "up to 50 spaces" in the nearby Revere Hotel garage, for a building of 133 units. There is insufficient parking in the area to accommodate the extra cars anticipated and the overcrowding will harm the neighborhood especially during snowstorms when everyone has to move off-street.
- Floor Area Ratio (FAR) is excessive: 1300% more than FAR zoning for this parcel. See Article 63-9 Density Limitation Regulations (Bay Village Neighborhood District). See also Map 1N, Zoning Districts of City of Boston.
- Light pollution generated by the project will flood the neighborhood and has not been studied or addressed by the developer.
- Blue sky will be blocked out of Bay Village. Developer's claims that the building will only be seen by 25% of the Village are inaccurate, due to a faulty methodology. This will be a looming building seen by everyone facing north from sidewalks and windows facing north.

PETITION TO OPPOSE
212 STUART STREET & 17-19 SHAWMUT STREET BOSTON 02116

Sue D. Mungin
Mary Sherman
Edith Bowers
Sandra Tignor
Janis Pacheco
SA MICALPIFE
FRANKLIN MEAD
35 Stuyvesant 02116
6 Winthrop Place & 02114
149 Chamelle St. 02116
28 W. Cedar St. 02108
73 Chelsea St. 02129
60 PARKWAY ST
BOSTON, MA
02114
69 BELCON ST.
BOSTON, MA 02108



PETITION TO OPPOSE
212 STUART STREET & 17-19 SHAWMUT STREET BOSTON 02116

NAME	SIGNATURE	EMAIL (optional)
16	<i>[Signature]</i>	rhence@ccardh.com
17	<i>[Signature]</i>	gloganes@btax.com
18	<i>[Signature]</i>	benoluc@subm.com
19	<i>[Signature]</i>	
20	<i>[Signature]</i>	kmungin@ccardh.com
21	<i>[Signature]</i>	sharlette@ccardh.com
22	<i>[Signature]</i>	patrick@ccardh.com
23	<i>[Signature]</i>	msb@ccardh.com
24	<i>[Signature]</i>	sb@ccardh.com
25	<i>[Signature]</i>	sumana@ccardh.com
26	<i>[Signature]</i>	micancinelli@ccardh.com
27	<i>[Signature]</i>	ssanders@slubtax.com

Respectfully submitted,
NAME SIGNATURE ADDRESS
Tereza Janavics *[Signature]* 780 Boylston St.
Boston MA 02116

detrimet to the public good, and will nullify and substantially harm the historic fabric of the neighborhood. We encourage and respectfully re zoning ordinance and the historic fabric of the neighborhood. We encourage and respectfully re that the the Zoning and Planning Committee and the Executive Committee of the Bay Village Neighborhood Association takes steps to stop this project as proposed by voting to oppose. Ple this document to the public record at each meeting regarding this project.

Respectfully submitted,

NAME	SIGNATURE	ADDRESS
KAREN ANTON	<i>[Signature]</i>	
AARON JOHNSON	<i>[Signature]</i>	
MARGOT EVANS	<i>[Signature]</i>	

PETITION TO OPPOSE
212 STUART STREET & 17-19 SHAWMUT STREET BOSTON 02116

NAME	SIGNATURE	EMAIL (optional)
Mark Kadin	[Signature]	
Sam Watson	[Signature]	
Bruce Chavez	[Signature]	
Ashlee Roseberry	[Signature]	sberishine@yahoo.com
Samuel Zushline	[Signature]	
Maria Winthrop	[Signature]	mwintrp1@gmail.com
Earl Winthrop	[Signature]	
John Ellis	[Signature]	

PETITION TO OPPOSE
212 STUART STREET & 17-19 SHAWMUT STREET BOSTON 02116

NAME	SIGNATURE	EMAIL (optional)
Angela Dunwell	[Signature]	angelakattwell@aol.com
Sheila Greenman	[Signature]	sheilagreenman@gmail.com
James M. Wright	[Signature]	dwright@noegon.com
David B. Wright	[Signature]	dwright@noegon.com
Jean Annick	[Signature]	jeanannick@gmail.com
Tom Wiggins	[Signature]	tom.wiggins@noegon.com
Chad Carter	[Signature]	chad.carter@noegon.com
Frank Klumb	[Signature]	malcolmtravis@gmail.com
St. TRAVIS	[Signature]	sttravis@noegon.com
Stacy Kasper	[Signature]	stacy.kasper@noegon.com
LEW PHILLIPS	[Signature]	lew.phillips@noegon.com

212 STUART STREET & 17-19 SHAWMUT STREET BOSTON 02116

NAME	SIGNATURE	EMAIL (optional)
Paige Smith Brackett	[Signature]	paige@prideswithbrackett.com
Reggie Davis	[Signature]	reggie.davis@noegon.com
John P. Smith	[Signature]	johnsmith@noegon.com
Caroline Wu	[Signature]	wu.caroline@gmail.com
George C. Brackett	[Signature]	gbrackett@noegon.com
Susan Bost	[Signature]	sus@noegon.com
Bill Nizceon	[Signature]	bill.nizceon@gmail.com

20 Shawmut
PETITION TO OPPOSE
212 STUART STREET & 17-19 SHAWMUT STREET BOSTON 02116

NAME	SIGNATURE	EMAIL (optional)
Rebecca Howard	[Signature]	rebecca.howard@gmail.com
Alan Lohan	[Signature]	alan@slbtax.com
Bonnie Beecher	[Signature]	bonnie@slbtax.com

PETITION TO OPPOSE
212 STUART STREET & 17-19 SHAWMUT STREET BOSTON 02116

- SHADOW CRITERIA.** Developer has yet to provide complete data proving that proposed building satisfies Article 3B-16 (Environmental Impact Standards) of the Midtown Cultural District code, requiring that no project shall cast shadows on any single Shadow Impact Area depicted on Map 1A of the Zoning Code for more than 2 hours from 8 am thru 2:30 pm on any day from March 21 thru October 21. Stetler Park is a Shadow Impact Area.
- WIND CRITERIA.** Developer's own studies already show that the 190-foot structure would increase wind in the vicinity, at times over 14.1 miles per hour during normal conditions, likely in excess of the Environmental Impact Standards established in Section 3B-16 of the code for the Midtown Cultural District ("Open Plaza and Park Areas"). Wind in the vicinity of South Cove Apartments, in Stetler Park, and within Bay Village itself will degrade the quality of life of Bay Village residents. See attached Wind Analysis.
- SOUTH COVE ELBOWLY APARTMENTS.** During construction the project will severely limit access for the elderly residents within the Church St. Plaza as well as along Shawmut St. Once completed, per the Wind Analysis, the area outside the entrance (which includes the residents' public space) will be negatively affected 100% of the time.
- There are no conditions especially affecting this parcel which do not affect the zoning district in general.

In conclusion, the proposed new structure will cause substantial hardship to the community, cause detriment to the public good, and will nullify and substantially deviate from the intent and purpose of the zoning ordinance and the historic fabric of the neighborhood. We encourage and respectfully request that the Zoning and Planning Committee and the Executive Committee of the Bay Village Neighborhood Association takes steps to stop this project as proposed by voting to oppose. Please add this document to the public record at each meeting regarding this project.

Respectfully submitted,

NAME	SIGNATURE	EMAIL (OPTIONAL)
SEDMON A. AZUMA	[Signature]	sedmona@noegon.com
Stella Walsh	[Signature]	stella.walsh@noegon.com

Scanned by CamScanner



Michael Rooney <michael.rooney@boston.gov>

The morning after

Gene & Fay Hale <gfhale65@gmail.com>
To: Michael.rooney@boston.gov

Tue, Mar 21, 2017 at 12:44 PM

Good morning Michael,

It was a pleasure to meet you just before the meeting at the Revere Hotel got underway. I was wrong about one item that I reported to you regarding the Heritage condos. I said that a condo was advertised at \$17,000.00 per month. I was in error.. I should have said, \$17,500.00 per month. - The Boston Guardian , March 17, 2017 page 11. "Executive rental home in Heritage on the Garden, Back Bay \$17,500/month."

Now, to the meeting about 212-222 Stuart St/17-19 Shawmut St. I cannot imagine how difficult it must have been for you to witness such a display of raw emotions and passionate feelings about this project.

The project got off to a bad start and seems to have gone downhill since then. For example: Peter Spillios did not talk with any property owner on Shawmut Street before this plan was presented to the public. That is when we learned that Shawmut St. had been relegated to the status of their back alley.. When I challenged Peter and the architect at the first meeting in the Revere Hotel, they responded at once. Both agree with what I said. The architect said he would get to work on a revised plan immediately. Peter promised to engage everyone on his team and would report back in about two weeks. The result was a new and thoughtful design which you saw last night. Both Fay and I have expressed our gratitude to Peter.

The height problem remains and it will not go away. I will contact Peter in an effort to find a way forward. A careful reexamination of economic viability is essential but there are other complexities to be resolved. Meanwhile, it would be my pleasure to have a stroll with around the Bay Village and Park Plaza neighborhood for a close look at the problem we face today.

Sincerely, Gene and Fay Hale

s



Michael Rooney <michael.rooney@boston.gov>

Nice meeting you last night at BVNA

Bolvin, Gina <gina.bolvin@bolvinwealth.com>
To: "michael.rooney@boston.gov" <michael.rooney@boston.gov>

Tue, Mar 21, 2017 at 4:07 PM

Michael, thanks for coming last night.

As you know, most of the neighborhood is opposed to the 19 story project on Stuart Street and I am one of them

I do not believe a building of this height should be in our historic district, and I am worried about setting a precedence in our "village."

We appreciated your time and thank you in advance of supporting us.

Warm Regards,

Gina

"America's Top Women Advisor" - Forbes Magazine, 2017

Check out my CNBC "Closing Bell" interview ! <http://app.criticalmention.com/app/#clip/view/25343176?token=747fd665-2afb-4c01-95c4-8fbde31bb701> *

Featured as a "Woman of Influence" for 2016 by the Boston Business Journal and interviewed here: <https://vimeo.com/192185538>



Gina Bolvin Bernarduci, CFS

President

Bolvin Wealth Management Group

31 Milk Street, Suite 203

Boston MA 02109

617-348-2884 Office

617-338-1797 Fax

Gina.Bolvin@bolvinwealth.com



Michael Rooney <michael.rooney@boston.gov>

Re: 212 Stuart Street project

1 message

Rozina Lee <rozina_lee@yahoo.com>
Reply-To: Rozina Lee <rozina_lee@yahoo.com>
To: "Michael.rooney@boston.gov" <Michael.rooney@boston.gov>

Thu, Mar 23, 2017 at 1:35 PM

Mr. Rooney,

I oppose the 19 story 212 Stuart Street project.

Regards,
Rozina Lee



Michael Rooney <michael.rooney@boston.gov>

212 Stuart St. Project

Robert Lashway <rlashway@floydadvisory.com>

Thu, Jan 26, 2017 at 1:30 PM

To: "michael.rooney@boston.gov" <michael.rooney@boston.gov>

Cc: "BILL.LINEHAN@BOSTON.GOV" <BILL.LINEHAN@boston.gov>, "MICHELLE.WU@BOSTON.GOV"

<MICHELLE.WU@boston.gov>, "Aaron.M.Michlewitz@mahouse.gov" <Aaron.M.Michlewitz@mahouse.gov>, "Jenny Steger (jlashway@baupost.com)" <jlashway@baupost.com>

Dear Mr. Rooney –

I am writing on behalf of myself and my wife, Jennifer, to convey our STRONG opposition to the proposed development at 212 Stuart Street. We agree that the parcel should be developed, but we do not understand how the proposed height can be allowed given Bay Village's designation as a "historic district". Importantly, 212 Stuart Street is clearly part of the historic neighborhood.

The proposed height is approximately 4 TIMES larger than what is allowed in the neighborhood and approximately double the size approved in 2008. The new and permanent winds, shadows, noise, and sunlight reduction are just a few of the effects a 200 foot building would impose on this historic neighborhood. **It also would set a horrible precedent for future developers in Bay Village and other historic neighborhoods in Boston to try and side-step these laws.**

We've lived in Bay Village for almost 5 years and previously lived in Roxbury, South Boston, and Dorchester for a combined add'l 10+ years. With 2 young kids we intend to stay in Bay Village for years to come, send our kids to BPS, and enjoy everything about the neighborhood. In our relatively short time in Bay Village, we have enjoyed the community's dedicated approach to ensure structural changes are conforming and consistent with the neighborhood's history. **The 212 Stuart St. developer, Transom, should be held to the same standard as everyone else.**

Thank you for taking the time to read this note. We look forward to future community meetings about this project.

Best Regards,

Rob and Jennifer Lashway

45 Winchester St.

617 270-3570 (Mobile)

ROBERT W. LASHWAY, CPA/CFF/ABV

PARTNER

FloydAdvisory

STRATEGY & VALUATION | SEC REPORTING & TRANSACTION ANALYSIS | LITIGATION SERVICES

TEL: 1+ 617.586.1085 | rlashway@floydadvisory.com | www.floydadvisory.com



Michael Rooney <michael.rooney@boston.gov>

212 Stuart Street- strongly opposed

1 message

Gina Bernarduci <gbernarduci@gmail.com>

Wed, Mar 29, 2017 at 3:32 PM

To: michael.rooney@boston.gov, mdavis@bergmeyer.com, daniel.stclair@ssinvests.com, dmanfredi@elkus-manfredi.com, dhacin@hacin.com, leastley@gmail.com, dcrosby@cssboston.com, pmcdonough@goulstonstors.com, wrawn@rawnarch.com, david.carlson@boston.gov, Earl Winthrop <earlwinthrop@gmail.com>

Hi Michael, Daniel, David, David, Linda, Deneen, Paul., William and David:

I'm writing to inform you that I am strongly opposed to the 19 story project at 212 Stuart Street. A 19 story building does not belong in Bay "Village" and most of the neighbors at the associate meeting voiced concern and outrage.

I am also writing to request an extension to the comment period in order to provide ample time to evaluate and address all community feedback and comments. Its my opinion that we need an extension to address all the concerns that arose at the next meeting.

In addition, the Bay Village Neighborhood Association vote is on April 10th, which is on Passover, and probably not a great night.

--

Gina Bernarduci
136 Arlington St
Boston MA 02116
617-851-3533



Michael Rooney <michael.rooney@boston.gov>

Environmental Impact of 212 Stuart - Shadow Laws, Scoping, and Extension of Comment Period

Kathleen Hull <khull@longnook.com>
To: Michael Rooney <michael.rooney@boston.gov>

Fri, Mar 31, 2017 at 2:49 PM

In re: Potential Environmental Impact of 212 Stuart at 199 feet – Shadow Laws & Extension of Comment Period

31 March 2017

Dear Mr. Rooney,

This is a follow up on my verbal comments at the Public Meeting for 212 Stuart on March 20th. Simply stated, based on Transom's presentation of shadow data in the PNF, it is impossible to tell if the proposed building at 199 feet is in conformity with the state's shadow laws (Ch. 362. An Act Protecting Certain Public Commons (1990) and Ch. 384 An Act Protecting the Boston Public Garden (1993)). I believe it is possible that the proposed building will cast shadows on the Commons and Garden, given the fact that the proposed building is taller than all of the buildings to its north (As the architect stated at a public presentation, 212 Stuart is expected to offer "a glimpse" of the Parks from its top floors.)

In 5.2.1 and 7.3 of their PNF, dated Dec. 8, 2016, Transom states that they did a shadow impact analysis "as typically required by the BPDA," and presents 14 data points (at 9 am, 12 noon, 3 pm and, in two cases, 6 pm) from 4 days of the year (Mar 21, June 21, Sept. 21 and Dec. 21). Transom offers the conclusion that the proposed Project will case "no new shadow on the Public Garden or Boston Common." (5.2.1 and 5.2.6) However, according to the shadow laws, for buildings located outside of the Midtown Cultural District, new shadows may only be cast on the parks for one hour after sunrise or 7 am (whichever is later), or the last hour before sunset. Thus, the data offered does not show us what shadows are created by the proposed Project during the rest of the day—and the longest shadows are cast, of course, in the early morning and late afternoon.

Transom also does not tell us what "applicable Altitude and Azimuth data for Boston" was used, nor anything about their methodology, so we can judge little about the accuracy of their conclusions. Finally, Transom suggests in Figure 3-1 that the height of 1 Charles Street is 190 feet; however, two online building height sources have the height of that building at just 179 feet, which assumption might also affect the measure of possible shadow creep on the Common produced by 212 Stuart at 199 feet.

the BPDA may be viewing this parcel as part of the Stuart Street corridor and highly likely to approve a building of 120' (if not more). Given this, I feel strongly that the Stuart Street Planning guidelines, which were approved by the BPDA, should be applicable to this project as well. In my view, the guidelines are more progressive and require enhanced mitigation. For example, one requirement is that any building over 155' is required to have a child care facility – creating a more family friendly environment. Shadow and wind requirements are also enhanced. I have included a link to the current zoning and project document for you review and consideration.

Finally, I would be happy to see this lot developed by Transom and understand that adhering to the current Historic District zoning is not realistic to expect for multiple reasons. I love the idea of developing the park as discussed, but unfortunately do not feel that this is adequate mitigation to accept a 199' building, regardless of the finishes, quality or developer. While my personal preference would be for a significantly lower building that is more congruent with the neighborhood, I also think that the building as proposed with meaningful height reduction and appropriate mitigation would be acceptable.

Thank you very much for your time and consideration. I would welcome the opportunity to speak with any of you further should you be interested.

Sincerely,
Sara Barakat

Stuart Street Planning Study: <http://www.bostonplans.org/planning/planning-initiatives/stuart-street-study>

Zoning per Article 48 in the Boston Zoning Code: https://www.municode.com/library/ma/boston/codes/redevelopment_authority?nodeId=ART48STSTDI



Michael Rooney <michael.rooney@boston.gov>

212 Stuart development

Sheila Geoghegan <sfgeoghegan@gmail.com>
To: michael.rooney@boston.gov

Fri, Mar 31, 2017 at 3:19 PM

Dear Mr. Rooney, I hope that you will consider a more comprehensive study of the shadow implications of this project as you suggested at the BVA Planning meeting on March 20th. I have lived in Bay Village since 1970 and treasure it's unique historical character and along with the majority of neighbors, strongly oppose, in particular, the height of this building. Thank you.

Sheila Geoghegan, 13 Winchester Street. Please enter this email in the public record.
Sent from my iPhone



Michael Rooney <michael.rooney@boston.gov>

development at 212 Stuart Street/17-19 Shawmut Street in Bay Village

Prilla Brackett <psb@prillasmithbrackett.com>
To: michael.rooney@boston.gov

Sun, Apr 2, 2017 at 2:50 PM

Dear Mr. Rooney,

My name is Prilla Smith Brackett. I am a Boston resident, and voter, who lives at 45 Church Street #11, Boston, MA 02116. I am writing to you regarding the 199 foot building proposed for 212 Stuart/17-19 Shawmut Street in Bay Village. I urge you to reject the proposal as it now stands.

My main concern is the height which is unsuitable for the scale of our historic district. Our neighborhood consists of mostly 4-6 story buildings. On the Stuart Street side of Bay Village only 120 feet has been approved for previous site proposals at the 212 Stuart site. The developer has made some attractive modifications for the lower level of the currently proposed building. However, he has adamantly stated that the building will be 199 feet or not be built. He claims that only a very tall building is economically viable. It is hard to believe that last year, two blocks away on Church Street, on a parking lot about the same size as the 212 Stuart Street lot, a successful, handsome 4-story building of condos was built. All the units quickly sold. I urge you to deny permits for the 199 foot building proposed for 212 Stuart and to set 120 feet as the height limit for this site.

Thank you.

Sincerely,

Prilla Smith Brackett

Prilla Smith Brackett
psb@prillasmithbrackett.com
<http://prillasmithbrackett.com>



Michael Rooney <michael.rooney@boston.gov>

212 Stuart 17-19 Shawmut Street IAG

1 message

Paul Miller <pmiller.re@gmail.com>

Thu, Mar 30, 2017 at 5:11 PM

To: lshea19@hotmail.com, Eric.cordes@comcast.net, Gbok357@aol.com

Cc: Michael Rooney <michael.rooney@boston.gov>, DavidCarlson@boston.gov, Preservebayvillage@gmail.com, tito.jackson@boston.gov, MICHAEL FLAHERTY <Michael.F.Flaherty@boston.gov>, Michelle Wu <Michelle.Wu@boston.gov>

Dear Members of the IAG,

Please accept these comments and make them part of the public record regarding the above referenced project.

IMPACTS DETRIMENTAL TO THE BAY VILLAGE NEIGHBORHOOD

The height of the project is detrimental to our neighborhood.

1. The project is located within the **BAY VILLAGE HISTORIC DISTRICT**, established under MA General Laws Ch. 40C (Historic Districts Act of 1960), which prohibits new construction which would "materially impair the historical, social, cultural, architectural, or aesthetic significance of the district." Transom's proposed building will **denigrate the architectural integrity and historic character of the neighborhood** as established by the Massachusetts legislature due to the building's **excessive height (199 feet)** which is out of scale and character with this historic residential neighborhood and will disrupt the rhythm of the north to south street facades extending from the buildings on Statler Park to the 35-65 foot facades along Church Street.

Building Height as proposed violates zoning height restrictions in the Historic District on all 4 parcels by between 469% (164 feet), at most, and 206% (134 feet), at least. Proposed project height is unacceptable and incompatible with existing low-rise buildings in the vicinity and will destroy the intimate character of the neighborhood

Blue sky will be blocked out of Bay Village

2. Shade/height on Staler Park will be an irreversible impact on the City public spaces. Developer has not shown that the tower he proposes will not put shade on the Public Garden which would be an irreversible detriment to the City . Only that it will not put shade on up to the middle of the garden.

Proposed mitigation: Reduce the height of the building by 154 feet.

4. South Cove Residents (230 Stuart St) Engagement direct negative IMPACT. The point has been raised at each developer/community meeting. Transom still hasn't made an effort to connect with the 150+ frail and disabled residents to inform them of the project - they will be the most affected! At a minimum, Transom should be held accountable for notifying them/soliciting input about the scope project and negative implications to the South Cove residents, regardless of the language and physical barriers. I also kindly request that the IAG explore the impact to this community, and potential mitigants, in addition to those of the Bay Village Neighborhood more generally.

Proposed mitigation: Reach out to the community

5. Parking plan is insufficient : direct negative impact in the smallest neighborhood in the city: As repeatedly outlined by the developer he has a solid clay subsurface base.

Gina Bernarduci
136 Arlington Street, Apt. PH
Boston, MA 02116

April 9, 2017

Michael Rooney, Project Manager
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201

Cc: (via email):

Senator Boncore, joseph.boncore@masenate.gov
Representative Michlewitz, aaron.m.michlewitz@mahouse.gov
Mayor Walsh, mayor@boston.gov
Office of Neighborhood Services Rep. Chambers, samuel.chambers@boston.gov
Councillor Linehan, bill.linehan@boston.gov
Councillor Essaibi George, a.e.george@boston.gov
Councillor Flaherty, michael.f.flaherty@boston.gov
Councillor Pressley, ayanna.pressley@boston.gov
Councillor Wu, michelle.wu@boston.gov

Re: Opposition to 212 Stuart Street Project

Dear Mr. Rooney,

I am a voter, taxpayer and resident of the Bay Village Historic District in Boston, Massachusetts. I write to express my strong opposition and concerns regarding the proposed 212 Stuart Street Project (the “Stuart Street Project” or “Project”).

As proposed, the 212 Stuart Street Project is entirely incompatible with the Bay Village Historic District and, if approved, would detrimentally impact the neighborhood and public realm. At a sweeping **199 feet**, the Project would represent the tallest non-conforming building in the history of Bay Village -- a tiny neighborhood of historic row-houses, apartments, and single family homes. The project should be disapproved on the following grounds:

- (1) The Project violates Bay Village’s Historic District Zoning Regulations (Article 63);
- (2) The Project detracts from design and scale of the Bay Village Historic District;
- (3) The Project causes detrimental wind, shadow, daylight, traffic, parking and blue-sky impacts;

(4) The Project ignores the Stuart Street Planning Study, and rises above the 155 foot maximum height restrictions set for Stuart Street properties abutting Bay Village;

(5) The Project threatens 34-years of Bay Village and Boston historic preservation.

For these reasons and as set forth below, I respectfully request that the Boston Planning and Development Agency (“BPDA”) issue a determination that disapproves the project or requires a reduction of the Project’s height and scale to mitigate detrimental impacts to the Bay Village Historic District and the public realm.

I also respectfully request that the Office of the Mayor and members of the City Council take appropriate action to oppose the Project or take meaningful steps to reduce the Project’s height and scale.

I. The 212 Stuart Street Project Would Cause A Detrimental Impact to the Bay Village Historic District and to the Public Realm

As proposed, the height of the 212 Stuart Street Project is completely out-of-scale with the Bay Village Historic District. The Project is over 4 times higher than the current allowable zoning within the Historic District and 65% higher the previous project approved by BPDA for that site. The Project is more than 7.5 times higher than its immediate Bay Village neighbor, Erbaluce. It’s higher than the 155 foot zoning allowance for abutting properties in the Stuart Street District. Finally, it’s higher than any building currently approved on Harrison Street, commonly referred to as the “Ink Block.” It is simply beyond comprehension, how Boston’s tiniest historic district has attracted such an unprecedented and audacious building proposal. It should be rejected.

Far from creating a “gateway” to Bay Village, the 212 Stuart Street Project would create a “Stuart-Street Wall” separating Bay Village from the larger community. While certain street-level changes have been proposed to the original design, the building will tower above historic row-houses, providing an incongruous modern backdrop to the village, blocking a material amount of blue sky, reducing daylight levels and detracting from the historic character of the area.

Some of the numerous detrimental impacts are listed below:

A. Increased Wind

The Stuart Street Project will cause a detrimental wind impact to the village. The wind study, conducted by Dr. Wu, an expert retained by Transom (the Project's developer), concluded that the Project will cause an increased wind-impact in certain areas of the Bay Village Historic District. For example, winter wind conditions on Church Street will increase. This area is a location that neighbors frequently gather by the street and sidewalks. As a consequence, a truly unique benefit to village living will be compromised.

B. Loss of Daylight and Blue Sky

The Project will result in a considerable loss of daylight and blue sky throughout the neighborhood. The proposed tower will rise above Bay Village row-houses eliminating sunlight and blue sky, particularly for residences on Shawmut Street, Piedmont Street and Church Street. Some of Bay Village's most vulnerable, elderly neighbors in the South Cove Residences will be severely impacted.

C. Increased Shadow

The Stuart Street Project will result in increased shadow on Statler Park, a beautiful park recently renovated. The issue of shadow-creep is a significant city-wide concern for Boston's public parks. Indeed, the BPDA's Stuart Street Planning Study, which was adopted into zoning regulations, expressly prohibited projects that would cast undue shadows onto Copley Square Park. See Article 48. The same principles should apply to Statler Park. As Elizabeth Vizza observed in her recent editorial, "no amount of fertilizer and water can correct for loss of sunlight – an asset that is important not just for horticulture, but also for the thousands of people who use these parks daily as they commute to work, relax and recreate. . . ." Vizza, *Don't drape our iconic public parks in shadows.* See <https://patch.com/massachusetts/beaconhill/don-t-drape-our-iconic-public-parks-shadows>. Shadows on Statler Park will have a significant negative impact to Bay Village residents and the public realm and at a minimum should be mitigated if not avoided all together.

D. Increased Traffic and Parking Congestion

While the 212 Stuart Street Project proposes approximately 131 units, it offers no on-site residential parking, creating an increased parking burden in the area. Specifically, the Project places a greater strain on local garages and lots, particularly during snow emergencies. Also, the Project will likely result in increased traffic congestion on Stuart Street and Arlington Street, an area that is already burdened by a six-way intersection, residences at 100 Arlington, the Park Plaza Hotel, along with Flemings and Maggiano's restaurant valet services.

E. Increased Disruption and Risk of Damage

The 212 Stuart Street project would cause undue and prolonged disruption to the Bay Village Historic District. The Project calls for the construction of a 199 ft. (19 stories) building to be built in an historic district limited to a maximum height of 45 ft. The construction of this non-compliant building would result in undue disruption, traffic, noise, and dust. Also, the project could subject the abutting fragile and historic homes to damage, particularly to their foundations. The burdens to the community simply do not outweigh the benefits.

II. 212 Stuart Street Violates the Zoning Requirements of the Bay Village Historic District, the Stuart Street District, and BPDA's Stuart Street Planning Study

Not only does the proposed project violate the Article 63 height restrictions in Bay Village, at a colossal **199 feet**, the Project disregards the height restrictions proposed in the BPDA's "Stuart Street Planning Study" (the "Study"), adopted into the Stuart Street District's zoning regulations (Article 48) in 2016. For these reasons alone, the 212 Stuart Street Project should be rejected.

The Stuart Street Planning Study was an objective, independent, multi-year planning and impact study conducted to review the Stuart Street District, including Bay Village. With respect to the study, the BPDA, independent consultants, and the Stuart Street Planning Study Advisory Group "spent over 3 years examining potential development opportunities, identifying and defining height, density, and use recommendations, and developing scenarios for future development in the area. This work included an

assessment of the impacts of density and height on the surrounding neighborhoods, including the impacts on the transportation infrastructure, transit system, parking supply, and the environmental impacts such as wind, shadow, and groundwater. Provisions for and protection of open space, pedestrian access, historically significant buildings, and view corridors were also considered.” See Stuart Street Planning Study FINAL Development Review Guidelines 10-15-15,

<http://www.bostonplans.org/getattachment/f785b033-65f7-4f70-a1ee-418fa6d0f03c>.

In addition to a zoning review of Stuart Street, the Study also reviewed zoning allowances in Bay Village. In pertinent part, the Study’s goals and objectives were to:

improve the district’s quality of character and environmental sustainability; minimize negative impacts any new development may have on shadow, wind, traffic, groundwater and public infrastructure; use existing transportation and urban infrastructure to reduce energy consumption and to improve air quality; ***preserve and protect both the immediate area and adjacent neighborhoods; and respect the historic context and the scale of abutting neighborhoods.***

Article 48 Stuart Street District - Draft for Boston Zoning Commission - 3-4-16. See link,

<http://www.bostonplans.org/getattachment/0e7d901d-b586-4b13-9df1-6953a3a609c1> (emphasis added).

While the Study allowed some increased height within the Stuart Street District, it expressly determined that “existing zoning continue[d] to apply” in Bay Village. See Proposed Development Review Guidelines link <http://www.bostonplans.org/getattachment/9bc76e9f-cb2e-4f48-aa01-3bd5cd27e72c>. Put simply, Bay Village Historic District historic zoning was preserved and protected.

But the Study didn’t stop there. It also protected Bay Village by limiting the height of abutting buildings within Area 1 of the Stuart Street District to **155 feet**. See Article 48, codifying the Study’s findings of a maximum 155 ft. height in “Area 1” of the Stuart Street District, abutting Bay Village.

https://www.municode.com/library/ma/boston/codes/redevelopment_authority?nodeId=ART48STSTDI

At 199 feet, the 212 Stuart Street Project even violates the 155 ft. maximum height requirements for Stuart Street District abutters. Accordingly, there is no justifiable reason to approve this project within the Bay Village Historic District.

III. The 212 Stuart Street Project Would Threaten the Bay Village Historic District and the Other Historic Districts in City of Boston

If approved at its current scale and height, the 212 Stuart Street Project would create a dangerous precedent for both Bay Village and the other eight historical districts in the city of Boston. These “Historic Districts” were created (1) to preserve and protect the distinctive characteristics of buildings and places significant in the history of the Commonwealth and its cities and towns; (2) to maintain and improve the settings of those buildings and places; and (3) to encourage new designs compatible with existing buildings in the district.

Approval of this project would threaten Boston historic districts and could open a Pandora’s box of non-conforming development projects in historic districts throughout the City of Boston. Indeed, after some online research, I have not encountered a single non-conforming project of this scale and scope that was approved by the BPDA/BRA in a Boston historic district. The BPDA is charged with a responsibility to “create an appropriate context for new development while respecting the City of Boston’s historic character and its future aspirations.” It should not place historic districts at risk, or render a historic district designation meaningless.

IV. The Mitigation Proposed by the IAG Is Insufficient

The proposed mitigation is insufficient to remedy height-related impacts. As I understand it, the Impact Advisory Group (IAG) for the 212 Stuart Street Project has proposed a mitigation plan which, in part, calls for the 212 Stuart Street developer to fund a vest-pocket park on the corner of Arlington and Cortes Street. Of course, any added greenery would be a welcome addition to Bay Village; unfortunately, this mitigation would not remedy the impact and concerns caused by a 199 ft. building in our historic community. A small park by the Massachusetts Turnpike (I-90), simply would not restore blue sky, replace sunlight, reduce wind in Bay Village or eliminate shadow-creep in Statler Park. Nor does it decrease traffic, increase parking or protect our historic Bay Village from over-reaching development. A more meaningful mitigation plan would require this developer simply to reduce the height and scale of its current Project.

Conclusion

I am certainly in favor of reasonable development within Bay Village. In fact there have been numerous developments (even with modern design elements) that have an appropriate height and scale for our Historic District. However, at its proposed 199 foot height, the 212 Stuart Street Project would materially detract from our district and the public realm. For that reason, I respectfully request that the BPDA, the Mayor, and members of the City Council take action to oppose or reject the 212 Stuart Street Project, as proposed, or take meaningful steps to reduce its height and scale prior to approval.

Thank you for your time and consideration. Please add my opposition into the public record.

Respectfully submitted,

s/ Gina Bernarduci

Additional cc:

BCDC

David Carlson: david.carlson@boston.gov 617-918-4284, Directo

Michael Davis: mdavis@bergmeyer.com

Daniel St. Clair: Daniel.StClair@SSInvests.com

David Manfredi: dmanfredi@elkus-manfredi.com

David Hacin: dhacin@hacin.com

Deneen Crosby: dcrosby@cssboston.com

Paul McDonough: pmcdonough@goulstonstorrs.com

William Rawn: wrawn@rawnarch.comCDC

Boston Landmarks Commission

Joseph Cornish – joseph.cornish@boston.gov

City Council

Frank Baker, frank.baker@boston.gov

Andrea Campbell, andrea.campbell@boston.gov

Mark Ciommo, mark.ciommo@boston.gov

Tito Jackson, tito.jackson@boston.gov

Sal LaMattina, salvatore.lamattina@cityofboston.gov

Timothy McCarthy, timothy.mccarthy@boston.gov

Matt O'Malley, matthew.omalley@boston.gov

Josh Zakim, josh.zakim@boston.gov



Mayor's Commission for Persons with Disabilities

Martin J. Walsh, Mayor

January 18th 2016

**RE: 212 Stuart Street, Boston, MA 02116
Project Notification Form
Boston Planning and Development Agency**

The Disability Commission has reviewed the Project Notification Form that was submitted for 212 Stuart Street in Bay Village. Since the proposed project is planned to be a vibrant destination area for housing and retail, I would like to encourage a scheme that allows full and equal participation of persons with disabilities through *ideal design which meets as well as exceeds compliance* with accessibility building code requirements. It is crucial that the site layout, buildings, open spaces, parking, and circulation routes be developed with access in mind.

Therefore, in order for my Commission to give its full support to this project, I would like to ask that the following accessibility issues be considered and/or explained:

▪ **Accessible Group 2 Units:**

- We would like to request more details on Group 2 units, including the location, type and floor plans.
- Will any accessible Group 2 units will be included in the Inclusionary Development Policy? If so, how many?

▪ **Accessible Route and Entry:**

- Renderings showing the reconstruction of the Church Street walkway promenade indicate the use of unit pavers as the main paving material for the pedestrian right-of-way. We support the use of cast-in-place concrete to ensure that the surface texture is smooth and continuous (minimize joints) and for the ease of maintenance.
- We do not support the specialty paving pattern, in the pedestrian right-of-way, along Stuart Street as it may pose a wayfinding hazard for those with low vision. Containing this pattern to the furnishing zone may be a way to include this pattern in the overall design.
- We do not support the continuation of the specialty paving pattern into the roadway, as it may pose a wayfinding hazard for those with low vision. We support a clear distinction between the pedestrian right-of-way and vehicle travel lanes.
- We ask that the reciprocal pedestrian ramp on the northeastern corner of the Stuart Street/Church Street intersection be added to the street improvements, in order to bring the proposed crosswalk into compliance with MAAB 521 CMR Section 21.2.2.

- **Accessible Route and Entry (cont.):**
 - Please confirm the use of red detectable warning surfaces on cast-in-concrete pedestrian ramps.
 - We encourage the Proponent to schedule a meeting with architectural staff, prior to Public Improvement Commission hearings.

- **Accessible Parking:**
 - Will the any accessible spaces be available as part of the proposed long-term lease of 50 parking spaces in the adjacent parking garage? If so, how many? If not, please explain.
 - Will there be an accessible drop-off area? If so, please provide details including plans, widths and paving materials.

- **Sidewalk Café Requirements:**
 - Should the installation of a Sidewalk Café be proposed, please confirm that the proposed location will meet or exceed the dimensional requirements set by the City of Boston Sidewalk Café Design Regulations and Guidelines, Boston Complete Streets (if in the public right-of-way) and MAAB 521 CMR Section 35.00.

- **Community Benefits:**
 - Is this project providing any funding or improvements to the surrounding neighborhood?
 - What inclusion elements does this development provide for persons with disabilities in common social and open spaces?

- **Wayfinding:**
 - Do you have a Wayfinding Package to better understand wayfinding strategies within the scope of the proposed project?

- **Variances:**
 - Do you anticipate filing for any variances with the Massachusetts Architectural Access Board? If so, please identify and explain.

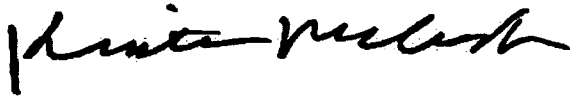
Commission’s General Statement on Access:

The Mayor’s Commission for Persons with Disabilities supports barrier-free design and construction in all buildings throughout Boston, including renovation projects as well as new structures. We work with City departments and developers to ensure compliance with local, state, and federal building codes including Boston Complete Streets, Massachusetts Architectural Access Board (MGL, 521 CMR) and the Americans with Disabilities Act (ADAAG, 28 CFR). Designing or constructing structures that are non-compliant with these requirements is a violation of the law unless it can be demonstrated that it would be structurally infeasible to do so.

Priorities for accessibility other than building design and construction include: ensuring maintenance and upkeep of accessibility features; posting signage for way-finding; utilizing compliant barricades throughout construction; designating appropriate location and amount of accessible parking spaces; and removing barriers in existing buildings wherever “readily achievable” (*“easily accomplishable and able to be carried out without much difficulty or expense”*).

Proponents are encouraged to meet with Commission staff who are available for technical assistance and design review to help achieve accessibility compliance and to ensure that all buildings, sidewalks, parks, and open spaces are usable and welcoming to all of Boston's diverse residents, including those with physical, sensory, intellectual, and communication disabilities.

Thank You.



Kristen McCosh, Commissioner
Mayor's Commission for Persons with Disabilities
kristen.mccosh@boston.gov
617-635-3682

Reviewed by:

Patricia Mendez AIA, Architectural Access Specialist
Mayor's Commission for Persons with Disabilities
patricia.mendez@boston.gov
617-635-2529

Sarah Leung, Architectural Access Project Coordinator
Mayor's Commission for Persons with Disabilities
sarah.leung@boston.gov
617-635-3746

**Boston Water and
Sewer Commission**



980 Harrison Avenue
Boston, MA 02119-2540
617-989-7000

January 23, 2017

Mr. Christopher Tracy
Senior Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201

Re: 212 Stuart Street, Bay Village
Project Notification Form

Dear Mr. Tracy:

The Boston Water and Sewer Commission (Commission) has reviewed the Project Notification Form (PNF) for the proposed 212 Stuart Street project located at 212 Stuart Street and 18-19 Shawmut Street in the Bay Village neighborhood of Boston.

The proposed project is located on an approximately 7,712 square foot (sf) site. The site currently contains a surface parking lot and a small parking lot attendant building. The proponent, Transom Real Estate LLC, proposes to construct an approximately 146,000 sf, 19-story building that will consist of approximately 131 residential units and approximately 3000 sf of ground floor retail space. No on-site parking is proposed. The site is bounded by Stuart Street to the north, a parking garage to the east, Shawmut Street to the south and the Church Street pedestrian plaza to the west.

According to the PNF, the proposed water demand is approximately 29,651 gallons per day (gpd). The Commission owns and maintains a 16-inch Southern Low water main in Church Street and an 8-inch Southern Low water main in Shawmut Street.

According to the PNF, the proposed sewage generation is 26,955 gpd, an increase of 26,505 gpd. For sewage and storm drainage service, the site is served by a 24-inch sanitary sewer and a 48-inch storm drain in Church Street, a 12-inch combined sewer in Stuart Street and a 12-inch sanitary sewer in Shawmut Street.

The Commission has the following comments regarding the PNF:



General

1. Prior to demolition of any buildings, all water, sewer and storm drain connections to the buildings must be cut and capped at the main pipe in accordance with the Commission's requirements. The proponent must then complete a Termination Verification Approval Form for a Demolition Permit, available from the Commission and submit the completed form to the City of Boston's Inspectional Services Department before a demolition permit will be issued.
2. All new or relocated water mains, sewers and storm drains must be designed and constructed at Transom Real Estate LLC's expense. They must be designed and constructed in conformance with the Commission's design standards, Water Distribution System and Sewer Use Regulations, and Requirements for Site Plans. To assure compliance with the Commission's requirements, the proponent must submit a site plan and a General Service Application to the Commission's Engineering Customer Service Department for review and approval when the design of the new water and wastewater systems and the proposed service connections to those systems are 50 percent complete. The site plan should include the locations of new, relocated and existing water mains, sewers and drains which serve the site, proposed service connections as well as water meter locations.
3. The Department of Environmental Protection (DEP), in cooperation with the Massachusetts Water Resources Authority and its member communities, is implementing a coordinated approach to flow control in the MWRA regional wastewater system, particularly the removal of extraneous clean water (e.g., infiltration/inflow (I/I)) in the system. In April of 2014, the Massachusetts DEP promulgated new regulations regarding wastewater. The Commission has a National Pollutant Discharge Elimination System (NPDES) Permit for its combined sewer overflows and is subject to these new regulations [314 CMR 12.00, section 12.04(2)(d)]. This section requires all new sewer connections with design flows exceeding 15,000 gpd to mitigate the impacts of the development by removing four gallons of infiltration and inflow (I/I) for each new gallon of wastewater flow. In this regard, any new connection or expansion of an existing connection that exceeds 15,000 gallons per day of wastewater shall assist in the I/I reduction effort to ensure that the additional wastewater flows are offset by the removal of I/I. Currently, a minimum ratio of 4:1 for I/I removal to new wastewater flow added is used. The Commission supports the policy, and will require proponent to develop a consistent inflow reduction plan. The 4:1 requirement should be addressed at least 90 days prior to activation of water service and will be based on the estimated sewage generation provided on the project site plan.



4. The design of the project should comply with the City of Boston's Complete Streets Initiative, which requires incorporation of "green infrastructure" into street designs. Green infrastructure includes greenscapes, such as trees, shrubs, grasses and other landscape plantings, as well as rain gardens and vegetative swales, infiltration basins, and paving materials and permeable surfaces. The proponent must develop a maintenance plan for the proposed green infrastructure. For more information on the Complete Streets Initiative see the City's website at <http://bostoncompletestreets.org/>
5. Transom Real Estate LLC should be aware that the US Environmental Protection Agency issued the Remediation General Permit (RGP) for Groundwater Remediation, Contaminated Construction Dewatering, and Miscellaneous Surface Water Discharges. If groundwater contaminated with petroleum products, for example, is encountered, Transom Real Estate LLC will be required to apply for a RGP to cover these discharges.
6. The project site is located within Boston's Groundwater Conservation Overlay District (GCOD). The district is intended to promote the restoration of groundwater and reduce the impact of surface runoff. Projects constructed within the GCOD are required to include provisions for retaining stormwater and directing the stormwater to the groundwater table for recharge.
7. Transom Real Estate LLC is advised that the Commission will not allow buildings to be constructed over any of its water lines. Also, any plans to build over Commission sewer facilities are subject to review and approval by the Commission. The project must be designed so that access, including vehicular access, to the Commission's water and sewer lines for the purpose of operation and maintenance is not inhibited.
8. It is Transom Real Estate LLC's responsibility to evaluate the capacity of the water, sewer and storm drain systems serving the project site to determine if the systems are adequate to meet future project demands. With the site plan, Transom Real Estate LLC must include a detailed capacity analysis for the water, sewer and storm drain systems serving the project site, as well as an analysis of the impacts the proposed project will have on the Commission's water, sewer and storm drainage systems.

Water

1. Transom Real Estate LLC must provide separate estimates of peak and continuous maximum water demand for residential, commercial, industrial, irrigation of landscaped areas, and air-conditioning make-up water for the project with the site plan. Estimates should be based on full-site build-out of the proposed project. Transom Real Estate LLC should also provide the methodology used to estimate water demand for the proposed project.



2. Transom Real Estate LLC should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In particular, Transom Real Estate LLC should consider outdoor landscaping which requires minimal use of water to maintain. If Transom Real Estate LLC plans to install in-ground sprinkler systems, the Commission recommends that timers, soil moisture indicators and rainfall sensors be installed. The use of sensor-operated faucets and toilets in common areas of buildings should be considered.
3. Transom Real Estate LLC is required to obtain a Hydrant Permit for use of any hydrant during the construction phase of this project. The water used from the hydrant must be metered. Transom Real Estate LLC should contact the Commission's Meter Department for information on and to obtain a Hydrant Permit.
4. The Commission is utilizing a Fixed Radio Meter Reading System to obtain water meter readings. For new water meters, the Commission will provide a Meter Transmitter Unit (MTU) and connect the device to the meter. For information regarding the installation of MTUs, Transom Real Estate LLC should contact the Commission's Meter Department.

Sewage / Drainage

1. In conjunction with the Site Plan and the General Service Application Transom Real Estate LLC will be required to submit a Stormwater Pollution Prevention Plan. The plan must:
 - Identify specific best management measures for controlling erosion and preventing the discharge of sediment, contaminated stormwater or construction debris to the Commission's drainage system when construction is underway.
 - Include a site map which shows, at a minimum, existing drainage patterns and areas used for storage or treatment of contaminated soils, groundwater or stormwater, and the location of major control structures or treatment structures to be utilized during the construction.
 - Specifically identify how the project will comply with the Department of Environmental Protection's Performance Standards for Stormwater Management both during construction and after construction is complete.
2. The Commission encourages Transom Real Estate LLC to explore additional opportunities for protecting stormwater quality on site by minimizing sanding and the use of deicing chemicals, pesticides, and fertilizers.

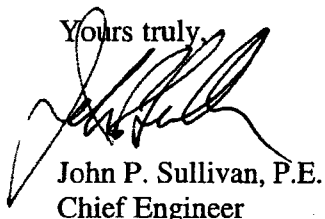


3. The discharge of dewatering drainage to a sanitary sewer is prohibited by the Commission. Transom Real Estate LLC is advised that the discharge of any dewatering drainage to the storm drainage system requires a Drainage Discharge Permit from the Commission. If the dewatering drainage is contaminated with petroleum products, Transom Real Estate LLC will be required to obtain a Remediation General Permit from the Environmental Protection Agency (EPA) for the discharge.
4. Transom Real Estate LLC must fully investigate methods for retaining stormwater on-site before the Commission will consider a request to discharge stormwater to the Commission's system. The site plan should indicate how storm drainage from roof drains will be handled and the feasibility of retaining their stormwater discharge on-site. Under no circumstances will stormwater be allowed to discharge to a sanitary sewer.
5. The Massachusetts Department of Environmental Protection (MassDEP) established Stormwater Management Standards. The standards address water quality, water quantity and recharge. In addition to Commission standards, Transom Real Estate LLC will be required to meet MassDEP Stormwater Management Standards.
6. Sanitary sewage must be kept separate from stormwater and separate sanitary sewer and storm drain service connections must be provided. The Commission requires that existing stormwater and sanitary sewer service connections, which are to be re-used by the proposed project, be dye tested to confirm they are connected to the appropriate system.
7. The Commission requests that Transom Real Estate LLC install a permanent casting stating "Don't Dump: Drains to Boston Harbor" next to any catch basin created or modified as part of this project. Transom Real Estate LLC should contact the Commission's Operations Division for information regarding the purchase of the castings.
8. If a cafeteria or food service facility is built as part of this project, grease traps will be required in accordance with the Commission's Sewer Use Regulations. Transom Real Estate LLC is advised to consult with the Commission's Operations Department with regards to grease traps.



Thank you for the opportunity to comment on this project.

Yours truly,

A handwritten signature in black ink, appearing to read "John P. Sullivan", written over the typed name and title.

John P. Sullivan, P.E.
Chief Engineer

JPS/afh

cc: Peter Spellios, Transom Real Estate LLC
M. Connolly, MWRA via e-mail
M. Zlody, BED via e-mail
P. Larocque, BWSC via e-mail



Michael Rooney <michael.rooney@boston.gov>

Project Comment Submission: 212-222 Stuart

no-reply@boston.gov <no-reply@boston.gov>

Fri, Apr 14, 2017 at 2:22 PM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1739

Form inserted: 4/14/2017 2:21:45 PM

Form updated: 4/14/2017 2:21:45 PM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart

Origin Page Uri: /projects/development-projects/212-222-stuart

First Name: John

Last Name: Shope

Organization:

Email: jhnshope@yahoo.com

Street Address: 56 Fayette Street

Address Line 2:

City: Boston

State: MA

Phone: (617) 832-1233

Zip: 02116

Comments: I have owned and lived in my house at 56 Fayette Street in Bay Village since 1999. During that time, I served as president of the Bay Village Neighborhood Association for two terms and on its Executive Committee for over fifteen years. I have also served on Impact Advisory Groups for the BRA and BPDA for several large development projects in downtown Boston. I write to confirm my support for the 212 Stuart Street project subject to the conditions outlined in the BVNA's letter of April 14, 2017 to the BPDA project manager, Michael Rooney. I would like to emphasize that my support --and, I believe, the support of other residents -- is highly specific to the unique circumstances of this parcel at the edge of the neighborhood on a major thoroughfare with other buildings of comparable height, the failure of prior development projects on the site approved for lower heights, the (related) small footprint of the site, the absence of any shadow on Bay Village or meaningful incremental shadow on Statler Park, and the absence of any meaningful effect on wind conditions, among other considerations. Thank you for your consideration.

PMContact: michael.rooney@boston.gov

4/14/2017

City of Boston Mail - Project Comment Submission: 212-222 Stuart



Michael Rooney <michael.rooney@boston.gov>

Project Comment Submission: 212-222 Stuart

1 message

no-reply@boston.gov <no-reply@boston.gov>

Fri, Apr 14, 2017 at 2:03 PM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1738

Form inserted: 4/14/2017 2:02:36 PM

Form updated: 4/14/2017 2:02:36 PM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart

Origin Page Url: /projects/development-projects/212-222-stuart

First Name: Grant

Last Name: Simpson

Organization: BVNA

Email: gvsimpson@gmail.com

Street Address: 45 Church Street

Address Line 2: Suite 2

City: Boston

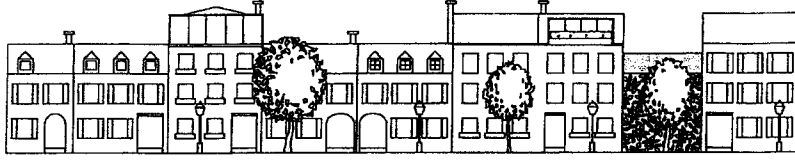
State: MA

Phone: (617) 460-0919

Zip: 02116

Comments: I fully reiterate and support the views articulated in the letter from the Bay Village Neighborhood Association to Michael Rooney dated April 14, 2017.

PMContact: michael.rooney@boston.gov



BAY VILLAGE NEIGHBORHOOD ASSOCIATION, INC.

April 14, 2017

Via Electronic Mail (michael.rooney@boston.gov)

Michael Rooney
Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201

Re: 212 Stuart Street Proposal

Dear Michael:

On April 10, 2017, the Bay Village Neighborhood Association (“BVNA”) held a general meeting of its membership. The meeting was called to vote on the project proposed by Transom Real Estate, LLC (“Transom”) for lots at 212-222 Stuart Street and 17-19 Shawmut Street. Each of these four parcels is within Bay Village.

At the general meeting, the voting members of the BVNA voted **not to oppose** the application by Transom. It is clear from comments made during that extensive process preceding this vote that the outcome of the vote was **highly dependent** on a number of representations and commitments made by both Transom and the City, which are outlined below. The BVNA’s vote comes with an expectation that these representations and commitments will be incorporated into an agreement enforceable by the BVNA.

Project Components

The BVNA’s position **assumes** that the final project will include those elements presented to the community at the March 20, 2017 BVNA Planning meeting. Several of the key components are listed below, but this list is certainly not inclusive or exhaustive:

Inclusion of two “townhome” units on Shawmut Street. The inclusion of these units on the Shawmut Street façade in Transom’s revised proposal garnered significant positive feedback from

neighborhood residents. These units, with separate entrances on Shawmut, should be required as part of any approved project.

Ground level setback on Church Street Plaza. The significant setback of the ground level façade on the Church Street Plaza (a 10' horizontal setback up 26' vertical) was also an improvement significant to many residents. Not only should this setback be required as part of any approved project, the BPDA should require that Transom provide an easement to ensure that this space remains open for public use and that any temporary use (e.g., an outdoor café) be permitted only with the approval of the BVNA.

Church Street Plaza improvements. Any approved project must include the improvements proposed by Transom to the Church Street Plaza, the sidewalks at the rear of the building, the crosswalk to Statler Park, and the alley between the proposed building and the garage on the adjacent lot. These improvements include, without limitation, new full-growth trees, pavers, lighting and significant year-round perennial plantings in containers attached to the building. In addition, any approved project should be required to bear the cost of relocating the trash generated by the 230 Stuart Street, which is currently placed in the Church Street Plaza for collection several times per week and creates a near-permanent unsightly condition in the Plaza. The value of Plaza improvements is significantly reduced if this trash problem is not resolved as part of the Plaza improvements.

Limits on resident parking stickers. Given the limited availability of resident parking in the neighborhood, residents of this building should not be eligible for Bay Village resident parking stickers. Such a restriction has worked well at 100 Arlington Street and should be included here.

Aesthetic changes. The revised proposal included numerous aesthetic change to the building façade, including the color of the materials, the addition of ironwork and large plantings. These changes should be required as part of any approved project.

Affordable housing on-site. This developer has committed to placing the affordable housing required by the IDP **on-site with a mix of unit sizes throughout the building.** This commitment is critical to the BVNA's support of this project.

This list is not at all exhaustive of the elements of the proposed project that were critical to achieving a "no opposition" vote of the BVNA. The BVNA and many Bay Village residents will be watching this project

closely to ensure that both the BPDA, the City, and Transom do not alter those portions of the project that were critical to obtaining a “not opposed” vote from the BVNA.

Significant Mitigation

In addition to the factors outlined above, which are part of the project itself, the BVNA vote was dependent on Transom’s promise of significant mitigation for Bay Village, both during and after construction.

Bay Village has not seen since a construction project this large in over 35 years. Significant mitigation will be needed during what is certain to be a lengthy construction to preserve quality of life for residents of Bay Village. Such mitigation includes requiring all staging to be on Stuart Street, mandating compliance with City of Boston construction hours, a ban on construction vehicles parking in Bay Village (irrespective of whether they have commercial plates), temporary fencing, adequate trash and rodent control, signage for neighborhood businesses, traffic control, and other mitigation as necessary.

Bay Village residents have struggled recently with the apparent inability of the City, and ISD in particular, to regulate damaging construction impacts on Bay Village residents. The BVNA’s vote not to oppose assumes that this project will be managed in a far more responsible and proactive manner. Should the BPDA approve this project, the developer and the City should each be required to designate construction liaisons who are responsible for responding to specific concerns regarding construction and who are held accountable for reporting to the BVNA all concerns raised and the resolution of those concerns. The BVNA would be happy to designate a liaison to work on such matters.

This project will add additional residents, traffic, noise and other impacts to Bay Village. The developer has committed to a significant mitigation to benefit **Bay Village residents**. This mitigation could be used to address the impacts of this project by, among other things, providing funds for community improvements such as improvements to neighborhood parks, historical markers, bike racks, security cameras, additional “Big Belly” cans, improved streetscape, and additional trash removal services.

Process

The proposal by Transom was the most controversial issue that the BVNA has addressed in many decades. To ensure an adequate opportunity for fact gathering and discussion, the BVNA held at least eight (8) meetings on this project, including:

January 9th BVNA EC Meeting. The project was discussed at the regularly scheduled January Executive Committee ("EC") meeting, including a discussion of the Article 80 process.

January 23rd BVNA Planning. At this regularly scheduled meeting of the BVNA's Planning Commission Transom presented the initial plans. This meeting was public and was attended by over 100 residents. The presentation and comments lasted for more than two hours. Any person in attendance was permitted to speak and the meeting continued until all who wished to speak had an opportunity to do so.

February 6th BVNA EC Meeting. The project and the BVNA process were discussed at this meeting.

February 16th Wind presentation. In response to questions regarding the wind impact of the proposed project, Transom provided their wind consultant for a presentation and discussion. This meeting was public and was well-attended.

March 6th BVNA EC Meeting. The project and the BVNA process were discussed at this meeting.

March 20th BVNA Planning At this regularly scheduled meeting of the BVNA's Planning Commission Transom presented significantly revised plans. This meeting, held jointly with the BPDA as the "public" community meeting, was again open to the public and attended by over 100 individuals. The presentation and comments lasted for more than two hours. Any person in attendance was permitted to speak and the meeting continued until all who wished to speak had an opportunity to do so.

April 3rd BVNA EC Meeting. The EC spent well over an hour discussing this proposal at its regularly scheduled April meeting, with each EC member providing lengthy and thoughtful comments. A vote of the EC was taken, with 20 members voting "not to oppose," 2 members voting "to oppose" and 2 members abstaining. Of the 4 EC members who could not attend, all ultimately indicated that they supported the project. While

comments at this meeting were limited to EC members, several dozen other residents attended.

April 10 General Meeting. The BVNA held a general meeting on this project, including a vote of the corporation's membership. Pursuant to the by-laws of the BVNA only "voting members" could vote, and discussion was limited to BVNA members. Vote was by ballot, and the final tally of voting members was 69 "not to oppose" and 33 "opposed" votes. Many other residents and non-voting members attended.

The BVNA Will Oppose A "Bait and Switch"
Or Use Of This Vote As A Precedent

The BVNA has, in the past, voted not to oppose development projects, only to have the City and developers ignore promises that were critical to garnering the BVNA's support. A recent example is the failure of the City to require the W Hotel project to fund or complete promised mitigation in and around Charles Street South. Other promised mitigation, such as the improvements to the Isabella Street garden, were only completed after aggressive efforts by the BVNA and area residents to ensure that commitments were upheld.

To address the lengthy history of the BRA's broken promises to our community, the BVNA will strongly oppose any Cooperation Agreement between Transom and the City that does not require all design (townhomes, plaza improvements, trees, setbacks, etc.) and mitigation promises to be **completed or fully funded before any Certificate of Occupancy is issued.**

In addition, the position of the BVNA on this uniquely sited grouping of parcels should not be viewed as supporting similarly sized or massed projects for other parcels or proposed developments in the Bay Village Historic District. This project would certainly have been strongly opposed if proposed for any other vacant lot in the neighborhood, including the lots on either side of Arlington Street that are currently used as open-air parking lots. As part of the process for this proposal, the BPDA has represented to many residents that it would not view a project anywhere near this height or density as appropriate for any other location in Bay Village. If the BPDA truly intends to distinguish itself from the past reputation of the BRA, it will honor these representations in the future.

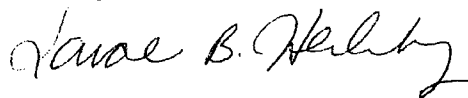
Ongoing Concerns With The Zoning Process

As you know, in 1998, Bay Village was rezoned with broad community involvement. The BVNA strongly supports enforcement of zoning that was adopted with such broad community support, absent a particular reason or hardship justifying an exception. The BVNA's vote not to oppose this particular proposal is based on the circumstances of the present proposal, including the commitments set forth above regarding the project and mitigation.

Founded over three decades ago, the Bay Village Neighborhood Association represents over 250 residents in Bay Village.

Please do not hesitate to contact us should you have any questions or concerns.

Sincerely,



Sarah Herlihy, BVNA President
(617) 755-3869
president@bayvillage.net

cc: The Honorable Martin J. Walsh (mayor@boston.gov and
samuel.chambers@boston.gov)
City Council President 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 Michelwitz (aaron.m.michlewitz@mahouse.gov)
Sen. Joseph Boncore (Joseph.Boncore@masenate.gov)
Mr. Peter Spellios

SARAH B. HERLIHY

April 14, 2017

Via Electronic Mail (michael.rooney@boston.gov)

Michael Rooney
Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201

Re: 212 Stuart Street Proposal

Dear Michael:

As a long-term resident of Bay Village and a committed City resident, I **support** Transom's proposal for development of the lots at 212-222 Stuart Street and 17-10 Shawmut Street. While I am currently the President of the Bay Village Neighborhood Association ("BVNA"), and served as the Planning co-chair of the BVNA for many years before taking the role of President, I submit this letter in my personal capacity.

While the significant departure from the zoning code in this instance is troubling from a civic process and transparency perspective, I support this project because of the following unique factors:

- *The unique location of the parcels adjacent to both Bay Village and Park Square.* The parcels at issue uniquely straddle two "build" environments: Bay Village with its mostly low-rise residential townhouses and Park Square with high-rise commercial properties. This building would not be appropriate in any other location in Bay Village.
- *The design presented by the developer.* The project proposed by Transom, as revised, properly addresses the fact that this building is adjacent to far shorter historic townhomes. The addition of two townhomes on Shawmut Street, the set-back of the building on the Church Street Plaza side and the addition of elements on the pedestrian level that mirror the iron-work and other elements found in Bay Village were critical to my decision to support this proposal.

- *The need to develop these parcels as the entrance to Bay Village.* These parcels have been an eyesore for decades.¹ Prior projects approved on these parcels for shorter heights have not been built, despite the prime location of these lots and an extended positive real estate cycle. While the height is a significant concern, I support the additional height proposed in this unique instance as long as this concession is in exchange for a quality project such as the one proposed by Transom.

While I will not reiterate each of them here, I share the concerns expressed in the letter from the BVNA regarding the need for mitigation and assurances that this project, on a unique parcel, will not set a precedent. I urge the BPDA to address the concerns set forth in the BVNA's letter should it approve this project.

I also want to emphasize that each of Transom's promises regarding the proposal were critical to my support. If this project is "value engineered" or "cheapened" in any respect, it is likely that I would not support it. The BRA has a long history broken promises to the communities it serves, including Bay Village. My support represents a significant "leap of faith" that the BPDA is sufficiently committed to changing is public perception that it will keep its promises and require Transom to do the same.

Sincerely,



Sarah B. Herlihy

cc: The Honorable Martin J. Walsh (mayor@boston.gov and samuel.chambers@boston.gov)
City Council President 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)
Sen. Joseph Boncore (Joseph.Boncore@masenate.gov)
Mr. Peter Spellios

¹ This parcel has a tragic history that includes the loss of several historic buildings through malfeasance or neglect. See Billy's Service, Inc. v. American Ins. Co., 37 Mass. App. Ct. 584 (1984) (referring to the two townhomes that were at 17-19 Shawmut Street (a "jury found that the plaintiff Kotzampaltiris, or someone acting in his behalf, set the fire that caused the damage"). The City certainly has some culpability in the loss of these structures, as it continued to allow a forbidden use on three of these parcels long after it was clear that this continued use would prohibit development that could have saved these historic structures. The City should ensure that any development here incorporates some of the "elements" of the lost structures, such as the current proposal's inclusion of the townhome units on Shawmut Street.



Michael Rooney <michael.rooney@boston.gov>

Project Comment Submission: 212-222 Stuart

1 message

no-reply@boston.gov <no-reply@boston.gov>

Thu, Apr 13, 2017 at 4:03 PM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1736

Form inserted: 4/13/2017 4:03:16 PM

Form updated: 4/13/2017 4:03:16 PM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart

Origin Page Url: /projects/development-projects/212-222-stuart

First Name: Daisy

Last Name: Penney

Organization: Compass

Email: daisy@compass.com

Street Address: 126 Newbury Street

Address Line 2:

City: Boston

State: MA

Phone: (781) 389-8224

Zip: 02116

Comments: Looking forward to the approval and construction of this project.

PMContact: michael.rooney@boston.gov

MARK SLATER

Michael Rooney, Project Manager
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201

April 12, 2017

In re: 212 STUART STREET

Dear Mike:

I am writing to support the project at 212 Stuart Street as presented in the most revision by Transom Real Estate, LLC, subject to the condition that a TAPA and Cooperation Agreement be executed by the BPDA, the City of Boston, the Developer and the Bay Village Neighborhood Association that substantially mitigates identified impacts.

Of particular concern is an issue identified in the IAG letter that lies outside the developer's control: piling of residential trash from 230 Stuart Street for pickup on the Church Street pedestrian plaza. While I do not believe there is anything illegal about this practice, it is imperative that BPDA and City of Boston staff identify and implement an alternate solution for household refuse from 230 Stuart Street: no amount of development and plaza re-design will mitigate mounds of household trash regularly lining the principal pedestrian entrance into Bay Village.

I would also note that historical actions taken by the BPDA on this site prior to the current administration have raised serious and profound concerns regarding BPDA intentions with regard to potential development height in other parts of Bay Village, especially at vacant lots on Arlington Street. The BPDA would be well advised to discharge its planning function with public input and clarification of what, if any, restrictions or height limitations it sees as appropriate.

Regards,



Mark Slater



Michael Rooney <michael.rooney@boston.gov>

Project Comment Submission: 212-222 Stuart

2 messages

no-reply@boston.gov <no-reply@boston.gov>

Mon, Apr 10, 2017 at 12:30 PM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1729

Form inserted: 4/10/2017 12:30:40 PM

Form updated: 4/10/2017 12:30:40 PM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart

Origin Page Url: /projects/development-projects/212-222-stuart

First Name: Eric

Last Name: Cordes

Organization:

Email: eric.cordes@comcast.net

Street Address: 26 Melrose Street

Address Line 2:

City: Boston

State: MA

Phone: (617) 840-5790

Zip: 02116

Comments: I am writing to express my enthusiastic support in favor of the proposed development at 212 Stuart Street with revisions since the original PNF as provided by the developer. I have lived in Bay Village for approximately 25 years and have been a very active member of the community. I served as an Impact Advisory Group member on this project and have attended virtually every public meeting held thus far. The proposed development sits adjacent to the principal pedestrian entrance to the neighborhood and would occupy a site which has been blighted for decades with a parking lot and abandoned buildings. We have an architecture team who has brought us a unique, richly creative design I would be proud to have stand at the gateway to the Bay Village neighborhood, and we have an experienced developer who has been extraordinarily responsive to community input. As a result, we have a significantly better building at the street level than originally proposed in the PNF which helps to balance the transition from the Stuart Street thoroughfare on one side and the historic district on the other. The proposed renovation of the Church Street plaza area will be of tremendous benefit to the neighborhood. While I do share many of my neighbors' concern over setting precedent by allowing a height which exceeds current zoning within our historic district, this particular site on Stuart Street is unique and the proposed height is not inconsistent with other buildings at either end of this block. I encourage the BPDA to approve this development contingent on the developer reaching appropriate mitigation agreements with the City of Boston and Bay Village Neighborhood Association.

PMContact: michael.rooney@boston.gov

no-reply@boston.gov <no-reply@boston.gov>

Mon, Apr 10, 2017 at 5:41 PM



Michael Rooney <michael.rooney@boston.gov>

Project Comment Submission: 212-222 Stuart

no-reply@boston.gov <no-reply@boston.gov>

Fri, Apr 14, 2017 at 6:14 PM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1740

Form inserted: 4/14/2017 6:13:16 PM

Form updated: 4/14/2017 6:13:16 PM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart

Origin Page Url: /projects/development-projects/212-222-stuart

First Name: Allie

Last Name: Fitzgerald

Organization:

Email: alexandrakfitzgerald@gmail.com

Street Address: 15 Fayette Street

Address Line 2: Unit 2

City: Boston

State: MA

Phone: (410) 320-1501

Zip: 02116

Comments: The 212 project will eliminate a hideous parking lot about which residents have worked tirelessly to get shut down. This and other empty lots have long been a source of crime, noise, and litter. A residential building with concierge service and security will reduce the drug and other criminal activity that historically have occurred around the location. The addition of on-site affordable housing and two townhouse's on Shawmut street add great value to the growing character of Bay Village. As a resident of Bay Village, I fully support this project and see it as a tremendous addition to the growth of the neighborhood. The project will enhance the safety, desirability, and physical attractiveness of our community.

PMContact: michael.rooney@boston.gov



Michael Rooney <michael.rooney@boston.gov>

Support for 212 Stuart Street Proposal

1 message

Brian R. Boisvert <brian_boisvert@yahoo.com>

Fri, Apr 14, 2017 at 4:23 PM

Reply-To: "Brian R. Boisvert" <brian_boisvert@yahoo.com>

To: "michael.rooney@boston.gov" <michael.rooney@boston.gov>

Cc: "joseph.boncore@masenate.gov" <joseph.boncore@masenate.gov>, "aaron.m.michlewitz@mahouse.gov" <aaron.m.michlewitz@mahouse.gov>, "mayor@boston.gov" <mayor@boston.gov>, "samuel.chambers@boston.gov" <samuel.chambers@boston.gov>, "bill.linehan@boston.gov" <bill.linehan@boston.gov>, "a.e.george@boston.gov" <a.e.george@boston.gov>, "michael.f.flaherty@boston.gov" <michael.f.flaherty@boston.gov>, "ayanna.pressley@boston.gov" <ayanna.pressley@boston.gov>, "michelle.wu@boston.gov" <michelle.wu@boston.gov>

April 14, 2017

Via Electronic Mail (michael.rooney@boston.gov)

Michael Rooney
Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201

Re: 212 Stuart Street Proposal

Dear Mr. Rooney:

As a Boston resident of nearly 20 years (and a Bay Village resident for 13 of those, including 3 years as the president of the Bay Village Neighborhood Association), I write to express my personal SUPPORT for the project proposed by Transom Real Estate, LLC ("Transom") for lots at 212-222 Stuart Street and 17-19 Shawmut Street.

While the overall height of the project at 199 feet continues to be a bit of a sticking point with neighbors (and a concern for me personally), I feel that the enhancements as presented in the most recent iteration of the project (improvements, setback, and expansion of the Church St. Plaza, inclusion of 2 'townhomes' on Shawmut, warmer materials, ironwork, and significant greenery incorporated into the building) represent not only an improvement over the initial PNF, but also a major upgrade to the Boston streetscape and entry into our special, treasured, and historic neighborhood.

I support this with the understanding, as stated in public meetings, that the BPDA does not consider the significant zoning and height variances required for this project to be any sort of 'precedent' for the Bay Village Historic District, and my support should certainly not be read as anything more than support for this specific project. The promised improvements to this long-neglected entryway to Bay Village outweigh any concerns I would have with the height at this particular location.

The developers have been very open and available to residents so far, and I have every reason to expect that relationship to continue amicably during mitigation discussions with the BVNA and during construction itself. We have unfortunately had several recent construction projects in Bay Village that did not go as smoothly as promised, and I look forward to looking back at this construction as an exception to that trend.

I hope Transom, Bay Village, and the City of Boston soon have a building and a neighborhood gateway that we can all be proud of.

Sincerely,
Brian R. Boisvert
54 Piedmont St.
(617) 542-8283

Cc:

Senator Boncore, joseph.boncore@masenate.gov
Representative Michlewitz, aaron.m.michlewitz@mahouse.gov
Mayor Walsh, mayor@boston.gov

4/19/2017

City of Boston Mail - Support for 212 Stuart Street Proposal

Office of Neighborhood Services Rep. Chambers, samuel.chambers@boston.gov
Councillor Linehan, bill.linehan@boston.gov
Councillor Essaibi George, a.e.george@boston.gov
Councillor Flaherty, michael.f.flaherty@boston.gov
Councillor Pressley, ayanna.pressley@boston.gov
Councillor Wu, michelle.wu@boston.gov

Origin Page Url: /projects/development-projects/212-222-stuart

First Name: David Wright

Last Name: & Rocque Dion

Organization: Bay Village Neighborhood

Email: rocque.david@verizon.net

Street Address: 45 Church Street

Address Line 2: PH #3

City: Boston

State: MA

Phone: (617) 423-7877

Zip: 02116

Comments: We are writing in support of the proposed project at 212 Stuart Street. We have been residents of the Bay Village Neighborhood for almost fifteen years and actively support and contribute to the Bay Village Neighborhood Association and its committees, as well as the various neighborhood projects and activities. Bay Village and the preservation of its history and character are the reason we choose to live here. Nevertheless, we recognize that reasonable and respectful development is vital to urban living and the fabric of the Bay Village neighborhood. Before commenting on the several reasons we have for supporting this project, we would note that the development of the 212 Stuart Street property has been a controversial subject within the Bay Village neighborhood; however, at the recent meeting of the Executive Committee of the Bay Village Neighborhood Association, each Committee member offered thoughtful comments, following which the Committee voted overwhelming to support the project. While a subsequent meeting of the entire Neighborhood Association has been called by those in opposition, and may result in a different outcome, the well-considered vote of the Executive Committee should not be overlooked or dismissed.

1. Current Use and Development of 212 Stuart Street. To provide some context, a portion of the property is currently used as a parking lot, but has been an "eyesore" and significant neighborhood nuisance for years with countless complaints to city officials. The remaining portion of the property remains vacant and fenced following the deterioration and eventual demolition of what had originally been a church. While some neighbors would like the property to remain "as is" or possibly returned to the "two townhouses and church" structures that existed on this site many years ago, we believe this is neither desirable nor feasible in view of the economic realities of urban development and much-needed housing, and in particular, affordable housing. The reality is that the property should be developed and will likely be developed in some significant way.
2. Building Height and Design. Much of the controversy stems from the "hybrid" nature of the location of 212 Stuart Street, which sits at the edge of Bay Village on Stuart Street, a commercially active thoroughfare, between the Revere Hotel and 100 Arlington Street. The proposed height is consistent with these two other buildings on the "Stuart Street spine" although technically within the Bay Village neighborhood and its smaller-scale buildings. To the extent a smaller building has been suggested for this property, it is worth noting that other approved projects at lesser heights, including the most recently approved twelve-story proposal, have failed because of the economics. What is financially feasible will likely be a building similar in size to the existing Revere Hotel and 100 Arlington Street properties. (We would also suggest that even if there were a reduction in size of a few floors, thereby squeezing the financial viability of the project, the difference in street-level perception or purported wind, shadow or sunlight issues is likely immaterial.)
3. Wind, Shadows, and Sunlight. The information from the developer's experts confirms that wind and shadows should not be a significant factor and may be further minimized through mitigation. Moreover, excepting buildings to the west, the location of the building on the northern boundary of Bay Village would seem to minimally interfere with sunlight into the neighborhood given the east/west movement of the sun.
4. Building Redesign. Although fronting on the "Stuart Street spine", which supports a similarly sized building, the property backs onto the Shawmut Street extension with its small-scale federalist-style townhouses. While the original building design failed to reflect anything of the Bay Village architecture, the most recent design revisions have incorporated the architectural concepts of Bay Village by creating two townhouse apartments fronting on the Shawmut Street extension, as well as trees and plantings enhancing the streetscape. In addition, a newly proposed street-level setback of ten feet on the Church Street entrance to Bay Village provides much improved access to the neighborhood both visually and functionally.
5. Affordable Housing. The developer has repeatedly represented that affordable housing will be provided within the proposed building and not at an off-site location. From our perspective, this significantly enhances the diversity and texture of our Bay Village neighborhood. That being the case, however, the simple reality is that this commitment affects the economics of the project making any sought-after reduction in height and available units even less economically feasible for the developer.
6. Parking. The developer of the 212 Stuart Street project has agreed that tenants will not be allowed Bay Village resident parking. This restriction will be agreed to in writing with both the city and those renting in the building and

4/7/2017

City of Boston Mail - Project Comment Submission: 212-222 Stuart

should prevent further eroding of the available resident parking within Bay Village. 7. Mitigation. In providing support to this project, it is with the understanding that the developer with work with the Bay Village Neighborhood Association on appropriate mitigation, and given the level of cooperation and attentiveness shown by the developer, we have every expectation these discussions will be completed to the satisfaction of all parties. We genuinely appreciate the opportunity to provide our comments and offer our support for the proposed project. David B Wright and Rocque Dion

PMContact: michael.rooney@boston.gov



Michael Rooney <michael.rooney@boston.gov>

Project Comment Submission: 212-222 Stuart

2 messages

no-reply@boston.gov <no-reply@boston.gov>

Thu, Apr 6, 2017 at 4:01 PM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1727

Form inserted: 4/6/2017 4:01:20 PM

Form updated: 4/6/2017 4:01:20 PM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart

Origin Page Url: /projects/development-projects/212-222-stuart

First Name: Jeffrey

Last Name: Goodstein

Organization:

Email: jeffrey.goodstein@ubs.com

Street Address: 15 Melrose Street

Address Line 2: Unit 2

City: Boston

State: MA

Phone: (617) 439-8104

Zip: 02116

Comments: I write in general support for the project... I'm confident that it will have an overall positive impact on the neighborhood in the long term. I would definitely prefer to see the height of the structure REDUCED. Regards, -Jeffrey Goodstein 15 Melrose Street Bay Village

PMContact: michael.rooney@boston.gov

no-reply@boston.gov <no-reply@boston.gov>

Thu, Apr 6, 2017 at 4:44 PM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1728

Form inserted: 4/6/2017 4:43:45 PM

Form updated: 4/6/2017 4:43:45 PM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart



Michael Rooney <michael.rooney@boston.gov>

Project Comment Submission: 212-222 Stuart

no-reply@boston.gov <no-reply@boston.gov>

Wed, Apr 5, 2017 at 1:34 PM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1726

Form inserted: 4/5/2017 1:34:58 PM

Form updated: 4/5/2017 1:34:58 PM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart

Origin Page Url: /projects/development-projects/212-222-stuart

First Name: Erika

Last Name: Carlson

Organization: Bay Village resident

Email: erikacarlson@hotmail.com

Street Address: 40 Isabella Street, #1E

Address Line 2:

City: Boston

State: MA

Phone: (718) 813-3905

Zip: 02116

Comments: I have been a Bay Village resident for 6 years and I am strongly in favor of this development project. I think the positives strongly outweigh any negatives and I hope this project gets approved. I hope my neighbors agree that adding a new building like the one proposed will help strengthen our community and will speak up in favor of this project. Thank you, Erika Carlson

PMContact: michael.rooney@boston.gov

Boston Groundwater Trust

229 Berkeley St, Fourth Floor, Boston, MA 02116
617.859.8439 voice
www.bostongroundwater.org

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William Moy

Executive Director

Christian Simonelli

January 23rd, 2017

Christopher Tracy, Senior Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201-1007

Subject: 212 Stuart Street Project Notification Form

Dear Mr. Tracy:

Thank you for the opportunity to comment on the 212 Stuart Street project notification form (PNF) located in the Bay Village Neighborhood. The Boston Groundwater Trust was established by the Boston City Council to monitor groundwater levels in sections of Boston where the integrity of building foundations is threatened by low groundwater levels and to make recommendations for solving the problem. Therefore my comments are limited to groundwater related issues.

The project is located in the Groundwater Conservation Overlay District (GCOD) established under Article 32 of the Zoning Code. As stated in the PNF and confirmed at the scoping session the project is proposed to be designed and constructed to comply with the requirements of Article 32.

Also stated in the PNF and confirmed at the scoping session compliance with the GCOD requires both the installation of a recharge system and a demonstration that the project cannot cause a reduction in groundwater levels on site or on adjoining lots. The PNF states that the proposed new building is anticipated to be supported on reinforced concrete footings or mat foundation bearing on the natural, inorganic soils. The PNF also states that construction of the foundations and below-grade basement will require an excavation generally extending to the limits of the property and to depths of up to 15 to 20 feet below ground surface (ranging approximately El. 3' to El. -2' BCB). The proponent confirmed at the scoping session, no parking will be available onsite and the below-grade basement will be used for storage and a bike room.



Mayor's Commission for Persons with Disabilities

Martin J. Walsh, Mayor

January 31st 2017

**RE: 212 Stuart Street, Boston, MA 02116
Project Notification Form
Boston Planning and Development Agency**

The Disability Commission has reviewed the Project Notification Form that was submitted for 212 Stuart Street in Bay Village. Since the proposed project is planned to be a vibrant destination area for housing and retail, I would like to encourage a scheme that allows full and equal participation of persons with disabilities through *ideal design which meets as well as exceeds compliance* with accessibility building code requirements. It is crucial that the site layout, buildings, open spaces, parking, and circulation routes be developed with access in mind.

Therefore, in order for my Commission to give its full support to this project, I would like to ask that the following accessibility issues be considered and/or explained:

- **Accessible Group 2 Units:**
 - We would like to request more details on Group 2 units, including the location, type and floor plans.
 - Will any accessible Group 2 units will be included in the Inclusionary Development Policy? If so, how many?

- **Accessible Route and Entry:**
 - Renderings showing the reconstruction of the Church Street walkway promenade indicate the use of unit pavers as the main paving material for the pedestrian right-of-way. We support the use of cast-in-place concrete to ensure that the surface texture is smooth and continuous (minimize joints) and for the ease of maintenance.
 - We do not support the specialty paving pattern, in the pedestrian right-of-way, along Stuart Street as it may pose a wayfinding hazard for those with low vision. Containing this pattern to the furnishing zone may be a way to include this pattern in the overall design.
 - We do not support the continuation of the specialty paving pattern into the roadway, as it may pose a wayfinding hazard for those with low vision. We support a clear distinction between the pedestrian right-of-way and vehicle travel lanes.
 - We ask that the reciprocal pedestrian ramp on the northeastern corner of the Stuart Street/Church Street intersection be added to the street improvements, in order to bring the proposed crosswalk into compliance with MAAB 521 CMR Section 21.2.2.

12:42

Mr. Brian Golden, Director
Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

Re: 212 Stuart Street Project

Dear Mr. Golden,

I am writing as a Boston resident in support in support of the 212 Stuart Street project in Bay Village.

I feel that the thoughtful, creative and forward thinking design and concept will be a great addition to the high spine and future growth of Boston. As our city continues to grow and flourish, it is vitally important that affordable housing is available to the working professionals and families in the area. This project will provide that and so much more added community benefits to the neighborhood.

I have been impressed with the developers and design team and look forward to constructing a building that the neighborhood and city as a whole will be proud of.

Thank you.

Orlando Stallworth
Carpenters Local 33
New England Regional Council of Carpenters

12:42

Mr. Brian Golden, Director
Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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Thank you.

Andrew Ray
Carpenters Local 33
New England Regional Council of Carpenters

12:42

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Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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Thank you.

Harry Minucci
Carpenters Local 33
New England Regional Council of Carpenters

12:42

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Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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Thank you.

John Russell
Carpenters Local 33
New England Regional Council of Carpenters

12:42

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Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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Thank you.

Donald Milley
Carpenters Local 33
New England Regional Council of Carpenters

12:42

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Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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Thank you.

Thomas Petersen
Carpenters Local 33
New England Regional Council of Carpenters

12:42

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Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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Thank you.

Angel DeJesus
Carpenters Local 33
New England Regional Council of Carpenters

12:42

Mr. Brian Golden, Director
Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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Thank you.

Andy Durity
Carpenters Local 33
New England Regional Council of Carpenters

12:42

Mr. Brian Golden, Director
Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

Re: 212 Stuart Street Project

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Thank you.

Edward Bonsu
Carpenters Local 33
New England Regional Council of Carpenters

12:42

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Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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Thank you.

Alphonse Beasley
Carpenters Local 33
New England Regional Council of Carpenters

12:42

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Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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I have been impressed with the developers and design team and look forward to constructing a building that the neighborhood and city as a whole will be proud of.

Thank you.

Andrick Wilkins
Carpenters Local 33
New England Regional Council of Carpenters

12:42

Mr. Brian Golden, Director
Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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I have been impressed with the developers and design team and look forward to constructing a building that the neighborhood and city as a whole will be proud of.

Thank you.

Desmond Roach
Carpenters Local 33
New England Regional Council of Carpenters

**William Bernarduci, Esq.
136 Arlington Street, Apt. PH
Boston, MA 02116**

April 9, 2017

Michael Rooney, Project Manager
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201

Cc: (via email):

Senator Boncore, joseph.boncore@masenate.gov
Representative Michlewitz, aaron.m.michlewitz@mahouse.gov
Mayor Walsh, mayor@boston.gov
Office of Neighborhood Services Rep. Chambers, samuel.chambers@boston.gov
Councillor Linehan, bill.linehan@boston.gov
Councillor Essaibi George, a.e.george@boston.gov
Councillor Flaherty, michael.f.flaherty@boston.gov
Councillor Pressley, ayanna.pressley@boston.gov
Councillor Wu, michelle.wu@boston.gov

Re: Opposition to 212 Stuart Street Project

Dear Mr. Rooney,

I am a voter, taxpayer and resident of the Bay Village Historic District in Boston, Massachusetts. I write to express my strong opposition and concerns regarding the proposed 212 Stuart Street Project (the “Stuart Street Project” or “Project”).

As proposed, the 212 Stuart Street Project is entirely incompatible with the Bay Village Historic District and, if approved, would detrimentally impact the neighborhood and public realm. At a sweeping 199 feet, the Project would represent the tallest non-conforming building in the history of Bay Village – a tiny neighborhood of historic row-houses, apartments, and single family homes. The project should be disapproved on the following grounds:

- (1) The Project violates Bay Village’s Historic District Zoning Regulations (Article 63);
- (2) The Project detracts from design and scale of the Bay Village Historic District;
- (3) The Project causes detrimental wind, shadow, daylight, traffic, parking and blue-sky impacts;

(4) The Project ignores the Stuart Street Planning Study, and rises above the 155 foot maximum height restrictions set for Stuart Street properties abutting Bay Village;

(5) The Project threatens 34-years of Bay Village and Boston historic preservation.

For these reasons and as set forth below, I respectfully request that the Boston Planning and Development Agency (“BPDA”) issue a determination that disapproves the project or requires a reduction of the Project’s height and scale to mitigate detrimental impacts to the Bay Village Historic District and the public realm.

I also respectfully request that the Office of the Mayor and members of the City Council take appropriate action to oppose the Project or take meaningful steps to reduce the Project’s height and scale.

I. The 212 Stuart Street Project Would Cause A Detrimental Impact to the Bay Village Historic District and to the Public Realm

As proposed, the height of the 212 Stuart Street Project is completely out-of-scale with the Bay Village Historic District. The Project is over 4 times higher than the current allowable zoning within the Historic District and 65% higher than the previous project approved by BPDA for that site. The Project is more than 7.5 times higher than its immediate Bay Village neighbor, Erbaluce. It’s higher than the 155 foot zoning allowance for abutting properties in the Stuart Street District. Finally, it’s higher than any building currently approved on Harrison Street, commonly referred to as the “Ink Block.” It is simply beyond comprehension, how Boston’s tiniest historic district has attracted such an unprecedented and audacious building proposal. It should be rejected.

Far from creating a “gateway” to Bay Village, the 212 Stuart Street Project would create a “Stuart-Street Wall” separating Bay Village from the larger community. While certain street-level changes have been proposed to the original design, the building will tower above historic row-houses, providing an incongruous modern backdrop to the village, blocking a material amount of blue sky, reducing daylight levels and detracting from the historic character of the area.

Some of the numerous detrimental impacts are listed below:

A. Increased Wind

The Stuart Street Project will cause a detrimental wind impact to the village. The wind study, conducted by Dr. Wu, an expert retained by Transom (the Project's developer), concluded that the Project will cause an increased wind-impact in certain areas of the Bay Village Historic District. For example, winter wind conditions on Church Street will increase. This area is a location that neighbors frequently gather by the street and sidewalks. As a consequence, a truly unique benefit to village living will be compromised.

B. Loss of Daylight and Blue Sky

The Project will result in a considerable loss of daylight and blue sky throughout the neighborhood. The proposed tower will rise above Bay Village row-houses eliminating sunlight and blue sky, particularly for residences on Shawmut Street, Piedmont Street and Church Street. Some of Bay Village's most vulnerable, elderly neighbors in the South Cove Residences will be severely impacted.

C. Increased Shadow

The Stuart Street Project will result in increased shadow on Statler Park, a beautiful park recently renovated. The issue of shadow-creep is a significant city-wide concern for Boston's public parks. Indeed, the BPDA's Stuart Street Planning Study, which was adopted into zoning regulations, expressly prohibited projects that would cast undue shadows onto Copley Square Park. See Article 48. The same principles should apply to Statler Park. As Elizabeth Vizza observed in her recent editorial, "no amount of fertilizer and water can correct for loss of sunlight – an asset that is important not just for horticulture, but also for the thousands of people who use these parks daily as they commute to work, relax and recreate. . . ." Vizza, *Don't drape our iconic public parks in shadows.* See <https://patch.com/massachusetts/beaconhill/don-t-drape-our-iconic-public-parks-shadows>. Shadows on Statler Park will have a significant negative impact to Bay Village residents and the public realm and at a minimum should be mitigated if not avoided all together.

D. Increased Traffic and Parking Congestion

While the 212 Stuart Street Project proposes approximately 131 units, it offers no on-site residential parking, creating an increased parking burden in the area. Specifically, the Project places a greater strain on local garages and lots, particularly during snow emergencies. Also, the Project will likely result in increased traffic congestion on Stuart Street and Arlington Street, an area that is already burdened by a six-way intersection, residences at 100 Arlington, the Park Plaza Hotel, along with Flemings and Maggiano’s restaurant valet services.

E. Increased Disruption and Risk of Damage

The 212 Stuart Street project would cause undue and prolonged disruption to the Bay Village Historic District. The Project calls for the construction of a 199 ft. (19 stories) building to be built in an historic district limited to a maximum height of 45 ft. The construction of this non-compliant building would result in undue disruption, traffic, noise, and dust. Also, the project could subject the abutting fragile and historic homes to damage, particularly to their foundations. The burdens to the community simply do not outweigh the benefits.

II. 212 Stuart Street Violates the Zoning Requirements of the Bay Village Historic District, the Stuart Street District, and BPDA’s Stuart Street Planning Study

Not only does the proposed project violate the Article 63 height restrictions in Bay Village, at a colossal **199 feet**, the Project disregards the height restrictions proposed in the BPDA’s “Stuart Street Planning Study” (the “Study”), adopted into the Stuart Street District’s zoning regulations (Article 48) in 2016. For these reasons alone, the 212 Stuart Street Project should be rejected.

The Stuart Street Planning Study was an objective, independent, multi-year planning and impact study conducted to review the Stuart Street District, including Bay Village. With respect to the study, the BPDA, independent consultants, and the Stuart Street Planning Study Advisory Group “spent over 3 years examining potential development opportunities, identifying and defining height, density, and use recommendations, and developing scenarios for future development in the area. This work included an

assessment of the impacts of density and height on the surrounding neighborhoods, including the impacts on the transportation infrastructure, transit system, parking supply, and the environmental impacts such as wind, shadow, and groundwater. Provisions for and protection of open space, pedestrian access, historically significant buildings, and view corridors were also considered.” See Stuart Street Planning Study FINAL Development Review Guidelines 10-15-15,

<http://www.bostonplans.org/getattachment/f785b033-65f7-4f70-a1ee-418fa6d0f03c>.

In addition to a zoning review of Stuart Street, the Study also reviewed zoning allowances in Bay Village. In pertinent part, the Study’s goals and objectives were to:

improve the district’s quality of character and environmental sustainability; minimize negative impacts any new development may have on shadow, wind, traffic, groundwater and public infrastructure; use existing transportation and urban infrastructure to reduce energy consumption and to improve air quality; ***preserve and protect both the immediate area and adjacent neighborhoods; and respect the historic context and the scale of abutting neighborhoods.***

Article 48 Stuart Street District - Draft for Boston Zoning Commission - 3-4-16. See link,

<http://www.bostonplans.org/getattachment/0e7d901d-b586-4b13-9df1-6953a3a609c1> (emphasis added).

While the Study allowed some increased height within the Stuart Street District, it expressly determined that “existing zoning continue[d] to apply” in Bay Village. See Proposed Development Review Guidelines link <http://www.bostonplans.org/getattachment/9bc76e9f-cb2e-4f48-aa01-3bd5cd27e72c>. Put simply, Bay Village Historic District historic zoning was preserved and protected.

But the Study didn’t stop there. It also protected Bay Village by limiting the height of abutting buildings within Area 1 of the Stuart Street District to **155 feet**. See Article 48, codifying the Study’s findings of a maximum 155 ft. height in “Area 1” of the Stuart Street District, abutting Bay Village.

https://www.municode.com/library/ma/boston/codes/redevelopment_authority?nodeId=ART48STSTDI

At 199 feet, the 212 Stuart Street Project even violates the 155 ft. maximum height requirements for Stuart Street District abutters. Accordingly, there is no justifiable reason to approve this project within the Bay Village Historic District.

III. The 212 Stuart Street Project Would Threaten the Bay Village Historic District and the Other Historic Districts in City of Boston

If approved at its current scale and height, the 212 Stuart Street Project would create a dangerous precedent for both Bay Village and the other eight historical districts in the city of Boston. These “Historic Districts” were created (1) to preserve and protect the distinctive characteristics of buildings and places significant in the history of the Commonwealth and its cities and towns; (2) to maintain and improve the settings of those buildings and places; and (3) to encourage new designs compatible with existing buildings in the district.

Approval of this project would threaten Boston historic districts and could open a Pandora’s box of non-conforming development projects in historic districts throughout the City of Boston. Indeed, after some online research, I have not encountered a single non-conforming project of this scale and scope that was approved by the BPDA/BRA in a Boston historic district. The BPDA is charged with a responsibility to “create an appropriate context for new development while respecting the City of Boston’s historic character and its future aspirations.” It should not place historic districts at risk, or render a historic district designation meaningless.

IV. The Mitigation Proposed by the IAG Is Insufficient

The proposed mitigation is insufficient to remedy height-related impacts. As I understand it, the Impact Advisory Group (IAG) for the 212 Stuart Street Project has proposed a mitigation plan which, in part, calls for the 212 Stuart Street developer to fund a vest-pocket park on the corner of Arlington and Cortes Street. Of course, any added greenery would be a welcome addition to Bay Village; unfortunately, this mitigation would not remedy the impact and concerns caused by a 199 ft. building in our historic community. A small park by the Massachusetts Turnpike (I-90), simply would not restore blue sky, replace sunlight, reduce wind in Bay Village or eliminate shadow-creep in Statler Park. Nor does it decrease traffic, increase parking or protect our historic Bay Village from over-reaching development. A more meaningful mitigation plan would require this developer simply to reduce the height and scale of its current Project.

Conclusion

I am certainly in favor of reasonable development within Bay Village. In fact there have been numerous developments (even with modern design elements) that have an appropriate height and scale for our Historic District. However, at its proposed 199 foot height, the 212 Stuart Street Project would materially detract from our district and the public realm. For that reason, I respectfully request that the BPDA, the Mayor, and members of the City Council take action to oppose or reject the 212 Stuart Street Project, as proposed, or take meaningful steps to reduce its height and scale prior to approval.

Thank you for your time and consideration. Please add my opposition into the public record.

Respectfully submitted,

s/ William Bernarduci, Esq.

Additional cc:

BCDC

David Carlson: david.carlson@boston.gov 617-918-4284, Director
Michael Davis: mdavis@bergmeyer.com
Daniel St. Clair: Daniel.StClair@SSInvests.com
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Boston Landmarks Commission

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Josh Zakim, josh.zakim@boston.gov



Michael Rooney <michael.rooney@boston.gov>

Fwd: 212 Stuart St - IAG Meeting Tomorrow

Lora Shea <lshea19@hotmail.com>
To: Michael Rooney <michael.rooney@boston.gov>

Thu, Mar 30, 2017 at 9:47 PM

From: Dominic Barakat <dombarakat@yahoo.com>
Sent: Wednesday, March 29, 2017 10:00 PM
Subject: 212 Stuart St - IAG Meeting Tomorrow
To: <gbok357@aol.com>, <brian.boisvert@yahoo.com>, <mark.slater@oysterpartnersllc.com>, <lshea19@hotmail.com>, <eric.cordes@comcast.net>

Dear IAG,

I'm a BV resident (45 Church Street) and have attended many of the meetings on the proposed project. I understand that time is running out to discuss the project and that the meeting tomorrow is more geared away from public comment.

I have two questions/points that remain outstanding and feel they both constitute significant impacts to our neighborhood:

1. South Cove Residents (230 Stuart St) Engagement. The point was initially raised at the first developer/community meeting held at the Revere months ago and again at the more recent one a couple of weeks ago. Transom still hasn't made an effort to connect with the 150+ frail and disabled residents to inform them of the project - they will be the most affected! At a minimum, I feel that Transom should be held accountable for notifying them/soliciting input about the scope project and negative implications to the South Cove residents, regardless of the language and physical barriers. I also kindly request that the IAG explore the impact to this community, and potential mitigants, in addition to those of the Bay Village Neighborhood more generally.

2. I remain concerned about the building height and related impacts, including fit with the neighborhood, shadows, wind, precedent, etc. While reducing the height seems like an obvious mitigant, the developer has stated that he will not reduce the building height due to economic viability. I look at a project such as Piedmont Park Square, which is on a similar sized lot and question the validity of this argument. The developer has not responded to my request for more tangible information to this point, which further concerns me. Please consider raising the issue of lowering the height of the building to reduce the negative impacts of the proposed project.

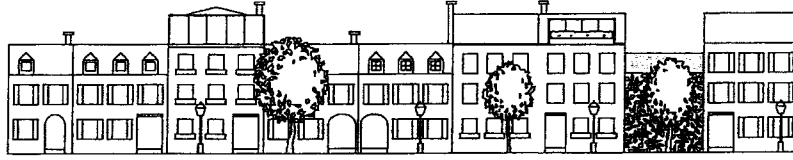
I support development and want to ensure that the property built on 212-222 Stuart / 17-19 Shawmut lots is a positive and productive addition to the neighborhood, as it will be a permanent addition.

I've also expressed this same opinion to Mr. Rooney at the BPDA.

I wasn't able to find the contact information for all of the IAG members so it would be great if you could forward it to those I missed.

Thanks in advance,

Dominic Barakat
(704) 907-5674



BAY VILLAGE NEIGHBORHOOD ASSOCIATION, INC.

April 14, 2017

Via Electronic Mail (michael.rooney@boston.gov)

Michael Rooney
Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201

Re: 212 Stuart Street Proposal

Dear Michael:

On April 10, 2017, the Bay Village Neighborhood Association ("BVNA") held a general meeting of its membership. The meeting was called to vote on the project proposed by Transom Real Estate, LLC ("Transom") for lots at 212-222 Stuart Street and 17-19 Shawmut Street. Each of these four parcels is within Bay Village.

At the general meeting, the voting members of the BVNA voted **not to oppose** the application by Transom. It is clear from comments made during that extensive process preceding this vote that the outcome of the vote was **highly dependent** on a number of representations and commitments made by both Transom and the City, which are outlined below. The BVNA's vote comes with an expectation that these representations and commitments will be incorporated into an agreement enforceable by the BVNA.

Project Components

The BVNA's position **assumes** that the final project will include those elements presented to the community at the March 20, 2017 BVNA Planning meeting. Several of the key components are listed below, but this list is certainly not inclusive or exhaustive:

Inclusion of two "townhome" units on Shawmut Street. The inclusion of these units on the Shawmut Street façade in Transom's revised proposal garnered significant positive feedback from

neighborhood residents. These units, with separate entrances on Shawmut, should be required as part of any approved project.

Ground level setback on Church Street Plaza. The significant setback of the ground level façade on the Church Street Plaza (a 10' horizontal setback up 26' vertical) was also an improvement significant to many residents. Not only should this setback be required as part of any approved project, the BPDA should require that Transom provide an easement to ensure that this space remains open for public use and that any temporary use (e.g., an outdoor café) be permitted only with the approval of the BVNA.

Church Street Plaza improvements. Any approved project must include the improvements proposed by Transom to the Church Street Plaza, the sidewalks at the rear of the building, the crosswalk to Statler Park, and the alley between the proposed building and the garage on the adjacent lot. These improvements include, without limitation, new full-growth trees, pavers, lighting and significant year-round perennial plantings in containers attached to the building. In addition, any approved project should be required to bear the cost of relocating the trash generated by the 230 Stuart Street, which is currently placed in the Church Street Plaza for collection several times per week and creates a near-permanent unsightly condition in the Plaza. The value of Plaza improvements is significantly reduced if this trash problem is not resolved as part of the Plaza improvements.

Limits on resident parking stickers. Given the limited availability of resident parking in the neighborhood, residents of this building should not be eligible for Bay Village resident parking stickers. Such a restriction has worked well at 100 Arlington Street and should be included here.

Aesthetic changes. The revised proposal included numerous aesthetic change to the building façade, including the color of the materials, the addition of ironwork and large plantings. These changes should be required as part of any approved project.

Affordable housing on-site. This developer has committed to placing the affordable housing required by the IDP **on-site with a mix of unit sizes throughout the building.** This commitment is critical to the BVNA's support of this project.

This list is not at all exhaustive of the elements of the proposed project that were critical to achieving a "no opposition" vote of the BVNA. The BVNA and many Bay Village residents will be watching this project

closely to ensure that both the BPDA, the City, and Transom do not alter those portions of the project that were critical to obtaining a “not opposed” vote from the BVNA.

Significant Mitigation

In addition to the factors outlined above, which are part of the project itself, the BVNA vote was dependent on Transom’s promise of significant mitigation for Bay Village, both during and after construction.

Bay Village has not seen since a construction project this large in over 35 years. Significant mitigation will be needed during what is certain to be a lengthy construction to preserve quality of life for residents of Bay Village. Such mitigation includes requiring all staging to be on Stuart Street, mandating compliance with City of Boston construction hours, a ban on construction vehicles parking in Bay Village (irrespective of whether they have commercial plates), temporary fencing, adequate trash and rodent control, signage for neighborhood businesses, traffic control, and other mitigation as necessary.

Bay Village residents have struggled recently with the apparent inability of the City, and ISD in particular, to regulate damaging construction impacts on Bay Village residents. The BVNA’s vote not to oppose assumes that this project will be managed in a far more responsible and proactive manner. Should the BPDA approve this project, the developer and the City should each be required to designate construction liaisons who are responsible for responding to specific concerns regarding construction and who are held accountable for reporting to the BVNA all concerns raised and the resolution of those concerns. The BVNA would be happy to designate a liaison to work on such matters.

This project will add additional residents, traffic, noise and other impacts to Bay Village. The developer has committed to a significant mitigation to benefit **Bay Village residents**. This mitigation could be used to address the impacts of this project by, among other things, providing funds for community improvements such as improvements to neighborhood parks, historical markers, bike racks, security cameras, additional “Big Belly” cans, improved streetscape, and additional trash removal services.

Process

The proposal by Transom was the most controversial issue that the BVNA has addressed in many decades. To ensure an adequate opportunity for fact gathering and discussion, the BVNA held at least eight (8) meetings on this project, including:

January 9th BVNA EC Meeting. The project was discussed at the regularly scheduled January Executive Committee ("EC") meeting, including a discussion of the Article 80 process.

January 23rd BVNA Planning. At this regularly scheduled meeting of the BVNA's Planning Commission Transom presented the initial plans. This meeting was public and was attended by over 100 residents. The presentation and comments lasted for more than two hours. Any person in attendance was permitted to speak and the meeting continued until all who wished to speak had an opportunity to do so.

February 6th BVNA EC Meeting. The project and the BVNA process were discussed at this meeting.

February 16th Wind presentation. In response to questions regarding the wind impact of the proposed project, Transom provided their wind consultant for a presentation and discussion. This meeting was public and was well-attended.

March 6th BVNA EC Meeting. The project and the BVNA process were discussed at this meeting.

March 20th BVNA Planning At this regularly scheduled meeting of the BVNA's Planning Commission Transom presented significantly revised plans. This meeting, held jointly with the BPDA as the "public" community meeting, was again open to the public and attended by over 100 individuals. The presentation and comments lasted for more than two hours. Any person in attendance was permitted to speak and the meeting continued until all who wished to speak had an opportunity to do so.

April 3rd BVNA EC Meeting. The EC spent well over an hour discussing this proposal at its regularly scheduled April meeting, with each EC member providing lengthy and thoughtful comments. A vote of the EC was taken, with 20 members voting "not to oppose," 2 members voting "to oppose" and 2 members abstaining. Of the 4 EC members who could not attend, all ultimately indicated that they supported the project. While

comments at this meeting were limited to EC members, several dozen other residents attended.

April 10 General Meeting. The BVNA held a general meeting on this project, including a vote of the corporation's membership. Pursuant to the by-laws of the BVNA only "voting members" could vote, and discussion was limited to BVNA members. Vote was by ballot, and the final tally of voting members was 69 "not to oppose" and 33 "opposed" votes. Many other residents and non-voting members attended.

The BVNA Will Oppose A "Bait and Switch"
Or Use Of This Vote As A Precedent

The BVNA has, in the past, voted not to oppose development projects, only to have the City and developers ignore promises that were critical to garnering the BVNA's support. A recent example is the failure of the City to require the W Hotel project to fund or complete promised mitigation in and around Charles Street South. Other promised mitigation, such as the improvements to the Isabella Street garden, were only completed after aggressive efforts by the BVNA and area residents to ensure that commitments were upheld.

To address the lengthy history of the BRA's broken promises to our community, the BVNA will strongly oppose any Cooperation Agreement between Transom and the City that does not require all design (townhomes, plaza improvements, trees, setbacks, etc.) and mitigation promises to be **completed or fully funded before any Certificate of Occupancy is issued.**

In addition, the position of the BVNA on this uniquely sited grouping of parcels should not be viewed as supporting similarly sized or massed projects for other parcels or proposed developments in the Bay Village Historic District. This project would certainly have been strongly opposed if proposed for any other vacant lot in the neighborhood, including the lots on either side of Arlington Street that are currently used as open-air parking lots. As part of the process for this proposal, the BPDA has represented to many residents that it would not view a project anywhere near this height or density as appropriate for any other location in Bay Village. If the BPDA truly intends to distinguish itself from the past reputation of the BRA, it will honor these representations in the future.

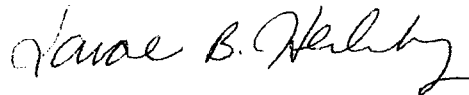
Ongoing Concerns With The Zoning Process

As you know, in 1998, Bay Village was rezoned with broad community involvement. The BVNA strongly supports enforcement of zoning that was adopted with such broad community support, absent a particular reason or hardship justifying an exception. The BVNA's vote not to oppose this particular proposal is based on the circumstances of the present proposal, including the commitments set forth above regarding the project and mitigation.

Founded over three decades ago, the Bay Village Neighborhood Association represents over 250 residents in Bay Village.

Please do not hesitate to contact us should you have any questions or concerns.

Sincerely,



Sarah Herlihy, BVNA President
(617) 755-3869
president@bayvillage.net

cc: The Honorable Martin J. Walsh (mayor@boston.gov and samuel.chambers@boston.gov)
City Council President 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 Michelwitz (aaron.m.michlewitz@mahouse.gov)
Sen. Joseph Boncore (Joseph.Boncore@masenate.gov)
Mr. Peter Spellios



Michael Rooney <michael.rooney@boston.gov>

212 Stuart Street - Request for Comment Period Extension and Questions

1 message

dombarakat@yahoo.com <dombarakat@yahoo.com>

Thu, Apr 13, 2017 at 9:36 PM

To: Samuel Chambers <samuel.chambers@boston.gov>, "david.carlson@boston.gov" <david.carlson@boston.gov>, "mdavis@bergmeyer.com" <mdavis@bergmeyer.com>, "daniel.stclair@ssinvests.com" <daniel.stclair@ssinvests.com>, "dcrosby@cssboston.com" <dcrosby@cssboston.com>, "dhacin@hacin.com" <dhacin@hacin.com>, "dmanfredi@elkus-manfredi.com" <dmanfredi@elkus-manfredi.com>, "pmcdonough@goulstonstorr.com" <pmcdonough@goulstonstorr.com>, "michelle.wu@boston.gov" <michelle.wu@boston.gov>
Cc: "jonathan.greeley@boston.gov" <jonathan.greeley@boston.gov>, "michael.rooney@boston.gov" <michael.rooney@boston.gov>

Dear City Officials,

Thank you for your responsiveness to my prior questions. Michael Rooney, in particular has done an excellent job being available to address my concerns.

As the comment deadline for the proposed project approaches, I wanted to highlight some critical topics that remain unanswered. There are likely other topics that other concerned residents have raised.

1. **Height** – as confirmed by the pictures taken from the drone, has it been verified that there was appropriate adherence to the State Shadow Law to ensure that no net new shadows are created on the Public Garden/Common? It would be helpful to get additional information supporting the analysis performed, including the protocol.
2. **Relevance of Stuart Street Planning Project** - My understanding is that the multi-year study, that was recently completed, concluded that the Bay Village zoning was viewed as appropriate (45/65 feet for the parcels). Additionally, the maximum permissible height is 155 feet in the immediate vicinity to the proposed property, whether governed by the Midtown Cultural District or Area One of the Stuart Street Planning Project. Given that background, I look forward to hearing why this proposal is INCONSISTENT with documented planning policy and isn't subject to ANY of these requirements.
3. **Historical District Preservation** – please provide precedents on whether such a gross variance request to current zoning has been previously granted. Also, as stated in the Guidelines for Establishing Local Historic Districts, published by the Secretary of the Commonwealth, Massachusetts Historical Commission, the purpose of an historic district is: (1) To preserve and protect the distinctive characteristics of buildings and places significant in the history of the Commonwealth and its cities and towns; (2) to maintain and improve the settings of those buildings and places; and (3) to encourage new designs compatible with existing buildings in the district. I do not feel that these guidelines are being respected and this materially detracts from the purpose of the Historic District. I also believe it is possible to create new modern developments that are of the appropriate scale and style to meet these guidelines.
4. **South Cove Engagement** – Transom's last-second effort to notify the 200+ South Cove residents, who are the most vulnerable and impacted, has been perfunctory at best without any real desire/attempt to solicit feedback in a timely manner. Contact was encouraged for months and was only initiated after multiple public requests. While the BV neighborhood has supported the project, I wanted to highlight that NO South Cove residents voted or were consulted by either the EC or IAG. The residents physical and language barriers shouldn't prevent serious consideration of how a project of such scale will negatively affect their everyday life.

4/14/2017

City of Boston Mail - 212 Stuart Street - Request for Comment Period Extension and Questions

Given the significant amount of uncertainty, I would like to request that the comment period be EXTENDED until there is satisfactory resolution to the points above. Please include this in public record.

Finally, I will reiterate my support for responsible development, however, believe that the height of the building needs to be reduced. My preference is to comply with the current zoning, practically I don't expect that so would be supportive of a building at the most recently approved height of 120 feet.

Respectfully,

Dominic Barakat

45 Church St.



Michael Rooney <michael.rooney@boston.gov>

212 Stuart St

1 message

Gene & Fay Hale <gfhale65@gmail.com>
To: Michael.rooney@boston.gov

Wed, Apr 12, 2017 at 2:41 PM

To: Michael Rooney, Project Manager

Dear Michael:

We remain hopeful that a reasonable compromise can be reached regarding the Transom development at 212/222 Stuart St., 17-19 Shawmut St. and we thank you for making possible the continued discussion of this proposal. We look forward to the meeting on May 3rd.

We do appreciate Transom's immediate response to our concerns about the treatment of Shawmut St. in their original design. In their revised plan, the venting system, the five service doors, and the mechanicals were relocated and replaced with carefully designed planters, thoughtful landscaping, and two townhouse where two historic homes once stood. But the height remains an issue that will not go away.

The singular issue dividing the community is the height. To date Transom has held firmly to the position that 199 ft is essential for economic feasibility. That position is debatable. Perhaps a careful professional analysis would shed light on this divisive issue.

At our meeting on May 3rd, scholarly research and impressive data will be presented regarding this complex issue. Meanwhile, we continue to ask "How would you like to have a 199 x 119 ft wall built within 40 ft of your front door." Even the developer responded "I wouldn't like it."

Many thanks for the opportunity to continue this discussion. Sincerely, Fay and Gene Hale.

Michael Rooney, Project Manager
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201

April 12th, 2017

Re: 212 Stuart Street

Dear Mike,

I am writing to “not oppose” the proposed project at 212 Stuart Street as presented in the most recent revision by Transom Real Estate, LLC, subject to execution between the BPDA, the City of Boston and the Bay Village Neighborhood Association (BVNA) of both a TAPA and Cooperation agreement substantially satisfying mitigation requirements identified by the BVNA and the IAG.

I would also note that historical actions take by the BPDA on this site prior to the current administration have raised serious concerns regarding BPDA intentions with regard to potential development height in other parts of Bay Village, particularly at vacant lots along Arlington Street. The BPDA would be well advised to discharge it’s planning function with public input and clarification of what, if any, restrictions or height limitations it sees as appropriate. To be clear, this non-opposition to the height of 212 Stuart Street is not a blanket “support” of unrestricted heights in historic neighborhoods and as such does not apply to said lots on Arlington Street.

Regards,

Nancy Morrisroe
24 Melrose Street
Bay Village, Boston



Michael Rooney <michael.rooney@boston.gov>

212 Stuart Street Comment Letter

1 message

Sara Heaney <sara.e.heaney@gmail.com>

Fri, Apr 14, 2017 at 3:45 PM

To: Michael Rooney <michael.rooney@boston.gov>, david.carlson@boston.gov, mdavis@bergmeyer.com, Daniel.stclair@ssinvests.com, dmanfredi@elkus-manfredi.com, dhacin@hacin.com, dcrosby@cssboston.com, pmcdonough@goulstonstors.com, wrawn@rawnarch.com

Cc: samuel.chambers@boston.gov, bill.linehan@cityofboston.gov, michelle.wu@boston.gov

Dear Mr. Rooney, Director and Commissioners the BCDC:

I am writing to express my concerns and feedback related to the proposed project at 212-222 Stuart Street / 17-19 Shawmut Street.

First, I would like to state that I am pro development and would welcome an appropriate project on these parcels along with others throughout the city of Boston. I have attended many public meetings, provided feedback and asked questions of the developer and expressed my concerns.

I appreciate the developer's modifications to the proposed project, particularly the street level changes on Shawmut as well as the setback on the Church Street Plaza. However, I do not believe that these modifications fully address the inappropriate fit and transition with the Bay Village neighborhood, particularly within the context of the Bay Village Historic District. I also believe that the building, as proposed, has significant negative impacts on the public realm that have not been adequately mitigated by the developer. I have detailed some of my concerns below:

Egregious zoning relief requested: At 199 feet tall, the developer is requesting an approximate 3x zoning relief of the current maximum zoning requirement of 65 feet (ignoring that some of the parcels are zoned for lower heights). While the parcel does border Stuart Street, it unequivocally falls within the Bay Village Historic District. Providing zoning relief of this magnitude sets an extremely concerning precedent, particularly for the nine Historic Districts across the City of Boston.

Inappropriate Fit and Transition: The building design appears to be maximally suited for the Stuart Street façade. The building design remains unchanged above the street level and does not speak to the historic nature and scale within Bay Village. As the building will be 7.5x the height of its southern Bay Village neighbor, it will literally tower above the primarily 2-4 story neighborhood row-house homes, providing an incongruous modern backdrop, blocking much of the blue sky, reducing daylight levels and detracting from the historic character of the area. Please note that other new residential developments have been of the appropriate scale and style so as not to detract from the historic neighborhood while still maintaining a modern appearance, this building, as currently proposed, does not.

Bay Village Historic District Designation: All four of the parcels involved in the project fall within the Bay Village Historic District as established in 1983. As stated in the Guidelines for Establishing Local Historic Districts, published by the Secretary of the Commonwealth, Massachusetts Historical Commission, the purpose of an historic district is: (1) To preserve and protect the distinctive characteristics of buildings and places significant in the history of the Commonwealth and its cities and towns; (2) to maintain and improve the settings of those buildings and places; and (3) to encourage new designs compatible with existing buildings in the district. I am most deeply concerned that both the size and appearance of the building are in direct conflict with these stated goals and commitment to historic preservation of the Bay Village neighborhood, the city of Boston and the state of Massachusetts.

High Spine: The project architect presented the "High Spine" theory as the architectural basis for the project. However, he failed to incorporate the original intention of the High Spine to avoid both Copley and Park Squares and the fact that the justification for the High Spine is that it is a transportation corridor and large-scale development would not infringe on the historic Back Bay and South End neighborhoods. The infringement and preservation of Bay Village should be no less important than those of historic Back Bay and South End neighborhoods and as such, I do not believe the High Spine concept should be the basis for waiving the current zoning requirements.

Stuart Street Planning Study: My understanding of this multi-year project that involved significant public, neighborhood and business feedback is that while at least a portion of Bay Village was initially included in the study, after much discussion it was deemed that the existing zoning should continue to govern the BV area. Based on this reaffirmation, which was approximately one year ago, it seems to me that Bay Village zoning was viewed as currently appropriate. In the event that the city is unwilling to hold the current zoning for these parcels at their current heights, I feel strongly that the Stuart Street Planning guidelines, which were approved by the BPDA, should be applicable to this project as well given the immediate proximity as well as the inclusion of this parcel in the "transportation corridor" of the "high spine". Based on Area 1, the building should be no taller than 155". Based on Areas 2-4, if over 155" the building should be subject to the same progressive guidelines around shadows, wind, affordable housing units, and mitigation.

Increased Winds: Per the PNF, the project is anticipated to have significant material impacts to wind at the street level. The meaningful increase in wind levels will have a real negative impact on the public realm as families, neighbors and tourists will not be able to pleasantly stroll through parts of Bay Village or Statler Park. Sitting, standing and strolling are all likely to become uncomfortable and unmanageable in certain situations (particularly for our disabled neighbors, children and families). Bay Village is a neighborhood with families, elderly and disabled neighbors and is not simply a "commuting corridor". The developer has yet to propose adequate wind mitigation to ensure that neighbors and visitors of Boston will continue to be able to enjoy Stater Park and walk comfortably and safely in and around Bay Village and Park Square.

Protection for Boston City Parks: In addition to wind, loss of blue sky and shadows placed on Statler Park are of significant concern. Elizabeth Vizza was most articulate in her editorial "Don't drape our iconic public parks in shadows". While her editorial was focused on the Boston Common and Public Garden, the issue of shadow creep is a city-wide concern, materially changing how the public enjoys these open spaces. As Ms. Vizza notes "No amount of fertilizer and water can correct for loss of sunlight – as asset that is important not just for horticulture, but also for the thousands of people who use these parks daily as they commute to work, relax and recreate..." The project will cast new shadows over the historic Statler Park, creating further negative impact to the public realm. I firmly believe that our Boston Parks should be protected.

Adequate Shadow Study for Boston Common: The Boston Common is visible from a height of 199 ft based on recent photographs previously shared with the BPDA. It is critical that a full shadow study be undertaken to confirm that this project will not violate the Massachusetts state law regarding shadows on the Public Garden and Boston Common.

Traffic Impact on Shawmut Street: It is reasonable to expect that residents of the proposed building may exit via the alley or rear of the building (Shawmut Street) and use this address for personal pick-ups / drop-offs, taxi and other ride-sharing services. Personal pick-ups/drop-offs are likely to have a significant impact on the traffic in Bay Village that was not addressed in the developers Project Notification Form and has not been subsequently addressed.

Diversity of Neighbors: One thing that attracted us to Bay Village and has kept us in the city (vs. relocating to the suburbs) is the family-friendly nature of the neighborhood. I believe that diversity of neighbors is key to maintaining the unique and wonderful Bay Village community and city of Boston. In addition to onsite affordable housing, I would like to see Transom consider having a variety of floorplans to include two and three bedroom units to expand the types of tenants that might be attracted to the property.

I kindly request that the BPDA consider material height reduction to the building.

4/19/2017

City of Boston Mail - 212 Stuart Street Comment Letter

Thank you very much for your time and consideration.

Sincerely,
Sara Barakat

45 Church St #4, Bay Village



Michael Rooney <michael.rooney@boston.gov>

212-222 Stuart Street / 17-19 Shawmut Street

1 message

Sara Heaney <sara.e.heaney@gmail.com>
To: michael.rooney@boston.gov

Sat, Feb 4, 2017 at 10:29 PM

Dear Michael,

I am writing as a concerned citizen of Boston, a taxpayer and voter and also as a Bay Village neighborhood resident.

I would like to express my concern about the proposed project at 212-222 Stuart Street. As I have learned through recent neighborhood postings and meetings, this building far exceeds the scale of both zoning laws as well as previously approved projects for the site. At the proposed height of 199 ft, the building meaningfully detracts from the treasured historic neighborhood of Bay Village, the treasured historic Statler Park and will create hugely disruptive (and potentially dangerous) wind patterns for local residents and pedestrians, including those at the South Cove residence and local families and children. An appendix in the developer's Project Notification Form indicates that during the winter wind levels will increase substantially such creating legitimate concern. In addition, light pollution, environmental impact, blocking of open sky and the darkening of Statler Park are among the negative immediate impacts that a building of this scale will have on the surrounding area and public realm.

I am most deeply concerned that both the size and appearance of the building are in direct conflict with the commitment to historic preservation of the city and neighborhood. All four of the parcels involved in the project fall within the Bay Village Historic District as established in 1983. A review of the Bay Village neighborhoods show primarily historically preserved row house style buildings. New residential developments have been of the appropriate scale and style so as not to detract from the neighborhood, while still maintaining a modern appearance. It saddens me that zoning, shadow and historic requirements all seem to be waived for a project that has few apparent benefits for the neighborhood and contributes to the loss of history, culture and enjoyment for Boston citizens and visitors alike.

I recently articulated some of my concerns regarding the proposed project at 212-222 Stuart / 17-19 Shawmut Street at the Bay Village Neighborhood Association Planning Meeting on 1/23/17. Please see below for written summaries of these specific points and I kindly request that you add these to the public record.

Traffic Impact on Shawmut Street: It is reasonable to expect that residents of the proposed building may exit the rear of the building (17-19 Shawmut Street) and use this address for personal pick-ups / drop-offs, taxi and other ride-sharing services. **Personal pick-ups/drop-offs are likely to have a significant impact on the traffic in Bay Village that was not addressed in the developers Project Notification Form.**

Bike Traffic Impact: The developer has proposed dedicated parking for 131 bicycles. The city of Boston currently allows cyclists to ride (with appropriate caution) on city sidewalks. The Park Square area is particularly busy with both pedestrian and car traffic. **The PNF does not adequately address the impact of a significant increase in cyclist traffic, future requirements for bike lanes and measures that will be taken to ensure the safety of pedestrians and cyclists on these very busy streets filled with commuters, tourists, families, and elderly and disabled neighbors.**

Emergency Parking Impact: The Bay Village neighborhood has a current arrangement with the Revere Hotel whereby neighborhood residents are able to use the hotel's parking facilities in the event of emergency. As you can recall, during

Proponents are encouraged to meet with Commission staff who are available for technical assistance and design review to help achieve accessibility compliance and to ensure that all buildings, sidewalks, parks, and open spaces are usable and welcoming to all of Boston's diverse residents, including those with physical, sensory, intellectual, and communication disabilities.

Thank You.



Kristen McCosh, Commissioner
Mayor's Commission for Persons with Disabilities
kristen.mccosh@boston.gov
617-635-3682

Reviewed by:

Patricia Mendez AIA, Architectural Access Specialist
Mayor's Commission for Persons with Disabilities
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Sarah Leung, Architectural Access Project Coordinator
Mayor's Commission for Persons with Disabilities
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Michael Rooney <michael.rooney@boston.gov>

212-222 Stuart Street/17-19 Shawmut Street

1 message

Prilla Brackett <psb@prillasmithbrackett.com>
To: michael.rooney@boston.gov

Mon, Feb 13, 2017 at 8:23 PM

Dear Mr. Rooney,

I am writing as a resident of Bay Village, a taxpayer and voter, and as a concerned citizen.

I have been to two neighborhood meetings about the proposed project at 212-222 Stuart street and am worried about its impact on our small historic neighborhood. At 199 feet the building exceeds the scale of Bay Village and is inconsistent with urban guidelines established by the Bay Village Historic District AND by Midtown Cultural District, regarding scale, zoning, and height. It will loom over the neighborhood, blocking the view of the sky for those of us on Shawmut, Piedmont, and Church Street who face north. It will create high wind in the immediate vicinity, making life difficult for the elderly residents of South Cove and local families with children, especially in winter. It will cast long shadows in the morning hours on lovely Statler Park.

It is worrisome that the size and appearance of 212-222 Stuart Street conflicts with the commitment to historic preservation of the city and this neighborhood. I urge you, as BPDP Project Manager, to significantly bring down the height of this building.

Sincerely,

Prilla Smith Brackett,

Bay Village resident and concerned citizen

psb@prillasmithbrackett.com
<http://prillasmithbrackett.com>



Michael Rooney <michael.rooney@boston.gov>

Fw: IAG Letter: 212 Stuart Street

Lora Shea <lshea19@hotmail.com>
To: Michael Rooney <michael.rooney@boston.gov>

Fri, Mar 31, 2017 at 2:06 PM

From: Sara Heaney <sara.e.heaney@gmail.com>
Sent: Friday, March 31, 2017 1:52 PM
To: markslater@alum.mit.edu; lshea19@hotmail.com; eric.cordes@comcast.net; gbok357@aol.com; brian.boisvert@yahoo.com
Subject: IAG Letter: 212 Stuart Street

To the Members of the IAG:

I appreciate having the opportunity to attend the IAG meeting last night. Thank you for your time and efforts on this project.

I am writing to share my opinion and concerns with you as IAG members. I would also like to note that I appreciate the comments made last night and wholeheartedly agree that it is okay for members of the community to have differing opinions related to this project while remaining civil, friendly and neighborly. I also appreciate that the intent of the IAG is not to approve or oppose the project yet feel it is important to share my perspective.

I currently have significant remaining concerns regarding the project as proposed. I do believe that 199 feet is too tall and that at approximately 3x the current zoning, is an egregious ask. My principal concerns regarding the height is the inappropriate fit and transition with the historical neighborhood. I found it particularly powerful in the presentation that the cutout, which is 26" tall, is the height of the Erbaluce building – indicating that the 212 building is more than 7.5x the height of its southern Bay Village neighbor. I appreciate the changes made at the street levels of both Shawmut and Church, but am deeply concerned that the building will literally tower above the primarily 2-4 story row-house style townhomes, providing an incongruous modern backdrop, blocking a material amount of blue sky, reducing daylight levels and detracting from the historic character of the area.

Wind continues to be a principal concern. I did not take comfort in the presentation shared by Dr. Wu and Transom. In addition to the areas of concern raised in the IAG meeting (Church / Shawmut corner and Arlington Street Intersection), there will be meaningful wind impacts to the neighborhood. For example, the Southern corner of Statler Park (#59) will be significantly less comfortable particularly in the Spring and Winter. Also, winter wind conditions on Church between