



**boston planning &  
development agency**

April 11, 2017

Joseph Larkin  
Millennium Partners  
7 Water Street, Suite 200  
Boston, MA 02109

Re: Scoping Determination for proposed 115 Winthrop Square Project

Dear Mr. Larkin:

Please find enclosed the Scoping Determination for the proposed 115 Winthrop Square project located at 115 Winthrop Square, also known as 115 Federal Street, in the Downtown Neighborhood of Boston. The Scoping Determination describes information required by the Boston Redevelopment Authority d/b/a the Boston Planning & Development Agency in response to the Project Notification Form, which was submitted under Article 80B of the Boston Zoning Code on November 8, 2016. Additional information may be required during the course of review of the proposal.

If you have any questions regarding the Scoping Determination or the review process, please contact me at (617) 918.4244.

Sincerely,

A handwritten signature in black ink that reads "Casey A. Hines".

Casey A. Hines  
Senior Project Manager

CC: Brian Golden, BPDA  
Sara Myerson, BPDA  
Jonathan Greeley, BPDA  
Lauren Shurtleff, BPDA  
Jerome Smith, ONS  
Kathleen MacNeil, Millennium Partners

**BOSTON REDEVELOPMENT AUTHORITY  
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY**

**SCOPING DETERMINATION  
115 WINTHROP SQUARE**

**SUBMISSION REQUIREMENTS  
FOR DRAFT PROJECT IMPACT REPORT (DPIR)**

**PROPOSED PROJECT:** 115 WINTHROP SQUARE

**PROJECT SITE:** 115 WINTHROP SQUARE, ALSO KNOWN AS 115 FEDERAL STREET, LOCATED BETWEEN DEVONSHIRE STREET AND FEDERAL STREET IN DOWNTOWN BOSTON

**PROPONENT:** MCAF WINTHROP, LLC  
C/O MILLENNIUM PARTNERS  
7 WATER STREET, SUITE 200  
BOSTON, MASSACHUSETTS 02109

**DATE:** April 10, 2017

---

The Boston Redevelopment Authority ("BRA") d/b/a the Boston Planning & Development Agency ("BPDA") is issuing this Scoping Determination pursuant to Section 80B-5.3 of the Boston Zoning Code (the "Code") in response to and based on the review of the Project Notification Form ("PNF") for the 115 Winthrop Square project (the "Proposed Project"), which MCAF Winthrop, LLC (the "Proponent") submitted to the BPDA on November 8, 2016. Notice of the receipt by the BPDA of the PNF was published in the *Boston Herald* on November 8, 2016, which initiated a public comment period with a closing date of December 26, 2016; the public comment period was subsequently extended until January 16, 2017. The Scoping Determination requires the Proponent to respond to comments received from City and State agencies, elected officials, the Mayorally appointed Impact Advisory Group (the "IAG"), and the public.

On November 2, 2016, the Proponent filed a Letter of Intent in accordance with the Executive Order regarding Provision of Mitigation by Development Projects in Boston for a proposal including the demolition of the existing vacant parking

garage and the construction of a new approximately 1.1 to 1.5 million square foot mixed-use tower containing residential, office, retail, restaurant, parking and other commercial uses along with a robust and inclusive Great Hall space.

On November 2, 2016, letters soliciting nominations to the IAG for the Proposed Project were delivered to City Councilor Bill Linehan, City Councilor Josh Zakim, State Senator Joseph Boncore, State Representative Aaron Michlewitz, and State Representative Jay Livingstone. Additional letters seeking recommendations were delivered to the Office of Neighborhood Services and the At-Large City Councilors. Nominations were also sought from the BPDA.

Thirteen (13) individuals were appointed to the IAG and have been invited to participate in advising BPDA staff on the determination and consideration of the impacts and appropriate mitigation regarding the Proposed Project. The following list includes the names of the IAG members:

1. Stephen Chapman, *neighborhood resident*
2. Father Tom Conway, *St. Anthony's Shrine*
3. George Coorsen, *neighborhood resident*
4. Karen Firestone, *Aureus Asset Management*
5. Debbie Ho, *Chinatown Neighborhood Council*
6. Laura Jasinski, *Rose Kennedy Greenway Conservancy*
7. Ed Lennon, *neighborhood resident*
8. Jerry Rubin, *JVS Center for Economic Opportunity*
9. Rosemarie Sansone, *Downtown Boston Business Improvement District*
10. Rishi Shukla, *Midtown Cultural District Neighborhood Association*
11. Ben Starr, *neighborhood resident*
12. Allan Taylor, *Friends of the Public Garden*
13. Tony Ursillo, *neighborhood resident*

The BPDA appreciates the efforts of the IAG and the members should be applauded for their commitment to the review of the Proposed Project.

The notice of receipt by the BPDA of the PNF and the PNF were sent to the City's public agencies pursuant to Section 80A-2 of the Code, as well as to the IAG members. Pursuant to Section 80B-5.3 of the Code, a scoping session was held on December 16, 2016 with the City of Boston's public agencies at which time the Proposed Project was reviewed and discussed. Members of the IAG were also invited to attend the scoping session.

Two (2) IAG working sessions were held on November 28, 2016 and December 13, 2016 at 290 Congress Street in the Fort Point Room. Two (2) publicly advertised public meetings were held on December 5, 2016 and January 5, 2017. The first public meeting was held at Suffolk Law School, 120 Tremont Street in the Moot Court Room and was organized in a 'town hall' format. The second public meeting was held at 101 Federal Street and was organized in an 'open house' format. The public meetings were advertised in the *Boston Sun* as well as through the BPDA website and Twitter handle.

Written comments in response to the PNF received by the BPDA from City of Boston agencies and elected officials are included in **Appendix A** and must be answered in their entirety. Written comments in response to the PNF received by the BPDA from the public are included in **Appendix B** and must be answered in their entirety. Written comments in response to the PNF received by the BPDA from the IAG are included in **Appendix C** and must be answered in their entirety. The Draft Project Impact Report ("DPIR") should include complete responses to all comments included in **Appendices A, B and C** within the framework of the criteria outlined in the Scoping Determination.

Comments received by the BPDA from agencies and departments of the City of Boston are included in **Appendix A** and must be answered in their entirety.

Specifically, they are from:

- City Councilor, Bill Linehan, District 2
- City Councilor, Josh Zakim, District 8
- John Sullivan, Chief Engineer, Boston Water and Sewer Commission
- Kathleen Pedersen, Senior Land Use Planner/Sustainability Specialist & Environmental Review Specialist, BPDA
- Kristen McCosh, Commissioner, Mayor's Commission for Persons with Disabilities
- Salwart Dalzell, Deputy Director Environmental Planning and Permitting, Massport
- David Carlson, Corey Zehngebort, and Lauren Shurtleff, BPDA Planning and Urban Design staff
- Christopher Cook, Commissioner, Boston Parks and Recreation Department
- Josh A Weiland, Transportation Planner, Boston Transportation Department

Public comments received by the BPDA during the comment period are included in **Appendix B** and must be answered in their entirety.

*An alphabetical list, by first name, of each individual who contributed comments precedes the comment letters in **Appendix B**.*

Comments from IAG members that were received by the BPDA during the comment period are included in **Appendix C** and must be answered in their entirety.

Specifically, they are from:

- Rosmarie Sansone, IAG Member
- Jerry Rubin, IAG Member
- Karen Firestone, IAG Member
- Tony Ursillo, IAG Member
- Edward Lennon, IAG Member
- Thomas Conway, IAG Member
- George Coorsen, IAG Member
- Allan Taylor, IAG Member
- Ben Starr, IAG Member
- Laura Jasinski, IAG Member

The Scoping Determination requests information that the BPDA requires for its review of the Proposed Project in connection with Article 80 of the Code, Development Review and Approval and other applicable sections of the Code.

In addition to the specific submission requirements outlined in the sections below, the following points are highlighted for additional emphasis and consideration:

- Throughout the initial phase of review, the Proponent has taken steps to meet with local residents, elected officials, abutters, and City and State agencies. These conversations must continue, ensuring that the project that is presented in the DPIR is beneficial to the adjacent neighborhoods and the City of Boston as a whole.
- It is clear in reading through the comment letters that the Proposed Project has simultaneously generated excitement and concern. While many of the letters show that there is desire to see the redevelopment of the 115 Winthrop Square site, numerous individuals request that additional studies occur in order to evaluate the potential impacts of a project of this magnitude, as well as the potential benefits. In order to minimize and

mitigate the Proposed Project's impacts, the BPDA encourages the Proponent to continue to work with those parties, including the IAG and community, who have expressed concern.

- Much of the discussion during the development review process has been centered on shadows, and the two state laws that govern shadow impacts on the Boston Common and the Public Garden. The BPDA encourages the Proponent to share all required shadow studies with all interested community members and stakeholders, and requires such studies be part of the DPIR submission. The studies shared with all interested community members and stakeholders should be in a format in which the methodology of the studies is clear and understandable.
- A greater understanding of design and programming for Winthrop Square must be a part of the DPIR filing. The Proposed Project will have an immediate impact on Winthrop Square and the general Downtown Crossing area, therefore, the relationship between the Proposed Project, specifically the Great Hall, and Winthrop Square must be given thoughtful consideration. BPDA and BTM staff encourage the Proponent to use Federal Court and Milton Place for all access, if possible, to ensure that the redesign of the square results in a successful, pedestrian-friendly open space. The Proposed Project, especially the open space, has the potential to serve as a new anchor for the Financial District by knitting together Downtown Crossing, Dewey Square and Post Office Square.
- Further study is necessary to better understand how the tower portion of the Proposed Project relates to the podium, Winthrop Square, and the city skyline. The DPIR must include skyline views from all directions of the Proposed Project. The design of the Proposed Project should be further developed with an emphasis on both shape and glazing.
- The public's experience of the Proposed Project from the ground floor will weigh heavily on the design and programming of the Great Hall. The DPIR should include further details on how the Great Hall can fully utilize this tremendous opportunity for civic/cultural space.
- All development projects have construction impacts. As with any urban development, there needs to be a balance of construction related inconveniences with the daily activities that will continue to occur adjacent to the project site. A detailed approach to the construction management must

be included in the DPIR.

- Special attention should be given to the comment letters. The letters represent the opinions of the active residents, business leaders and elected officials of the community in which the Proponent intends to develop the Proposed Project.

These are just a few of the questions and areas that the Proponent must fully explore in the DPIR.

## **I. PROJECT SITE AND DESCRIPTION**

### *Project Site*

115 Winthrop Square is currently occupied by a four-story parking garage with a footprint of approximately 47,738 square feet located adjacent to Winthrop Square in the heart of the City of Boston's ("City") Financial District (the "Project Site"). The Project Site is bounded by 75-101 Federal Street to the north, 100 Summer Street to the south, Devonshire Street to the west and Federal Street to the east. Federal Court, a private way, lies between the Project Site and the parcel located at 133 Federal Street. The current street address of the Project Site is 115 Federal Street.

The Project Site historically was owned by the City of Boston and presently consists of a dilapidated closed parking garage (when last operational, the parking was approximately 1,125 vehicles). The garage has been closed and all access points have been fenced off since May 2013.

In 2014, the City requested the BRA's assistance in acquiring and developing the Project Site and on February 11, 2015, the BRA issued a Request for Interest ("RFI") for the purpose of soliciting ideas and plans for the redevelopment of the Project Site. The BRA issued a subsequent Request for Proposals ("RFP") on March 9, 2016 and responses were due to the BRA on April 21, 2016. The RFP included a detailed set of requirements and criteria in the areas of urban design, transportation, financial matters, public realm, as well as other areas. The BRA received six (6) responses to the RFP, which were reviewed and evaluated by a twelve (12) member interagency review committee, comprised of senior staff from both City departments and the BRA, representing areas of experience and expertise such as development, urban design, finance, sustainability and the environment, economic development, affordable housing, transportation and the arts (collectively, the "Review Committee").

After a complete review by the Review Committee of all six (6) of the RFP submissions, the Review Committee unanimously recommended selecting the proposal submitted by Millennium Partners. On November 1, 2016, the BRA Board granted Tentative Designation status to Millennium Partners for the redevelopment of the Project Site.

*Project Description*

Millennium Partners' proposal consists of the construction of a 1,100,000 to 1,500,000 square-foot, 775 feet tall mixed-use project containing residential and commercial uses and a below-grade parking garage. The project, as proposed in the PNF, is anticipated to contain a maximum of approximately 780,000 square feet of residential floor area and a maximum of 460 residential units as well as a maximum of approximately 635,000 square feet of gross floor area of commercial office space, a maximum of approximately 60,000 square feet of retail space, and a 15,000 square feet publicly-accessible Great Hall component. The proposal also includes a maximum of approximately 550 parking spaces.

As a direct result of an anticipated total purchase price of \$152.7 million dollars (which includes a fixed purchase price portion and a project participation purchase portion), the Proponent has been working with the BPDA and City staff on a robust Community Benefits Package, which currently is comprised of the following community/public benefits:

Open Space

- \$28 Million allocated to Boston Common for various upgrades
- \$28 Million allocated to Franklin Park for creating more access for surrounding neighborhoods, upgraded baseball fields and other facilities improvements
- \$11 Million allocated to the Emerald Necklace towards completing the Emerald Necklace

Public Housing Investments

- \$25 Million allocated to Old Colony in South Boston
- \$10 Million allocated to Orient Heights in East Boston for improvements

Inclusionary Development Policy (Workforce Housing)

- \$25 Million

Linkage Payment- \$4 Million



- \$3.336 Million for Housing (\$8.34/SF less 100,000 SF)
- \$668,000 for Jobs (\$1.67/SF less 100,000 SF)

Annual Tax Revenue

- \$12 Million per year

Project Mitigation (yet to be finalized) - \$10 Million

- Public Realm
- Transportation Improvements
- Winthrop Square Park Improvements
- Community Benefits to local organizations TBD

## **II. PREAMBLE**

The Proposed Project is being reviewed pursuant to Article 80, Development Review and Approval, which sets forth a comprehensive procedure for project review of the following components: transportation, environmental protection, urban design, historic resources, infrastructure systems, site plan, tidelands, and Development Impact Project, if any. The Proponent is required to prepare and submit to the BPDA, a DPIR that meets the requirements of the Scoping Determination by detailing the Proposed Project's impacts and proposed measures to mitigate, limit or minimize such impacts. The DPIR shall contain the information necessary to meet the specifications of Section 80B-3 (Scope of Large Project Review; Content of Reports) and Section 80B-4 (Standards for Large Project Review Approval), as required by the Scoping Determination. After submitting the DPIR, the Proponent shall publish notice of such submittal as required by Section 80A-2. Pursuant to Section 80B-5.4(c) (i) (3), the BPDA shall issue a written Preliminary Adequacy Determination ("PAD") within ninety (90) days. Public comments, including the comments of public agencies, shall be transmitted in writing to the BPDA no later than fifteen (15) days prior to the date by which the BPDA must issue its PAD. The PAD shall indicate the additional steps, if any, necessary for the Proponent to satisfy the requirements of the Scoping Determination. If the BPDA determines that the DPIR adequately describes the Proposed Project's impacts and, if appropriate, proposed measures to mitigate, limit or minimize such impacts, the PAD will announce such a determination and that the requirements of further review are waived pursuant to Section 80B-5.4(c) (iv). Section 80B-6 requires the Director of the BPDA to issue a Certification of Compliance indicating the successful completion of the Article 80 development review requirements before the Commissioner of Inspectional Services can issue any building permit for the Proposed Project.

### III. REVIEW/SUBMISSION REQUIREMENTS

In addition to full-size scale drawings, 15 copies of a bound booklet and an electronic copy (PDF format) containing all submission materials reduced to size 8-1/2" x 11", except where otherwise specified are required. The electronic copy should be submitted to the BPDA via the following website:

<https://attachments.bostonredevelopmentauthority.org/>. The booklet should be printed on both sides of the page. In addition, an adequate number of copies must be available for community review. A copy of this Scoping Determination should be included in the booklet for reference.

#### A. GENERAL INFORMATION

1. Applicant/Proponent Information
  - a. Development Team
    - (1) Names
      - (a) Proponent (including description of development entity and type of corporation, and the principals thereof)
      - (b) Attorney
      - (c) Project consultants and architects
    - (2) Business address, telephone number, FAX number and email, where available for each
    - (3) Designated contact for each
  - b. Legal Information
    - (1) Legal judgments or actions pending concerning the Proposed Project
    - (2) History of tax arrears on property owned in Boston by Applicant
    - (3) Evidence of site control over Project Site, including current ownership and purchase options, if any, for

all parcels in the Proposed Project, all restrictive covenants and contractual restrictions affecting the Proponent's right or ability to accomplish the Proposed Project, and the nature of the agreements for securing parcels not owned by the Applicant.

- (4) Nature and extent of any and all public easements into, through, or surrounding the site.

2. Project Site

- a. An area map identifying the location of the Proposed Project
- b. Description of metes and bounds of Project Site or certified survey of the Project Site.
- c. Current zoning

3. Project Description and Alternatives

- a. The DPIR shall contain a full description of the Proposed Project and its components, including, its size, physical characteristics, development schedule, costs, and proposed uses. This section of the DPIR shall also present analysis of the development context of the Proposed Project. Appropriate site and building plans to illustrate clearly the Proposed Project shall be required.
- b. A description of alternatives to the Proposed Project that were considered shall be presented and primary differences among the alternatives, particularly as they may affect environmental and traffic/transportation conditions, shall be discussed.

4. Public Benefits

- a. Anticipated employment levels including the following:
  - (1) Estimated number of construction jobs
  - (2) Estimated number of permanent jobs
- b. Current and/or future activities and program which benefit adjacent neighborhoods of Boston and the city at large, such as, child care programs, scholarships, internships, elderly

services, education and job training programs, etc.  
c. Other public benefits, if any, to be provided.

5. Community Process

- a. A list of meetings held and proposed with interested parties, including public agencies, abutters, and business and community groups.
- b. Names and addresses of project area owners, abutters, and any community or business groups which, in the opinion of the applicant, may be substantially interested in or affected by the Proposed Project.

## **B. REGULATORY CONTROLS AND PERMITS**

An updated listing of all anticipated permits or approvals required from other municipal, state or federal agencies, including a proposed application schedule shall be included in the DPIR.

A statement on the applicability of the Massachusetts Environmental Policy Act ("MEPA") should be provided. If the Proposed Project is subject to MEPA, all required documentation should be provided to the BPDA, including, but not limited to, a copy of the Environmental Notification Form, decisions of the secretary of Environmental Affairs, and the proposed schedule for coordination with BPDA procedures.

## **C. TRANSPORTATION COMPONENT**

*In addition to the information required to meet the specifications of Section 80B-3 and Section 80B-4 of the Code the analysis included in the DPIR must utilize as its framework the scope as outlined in the comments of the Boston Transportation Department ("BTD"), dated March 6, 2017 and included in **Appendix A**. These comments are incorporated herein by reference and made a part hereof and must be addressed in their entirety in the DPIR.*

### **Site Access**

The PNF states that the Proponent's initial research indicates that limiting access to and from Federal Court/Milton Place may not be possible due to those streets' potential status as private ways. Considering the project's proposed enhancement of the public realm at Winthrop Square, and the capacity of Federal Street, BTD

encourages the proponent to continue researching the possibility of all access from Federal Court/Milton Place in order to make Winthrop Square as pedestrian-oriented and friendly as possible.

All access points should limit as far as possible conflict points, especially on any pedestrianized plaza on Winthrop Square. Access points should also take into account traffic and bus queueing/delay on Federal Street. If Federal Court/Milton Place is not available due to legal restrictions, the proponent should explore implications of creating a new access point at the northern end of the Federal Street edge of the site.

### **Parking**

The area around the project is extensively served by MBTA transit service. As part of the DPIR, BTM would like the proponent to discover how many publically available parking spaces are within a quarter mile, and whether any spaces might be made available through agreement, thereby lessening the need for parking at this location.

The Boston Transportation Department ("BTM") policy maximum for Downtown is 0.4 for office use and 0.5-1.0 for residential uses; because of the project's transit-oriented location, BTM would recommend a maximum parking ratio at the lower end of this scale. The proponent should spell out how these spaces would be distributed, and whether they would be bundled with units or sold / rented separately for residential uses, and whether office parking would be bundled, and whether parking cash out would be offered. BTM encourages the project to consider shared parking solutions to limit the number of parking spaces. Having commercial and residential access points combined would make this sharing easier. The proponent should spell out how parking spaces are to be assigned to various uses so that the precise parking ratio can be understood.

BTM will require the project to work with a car share provider to dedicate some of the spaces to car share.

The project should describe bicycle parking included in the project, and the locations of that parking. BTM notes that the City of Boston Bicycle Parking Guidelines spell out the City's policy for development provision of secure/covered bicycle parking, on-street bicycle parking, shower/change facilities for employees and bike share provision. Any bicycle repair facilities proposed should be spelled out as well. Parking that is internal to the building should be located in an area that is convenient for bicyclists so as to make this as attractive an option as possible.

The proponent should spell out how it plans to meet the City's Electric Vehicle

Charging standards, which include that at a minimum 5% of all spaces must be EV spaces, and that at least 15% of spaces must be constructed with EV-ready electrical capacity.

### **Loading**

The DPIR should lay out the number of loading bays as well as the truck type to be accommodated, as well as any separate trash rooms. BTM foresees a need for at least three loading bays that will accommodate WB-50 trucks and a separate trash room; rational for anything different should be spelled out in the DPIR.

In addition, the DPIR should include a strategy of how urban packages delivery, which has seen a huge increase in small truck trips, will be accommodated. Will delivery companies be locating local pick up “warehouses” in the development?

### **Transportation Mitigation**

BTM looks forward to working with the proponent on developing an appropriate transportation mitigation package, which should be informed by the trips generated as well as peak hour mode share. BTM encourages the proponent to analyze transit services in the area based not only upon what services are supplied, but also peak capacity, and how the projects generated transit trips will impact that supply. If the proponent’s trips will impact a transit, pedestrian or bicycle facility, the proponent should assess options to facilitate safe, convenient and attractive access. This may include (but is not limited to) sidewalks, crossings, bus stops, bike facilities and/or subway stops.

### **Transportation Demand Management**

BTM encourages the project to look into whether the developer can join a Transportation Management Association on behalf of the entire building, and if possible to do so. We also encourage the project to require office and retail tenants to subsidize transit, bike share and car share membership for employees, as well as to bundle subsidized transit, bike share and car share membership for residents through residential leases, as well as for the first year of any condo sales. Finally, BTM encourages the proponent to propose inclusion of real-time transportation (transit, bikeshare, carshare, transportation network services, wayfinding, walk/bike distance) display technology in all lobbies and near the entrances to the Great Hall.

### **Public Realm**

The project has proposed a robust enhancement of the public realm, especially Winthrop Square; BTM looks forward to working with the proponent to create an outstanding place. BTM encourages the proponent to consider how to make the connections to the Downtown Crossing Pedestrian Zone great public spaces as well, especially along Franklin Street (Tontine Crescent), Winthrop Lane and Summer

Street. Any long-term maintenance by the proponent of the plaza, greenery and trees in Winthrop Square should be spelled out, as well as and street furniture (eg benches) proposed for the abutting sidewalk. The DPIR should provide details on the width of the proposed sidewalk around the site, including widths of pedestrian zones, furniture zones and/or curbs.

If general traffic is proposed to be allowed on either or both of Otis and Devonshire streets in the area that will be have non-standard surfacing (and considering that many buses use Otis Street), the durability of the surfacing should be spelled out to confirm that it will handle vehicular traffic. The proponent should spell out any long-term maintenance of that surfacing.

Any proposals for improving bus facilities should be spelled out, such as bus waiting areas at Franklin/Devonshire and Otis/Summer, and/or repainting of the Essex Street bus lane.

### **Pedestrian Crossings**

A rendering in the Proponent's Boston Civic Design Commission PNF Filing Presentation (slide 29) shows a mid-block crosswalk across Federal Street. While BTD agrees that this is an important pedestrian connection to make, safety issues concerning a multi-lane crosswalk on a one-way street have to be addressed. Is there warrant for curb extensions? A crossing beacon? What are the traffic implications of the crossing?

### **Curbside**

The DPIR should spell out both the existing and any proposed changes to curbside use on Devonshire, Franklin and Otis Streets.

MBTA currently has bus stops and layover on Otis at Summer, on Federal at Franklin, and a bus stop on Franklin at Devonshire. The proponent should work with BTD and the MBTA to make sure bus operations are considered in the Proponent's plans, and these plans should be spelled out in the DPIR

There are currently State Police parking spaces around Winthrop Square. The proponent should work with BTD and the State Police to find a location for that parking should their proposal remove parking from the location. The proponent could look into providing parking in their garage for the State Police.

The proponent should spell out its valet plan, and how it will accommodate all valet internally.

### **Traffic**

The PNF mentions that the proponent will explore using either BTM mode splits or US Census/National Household Travel Survey (NHTS) data for the corresponding census tract. Please include a discussion of what each mode split is and how you make this decision. Take into consideration that much federal data does not have non-commute data, so explain how you will account for non-commute trips in your mode split if you use Census/NHTS data.

The DPIR should show the full impact of all potential directionality changes on Devonshire and Otis Streets. If southbound traffic is proposed for Devonshire, the DPIR should investigate how lefts onto Summer Street will work, especially considering the current stop line for the Summer/Lincoln/Bedford intersection. If any of Devonshire and/or Otis would be closed to traffic, how will 100 Summer Street handle loading and parking?

BTM requests the study area include the following intersections:

- Any proposed driveways
- Franklin/Hawley
- Franklin/Devonshire/Otis
- Franklin/Federal
- Franklin/Congress
- Matthews/Federal
- Matthews/Congress
- Summer/Hawley
- Summer/Otis/Kingston
- Summer/Devonshire
- Summer/Bedford/Lincoln
- Summer/High
- Summer/Purchase/I-93 Ramp
- High/Federal
- High/Congress
- Essex/Lincoln/Surface
- Purchase/Congress
- Congress/Milk
- Arch/Franklin

### **Site Plan**

The proponent needs to submit an engineered site plan within the context of the surrounding roadways at 1:20 scale depicting:

- Vehicular access and circulation
- Parking layout and circulation
- Pedestrian access and circulation
- Bicycle access and circulation
- Area shuttle/van pool pickup and drop-off
- Parking spaces for car sharing services
- Service and loading\*
- Roadways and sidewalks



- Building layout
- Bicycle parking locations and types (covered, indoor, bike share, etc)
- Transit stops and connections
- Electric vehicle charging stations and ev-ready spaces

\*Trash compactors/dumpsters need to be depicted as well.

### **Construction Management Plan**

As the project in the DPIR advances, the proponents will be required to develop and submit a detailed Construction Management Plan (CMP) to BTM for review and approval. The CMP will address TDM measures for construction workers, proposed street occupancies, equipment staging, sidewalk and bike-lane relocations and hours of construction work. BTM will work with the proponents to execute the CMP.

The issues raised above should be addressed in the DPIR. BTM looks forward to working collaboratively with the proponents and the community in the review of these projects and to address any outstanding concerns in the permitting process.

## **D. ENVIRONMENTAL PROTECTION COMPONENT**

*The DPIR must address the comments of the Katie Pedersen, Senior Land Use Planner/Sustainability Specialist, BPDA, dated January 5, 2017, included in **Appendix A** and must include the most up to date documents required by the Article 37/Interagency Green Building Committee. These comments are incorporated herein by reference and made a part hereof and must be addressed in their entirety in the DPIR.*

### Wind

A quantitative (wind tunnel) analysis of the potential pedestrian level wind impact shall be required, as the proposed building is designed to be 775 feet in height. The analysis shall determine potential pedestrian level winds adjacent to and in the vicinity of the Proposed Project and shall identify wind velocities that are expected to exceed acceptable levels, including the Boston Planning and Development Agency's (the "BPDA") guideline of an effective gust velocity of 31 miles per hour (mph) not to be exceeded more than 1% of the time.

Particular attention shall be given to public and other areas of pedestrian use, including, but not limited to, entrances to the Proposed Project and existing and proposed buildings in the vicinity of the Proposed Project, the existing and proposed sidewalks and walkways within and adjacent to the Proposed Project and

existing and proposed plazas, park areas and other open space areas within and in the vicinity of the Proposed Project, including but not limited to, the Boston Common, the Boston Public Garden, the Post Office Square Park and the Rose Kennedy Greenway.

The wind impact analysis shall evaluate the following conditions:

1. No-Build - the existing condition of the Proposed Project site and environs to establish the baseline condition.
2. Build Condition - the Proposed Project as described in the PNF
3. As-of-Right - the Zoning Compliant Configuration
4. Alternative Build Condition - any alternative development concepts to the Preferred Build Condition required to be studied

Wind speeds shall be measured in miles per hour (mph) and for areas where wind speeds are projected to be dangerous or to exceed acceptable levels, measures to reduce wind speeds and to mitigate potential adverse impact(s) shall be identified and, if appropriate, tested.

### Shadow

The Proponent shall be required to conduct a shadow analysis for the existing (no-build) and build conditions for the hours of 9:00 a.m., 12:00 noon, and 3:00 p.m. for the vernal equinox, summer solstice, autumnal equinox, and winter solstice and for 6:00 p.m. in the summer and fall.

The shadow impact analysis shall examine the existing shadows and the incremental effects of the Proposed Project on existing and proposed public open spaces, including but not limited to Boston Common, the Boston Public Garden, the Post Office Square Park and Rose Kennedy Greenway, as well as sidewalks and pedestrian walkways adjacent to and in the vicinity of the Proposed Project site.

The shadow impact analysis shall evaluate the following conditions:

1. No-Build - the existing condition of the Proposed Project site and environs to establish the baseline condition.

2. Build Condition – the Proposed Project as described in the PNF.
3. As-of-Right – the Zoning Compliant Configuration.
4. Alternative Build Condition – any alternative development concepts to the Preferred Build Condition required to be studied.

The shadow analysis results shall be provided in both animation and graphic representations, so as to best understand the extent to which shadows from the Proposed Project are anticipated to affect the overall shadow conditions within the surrounding area.

### Solar Glare

The Proponent shall be required to conduct a solar glare analysis. The analysis shall measure potential reflective glare from the Proposed Project onto potentially affected streets and public open spaces including but not limited to Boston Common, the Boston Public Garden, Post Office Square and the Rose Kennedy Greenway as well as the sidewalk areas in order to determine the likelihood of visual impairment or discomfort due to reflective spot glare. Mitigation measures to eliminate any adverse reflective glare shall be identified.

The shadow impact analysis shall evaluate the following conditions:

1. No-Build - the existing condition of the Proposed Project site and environs to establish the baseline condition
2. Build Condition – the Proposed Project as described in the PNF
3. As-of-Right – the Zoning Compliant Configuration
4. Alternative Build Condition – any alternative development concepts to the Preferred Build Condition required to be studied

### Daylight

(Please refer to Urban Design's comments)

### Air Quality

The Proponent shall be required to perform a microscale analysis, which shall predict localized carbon monoxide concentrations, including identification of any locations projected to exceed the National and/or Massachusetts Ambient Air Quality Standards. The analysis is required for projects for which:

- 1) Project traffic would impact intersections or roadway links currently operating at Level of Service ("LOS") D, E, or F or would cause LOS to decline to D, E, or F;
- 2) Project traffic would increase traffic volumes on nearby roadways by 10% or more (unless the increase in traffic volume is less than 100 vehicles per hour); or,
- 3) The project will generate 3,000 or more new average daily trips on roadways providing access to a single location.

Emissions from the Proposed Project parking garage and from the Proposed Project's heating and mechanical systems shall be estimated. In addition, carbon monoxide monitors shall be installed in the parking garage and a description of the proposed ventilation system shall be provided. Building/garage air intake and exhaust systems and specifications and an analysis of the impact of exhausts on pedestrians and any sensitive receptors shall be identified and. Finally, if deemed necessary, mitigation measures to minimize or avoid any violation of state or federal ambient air quality standards shall be included and a description provided.

### Noise

Noise impacts from the Proposed Project shall be analyzed, including rooftop mechanical equipment and other noise sources (e.g., emergency generators), demonstrating compliance with the City of Boston noise regulations and applicable state and federal regulations and guidelines. Due to the close proximity to residential buildings, the Proponent shall be required to evaluate and demonstrate compliance with the Interior Design Noise Level (not to exceed day night average sound level of 45 decibels) established by the U.S. Department of Housing and Urban Development (Subpart B Noise Abatement and Control of 24 CFR Part 51). If deemed necessary, mitigation measures designed to reduce excessive noise levels to acceptable limits shall be included and a description provided.

### Sustainable Design/Green Buildings

Article 37 to the Boston Zoning Code requires any proposed project which is subject to or shall elect to comply with Section 80B of Zoning Code of the City of Boston,

Large Project Review, shall be subject to the requirements of Article 37. Proposed Projects shall be "certifiable" under the most appropriate United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Rating System. The purpose of Article 37 is to ensure that major building projects are planned, designed, constructed, and managed to minimize adverse environmental impacts; to conserve natural resources; to promote sustainable development; and to enhance the quality of life in the City of Boston.

The PNF indicates that the Proposed Project will use the LEED 2009 Core and Shell Rating System for the office portion and shows the intent to achieve LEED Platinum with 84 points and will use LEED 2009 for New Construction and Major Renovations for the residential portion of the Proposed Project and shows the intent to achieve LEED Platinum with 81 points.

Prior to the Inspectional Services Department's (ISD) issuance of a building permit, all proposed projects must demonstrate compliance with Article 37 and have obtained approval of the requisite submissions from the Interagency Green Building Committee (IGBC). In order to demonstrate compliance, the IGBC requires the submission of a Draft Green Building Report (Draft Report), Energy Model and Design Affidavit. The Draft Report shall provide a comprehensive narrative describing the proposed strategies and paths that will be used to meet all LEED prerequisites and achieve the selected credits.

*The DPIR must address the comments of the Boston Parks and Recreation Department, dated April 4, 2017 and included in **Appendix A**. These comments are incorporated herein by reference and made a part hereof and must be addressed in their entirety in the DPIR.*

The Boston Parks and Recreation Department ("BPRD") is challenged by the reality of maintaining and improving beloved but aging infrastructure. The Winthrop Square project would provide millions of dollars needed for maintenance, capital improvements and endowments for Boston Common and Franklin Park as highlighted in Imagine Boston 2030 and Boston Open Space and Recreation Plan 2015-2021 as well as detailed on various internal planning documents at BPRD.

As America's first park, Boston Common has over 1.5 million unique visitors a year which impacts the park far more than its current maintenance budget can restore. The improvements to the Boston Common that would be enabled would provide a net improvement to people's experience of that open space. As with all BPRD capital projects, these funds would go through a community process regarding

their expenditure. Items to be considered are pathway improvements, irrigation systems, Frog Pond infrastructure, turf repair and more. BPRD strongly feels that some of these funds should be endowed and restricted for a maintenance fund for the park.

Improvements to the jewel of the Emerald Necklace, Franklin Park, have been deferred for over a century. Representing the largest investment in the park since its creation, these funds would be allocated through a community process and could include pathways, tree care, lighting, security, the renovation of the overlook ruins and Elma Lewis bandstand and more. As with the Common, BPRD strongly feels that certain funds be restricted for a maintenance endowment.

The Winthrop Square project provides an opportunity to care for these parks in perpetuity.

## **E. URBAN DESIGN/PLANNING COMPONENT**

*In addition to the information required to meet the specifications of Section 80B-3 and Section 80B-4 of the Code, the Proponent must address the comments outlined by the BPDA's Urban Design Planning Departments, included in **Appendix A**. These comments are incorporated herein by reference and made a part hereof and must be addressed in their entirety in the DPIR.*

### Alternatives Analysis

Based on consultation with other departments and agencies, and the feedback received thus far from the Impact Advisory Group (IAG) and the public, BPDA staff requests that the following alternative massings be analyzed, to facilitate comparison:

- A no-build scenario.
- A PNF scenario, showing the Proposed Project as described in the PNF.
- An "as-of-right" scenario, under the existing B-10 zoning, that shows the maximum height achievable without triggering shadow impacts to the Boston Common or Public Garden. (Note: the zoning for this parcel will be pursued through a Planned Development Area. This mechanism is allowed by right within the existing zoning. For the purposes of comparison, we ask that a massing under the B-10 regulations be studied.)
- An FAA/Massport compliant scenario, as expressed in the March 2016 Request for Proposals. BPDA Staff anticipated that this would represent a building height of 725', with the caveat that the maximum height allowed on the site will be ultimately

be determined by the negotiated FAA/Massport ceiling. The actual FAA compliant height may be under 700'.

- A massing scenario that shifts some of the bulk of the residential density to the east, over the Office Solaria.

We encourage, through the above analysis, the development of a preferred alternative. We expect that mitigations or positive urban benefits will result from this Project and, in balance, will far outweigh any negative impact. Specific shadow and wind investigations will be requested - a separate category in this scoping - to determine what the impacts are regarding the Boston Common, Public Garden, and Rose Kennedy Greenway, among others. We will expect that the Proposed Project as represented in the DPIR will have taken into account any necessary mitigating factors, for scenarios with densities and heights beyond those alternatives listed above, discovered as a result of environmental and other studies by the Proponent.

### Tower Architecture

The City has asked for, and the Proponent has submitted, an arresting and potentially iconic tower. Consider its role in contributing to the skyline of the Downtown area - in particular, how does it relate formally to other recently constructed tall buildings? How does it denote its place in the City? How is it evocative of Boston's innovative spirit? Part of this answer will lie in the compilation of skyline views from all directions, most obviously perhaps from the Boston Common, but from many other points as well - see an initial suggested list in the standard Urban Design submission requirements listed below. View vignettes from an array of historic resources identified as within a certain view range in that section are suggested as well. From some of the area open spaces, the Proposed Project's role as an urban backdrop will be an aspect of its skyline impacts.

The relationship of the tower and office podium massing on both sides, but particularly to Winthrop Square, is worth studying further. The tower is emulating certain aspects of nearby art deco towers. A strategy to improve the relationship of its massing to the group of older buildings that frame much of Winthrop Square might trade on that initial concept, so that the scale of the Winthrop Square space is not overwhelmed, but each element, space and tower, work together to create a more coherent dialogue. One classic example of space and tower working in tandem of course is Rockefeller Center. See more questions about Winthrop Square below.

Work on the shaping of the tower is needed for several different reasons. One for the podium is noted above. Another is suggested in the Alternatives Analysis - shifting the residential element more dramatically may provide a narrower profile to both Winthrop Square and parts further east. The overall shaping of the tower might be considered further; it appears very rectilinear in some of the early views, and although the facade might be considered more elegant in its treatment than some, it joins a rather rectilinear larger, and older, family. It is worth considering this tower's relationship to the most recent Millennium Tower, at a similar height and by the same hand. Given the aspirations for this site, the 115 Winthrop Tower should arguably be different - that is, more architecturally distinctive, and we would like to discuss more of an evolution along these general lines.

Develop and present more information on the facade and glazing system(s) to be utilized. We encourage and applaud the strong initial consideration of PassivHaus and LEED Platinum goals, and would like to understand more about the facade factors that contribute. As to the pleating strategy that is embedded throughout the facade - can the pleats themselves, those details and materials, lend themselves to: ameliorate shadow impacts, harvest energies, help diminish wind impacts, express or imply the structural system in a subtle way that ties with the more expressive structural system used in the Great Hall, or act as a conceptual design tool to further shape the building? Investigation of these questions may enrich the Project.

A portion of the tower that relies less on the pleating treatment is the Federal Street wing, with its Solaria. Provide more information on their role in, and contribution to PassivHaus rating. Are the Solaria functioning as more of an enticement to prospective tenants? Is it possible to include one as an aspect of the 'accelerator' program space? Is it possible to make one a public or quasi-public space or showcase?

### Great Hall

Although the broader impacts of the building to the Boston Common and Public Garden are under review, further definition is needed for both the design and programming of the Great Hall, as well as the relationship with and the impacts to Winthrop Square. The BPDA strongly supports the creation of a multi-story, publicly-accessible space or civic program on the ground level(s) of the 115 Winthrop Tower. There is a tremendous opportunity for the Great Hall to function as an important civic - and perhaps cultural - space in downtown Boston, but there are many questions given the Hall's as yet inchoate form. Most of those questions



can be answered through programming and design, which the BPDA looks forward to discussing with the proponent during the next phase of the project.

The 115 Winthrop Tower will be experienced primarily at two scales. The public will experience the Tower from a distance as a prominent building on Boston's skyline, but also more tangibly at the ground level. The experience of moving through the Great Hall on foot is paramount to the success of the project. The Hall will become part of the network of POPs (privately owned public spaces) in the city - and potentially one of the most attractive examples.

As currently designed, the Great Hall space resembles a transit hub, but absent any transit connections. There are both local examples (Back Bay Station, South Station), as well as international examples (Brookfield Place in Toronto and the similarly-named Brookfield Place connected to New York's World Trade Center, as well as recent improvements to St. Pancras Station in London) with similarities in either scale or design. Scale comparisons of these and possibly other comparable spaces would be useful as the proponent continues to develop the Great Hall, but mindful that retail uses alone do not achieve the distinction of a great civic amenity. A common element in many of the listed spaces is the clear and convincing relationship of the framing structure to the space it forms. Provide more information on the nature of the structure you are employing to define the Great Hall space.

Given this preliminary stage, it may be desirable to consider alternate or complementary uses to those being proposed. Information supplied by the proponent suggests a seasonal approach to programming, but no year-round "anchor tenant." A seasonal programming approach will require active and ongoing management, and it is unclear who will shoulder that responsibility in perpetuity. More specificity on the primary uses of the Great Hall will be helpful in refining the design of the Great Hall, but with the understanding that the space should be "public" in its essence.

In addition, it is unclear how the programming might enhance or detract from similar outdoor activities on the Summer Street mall in Downtown Crossing or on Dewey Square near South Station, activities that are facilitated by the Downtown Crossing Business Improvement District (BID) and the Rose Kennedy Greenway Conservancy, respectively. The Downtown Crossing BID has been transformative in this area during the past six years, and the Proponent should see them as an early-stage collaborator and active partner as they consider improvements to Winthrop Square, as well as with programming strategies for the Great Hall.

While the Great Hall offers a publicly-accessible space of 10,000-15,000 SF, finding other spaces higher up in the building that can be made public may be appropriate. The Solaria and other roofdeck areas may be an opportunity to provide a range of different public or quasi-public spaces. Winthrop Square, as conceived as an “urban room,” is a complementary strategy to the idea of providing a range of different public experiences within the larger context of the 115 Winthrop Tower.

While a through-block connection from Federal Street to Winthrop Square is desirable, and the BPDA generally applauds efforts to encourage pedestrian connectivity downtown, a balance between circulation space and amenities must be sought. Additionally, the alignment of the through-block connection should also be further studied to ensure that meaningful physical and visual connections are being made to amenities beyond the project boundary. For example, the currently proposed hall has a linear alignment and a consistent width. The portal that opens on to the Devonshire Street end focuses on a retail corner rather than making a direct visual and physical connection with the Winthrop Square open space. The portal that opens on to Federal Street focuses on a parking ramp and a security booth and lands very close to the street edge, which does not provide enough of a forecourt for the scale of the portal opening meeting the public realm. Perhaps an arc or “folded” alignment, that introduces a variable width, would provide for a more dynamic interior space and portals better positioned to connection to amenities and public realm just outside the building.

There is an existing and proximate through-connection at 75-101 Federal Street, and it is unclear how the Great Hall relates to that and other nearby pedestrian shortcuts. Some analysis of pedestrian desire lines is warranted given this and other pre-existing shortcuts through buildings. While the retail character may be differentiated quite easily, the challenge remains of balancing circulation space with the potential uses like public speaking or events.

### Winthrop Square

The potential for the 115 Winthrop Tower to transform Winthrop Square is enormous. Given the latent possibilities of this smaller, more intimate park space in the heart of the Financial District, the design of Winthrop Square is equivalent in importance to the Great Hall. The proponent need not look far to Shoppers Plaza or Post Office Square for examples of successful open space typologies that work in concert with the surrounding context.

The proponent must articulate a clear identity for Winthrop Square that harmonizes with the Great Hall or other ground floor uses, but can also stand on its own. Is the space predominantly quiet and passive or actively programmed? A flexible, one-size-fits-all approach to the open space may not be appropriate given the constrained dimensions of the park. Winthrop Square already operates as an "urban room." The addition of the Tower should not demote scarce open space downtown to overflow space for the Great Hall.

Again, working with the Downtown Crossing BID is important, as Winthrop Square has been the focus of prior planning, including a wayfinding study, within the larger context of the BID boundary. The preliminary ideas for Winthrop Square did not include the redevelopment of the garage, so it is appropriate to revisit the initial recommendations and strategies that emerged from the report.

Regardless, the threshold - both actual and perceived - between the square and tower must be considered and well-designed. The current Great Hall entrance on the Winthrop Square side is diminutive relative to the scale of the office podium, but large in respect to space of the square. Calibrating the entrance size and its impacts on Winthrop Square is important for the successful redesign of the square. Currently, the entrance height on the Federal Street elevation appears more to scale than on the Winthrop Square side. Further exploration of the Federal Street entry is also warranted. Are there design strategies that allow for increased visibility to the park from the Federal Street or cues to the park space beyond?

The landscape design of Winthrop Square should include significant shade trees and function as a complementary open space within a larger open space network downtown. The landscape mounds are understood to function as a tree preservation strategy within a curbside roadway condition. The design of the roadway and landscape is still very preliminary, but the BPDA supports exploring novel strategies for balancing roadway and curbside uses with landscape design.

Providing sections through the Great Hall and Winthrop Square is a necessary starting point for exploring the interrelationship and scale between these two spaces. The initial strategy appears to be a continuous spatial treatment, but the scales of the two ending 'frames' could not be more different. Consider a more graduated or episodic approach, which could include a variation on the structural composition, and consider too the very different nature of the Federal Street and Winthrop Square/Devonshire Street beginning/end points. During the next phase, the BPDA looks forward to continued exploration of this urban cross-section, and

impacts to smaller existing moments in the adjacent urban fabric, such as Winthrop Lane.

### Vehicular & Loading Access

As articulated in the RFP, the City (BPDA/BTD), strongly prefer that all parking and loading access utilize the existing Federal Court/Milton Place private ways. If additional access points are needed we prefer that they be located off of Federal Street, and on the northern edge of the site (opposite Federal Court) to preserve and maximize the proposed Great Hall dimension.

The current site plan creates two impactful curb cuts on Devonshire that should be reconsidered. To this end, we appreciate the premise that the below-grade parking could later be converted to different uses. Considering the higher ceiling heights this will require, we request that the proponent make every effort to relocate all of its loading activities to within the parking garage layout. This will allow for shared access with parking and would eliminate the need for a separate curb cut. We support the concept of pedestrianizing Devonshire Street and reducing traffic and eliminating curb cuts on this street will further this goal. The concept as proposed of converting a portion of Devonshire to 2-way to allow 100 Summer Street traffic to head to Summer Street, thereby reducing traffic along Winthrop Square and in front of the site is supported and should be further explored.

### Parking and Curbside Management

The parking entries or entry courts themselves must be thoughtfully considered so as to avoid any vehicular interference with pedestrians. Any new vehicular access points should ramp up from the street to allow sidewalks to cross at the same grade (thereby eliminating the need for pedestrian ramps at driveways) The parking and loading design should be forward-thinking, allowing different modes of transportation arrival for dropoff and pickup, including Bridj, uber, etc. Any parking access should be subservient to the pedestrian flow volumes coming through the Great Hall.

The currently proposed range of parking spaces is on the high side for such a transit rich location. As the program becomes more refined we expect to work with the proponent to reduce and refine these ratios for specific uses as well as find opportunities to share parking spaces and creatively and efficiently manage supply and demand through progressive pricing approaches.

## Transportation Network Impact Analysis and Mitigation

We expect the project to fully articulate its impacts on all modes of the transportation system. Appropriate modal network improvements will be required to mitigate the project's impacts, particularly on the transit system.

### Shadow

See Katie Pedersen's January 5, 2017 Scoping Memo regarding Shadow, which asks for the standard shadow analysis in both graphic and animation form. These should clearly delineate new shadows cast by use of a strongly differentiated graphic technique, such as color. The Proponent has developed considerable information on shadow impacts, much of it displayed in public meetings, with particular emphasis on the impacts relative to the two legislative covenants (Chapter 362 of the Acts of 1990 and Chapter 384 of the Acts of 1992, respectively) that govern shadow impacts on the Boston Common and on the Public Garden. This information - which includes all days of the year any impacts are recorded, and overall duration by area (Boston Common, Public Garden) - should be organized, refined, and presented in the DPIR. In addition, please develop more information regarding point durations on these two open spaces.

Some of the concern expressed over the additional shadow on the Boston Common may come from a general concern about the health of the aging tree community on the Common. While it is difficult to quantify the actual effects of additional shadow of any duration on the Common, what is perhaps more important is that some potential negative effect is possible over time. Some study regarding this potential impact and suggestions regarding the protection, preservation, and maintenance of the Common's elder statesmen is requested.

We suggest, where animation studies indicate some new shadow coverage times on sensitive areas, that specific timeframes/durations be identified, with a clear presentation methodology to be agreed upon with BPDA staff. This request would only apply to larger open space areas such as the Greenway and Post Office Square Park.

We reserve the right to add additional concerns during the course of the process of combined BPDA Staff, IAG, and BCDC review, which may affect the responses detailed in the DPIR. The following urban design materials for the Proposed Project's schematic design must be submitted for the DPIR:

1. Written description of program elements and space allocation (in square feet) for each element, as well as Project totals.
2. Neighborhood plan, elevations and sections at an appropriate scale (1"=100' or larger as determined by the BPDA) showing relationships of the proposed project to the neighborhood context:
  - a. Massing
  - b. Building height
  - c. Scaling elements
  - d. Open space
  - e. Major topographic features
  - f. Pedestrian and vehicular circulation
  - g. Land use
3. Color, or black and white 8"x10" photographs of the site and neighborhood.
4. Sketches and diagrams to clarify design issues and massing options.
5. Eye-level perspective (reproducible line or other approved drawings) showing the proposal (including main entries and public areas) in the context of the surrounding area. Views should display a particular emphasis on important viewing areas such as key intersections, pathways, or public parks/attractions. A few of such viewpoints have already been used in presentations to the public. Long-ranged (distanced) views of the proposed project must also be studied to assess the impact on the skyline or other view lines. At least one bird's-eye perspective should also be included. All perspectives should show (in separate comparative sketches) at least both the build and no-build conditions; any alternatives proposed should be compared as well. The BPDA should approve the view locations before analysis is begun. We suggest at least the following viewpoints: up and down Devonshire, Federal, and Franklin Streets; Post Office Square; the Greenway (Dewey Square at a minimum); the Public Garden and Boston Common; the Charles River viewshed (Mass Ave Bridge or Memorial Drive); the North End; Government Center; from the south entering the city; from the Harbor; and, from the Back Bay and South End neighborhoods. View studies should be cognizant of light and shadow, massing and bulk.
6. Additional aerial or skyline views of the project, if and as requested.
7. Site sections at 1"=20' or larger (or other scale approved by the BPDA) showing relationships to adjacent buildings and spaces.
8. Site plan(s) at an appropriate scale (1"=20' or larger, or as approved by the BPDA) showing:
  - a. General relationships of proposed and existing adjacent buildings and open spaces
  - b. Open spaces defined by buildings on adjacent parcels and across streets

- c. General location of pedestrian ways, driveways, parking, service areas, streets, and major landscape features
- d. Pedestrian, handicapped, vehicular and service access and flow through the parcel and to adjacent areas
- e. Survey information, such as existing elevations, benchmarks, and utilities
- f. Phasing possibilities
- g. Construction limits
- 9. Massing model (ultimately in basswood) at 1":40'0" for use in the Agency's Downtown Model.
- 10. Study model(s) at 1" = 16' or 1" = 20' showing preliminary concept of setbacks, cornice lines, fenestration, facade composition, etc. are recommended.
- 11. Drawings at an appropriate scale (e.g., 1":16'0", or as determined by BPDA) describing architectural massing, facade design and proposed materials including:
  - a. Building and site improvement plans
  - b. Neighborhood elevations, sections, and/or plans showing the
  - c. Development in the context of the surrounding area
  - d. Sections showing organization of functions and spaces, and relationships to adjacent spaces and structures
  - e. Preliminary building plans showing ground floor and typical upper floor(s).
  - f. Phasing, if any, of the Proposed Project
- 12. A written and/or graphic description of the building materials and its texture, color, and general fenestration patterns is required for the proposed development.
- 13. Electronic files describing the site and Proposed Project.
- 14. Full responses, which may be in the formats listed above (and more), to any urban design-related issues raised in preliminary reviews or specifically included in the BPDA scoping determination, preliminary adequacy determination, or other document requesting additional information leading up to BPDA Board action, inclusive of material required for Boston Civic Design Commission review.
- 15. Proposed schedule for submission of all design or development-related materials.
- 16. Diagrammatic sections through the neighborhood (to the extent not covered in item #2 above) cutting north-south and east-west at the scale and distance indicated above.
- 17. True-scale three-dimensional graphic representations of the area indicated above either as aerial perspective or isometric views showing all buildings, streets, parks, and natural features.

### Daylight Component

A daylight analysis for both build and no-build conditions shall be conducted by measuring the percentage of skydome that is obstructed by the Proposed Project building(s) and evaluating the net change in obstruction. If alternative massing studies are requested (which see above) or result as part of the Article 80 development review process, daylight analysis of such alternatives shall also be conducted for comparison. The study should treat three elements as controls for data comparisons: existing conditions, the 'as-of-right' massing, and context examples. The areas of interest include Federal and Devonshire Streets, and Winthrop Square itself. Daylight analyses should be taken for each major building facade fronting these public ways / spaces. The midpoint of each public roadway, and a reasonably centered point in the Winthrop Square space, should be taken as the study points. The BRADA program must be used for this analysis.

If a Proponent wishes to substitute a more contemporary computer program for the 1985 BRADA program, its equivalency must first be demonstrated to the satisfaction of BPDA staff before it is utilized for inclusion in the DPIR, and it must be commonly available to Boston development team users.

#### Infrastructure Systems Component

An infrastructure impact analysis must be performed.

The discussion of Proposed Project impacts on infrastructure systems should be organized system-by-system as suggested below. The applicant's submission must include an evaluation of the Proposed Project's impact on the capacity and adequacy of existing water, sewerage, energy (including gas and steam), and electrical communications (including telephone, fire alarm, computer, cable, etc.) utility systems, and the need reasonably attributable to the proposed project for additional systems facilities.

Any system upgrading or connection requiring a significant public or utility investment, creating a significant disruption in vehicular or pedestrian circulation, or affecting any public or neighborhood park or streetscape improvements, comprises an impact which must be mitigated. The DPIR must describe anticipated impacts in this regard, including specific mitigation measures, and must include nearby Proposed Project build-out figures in the analysis. The standard scope for infrastructure analysis is given below:

1. Utility Systems and Water Quality



- a. Estimated water consumption and sewage generation from the Proposed Project and the basis for each estimate. Include separate calculations for air conditioning system make-up water
- b. Description of the capacity and adequacy of water and sewer systems and an evaluation of the impacts of the Proposed Project on those systems; sewer and storm drain systems should include a tributary flow analysis as part of this description
- c. Identification of measures to conserve resources, including any provisions for recycling or 'green' strategies, including green roofs
- d. Description of the Proposed Project's impacts on the water quality of Boston Harbor or other water bodies that could be affected by the Project, if applicable
- e. Description of mitigation measures to reduce or eliminate impacts on water quality
- f. Description of impact of on-site storm drainage on water quality
- g. Information on how the Proposed Project will conform to requirements of the Ground Water Trust under Article 32, if applicable, by providing additional recharge opportunities
- h. Detail methods of protection proposed for infrastructure conduits and other artifacts, including the MBTA tunnels and station structures, and BSWC sewer lines and water mains, during construction
- i. Detail the energy source of the interior space heating; how obtained, and, if applicable, plans for reuse of condensate.

Thorough consultation with the planners and engineers of the utilities will be required, and should be referenced in the Infrastructure Component section.

## 2. Energy Systems

- a. Description of energy requirements of the project and evaluation of project impacts on resources and supply

b. Description of measures to conserve energy usage and consideration of the feasibility of including solar energy provisions or other on-site energy provisions, including wind, geothermal, and cogeneration.

Additional constraints or information required are described below. Any other system (emergency systems, gas, steam, optic fiber, cable, etc.) impacted by this development should also be described in brief.

The location of transformer and other vaults required for electrical distribution or ventilation must be chosen to minimize disruption to pedestrian paths and public improvements both when operating normally and when being serviced, and must be described. If necessary, storm drain and sewage systems should be separated or separations provided for in the design of connections.

The Proponent should investigate energy strategies that take advantage of this scale of construction, including those that incorporate green roof strategies as well as solar orientation and materials/systems that maximize efficiencies, daylighting strategies, wind, solar, and geothermal systems, and cogeneration. Given the PassiveHouse and LEED standards sought, we expect robust information regarding any infrastructure-related aspects of those rating systems.

*Excerpted from the minutes of the BCDC meeting of February 7, 2017:*

The next item was a presentation of the **115 Winthrop Square Project**. Kathy MacNeil (KM) of Millennium Partners introduced the Project, noting the selection process for the City-owned garage parcel. KM noted the review process: We have had several public meetings; this will be part of the BPDA PNF review and scoping process. Blake Middleton (BM) of Handel Architects presented the design, starting with photos of the area and Winthrop Square. BM: We looked at notions of how to reinforce the space, using European piazzas as precedents. We're trying to preserve the honey locusts (shows a landscape detail, then an 1860 photo of the Winthrop Square space with cobbles) with the idea of reestablishing a continuous space as a better connection for the area. We're thinking bollards, continuous tabling, slowing the traffic down. The Great Hall is the foundation of our public realm contribution. It's a connector, linking spaces, even uses, with inspiration from many spaces (Gallerias, etc.). There are limited routes for loading and parking access (indicates). We want to activate the main space 18 hours a day - Boston's Living Room, a versatile space. Grab'n'Go below, dining above. The structure

shown, actually *is* structural; the ends are as permeable as possible, with air hangar doors (shows views of the two openings). The material of the building comes all the way to the ground. The form of the building follows the street edge in Winthrop Square, while on Federal Street, the strategy is different. (Shows an axon, then a diagram of the massing elements.) We have a pleated facade, an idea drawn from the nearby Art Deco buildings of the Financial District, and old silversmithing traditions - catching the light. (Notes an axonometric program diagram, with a breakaway section which clarifies.) The form is driven by office and residential planning, and the cores. The office allows a fair amount of density. The Solaria form a pavilion-like 'bustle,' something of the scale of the Rudolph building. We are doing a LEED Platinum building, and taking that designation for the office a little further, to PassiveHouse (US) standards. (Shows sections of the whole building. Notes the parking below has stacker systems.) There's a grade change through the site, which may require steps and ramps to achieve our purpose. (Riffs through a series of slides, noting the proportions of the Great Hall, the ground floor plan, the programming, the upper floors. Notes the nickel silver facade, the Art Deco pleating detail. Shows a night view.) The deep fissures at the top are illuminated at night.

AL: I want to understand the ground plane. Do you have an elevation? BM showed the Winthrop Square view, noting the residential lobby to the left, a *porte cochere* beyond, the office lobby to the right, and the Great Hall entry. AL: And the facade - how do the windows work? BM: It's a glass wall with angled fins, which change angles as they move up. MD: I would like to understand better how the stack of lower public floors works. The section through.... LE: It becomes the street. MD: ...How one goes through/between the levels. PM: And you have escalators as well? BM: We might - it depends on volume, if the uses require more people moving between. MD: The resolution of the Great Hall back on Federal Street is very successful. It seems lost on the Winthrop Square side. AL: We've all seen a lot of images of this. How you brought the ground plane in, the use of the bustle - is really intelligent. There's a beauty to the idea of the texture of the building. But all the images did not prepare me for the sheerness of the facade. Winthrop Square could feel dwarfed by something that close, and that tall. To me, that's the biggest concern, not the 75' scale you reference. It's about the massing, not the height, per se. I'd like to know what else you've studied. BM: This is one of the rare opportunities in the City with a space. Shoppers' Park at Filene's is close to this space. AL: Could the top peel back more? BM: Maybe. We have early reports from the wind engineers, which will inform how we develop the scheme.

DC: It was shocking to me to see the model. Even the Great Hall seems diminutive. It's great to have an indoor room; it's a great amenity. I am concerned about the shadow impacts. Once done, there's no undoing. It's also about vegetation, the impact there. PM: Where does the shadow stand? Joe Larkin (JL) of Millennium spoke briefly about the proposed legislation, limiting impacts to this one Project and possibly eliminating the remaining shadow 'bank.' DC: The issue is really that some of the really old trees may not be able to tolerate more shadow. JL: I can tell you, what we have so far, is that the consideration is an exception for this site only, with some offsets. MD: The RFP requested that height, right? JL: Yes. All respondents were in the 675-750' range. LE: I'd like to know more about Winthrop Square. I think the bollards detract; can you do without them? PM: They make the space more constrictive. LE: More on the scale of the space, the historic plantings. I realize that the height of the 'frame' of the Great Hall picks up the average height of the other buildings in the Square. It feels resolved on Federal Street, but not on the other side. Do you need the structure? The frame appeals to me. It feels like a modern entry - with a thing inside. AL: It's functioning differently. By the way, the 2-story studios (Solaria) are great. There's something - the imposing wall. Think of the planes, how they lift. This is the side (Winthrop Square) that's hardest. Look at heights, angles, displacement (setback) to give some air to the Square.

DC: Did you consider spill-out programming? BM: Yes. MD: A closer level of analysis about how the space(s) operate. We recently looked at North Station.... I would love to see this function. I'm very convinced by the gesture, but I want to be sure it works. BM: Millennium takes the [curatorship] of the space very seriously. The more versatility, the less particularity. Bryant Park is an example of curated outdoor space. It's much different than the North Station problem. AL: Is it open or closed? BM: Seasonal. AL: The canopy at Les Halles, in Paris - they do not close it; it's absolutely public. Think about that openness.

MD opened to public comment. Martin Roetter of NABB: I'm in opposition, not only because of shadows on the Public Garden, but because the Project was conceived from the get-go to modify the legislation, and that might impact many other sites. You do not change the law to suit. Fritz Casselman of NABB: I'm glad we talked about aspects of the Great Hall. Folks with disabilities should be able to take in the experiences equally, like the Louvre. BM: This is the time for us to incorporate that thinking. A 3-story spread. MD: That stack of public spaces. Greg Galer of the Boston Preservation Alliance: I want to thank the Commission for their concern about Winthrop Square and its historic properties. One issue of timing - I have concerns about moving forward with the Project without checking all the environmental impacts. A lot of folks feel these issues should have been expressed

before. MD: We'd prefer not to get out ahead. AM: This is an incredible Project for the City, and I hope it moves forward. With that, the 115 Winthrop Square Project was sent to Design Committee.

#### **F. INFRASTRUCTURE SYSTEMS COMPONENT**

*The DPIR must address the comments of the Boston Water and Sewer Commission, dated December 12, 2016 and included in **Appendix A**.*

#### **G. DEVELOPMENT IMPACT PROJECT COMPONENT**

Based on the square footage and uses outlined in the Project Notification Form, the Proposed Project will be subject to and be required to enter into a Development Impact Project ("DIP or Linkage") agreement. A full analysis of square footage and uses should be submitted in the DPIR.

#### **H. PUBLIC NOTICE**

The Proponent will be responsible for preparing and publishing in one newspaper of general circulation in the City a Public Notice of the submission of the DPIR to the BPDA as required by Section 80A-2. This Public Notice shall be published within five (5) days after the receipt of the DPIR by the BPDA. Therefore, public comments shall be transmitted to the BPDA within seventy five (75) days of the publication of this Public Notice. A sample form of the Public Notice are attached as **Appendix D**.

Following publication of the Public Notice, the Proponent shall submit to the BPDA a copy of the published Public Notice together with the date of publication.

#### **I. INCLUSIONARY DEVELOPMENT POLICY/ AFFORDABLE HOUSING COMPONENT**

As indicated in the PNF, the Proposed Project will comply with the Executive Order regarding the Inclusionary Development Policy executed on December 10, 2015 ("IDP"). The Proponent intends to meet its affordable housing obligation by collaborating with the Asian Community Development Corporation to create affordable housing in the Chinatown neighborhood. The DPIR should include units counts and income limits in accordance with or exceeding the IDP.

## **J. ACCESSIBILITY CHECKLIST**

As part of the DPIR, the Proponent must include an up to date and completed Article 80 Accessibility Checklist for the Proposed Project. An Accessibility Checklist is attached to **Appendix E**.

**APPENDIX A**  
COMMENTS FROM BPDA STAFF, PUBLIC AGENCIES/DEPARTMENTS, AND ELECTED  
OFFICIALS



**BILL LINEHAN**  
**BOSTON CITY COUNCILOR**  
**DISTRICT 2**

December 13, 2016

Brian P. Golden  
Boston Planning & Development Agency  
One City Hall Square  
Boston, MA 02201

RE: Art Resource Collaborative for Kids (ARCK), Boston, Massachusetts

Dear Mr. Golden,

I am writing in support for the Art Resource Collaborative for Kids (ARCK) to have the opportunity to receive a 115 Winthrop Square Development space totaling in 2000+ square feet. ARCK is a non-profit corporation currently located in a small office on Bromfield Street. The additional space will provide an opportunity for artists, local professionals, and underserved students to collaborate on creative projects to realize and utilize their potential.

ARCK is interested in expanding the program into a makerspace and innovative center in Downtown, Boston to grow with more Boston Public Schools; currently serves more than 1,000 Boston Public School students. The organization utilizes art as a vehicle to reach students' greatest potential, integrating creative learning with each partnering school's academic goals. ARCK hopes to move into Downtown so they can have a larger space to offer underserved and underperforming high school students the guidance they need before graduating. This space given to ARCK would be an investment to our city to help break down economic barriers and empower youth.

I support ARCK on getting a 115 Winthrop Square Development space donated and ask that you give this request your fullest consideration.

Sincerely,

Bill Linehan  
District 2 City Councilor

BOSTON CITY HALL, ONE CITY HALL SQUARE, BOSTON, MASSACHUSETTS, 02201  
617-635-3203 FAX: 617-635-4203 William.Linehan@cityofboston.gov





**JOSH ZAKIM**  
**BOSTON CITY COUNCILOR**  
**DISTRICT 8**

January 19, 2017

Casey Hines, Senior Project Manager  
Boston Planning and Development Agency  
One City Hall Square  
Boston, MA 02201

Dear Ms. Hines:

I am writing today to express some of my concerns with Millennium Partners' current proposal for the 115 Winthrop Square site. As the proposal currently stands, Millennium's tower could reach up to 750 feet high - at this height the tower would cast significant new shadows on the Boston Common and Public Garden in violation of state law. Studies by Millennium Partners indicate that a building of this size would extend new shadows across the Common and Public Garden, and could even reach the Commonwealth Avenue Mall. These new shadows would negatively impact our precious parks and greenspace for generations. While there are many creative solutions available to combat issues such as droughts or insect infestations, there is no viable substitute for the natural sunlight that this building would block in these public parks. Therefore I must again request that Millennium provide, in addition to its current all-or-nothing proposal, a plan for a building with a more appropriate height that would not require changes to the state shadow laws. Such a plan would allow for critical development to take place without sacrificing the welfare of some of our city's most beloved parks.

I hope that you and your colleagues take the issues I have outlined into consideration, and I urge you to work with Millennium Partners to explore alternative, smaller-scale options for the 115 Winthrop Square development project. Please do not hesitate to contact me at 617-635-4225 or [josh.zakim@boston.gov](mailto:josh.zakim@boston.gov) with any questions.

Sincerely,

Josh Zakim

**Boston Water and  
Sewer Commission**

980 Harrison Avenue  
Boston, MA 02119-2540  
[REDACTED]



December 12, 2015

Secretary Matthew Beaton  
Executive Office of Energy and Environmental Affairs (EEA)  
Attn: MEPA Office  
Page Czepiga, EEA 15610  
100 Cambridge Street, Suite 900  
Boston, MA 02114

and

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

Re: 115 Winthrop Square / 115 Federal Street, Boston  
Environmental Notification Form  
Project Notification Form

Dear Secretary Beaton and Mr. Tracy:

The Boston Water and Sewer Commission (Commission) has reviewed the Environmental Notification Form (ENF) and the Project Notification Form (PNF) for the 115 Winthrop Square / 115 Federal Street project. This letter provides the Commission's comments on the ENF / PNF.

The proposed project is located at 115 Winthrop Square / 115 Federal Street in downtown Boston. The site is approximately 47,962 square feet and bounded by 75-101 Federal Street to the north, 100 Summer Street to the south, Devonshire Street to the west, and Federal Street to the east.

The project consists of demolition of an existing four-story vacant parking garage and construction of a new approximately 1.1 to 1.5 million square foot, mixed-use tower containing residential, office, retail, restaurant, parking and commercial space. The building will be approximately 775 feet tall and there will be approximately 400 to 550 parking spaces in a below-grade parking garage.



For water service, the site is served by a 12-inch low service and a 10-inch high service main on Federal Street, a six-inch low service main on Federal Court and a 12-inch low service and a 10-inch high service main on Devonshire Street. The Commission also maintains a 12-inch high pressure fire service pipe in Federal Street and Devonshire Street.

For sewer and storm drainage service, the site is served by a 24x36-inch combined sewer on Federal Street and a 16x24-inch combined sewer on Devonshire Street.

The ENF / PNF states that the proposed project will use approximately 213,428 gallons per day (gpd) of water and generate approximately 194,025 gpd of wastewater.

The Commission has the following comments regarding the ENF / PNF.

#### General

1. Prior to demolition of the 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 Developers, MCAF Winthrop, LLC 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 MCAF Winthrop, LLC's. 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. 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 back flow prevention devices in the facilities that will require inspection.
3. As mentioned in the ENF / PNF, the Department of Environmental Protection (DEP), in cooperation with the Massachusetts Water Resources Authority and its member communities, are 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. 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. MCAF Winthrop, LLC should be aware that the US Environmental Protection Agency issued a draft 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, MCAF Winthrop, LLC will be required to apply for a RGP to cover these discharges.
6. It is MCAF Winthrop, 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, MCAF Winthrop, 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. MCAF Winthrop, 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. MCAF Winthrop, LLC should also provide the methodology used to estimate water demand for the proposed project.
2. As stated in the ENF/PNF, MCAF Winthrop, LLC will explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In particular, MCAF Winthrop, LLC should consider outdoor landscaping which requires minimal use of water to maintain. If MCAF Winthrop, 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. MCAF Winthrop, 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. MCAF Winthrop, 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, MCAF Winthrop, LLCs should contact the Commission's Meter Department.

#### Sewage / Drainage

1. In conjunction with the Site Plan, MCAF Winthrop, 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 discharge of dewatering drainage to a sanitary sewer is prohibited by the Commission. MCAF Winthrop, LLC is advised that the discharge of any dewatering drainage requires a Drainage Discharge Permit from the Commission. If the dewatering drainage is contaminated with petroleum products, the proponent will be required to obtain a Remediation General Permit from the Environmental Protection Agency (EPA) for the discharge.



3. MCAF Winthrop, 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.
4. Sanitary sewage must be kept separate from stormwater and separate sanitary sewer and storm drain service connections must be provided. The Commission requires separate stormwater and sanitary sewer service connections.
5. The Commission requests that MCAF Winthrop, 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. MCAF Winthrop, LLC should contact the Commission's Operations Division for information regarding the purchase of the castings.
6. 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. MCAF Winthrop, LLC is advised to consult with the Commission's Operations Department with regards to grease traps.
7. The enclosed floors of a parking garage must drain through oil separators into the sewer system in accordance with the Commission's Sewer Use Regulations. The Commission's Requirements for Site Plans, available by contacting the Engineering Services Department, include requirements for separators.

Thank you for the opportunity to comment on this project.

Yours truly,



John P. Sullivan, P.E.  
Chief Engineer

JPS/cj

c: J. Larkin, MCAF Winthrop, LLC  
K. MacNeill, MCAF Winthrop, LLC  
C. Schlessinger, Epsilon Associates, Inc.  
K. Pedersen, BRA  
M. Zlody, BED  
P. Larocque, BWSC

## Boston Planning and Development Agency Memorandum

TO: Casey Hines  
FROM: Katie Pedersen  
DATE: January 5, 2017  
RE: 115 Winthrop Square  
Boston, Massachusetts  
Project Notification Form

---

I have reviewed the Project Notification Form (the "PNF") dated November 8, 2016 and submit the following comments for the Environmental Protection component. MCAF Winthrop LLC c/o Millennium Partners (the "Proponent") proposes the redevelopment of 240 Devonshire Street, which includes the demolition of the existing vacant parking garage and the construction of an approximately 1.1 to 1.5 million square foot mixed-use tower containing residential, office, retail, commercial, restaurant and 550 parking spaces (the "Proposed Project").

### Wind

A quantitative (wind tunnel) analysis of the potential pedestrian level wind impact shall be required, as the proposed building is designed to be 775 feet in height. The analysis shall determine potential pedestrian level winds adjacent to and in the vicinity of the Proposed Project and shall identify wind velocities that are expected to exceed acceptable levels, including the Boston Planning and Development Agency's (the "BPDA") guideline of an effective gust velocity of 31 miles per hour (mph) not to be exceeded more than 1% of the time.

Particular attention shall be given to public and other areas of pedestrian use, including, but not limited to, entrances to the Proposed Project and existing and proposed buildings in the vicinity of the Proposed Project, the existing and proposed sidewalks and walkways within and adjacent to the Proposed Project and existing and proposed plazas, park areas and other open space areas within and in the vicinity of the Proposed Project, including but not limited to, the Boston Common, the Boston Public Garden, the Post Office Square Park and the Rose Kennedy Greenway.

The wind impact analysis shall evaluate the following conditions:

1. No-Build - the existing condition of the Proposed Project site and environs to establish the baseline condition.
2. Build Condition – the Proposed Project as described in the PNF
3. As-of-Right – the Zoning Compliant Configuration

4. Alternative Build Condition – any alternative development concepts to the Preferred Build Condition required to be studied

Wind speeds shall be measured in miles per hour (mph) and for areas where wind speeds are projected to be dangerous or to exceed acceptable levels, measures to reduce wind speeds and to mitigate potential adverse impact(s) shall be identified and, if appropriate, tested.

Shadow

The Proponent shall be required to conduct a shadow analysis for the existing (no-build) and build conditions for the hours of 9:00 a.m., 12:00 noon, and 3:00 p.m. for the vernal equinox, summer solstice, autumnal equinox, and winter solstice and for 6:00 p.m. in the summer and fall.

The shadow impact analysis shall examine the existing shadows and the incremental effects of the Proposed Project on existing and proposed public open spaces, including but not limited to Boston Common, the Boston Public Garden, the Post Office Square Park and Rose Kennedy Greenway, as well as sidewalks and pedestrian walkways adjacent to and in the vicinity of the Proposed Project site.

The shadow impact analysis shall evaluate the following conditions:

1. No-Build - the existing condition of the Proposed Project site and environs to establish the baseline condition.
2. Build Condition – the Proposed Project as described in the PNF.
3. As-of-Right – the Zoning Compliant Configuration.
4. Alternative Build Condition – any alternative development concepts to the Preferred Build Condition required to be studied.

The shadow analysis results shall be provided in both animation and graphic representations, so as to best understand the extent to which shadows from the Proposed Project are anticipated to affect the overall shadow conditions within the surrounding area.

Solar Glare

The Proponent shall be required to conduct a solar glare analysis. The analysis shall measure potential reflective glare from the Proposed Project onto potentially affected streets and public open spaces including but not limited to Boston Common, the Boston Public Garden, Post Office Square and the Rose Kennedy Greenway as well as the sidewalk areas in order to determine the likelihood of visual impairment or discomfort



due to reflective spot glare. Mitigation measures to eliminate any adverse reflective glare shall be identified.

The shadow impact analysis shall evaluate the following conditions:

1. No-Build - the existing condition of the Proposed Project site and environs to establish the baseline condition
2. Build Condition – the Proposed Project as described in the PNF
3. As-of-Right – the Zoning Compliant Configuration
4. Alternative Build Condition – any alternative development concepts to the Preferred Build Condition required to be studied

#### Daylight

(Please refer to Urban Design's comments)

#### Air Quality

The Proponent shall be required to perform a microscale analysis, which shall predict localized carbon monoxide concentrations, including identification of any locations projected to exceed the National and/or Massachusetts Ambient Air Quality Standards. The analysis is required for projects for which:

- 1) Project traffic would impact intersections or roadway links currently operating at Level of Service ("LOS") D, E, or F or would cause LOS to decline to D, E, or F;
- 2) Project traffic would increase traffic volumes on nearby roadways by 10% or more (unless the increase in traffic volume is less than 100 vehicles per hour); or,
- 3) The project will generate 3,000 or more new average daily trips on roadways providing access to a single location.

Emissions from the Proposed Project parking garage and from the Proposed Project's heating and mechanical systems shall be estimated. In addition, carbon monoxide monitors shall be installed in the parking garage and a description of the proposed ventilation system shall be provided. Building/garage air intake and exhaust systems and specifications and an analysis of the impact of exhausts on pedestrians and any sensitive receptors shall be identified and. Finally, if deemed necessary, mitigation measures to minimize or avoid any violation of state or federal ambient air quality standards shall be included and a description provided.

## Noise

Noise impacts from the Proposed Project shall be analyzed, including rooftop mechanical equipment and other noise sources (e.g., emergency generators), demonstrating compliance with the City of Boston noise regulations and applicable state and federal regulations and guidelines. Due to the close proximity to residential buildings, the Proponent shall be required to evaluate and demonstrate compliance with the Interior Design Noise Level (not to exceed day night average sound level of 45 decibels) established by the U.S. Department of Housing and Urban Development (Subpart B Noise Abatement and Control of 24 CFR Part 51). If deemed necessary, mitigation measures designed to reduce excessive noise levels to acceptable limits shall be included and a description provided.

## Sustainable Design/Green Buildings

Article 37 to the Boston Zoning Code requires any proposed project which is subject to or shall elect to comply with Section 80B of Zoning Code of the City of Boston, Large Project Review, shall be subject to the requirements of Article 37. Proposed Projects shall be “certifiable” under the most appropriate United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Rating System. The purpose of Article 37 is to ensure that major building projects are planned, designed, constructed, and managed to minimize adverse environmental impacts; to conserve natural resources; to promote sustainable development; and to enhance the quality of life in the City of Boston.

The PNF indicates that the Proposed Project will use the LEED 2009 Core and Shell Rating System for the office portion and shows the intent to achieve LEED Platinum with 84 points and will use LEED 2009 for New Construction and Major Renovations for the residential portion of the Proposed Project and shows the intent to achieve LEED Platinum with 81 points.

Prior to the Inspectional Services Department’s (ISD) issuance of a building permit, all proposed projects must demonstrate compliance with Article 37 and have obtained approval of the requisite submissions from the Interagency Green Building Committee (IGBC). In order to demonstrate compliance, the IGBC requires the submission of a Draft Green Building Report (Draft Report), Energy Model and Design Affidavit. The Draft Report shall provide a comprehensive narrative describing the proposed strategies and paths that will be used to meet all LEED prerequisites and achieve the selected credits.



## Mayor's Commission for Persons with Disabilities

Martin J. Walsh, Mayor

January 17<sup>th</sup> 2016

**RE: 115 Winthrop Square, Boston, MA 02110  
Project Notification Form  
Boston Planning and Development Agency**

The Disability Commission has reviewed the Project Notification Form that was submitted for 115 Winthrop Square in Downtown Boston. Since the proposed project is planned to be a vibrant destination area for housing, office, retail and assembly for the Downtown area, 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 support the inclusion of accessible Group 2 units in the proposed unit breakdown to provide a scheme that is universally inclusive.
- **Accessible Parking:**
  - We support the inclusion of separate self-parking accessible parking spaces in the garage, as some vehicles have accessibility-modifications.
- **Accessible Route and Entry:**
  - The renderings showing the reconstruction of the abutting sidewalks and roads, depict the use of unit pavers as the main paving material for the public-right-of-way. We support the use of cast-in-place concrete for sidewalks and crosswalks, to ensure that the surface texture is smooth and continuous (minimize joints) and for the ease of maintenance.
  - We support the reconstructed sidewalks to conform to requirements set forth by the Boston Complete Street Guidelines for Downtown Commercial/Downtown Mixed-Use street type.
  - Please provide detail on all walkways and plazas within the Site, including unit paving and decking materials, dimensions and slopes.
  - Please describe the accessible route from the office floors to the office solarium areas.
  - We encourage the Proponent to meet with architectural staff, prior to Public Improvement Commission hearings.

▪ **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:**

- The civic nature of the ground floor program requires measures that reflect an inclusive culture. Please describe 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?
- Are the restrooms planned in common public spaces, to be single-stall, gender neutral, and/or designated as "Family"/"Companion"?
- Have you considered making other connections to landmarks around the site (to Downtown Crossing, South Station, St. Anthony's Church, etc.)

▪ **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.

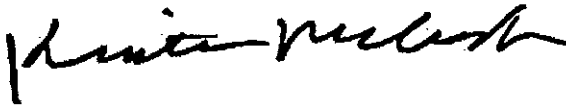
***Commission's General Statement on Access:***

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](mailto: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](mailto:patricia.mendez@boston.gov)  
617-635-2529

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



Massachusetts Port Authority  
One Harborside Drive, Suite 200S  
East Boston, MA 02128-2090  
Telephone (617) 868-5950  
www.massport.com

December 22, 2016

Secretary Matthew A. Beaton  
Executive Office of Energy & Environmental Affairs  
Attn: MEPA Office  
Anne Canaday, EEA #15598  
100 Cambridge Street, Suite 900  
Boston, MA 02114

**Subject: 115 Winthrop Square ENF (EEA #15610)**

Dear Secretary Beaton:

On behalf of the Massachusetts Port Authority (Massport), thank you for the opportunity to submit comments on the Environmental Notification Form (ENF) filing for the 115 Winthrop Square Project. The Project seeks to build a 775 foot tall, 1.1-1.5 million sf mixed use building at 115 Winthrop Square in Boston. As stated in the ENF, the project exceeds a mandatory Environmental Impact Review (EIR) threshold and thus comments on this filing will be used in the development of the Draft EIR Scope.

Massport supports new development projects that strengthen our economy and provide employment opportunities to its residents. Our main aviation priority is to ensure aircraft are able to operate in a safe and efficient manner in and around Logan Airport. In that context, Massport strongly objects to the proposed tower height of 775 feet at the 115 Winthrop Square site. The proposed tower exceeds the height limit of 710 feet above mean sea level (AMSL) as defined by the *Boston- Logan International Airport Composite Map of Critical Airspace Surfaces* (Logan Airspace Map, attached). Note that the 710 AMSL limit will apply to the tallest point(s) of the proposed structure above sea level including mechanical units, antennas, etc. We have had initial discussions with the proponent and expect to continue the dialogue.

A building height greater than 710 feet MSL at the 115 Winthrop Square location would have the following impacts on Logan Airport operations:

- **Significantly Impact Runway 27 Departures.** The proposed structure will penetrate the Federal Aviation Administration's (FAA) existing Runway 27 departure corridor. A building taller than 710' AMSL at this location would significantly reduce the capacity of the remaining airspace.
- **Lead airlines to shift departures from Runway 27 to Runway 33L.** This would reduce the efficiency of flight departure configurations in a Northwest wind condition
- **Shift overflights and associated noise** from communities south of Boston to communities west and north of Boston
- **Restrict existing FAA Circle-to-Land operations** to all runways, reducing flexibility of Logan FAA Air Traffic Control Tower to manage close-in flights

Therefore, Massport urges MCAF Winthrop LLC to explore alternative designs that meet the same project goals without exceeding the height of the 710 feet AMSL that would cause significant adverse Logan Airport operational and noise impacts.

#### About the Logan Airspace Map

The Logan Airspace Map defines the critical airspace around Boston Logan International Airport to protect the flight corridors in and out of the airport. It was created by Massport with input from airlines, pilots, city officials, and the Federal Aviation Administration (FAA) to help guide developers and regulatory authorities on building heights. The map aids developers in their planning and assists the FAA in its review of individual projects to determine if they present a potential hazard to air navigation. It was widely distributed to among the development agencies including BPDA and the developer communities and is available at: [http://www.massport.com/media/11778/BOS\\_COMPOSITE\\_Ver2pt0\\_dec201\\_small.pdf](http://www.massport.com/media/11778/BOS_COMPOSITE_Ver2pt0_dec201_small.pdf). Note that the Logan Air Space Map is based on the NAVD 88 datum and is different from Boston City Base Datum.


Massport is committed to collaborating with the MCAF Winthrop LLC to ensure that the Project complies with the Airspace Map and can be completed in a timely manner. Massport will work with the Proponent from the beginning of the design and permitting process and during construction to minimize the impact of the cranes on Logan airspace.

Complying with the Airspace Map does not relieve proponents of the responsibility of complying with the FAA 7460 review process. MCAF Winthrop LLC will be required to file the 7460 forms no later than 45 days prior to construction but we encourage that this be filed as early as possible to avoid delays. Separate forms have to be filed for the building and the construction cranes.

Thank you for your consideration of our comments. Please feel free to contact me at (617) 568-3524 or at [sdalzell@massport.com](mailto:sdalzell@massport.com) if you wish to discuss any of our concerns.

Sincerely,

Massachusetts Port Authority



Stewart Dalzell, Deputy Director  
Environmental Planning and Permitting

Cc: T. Glynn, E. Freni, J. Doolin, J. Prankeviclus, H. Morrison, F. Leo, S. Gongal/Massport  
M. Walsh/FAA  
J. Larkin/Millennium Partners  
C. Tracy/BPDA  
C. Schlessinger/Epsilon Associates

Enclosures:

Boston-Logan International Airport Composite of Critical Airspace Surfaces Map, and details of 115 Winthrop Square location

## BPDA Planning and Urban Design Scoping Comments:

To: MCAF Winthrop LLC (c/o Millennium Partners)

Date: April 6, 2017

Subject: 115 Winthrop Square Project Scoping Comments

The first line in the Request for Proposals (RFP) issued by the City of Boston and Boston Redevelopment Authority in March of 2016 asked for “a bold design in the development of 115 Winthrop Square...that is emblematic of the future of Boston’s Downtown.” It was hoped that the “proposed building will be one of the most notable structures within Boston’s downtown skyline,” expressive of innovation, and expected “to function physically and aesthetically as a working part of the local urban system,” which includes Winthrop Square itself as the closest of the network of spaces, alleys, and connections that define the character of Boston’s Financial District. This site, at the heart of the Financial District, and at the intersection of the High Spine and downtown area of robust transportation access, is the right place for a high density tower. The City’s Selection Committee agreed that the Proposal selected and now currently under review best met all of the criteria listed in Section 4 (and more) of the RFP, including the above. These comments are intended to push the Proponent team to develop a DPIR response that exceeds all expectations, and produces an iconic tower that enhances the skyline of the City.

MCAF Winthrop LLC (c/o Millennium Partners) submitted a Project Notification Form (PNF) on November 8, 2016, and have since held a scoping session and several Impact Advisory Group (IAG) and public meetings. A mixed-use project totaling approximately 1.3 million SF is proposed, including up to ~635,000 SF of office, ~780,000 SF (460 units) of residential, and 60,000 SF of retail. (These figures are all maxima in their category.) The Project includes the notion of a ‘Great Hall,’ a connecting public and social space running between Devonshire and Federal Streets, as well as improvements to Winthrop Square itself. The architects are Handel Architects LLP as lead, with D/R/E/A/M Collaborative LLC, and Ground, Inc. as landscape architects. The initial PNF design is essentially the RFP response, with modest embellishment and more information. The Boston Civic Design Commission (BCDC) saw an initial presentation on February 7, 2017; the Project was referred to Design Committee for further discussion. The excerpted minutes from that date are appended at the end of this Memo.

### Alternatives Analysis

Based on consultation with other departments and agencies, and the feedback received thus far from the Impact Advisory Group (IAG) and the public, BPDA staff requests that the following alternative massings be analyzed, to facilitate comparison:

- A no-build scenario.
- A PNF scenario, showing the Proposed Project as described in the PNF.



- An "as-of-right" scenario, under the existing B-10 zoning, that shows the maximum height achievable without triggering shadow impacts to the Boston Common or Public Garden. (Note: the zoning for this parcel will be pursued through a Planned Development Area. This mechanism is allowed by right within the existing zoning. For the purposes of comparison, we ask that a massing under the B-10 regulations be studied.)
- An FAA/Massport compliant scenario, as expressed in the March 2016 Request for Proposals. BPDA Staff anticipated that this would represent a building height of 725', with the caveat that the maximum height allowed on the site will be ultimately be determined by the negotiated FAA/Massport ceiling. The actual FAA compliant height may be under 700'.
- A massing scenario that shifts some of the bulk of the residential density to the east, over the Office Solaria.

We encourage, through the above analysis, the development of a preferred alternative. We expect that mitigations or positive urban benefits will result from this Project and, in balance, will far outweigh any negative impact. Specific shadow and wind investigations will be requested - a separate category in this scoping - to determine what the impacts are regarding the Boston Common, Public Garden, and Rose Kennedy Greenway, among others. We will expect that the Proposed Project as represented in the Draft Project Impact Report (DPIR) will have taken into account any necessary mitigating factors, for scenarios with densities and heights beyond those alternatives listed above, discovered as a result of environmental and other studies by the Proponent.

### Tower Architecture

The City has asked for, and the Proponent has submitted, an arresting and potentially iconic tower. Consider its role in contributing to the skyline of the Downtown area - in particular, how does it relate formally to other recently constructed tall buildings? How does it denote its place in the City? How is it evocative of Boston's innovative spirit? Part of this answer will lie in the compilation of skyline views from all directions, most obviously perhaps from the Boston Common, but from many other points as well - see an initial suggested list in the standard Urban Design submission requirements listed below. View vignettes from an array of historic resources identified as within a certain view range in that section are suggested as well. From some of the area open spaces, the Proposed Project's role as an urban backdrop will be an aspect of its skyline impacts.

The relationship of the tower and office podium massing on both sides, but particularly to Winthrop Square, is worth studying further. The tower is emulating certain aspects of nearby art deco towers. A strategy to improve the relationship of its massing to the group of older buildings that frame much of Winthrop Square might trade on that initial concept, so that the scale of the Winthrop Square space is not overwhelmed, but each element, space and tower, work together to create a more coherent dialogue. One classic example

of space and tower working in tandem of course is Rockefeller Center. See more questions about Winthrop Square below.

Work on the shaping of the tower is needed for several different reasons. One for the podium is noted above. Another is suggested in the Alternatives Analysis - shifting the residential element more dramatically may provide a narrower profile to both Winthrop Square and parts further east. The overall shaping of the tower might be considered further; it appears very rectilinear in some of the early views, and although the facade might be considered more elegant in its treatment than some, it joins a rather rectilinear larger, and older, family. It is worth considering this tower's relationship to the most recent Millennium Tower, at a similar height and by the same hand. Given the aspirations for this site, the 115 Winthrop Tower should arguably be different - that is, more architecturally distinctive, and we would like to discuss more of an evolution along these general lines.

Develop and present more information on the facade and glazing system(s) to be utilized. We encourage and applaud the strong initial consideration of PassivHaus and LEED Platinum goals, and would like to understand more about the facade factors that contribute. As to the pleating strategy that is embedded throughout the facade - can the pleats themselves, those details and materials, lend themselves to: ameliorate shadow impacts, harvest energies, help diminish wind impacts, express or imply the structural system in a subtle way that ties with the more expressive structural system used in the Great Hall, or act as a conceptual design tool to further shape the building? Investigation of these questions may enrich the Project.

A portion of the tower that relies less on the pleating treatment is the Federal Street wing, with its Solaria. Provide more information on their role in, and contribution to PassivHaus rating. Are the Solaria functioning as more of an enticement to prospective tenants? Is it possible to include one as an aspect of the 'accelerator' program space? Is it possible to make one a public or quasi-public space or showcase?

### Great Hall

Although the broader impacts of the building to the Boston Common and Public Garden are under review, further definition is needed for both the design and programming of the Great Hall, as well as the relationship with and the impacts to Winthrop Square. The BPDA strongly supports the creation of a multi-story, publicly-accessible space or civic program on the ground level(s) of the 115 Winthrop Tower. There is a tremendous opportunity for the Great Hall to function as an important civic - and perhaps cultural - space in downtown Boston, but there are many questions given the Hall's as yet inchoate form. Most of those questions can be answered through programming and design, which the BPDA looks forward to discussing with the proponent during the next phase of the project.

The 115 Winthrop Tower will be experienced primarily at two scales. The public will experience the Tower from a distance as a prominent building on Boston's skyline, but also more tangibly at the ground level. The experience of moving through the Great Hall on foot is paramount to the success of the project. The Hall will become part of the network of POPs (privately owned public spaces) in the city - and potentially one of the most attractive examples.

As currently designed, the Great Hall space resembles a transit hub, but absent any transit connections. There are both local examples (Back Bay Station, South Station), as well as international examples (Brookfield Place in Toronto and the similarly-named Brookfield Place connected to New York's World Trade Center, as well as recent improvements to St. Pancras Station in London) with similarities in either scale or design. Scale comparisons of these and possibly other comparable spaces would be useful as the proponent continues to develop the Great Hall, but mindful that retail uses alone do not achieve the distinction of a great civic amenity. A common element in many of the listed spaces is the clear and convincing relationship of the framing structure to the space it forms. Provide more information on the nature of the structure you are employing to define the Great Hall space.

Given this preliminary stage, it may be desirable to consider alternate or complementary uses to those being proposed. Information supplied by the proponent suggests a seasonal approach to programming, but no year-round "anchor tenant." A seasonal programming approach will require active and ongoing management, and it is unclear who will shoulder that responsibility in perpetuity. More specificity on the primary uses of the Great Hall will be helpful in refining the design of the Great Hall, but with the understanding that the space should be "public" in its essence.

In addition, it is unclear how the programming might enhance or detract from similar outdoor activities on the Summer Street mall in Downtown Crossing or on Dewey Square near South Station, activities that are facilitated by the Downtown Crossing Business Improvement District (BID) and the Rose Kennedy Greenway Conservancy, respectively. The Downtown Crossing BID has been transformative in this area during the past six years, and the Proponent should see them as an early-stage collaborator and active partner as they consider improvements to Winthrop Square, as well as with programming strategies for the Great Hall.

While the Great Hall offers a publicly-accessible space of 10,000-15,000 SF, finding other spaces higher up in the building that can be made public may be appropriate. The Solaria and other roofdeck areas may be an opportunity to provide a range of different public or quasi-public spaces. Winthrop Square, as conceived as an "urban room," is a complementary strategy to the idea of providing a range of different public experiences within the larger context of the 115 Winthrop Tower.

While a through-block connection from Federal Street to Winthrop Square is desirable, and the BPDA generally applauds efforts to encourage pedestrian connectivity downtown, a balance between circulation space and amenities must be sought. Additionally, the alignment of the through-block connection should also be further studied to ensure that meaningful physical and visual connections are being made to amenities beyond the project boundary. For example, the currently proposed hall has a linear alignment and a consistent width. The portal that opens on to the Devonshire Street end focuses on a retail corner rather than making a direct visual and physical connection with the Winthrop Square open space. The portal that opens on to Federal Street focuses on a parking ramp and a security booth and lands very close to the street edge, which does not provide enough of a forecourt for the scale of the portal opening meeting the public realm. Perhaps an arc or "folded" alignment, that introduces a variable width, would provide for a more dynamic interior space and portals better positioned to connection to amenities and public realm just outside the building.

There is an existing and proximate through-connection at 75-101 Federal Street, and it is unclear how the Great Hall relates to that and other nearby pedestrian shortcuts. Some analysis of pedestrian desire lines is warranted given this and other pre-existing shortcuts through buildings. While the retail character may be differentiated quite easily, the challenge remains of balancing circulation space with the potential uses like public speaking or events.

### Winthrop Square

The potential for the 115 Winthrop Tower to transform Winthrop Square is enormous. Given the latent possibilities of this smaller, more intimate park space in the heart of the Financial District, the design of Winthrop Square is equivalent in importance to the Great Hall. The proponent need not look far to Shoppers Plaza or Post Office Square for examples of successful open space typologies that work in concert with the surrounding context.

The proponent must articulate a clear identity for Winthrop Square that harmonizes with the Great Hall or other ground floor uses, but can also stand on its own. Is the space predominantly quiet and passive or actively programmed? A flexible, one-size-fits-all approach to the open space may not be appropriate given the constrained dimensions of the park. Winthrop Square already operates as an "urban room." The addition of the Tower should not demote scarce open space downtown to overflow space for the Great Hall.

Again, working with the Downtown Crossing BID is important, as Winthrop Square has been the focus of prior planning, including a wayfinding study, within the larger context of the BID boundary. The preliminary ideas for Winthrop Square did not include the redevelopment of the garage, so it is appropriate to revisit the initial recommendations and strategies that emerged from the report.

Regardless, the threshold - both actual and perceived - between the square and tower must be considered and well-designed. The current Great Hall entrance on the Winthrop Square side is diminutive relative to the scale of the office podium, but large in respect to space of the square. Calibrating the entrance size and its impacts on Winthrop Square is important for the successful redesign of the square. Currently, the entrance height on the Federal Street elevation appears more to scale than on the Winthrop Square side. Further exploration of the Federal Street entry is also warranted. Are there design strategies that allow for increased visibility to the park from the Federal Street or cues to the park space beyond?

The landscape design of Winthrop Square should include significant shade trees and function as a complementary open space within a larger open space network downtown. The landscape mounds are understood to function as a tree preservation strategy within a curbside roadway condition. The design of the roadway and landscape is still very preliminary, but the BPDA supports exploring novel strategies for balancing roadway and curbside uses with landscape design.

Providing sections through the Great Hall and Winthrop Square is a necessary starting point for exploring the interrelationship and scale between these two spaces. The initial strategy appears to be a continuous spatial treatment, but the scales of the two ending 'frames' could not be more different. Consider a more graduated or episodic approach, which could include a variation on the structural composition, and consider too the very different nature of the Federal Street and Winthrop Square/Devonshire Street beginning/end points. During the next phase, the BPDA looks forward to continued exploration of this urban cross-section, and impacts to smaller existing moments in the adjacent urban fabric, such as Winthrop Lane.

#### Vehicular & Loading Access

As articulated in the RFP, the City (BPDA/BTD), strongly prefer that all parking and loading access utilize the existing Federal Court/Milton Place private ways. If additional access points are needed we prefer that they be located off of Federal Street, and on the northern edge of the site (opposite Federal Court) to preserve and maximize the proposed Great Hall dimension.

The current site plan creates two impactful curb cuts on Devonshire that should be reconsidered. To this end, we appreciate the premise that the below-grade parking could later be converted to different uses. Considering the higher ceiling heights this will require, we request that the proponent make every effort to relocate all of its loading activities to within the parking garage layout. This will allow for shared access with parking and would eliminate the need for a separate curb cut. We support the concept of pedestrianizing Devonshire Street and reducing traffic and eliminating curb cuts on this street will further

this goal. The concept as proposed of converting a portion of Devonshire to 2-way to allow 100 Summer Street traffic to head to Summer Street, thereby reducing traffic along Winthrop Square and in front of the site is supported and should be further explored.

### Parking and Curbside Management

The parking entries or entry courts themselves must be thoughtfully considered so as to avoid any vehicular interference with pedestrians. Any new vehicular access points should ramp up from the street to allow sidewalks to cross at the same grade (thereby eliminating the need for pedestrian ramps at driveways). The parking and loading design should be forward-thinking, allowing different modes of transportation arrival for drop-off and pickup, including Bridj, Uber, etc. Any parking access should be subservient to the pedestrian flow volumes coming through the Great Hall.

The currently proposed range of parking spaces is on the high side for such a transit rich location. As the program becomes more refined we expect to work with the proponent to reduce and refine these ratios for specific uses as well as find opportunities to share parking spaces and creatively and efficiently manage supply and demand through progressive pricing approaches.

### Transportation Network Impact Analysis and Mitigation

We expect the project to fully articulate its impacts on all modes of the transportation system. Appropriate modal network improvements will be required to mitigate the project's impacts, particularly on the transit system.

### Shadow

See Katie Pedersen's January 5, 2017 Scoping Memo regarding Shadow, which asks for the standard shadow analysis in both graphic and animation form. These should clearly delineate new shadows cast by use of a strongly differentiated graphic technique, such as color. The Proponent has developed considerable information on shadow impacts, much of it displayed in public meetings, with particular emphasis on the impacts relative to the two legislative covenants (Chapter 362 of the Acts of 1990 and Chapter 384 of the Acts of 1992, respectively) that govern shadow impacts on the Boston Common and on the Public Garden. This information - which includes all days of the year any impacts are recorded, and overall duration by area (Boston Common, Public Garden) - should be organized, refined, and presented in the DPIR. In addition, please develop more information regarding point durations on these two open spaces.

Some of the concern expressed over the additional shadow on the Boston Common may come from a general concern about the health of the aging tree community on the

Common. While it is difficult to quantify the actual effects of additional shadow of any duration on the Common, what is perhaps more important is that some potential negative effect is possible over time. Some study regarding this potential impact and suggestions regarding the protection, preservation, and maintenance of the Common's elder statesmen is requested.

We suggest, where animation studies indicate some new shadow coverage times on sensitive areas, that specific timeframes/durations be identified, with a clear presentation methodology to be agreed upon with BPDA staff. This request would only apply to larger open space areas such as the Greenway and Post Office Square Park.

We reserve the right to add additional concerns during the course of the process of combined BPDA Staff, IAG, and BCDC review, which may affect the responses detailed in the DPIR. The following urban design materials for the Proposed Project's schematic design must be submitted for the DPIR:

1. Written description of program elements and space allocation (in square feet) for each element, as well as Project totals.
2. Neighborhood plan, elevations and sections at an appropriate scale (1"=100' or larger as determined by the BPDA) showing relationships of the proposed project to the neighborhood context:
  - a. Massing
  - b. Building height
  - c. Scaling elements
  - d. Open space
  - e. Major topographic features
  - f. Pedestrian and vehicular circulation
  - g. Land use
3. Color, or black and white 8"x10" photographs of the site and neighborhood.
4. Sketches and diagrams to clarify design issues and massing options.
5. Eye-level perspective (reproducible line or other approved drawings) showing the proposal (including main entries and public areas) in the context of the surrounding area. Views should display a particular emphasis on important viewing areas such as key intersections, pathways, or public parks/attractions. A few of such viewpoints have already been used in presentations to the public. Long-ranged (distanced) views of the proposed project must also be studied to assess the impact on the skyline or other view lines. At least one bird's-eye perspective should also be included. All perspectives should show (in separate comparative sketches) at least both the build and no-build conditions; any alternatives proposed should be compared as well. The BPDA should approve the view locations before analysis is begun. We suggest at least the following viewpoints: up and down Devonshire, Federal, and Franklin Streets; Post Office Square; the Greenway (Dewey Square at a minimum); the Public Garden and Boston Common; the Charles River viewshed (Mass Ave Bridge or Memorial Drive); the North End; Government Center; from the south entering the city; from the Harbor; and, from the Back Bay and South End neighborhoods. View studies should be cognizant of light and shadow, massing and bulk.

6. Additional aerial or skyline views of the project, if and as requested.
7. Site sections at 1"=20' or larger (or other scale approved by the BPDA) showing relationships to adjacent buildings and spaces.
8. Site plan(s) at an appropriate scale (1"=20' or larger, or as approved by the BPDA) showing:
  - a. General relationships of proposed and existing adjacent buildings and open spaces
  - b. Open spaces defined by buildings on adjacent parcels and across streets
  - c. General location of pedestrian ways, driveways, parking, service areas, streets, and major landscape features
  - d. Pedestrian, handicapped, vehicular and service access and flow through the parcel and to adjacent areas
  - e. Survey information, such as existing elevations, benchmarks, and utilities
  - f. Phasing possibilities
  - g. Construction limits
9. Massing model (ultimately in basswood) at 1":40'0" for use in the Agency's Downtown Model.
10. Study model(s) at 1" = 16' or 1" = 20' showing preliminary concept of setbacks, cornice lines, fenestration, facade composition, etc. are recommended.
11. Drawings at an appropriate scale (e.g., 1":16'0", or as determined by BPDA) describing architectural massing, facade design and proposed materials including:
  - a. Building and site improvement plans
  - b. Neighborhood elevations, sections, and/or plans showing the
  - c. Development in the context of the surrounding area
  - d. Sections showing organization of functions and spaces, and relationships to adjacent spaces and structures
  - e. Preliminary building plans showing ground floor and typical upper floor(s).
  - f. Phasing, if any, of the Proposed Project
12. A written and/or graphic description of the building materials and its texture, color, and general fenestration patterns is required for the proposed development.
13. Electronic files describing the site and Proposed Project.
14. Full responses, which may be in the formats listed above (and more), to any urban design-related issues raised in preliminary reviews or specifically included in the BPDA scoping determination, preliminary adequacy determination, or other document requesting additional information leading up to BPDA Board action, inclusive of material required for Boston Civic Design Commission review.
15. Proposed schedule for submission of all design or development-related materials.
16. Diagrammatic sections through the neighborhood (to the extent not covered in item #2 above) cutting north-south and east-west at the scale and distance indicated above.
17. True-scale three-dimensional graphic representations of the area indicated above either as aerial perspective or isometric views showing all buildings, streets, parks, and natural features.



## Daylight Component

A daylight analysis for both build and no-build conditions shall be conducted by measuring the percentage of skydome that is obstructed by the Proposed Project building(s) and evaluating the net change in obstruction. If alternative massing studies are requested (which see above) or result as part of the Article 80 development review process, daylight analysis of such alternatives shall also be conducted for comparison. The study should treat three elements as controls for data comparisons: existing conditions, the 'as-of-right' massing, and context examples. The areas of interest include Federal and Devonshire Streets, and Winthrop Square itself. Daylight analyses should be taken for each major building facade fronting these public ways / spaces. The midpoint of each public roadway, and a reasonably centered point in the Winthrop Square space, should be taken as the study points. The BRADA program must be used for this analysis.

If a Proponent wishes to substitute a more contemporary computer program for the 1985 BRADA program, its equivalency must first be demonstrated to the satisfaction of BPDA staff before it is utilized for inclusion in the DPIR, and it must be commonly available to Boston development team users.

## Infrastructure Systems Component

An infrastructure impact analysis must be performed.

The discussion of Proposed Project impacts on infrastructure systems should be organized system-by-system as suggested below. The applicant's submission must include an evaluation of the Proposed Project's impact on the capacity and adequacy of existing water, sewerage, energy (including gas and steam), and electrical communications (including telephone, fire alarm, computer, cable, etc.) utility systems, and the need reasonably attributable to the proposed project for additional systems facilities.

Any system upgrading or connection requiring a significant public or utility investment, creating a significant disruption in vehicular or pedestrian circulation, or affecting any public or neighborhood park or streetscape improvements, comprises an impact which must be mitigated. The DPIR must describe anticipated impacts in this regard, including specific mitigation measures, and must include nearby Proposed Project build-out figures in the analysis. The standard scope for infrastructure analysis is given below:

### 1. Utility Systems and Water Quality

- a. Estimated water consumption and sewage generation from the Proposed Project and the basis for each estimate. Include separate calculations for air conditioning system make-up water
- b. Description of the capacity and adequacy of water and sewer systems and an evaluation of the impacts of the Proposed Project on those systems; sewer and storm drain systems should include a tributary flow analysis as part of this description
- c. Identification of measures to conserve resources, including any provisions for recycling or 'green' strategies, including green roofs
- d. Description of the Proposed Project's impacts on the water quality of Boston Harbor or other water bodies that could be affected by the Project, if applicable

- e. Description of mitigation measures to reduce or eliminate impacts on water quality
- f. Description of impact of on-site storm drainage on water quality
- g. Information on how the Proposed Project will conform to requirements of the Ground Water Trust under Article 32, if applicable, by providing additional recharge opportunities
- h. Detail methods of protection proposed for infrastructure conduits and other artifacts, including the MBTA tunnels and station structures, and BSWC sewer lines and water mains, during construction
- i. Detail the energy source of the interior space heating; how obtained, and, if applicable, plans for reuse of condensate.

Thorough consultation with the planners and engineers of the utilities will be required, and should be referenced in the Infrastructure Component section.

## 2. Energy Systems

- a. Description of energy requirements of the project and evaluation of project impacts on resources and supply
- b. Description of measures to conserve energy usage and consideration of the feasibility of including solar energy provisions or other on-site energy provisions, including wind, geothermal, and cogeneration.

Additional constraints or information required are described below. Any other system (emergency systems, gas, steam, optic fiber, cable, etc.) impacted by this development should also be described in brief.

The location of transformer and other vaults required for electrical distribution or ventilation must be chosen to minimize disruption to pedestrian paths and public improvements both when operating normally and when being serviced, and must be described. If necessary, storm drain and sewage systems should be separated or separations provided for in the design of connections.

The Proponent should investigate energy strategies that take advantage of this scale of construction, including those that incorporate green roof strategies as well as solar orientation and materials/systems that maximize efficiencies, daylighting strategies, wind, solar, and geothermal systems, and cogeneration. Given the PassiveHouse and LEED standards sought, we expect robust information regarding any infrastructure-related aspects of those rating systems.

Excerpted from the minutes of the BCDC meeting of February 7, 2017:

The next item was a presentation of the **115 Winthrop Square Project**. Kathy MacNeil (KM) of Millennium Partners introduced the Project, noting the selection process for the City-owned garage parcel. KM noted the review process: We have had several public meetings; this will be part of the BPDA PNF review and scoping process. Blake Middleton (BM) of Handel Architects presented the design, starting with photos of the area and Winthrop Square. BM: We looked at notions of how to reinforce the space, using European piazzas as precedents. We're trying to preserve the honey locusts (shows a landscape detail, then an 1860 photo of the Winthrop Square space with cobbles) with the idea of reestablishing a continuous space as a better connection for the area. We're thinking bollards, continuous tabling, slowing the traffic down. The Great Hall is the foundation of our public realm contribution. It's a connector, linking spaces, even uses, with inspiration from many spaces (Galleries, etc.). There are limited routes for loading and parking access (indicates). We want to activate the main space 18 hours a day - Boston's Living Room, a versatile space. Grab'n'Go below, dining above. The structure shown, actually *is* structural; the ends are as permeable as possible, with air hangar doors (shows views of the two openings). The material of the building comes all the way to the ground. The form of the building follows the street edge in Winthrop Square, while on Federal Street, the strategy is different. (Shows an axon, then a diagram of the massing elements.) We have a pleated facade, an idea drawn from the nearby Art Deco buildings of the Financial District, and old silversmithing traditions - catching the light. (Notes an axonometric program diagram, with a breakaway section which clarifies.) The form is driven by office and residential planning, and the cores. The office allows a fair amount of density. The Solaria form a pavilion-like 'bustle,' something of the scale of the Rudolph building. We are doing a LEED Platinum building, and taking that designation for the office a little further, to PassiveHouse (US) standards. (Shows sections of the whole building. Notes the parking below has stacker systems.) There's a grade change through the site, which may require steps and ramps to achieve our purpose. (Riffs through a series of slides, noting the proportions of the Great Hall, the ground floor plan, the programming, the upper floors. Notes the nickel silver facade, the Art Deco pleating detail. Shows a night view.) The deep fissures at the top are illuminated at night.

AL: I want to understand the ground plane. Do you have an elevation? BM showed the Winthrop Square view, noting the residential lobby to the left, a *porte cochere* beyond, the office lobby to the right, and the Great Hall entry. AL: And the facade - how do the windows work? BM: It's a glass wall with angled fins, which change angles as they move up. MD: I would like to understand better how the stack of lower public floors works. The section through.... LE: It becomes the street. MD: ...How one goes through/between the levels. PM: And you have escalators as well? BM: We might - it depends on volume, if the uses require more people moving between. MD: The resolution of the Great Hall back on Federal Street is very successful. It seems lost on the Winthrop Square side. AL: We've all seen a lot of images of this. How you brought the ground plane in, the use of the bustle - is really intelligent. There's a beauty to the idea of the texture of the building. But all the images

did not prepare me for the sheerness of the facade. Winthrop Square could feel dwarfed by something that close, and that tall. To me, that's the biggest concern, not the 75' scale you reference. It's about the massing, not the height, per se. I'd like to know what else you've studied. BM: This is one of the rare opportunities in the City with a space. Shoppers' Park at Filene's is close to this space. AL: Could the top peel back more? BM: Maybe. We have early reports from the wind engineers, which will inform how we develop the scheme.

DC: It was shocking to me to see the model. Even the Great Hall seems diminutive. It's great to have an indoor room; it's a great amenity. I am concerned about the shadow impacts. Once done, there's no undoing. It's also about vegetation, the impact there. PM: Where does the shadow stand? Joe Larkin (JL) of Millennium spoke briefly about the proposed legislation, limiting impacts to this one Project and possibly eliminating the remaining shadow 'bank.' DC: The issue is really that some of the really old trees may not be able to tolerate more shadow. JL: I can tell you, what we have so far, is that the consideration is an exception for this site only, with some offsets. MD: The RFP requested that height, right? JL: Yes. All respondents were in the 675-750' range. LE: I'd like to know more about Winthrop Square. I think the bollards detract; can you do without them? PM: They make the space more constrictive. LE: More on the scale of the space, the historic plantings. I realize that the height of the 'frame' of the Great Hall picks up the average height of the other buildings in the Square. It feels resolved on Federal Street, but not on the other side. Do you need the structure? The frame appeals to me. It feels like a modern entry - with a thing inside. AL: It's functioning differently. By the way, the 2-story studios (Solaria) are great. There's something - the imposing wall. Think of the planes, how they lift. This is the side (Winthrop Square) that's hardest. Look at heights, angles, displacement (setback) to give some air to the Square.

DC: Did you consider spill-out programming? BM: Yes. MD: A closer level of analysis about how the space(s) operate. We recently looked at North Station.... I would love to see this function. I'm very convinced by the gesture, but I want to be sure it works. BM: Millennium takes the [curatorship] of the space very seriously. The more versatility, the less particularity. Bryant Park is an example of curated outdoor space. It's much different than the North Station problem. AL: Is it open or closed? BM: Seasonal. AL: The canopy at Les Halles, in Paris - they do not close it; it's absolutely public. Think about that openness.

MD opened to public comment. Martyn Roetter of NABB: I'm in opposition, not only because of shadows on the Public Garden, but because the Project was conceived from the get-go to modify the legislation, and that might impact many other sites. You do not change the law to suit. Fritz Casselman of NABB: I'm glad we talked about aspects of the Great Hall. Folks with disabilities should be able to take in the experiences equally, like the Louvre. BM: This is the time for us to incorporate that thinking. A 3-story spread. MD: That stack of public spaces. Greg Galer of the Boston Preservation Alliance: I want to thank

the Commission for their concern about Winthrop Square and its historic properties. One issue of timing - I have concerns about moving forward with the Project without checking all the environmental impacts. A lot of folks feel these issues should have been expressed before. MD: We'd prefer not to get out ahead. AM: This is an incredible Project for the City, and I hope it moves forward. With that, the 115 Winthrop Square Project was sent to Design Committee.

# BOSTON

Martin J. Walsh, Mayor

April 4, 2017

Ms. Teresa Polhemus  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201

RE: 115 Winthrop Square

Dear Ms. Polhemus:

The Boston Parks and Recreation Department (BPRD) has reviewed the *Article 80 Project Notification Form* for the proposed project at 115 Winthrop Square, also known as 115 Federal Street in Downtown Boston. The proposed development includes the construction of a tower that will be up to 775 feet in height, with 1.1 to 1.5 million square feet of mixed use.

The City has agreed to sell the site to Millennium Partners for approximately \$153 million. Of that sum, \$56 million will be provided for improvements to Boston Common and Franklin Park.

## Location

This project is located across from Winthrop Square, a small passive plaza that is part of the public way, and is not a property under the jurisdiction of BPRD. The project is not subject to review of the Parks Commission under Municipal Code Section 7-4.11. Proposed improvements to Winthrop Square will require approval of the Public Improvements Commission (PIC).

The project is located in proximity to public open spaces such as the Rose Kennedy Greenway, as well as the Boston Common and the Public Garden, which anchor the Emerald Necklace.

## Zoning

The project is located in a B-10 Retail Business and Office District of the Boston Zoning Code. The proponent intends to apply for the creation of a Planned Development Area (PDA), and approval of a PDA Development Plan, to permit construction of the project.

## Open Space Impacts

The PNF notes that the project will include 290 – 460 residential units with 580 - 920 bedrooms total. It can therefore be estimated that 290 - 1200 people will reside at this location. This development will add demand to existing public open spaces in order to meet the outdoor recreation needs of its residents - particularly for active uses, play spaces for children, and accommodations for pet owners.



**Boston Parks and Recreation Department**

1010 Massachusetts Ave., Boston, MA 02118 / Tel.: 617-635-4505 / Fax: 617-635-3173

This project has proposed to make improvements to Winthrop Square which is a small, passive open space across the street. These improvements will provide a public amenity to the project.

### **Shadow Impacts**

The proposed development currently includes the construction of a 775' tall tower. The PNF notes that "the site is located in a densely built urban area and the proposed project will be surrounded by and adjacent to existing structures that cast shadows on public roads and spaces. Most new shadow will occur in the immediately surrounding area."

Two State laws regulate shadows on the Boston Common and the Public Garden. The Boston Common (Ch. 362, 1990) and Public Garden (Ch. 384, 1993) Shadow Laws restrict new shadows on the parks to the first hour after sunrise or 7:00 a.m. (whichever is later), or the last hour before sunset, cast by buildings located outside of the Midtown Cultural District. The shadow laws created a "shadow bank" from which the City could allow developers to "withdraw" for shadows cast for longer than the allowed exemption.

This project needs statutory relief from these laws as the Winthrop Square project would cast shadow onto the parks beyond the allowed timeframe. However, according to shadow studies provided by the project proponent, this new shadow is gone by 9:30 am on its most impactful day. One hundred days of the year, there is no new shadow generated by the project.

### **Benefits**

BPRD is challenged by the reality of maintaining and improving beloved but aging infrastructure. The Winthrop Square project would provide millions of dollars needed for maintenance, capital improvements and endowments for Boston Common and Franklin Park as highlighted in *Imagine Boston 2030* and *Boston Open Space and Recreation Plan 2015-2021* as well as detailed in various internal planning documents at BPRD.

As America's first park, Boston Common has over 1.5 million unique visitors a year which impacts the park far more than its current maintenance budget can restore. The improvements to the Boston Common that would be enabled would provide a net improvement to people's experience of that open space. As with all BPRD capital projects, these funds would go through a community process regarding their expenditure. Items to be considered are pathway improvements, irrigations systems, lighting, Frog Pond infrastructure, turf repair and more. BPRD strongly feels that some of these funds should be endowed and restricted for a maintenance fund for the park.

Improvements to the jewel of the Emerald Necklace, Franklin Park, have been deferred for over a century. Representing the largest investment in the park since its creation, these funds would be allocated through a community process and could include pathways, tree care, lighting, security, the renovation of the overlook ruins and Elma Lewis bandstand and more. As with the Common, BPRD strongly feels that certain funds be restricted for a maintenance endowment.

The Winthrop Square project provides an opportunity to care for these parks in perpetuity.

Please contact me if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Cook", written in a cursive style.

Christopher Cook, Commissioner  
Boston Parks and Recreation Department

cc: Austin Blackmon, Chief, Environment, Energy, and Open Space Cabinet  
Brian Golden, Boston Planning and Development Agency  
Jon Greeley, Boston Planning and Development Agency  
Casey Hines, Boston Planning and Development Agency





BOSTON  
TRANSPORTATION  
DEPARTMENT

ONE CITY HALL SQUARE • ROOM 721  
BOSTON, MASSACHUSETTS 02201  
617-635-4680 • FAX 617-635-4295

March 6, 2017

Brian Golden, Director  
Boston Planning & Development Agency  
One City Hall Square, 9<sup>th</sup> Floor  
Boston, MA 02201

RE: Project Notification Form: 115 Winthrop Square

Dear Mr. Golden,

Thank you for the opportunity to comment on the 115 Winthrop Square Project Notification Form (PNF). The project includes the development of approximately 1,100,000 to 1,500,000 square gross square feet of residential, office, office club, accelerator office, retail, restaurant and great hall development. While the exact program is yet to be determined, the development project includes between 290 and 460 residential units, 450,000 to 635,000 square feet of office and 35,000 to 60,000 square feet of retail/restaurant. The project proposes between 400 and 550 parking spaces.

Due to the complexity of the project, BTD supports the PNF's proposal to prepare a Draft Project Impact Report (DPIR) and provide new information and analysis as described below.

**Site Access**

The PNF states that the Proponent's initial research indicates that limiting access to and from Federal Court/Milton Place may not be possible due to those streets' potential status as private ways. Considering the project's proposed enhancement of the public realm at Winthrop Square, and the capacity of Federal Street, BTD encourages the proponent to continue researching the possibility of all access from Federal Court/Milton Place in order to make Winthrop Square as pedestrian-oriented and friendly as possible.

All access points should limit as far as possible conflict points, especially on any pedestrianized plaza on Winthrop Square. Access points should also take into account traffic and bus queueing/delay on Federal Street. If Federal Court/Milton Place is not available due to legal restrictions, the proponent should explore implications of creating a new access point at the northern end of the Federal Street edge of the site.

MARTIN J. WALSH, Mayor

**Parking**

The area around the project is extensively served by MBTA transit service. As part of the DPIR, BTD would like the proponent to discover how many publically available parking spaces are within a quarter mile, and whether any spaces might be made available through agreement, thereby lessening the need for parking at this location.

The Boston Transportation Department (BTD) policy maximum for Downtown is 0.4 for office use and 0.5-1.0 for residential uses; because of the project's transit-oriented location, BTD would recommend a maximum parking ratio at the lower end of this scale. The proponent should spell out how these spaces would be distributed, and whether they would be bundled with units or sold / rented separately for residential uses, and whether office parking would be bundled, and whether parking cash out would be offered. BTD encourages the project to consider shared parking solutions to limit the number of parking spaces. Having commercial and residential access points combined would make this sharing easier. The proponent should spell out how parking spaces are to be assigned to various uses so that the precise parking ratio can be understood.

BTD will require the project to work with a car share provider to dedicate some of the spaces to car share.

The project should describe bicycle parking included in the project, and the locations of that parking. BTD notes that the City of Boston Bicycle Parking Guidelines spell out the City's policy for development provision of secure/covered bicycle parking, on-street bicycle parking, shower/change facilities for employees and bike share provision. Any bicycle repair facilities proposed should be spelled out as well. Parking that is internal to the building should be located in an area that is convenient for bicyclists so as to make this as attractive an option as possible.

The proponent should spell out how it plans to meet the City's Electric Vehicle Charging standards, which include that at a minimum 5% of all spaces must be EV spaces, and that at least 15% of spaces must be constructed with EV-ready electrical capacity.

**Loading**

The DPIR should lay out the number of loading bays as well as the truck type to be accommodated, as well as any separate trash rooms. BTD foresees a need for at least three loading bays that will accommodate WB-50 trucks and a separate trash room; rational for anything different should be spelled out in the DPIR.

In addition, the DPIR should include a strategy of how urban packages delivery, which has seen a huge increase in small truck trips, will be accommodated. Will delivery companies be locating local pick up "warehouses" in the development?

**Transportation Mitigation**

BTD looks forward to working with the proponent on developing an appropriate transportation mitigation package, which should be informed by the trips generated as well as peak hour mode share. BTD encourages the proponent to analyze transit services in the area based not only upon what services are supplied, but also peak capacity, and how the project's generated transit trips will impact that supply. If the proponent's trips will impact a transit, pedestrian or bicycle facility, the proponent should assess options to facilitate safe, convenient and attractive access. This may include (but is not limited to) sidewalks, crossings, bus stops, bike facilities and/or subway stops.

### **Transportation Demand Management**

BTD encourages the project to look into whether the developer can join a Transportation Management Association on behalf of the entire building, and if possible to do so. We also encourage the project to require office and retail tenants to subsidize transit, bike share and car share membership for employees, as well as to bundle subsidized transit, bike share and car share membership for residents through residential leases, as well as for the first year of any condo sales. Finally, BTD encourages the proponent to propose inclusion of real-time transportation (transit, bikeshare, carshare, transportation network services, wayfinding, walk/bike distance) display technology in all lobbies and near the entrances to the Great Hall.

### **Public Realm**

The project has proposed a robust enhancement of the public realm, especially Winthrop Square; BTD looks forward to working with the proponent to create an outstanding place. BTD encourages the proponent to consider how to make the connections to the Downtown Crossing Pedestrian Zone great public spaces as well, especially along Franklin Street (Tontine Crescent), Winthrop Lane and Summer Street. Any long-term maintenance by the proponent of the plaza, greenery and trees in Winthrop Square should be spelled out, as well as and street furniture (eg benches) proposed for the abutting sidewalk. The DPIR should provide details on the width of the proposed sidewalk around the site, including widths of pedestrian zones, furniture zones and/or curbs.

If general traffic is proposed to be allowed on either or both of Otis and Devonshire streets in the area that will be have non-standard surfacing (and considering that many buses use Otis Street), the durability of the surfacing should be spelled out to confirm that it will handle vehicular traffic. The proponent should spell out any long-term maintenance of that surfacing.

Any proposals for improving bus facilities should be spelled out, such as bus waiting areas at Franklin/Devonshire and Otis/Summer, and/or repainting of the Essex Street bus lane.

### **Pedestrian Crossings**

A rendering in the Proponent's Boston Civic Design Commission PNF Filing Presentation (slide 29) shows a mid-block crosswalk across Federal Street. While BTD agrees that this is an important pedestrian connection to make, safety issues concerning a multilane crosswalk on a one-way street have to be addressed. Is there warrant for curb extensions? A crossing beacon? What are the traffic implications of the crossing?

### **Curbside**

The DPIR should spell out both the existing and any proposed changes to curbside use on Devonshire, Franklin and Otis Streets.

MBTA currently has bus stops and layover on Otis at Summer, on Federal at Franklin, and a bus stop on Franklin at Devonshire. The proponent should work with BTD and the MBTA to make sure bus operations are considered in the Proponent's plans, and these plans should be spelled out in the DPIR

There are currently State Police parking spaces around Winthrop Square. The proponent should work with BTD and the State Police to find a location for that parking should their proposal remove parking from the location. The proponent could look into providing parking in their garage for the State Police.

The proponent should spell out its valet plan, and how it will accommodate all valet internally.

### **Traffic**

The PNF mentions that the proponent will explore using either BTM mode splits or US Census/National Household Travel Survey (NHTS) data for the corresponding census tract. Please include a discussion of what each mode split is and how you make this decision. Take into consideration that much federal data does not have non-commute data, so explain how you will account for non-commute trips in your mode split if you use Census/NHTS data.

The DPIR should show the full impact of all potential directionality changes on Devonshire and Otis Streets. If southbound traffic is proposed for Devonshire, the DPIR should investigate how lefts onto Summer Street will work, especially considering the current stop line for the Summer/Lincoln/Bedford intersection. If any of Devonshire and/or Otis would be closed to traffic, how will 100 Summer Street handle loading and parking?

BTM requests the study area include the following intersections:

- Any proposed driveways
- Franklin/Hawley
- Franklin/Devonshire/Otis
- Franklin/Federal
- Franklin/Congress
- Matthews/Federal
- Matthews/Congress
- Summer/Hawley
- Summer/Otis/Kingston
- Summer/Devonshire
- Summer/Bedford/Lincoln
- Summer/High
- Summer/Purchase/I-93 Ramp
- High/Federal
- High/Congress
- Essex/Lincoln/Surface
- Purchase/Congress
- Congress/Milk
- Arch/Franklin

### **Site Plan**

The proponent needs to submit an engineered site plan within the context of the surrounding roadways at 1:20 scale depicting:

- Vehicular access and circulation
- Parking layout and circulation
- Pedestrian access and circulation
- Bicycle access and circulation
- Area shuttle/van pool pickup and drop-off
- Parking spaces for car sharing services
- Service and loading\*
- Roadways and sidewalks
- Building layout
- Bicycle parking locations and types (covered, indoor, bike share, etc)
- Transit stops and connections
- Electric vehicle charging stations and ev-ready spaces

\*Trash compactors/dumpsters need to be depicted as well.

### **Construction Management Plan**

As the project in the DPIR advances, the proponents will be required to develop and submit a detailed Construction Management Plan (CMP) to BTM for review and approval. The CMP will address TDM measures for construction workers, proposed street occupancies, equipment staging, sidewalk and bike-lane relocations and hours of construction work. BTM will work with the proponents to execute the CMP.

The issues raised above should be addressed in the DPIR. BTD looks forward to working collaboratively with the proponents and the community in the review of these projects and to address any outstanding concerns in the permitting process.

Sincerely,



Joshua A. Weiland

Transportation Planner

Boston Transportation Department

Cc: Vineet Gupta, Director of Policy and Planning  
John DeBenedictis, Director of Engineering

**APPENDIX B**  
COMMENTS FROM THE GENERAL PUBLIC

**115 Winthrop Sq.-Comments-by first name**

A.F. Morous

Abbey Flores

Abby Bristol Hafler

Abdizzok Ali

Abdulahi

Abdullahi Farah

Abdullahi Gurhan

Abdullahi Jama

Abigail Mason

Adam Brinch

Adam Geragosian

Adam Ladd

Adam T. Kurth

Ahmed Isse

Al VamRankst

Alecia Manning

Alex Bain

Alex Blythe

Alex Danais

Alex Merrifield

Alex Monteiro

Alex Perd

Alexandra Malonis

Alexandra Mitropoulos

Alexandra Watkins

Alice Boelter

Alison Powers

Alison Rosenblum

Allan E. Taylor

Allan Hodges

Alvin Nunez

Alysha Griffiths

Ame Ahse Bonistalli

Amy Lunde-Whitler
Amy Murphy
Amy Usen
Andrea Vayda
Andrew Baird
Andrew Davis and Florence Bourgeois
Andrew Huynh
Andy Hoar
Angela Ferrari
Ann Beha
Ann Hershsfang
Ann Teixeira
Anne Swanson
Anne Van Nostrand
Annsley McAleer
Anonymous- Can't read name 1
Anonymous- Can't read name 2
Anonymous- Can't read name 3
Anonymous- Can't read name 4
Anonymous- Can't read name 5
Anonymous- Can't read name 6
Anonymous- Can't read name 7
Anonymous- Can't read name 8
Anonymous- Can't read name 9
Anonymous- Can't read name 10
Anonymous- Can't read name 11
Anonymous- Can't read name 12
Anonymous- Can't read name 13
Anonymous- Can't read name 14
Anonymous- Can't read name 15
Anthony Morris
Arthur D. Clarke
Ashley Mahanama
Atusa Fattahi



Audrey and James Foster
Austin McClintock
Baily Dent
Barbara L Nee
Barry Solar
Bart Alvanjo
Beatrice Nessen
Becky Dwyer
Becky Kidder Smith
Ben Anderson
Ben Starr
Ben Stoigers
Benjamin Thomas
Benjamin Wigren
Benjamin Winters
Bernard Borman
Beth Terrana
Betsy Hall/Ellis SENA
Bill Clendamel
Bill Linehan
Bob Joyce
Bob Oppenheim
Bol Riiny
Boris Perlovsky
Brad Mclaughlin
Brendan Price
Brett Mensinger
Brian Canerano
Brian Clark
Brian Grossman
Brian Harris
Brian Luke
Brian Maloney
Brian McPherson

Briana Gilvarg
Candace Young
Candido Nunez
Carlton Conley
Carol Alper
Caroline C Barone
Carolyn Osteen
Carolyn Wheatley
Catherine Bordon
Catherine Iacobo
Celeste Day
Chase Chevalier
Chaton Green
Cheryl Camintti
Cheryl Jonas
Chris Damian
Chris His
Chris Reid
Chris Remeiha
Christi Fried
Christina Morris
Christine Nguyen
Christopher Patzke
Christopher Pirro
Christy Puls
Claire Corcoran
Claire Willis
Claudia Ravaschiere
Clearon M.
Coleman McDonagh
Curtis Cole
D Gipson
D. Carlson
Dan Murphy

Dan Murray
Daniel Taylor
Daniel Wong
Darryl Settles
Daryl Popper
David Fitzgerald
David Friend
David Howard
David Silverstein
David Wiener
Dean Seavers
Deb Blair
Deb Thayer
Deborah and David Douglas
Deborah Babson
Deborah Hale
Deborah Reef
Deindre Rosenberg
Derek Papagianopoulos
Derek Taff
Desow Nii
Diana Coldren
Diana Govern
Diane Britton
Diane Gibson
Donna Harilis
Doug Standbridge
Drew Freedman
Drew Volpe
Edaor Baccera
Edward Hou
Edward Lennon
Edwina Yeziarski
Elaine M. Sullivan

Elena Krupennikova
Elisabeth Nyman
Elise Brandt
Elizabeth Anderson
Elizabeth Johnson
Elizabeth M. Fahey
Elizabeth Vizza/Friends of the Public Garden
Elliot Laffer
Emily Gallup
Emily Harding
Emmanuel Apanisile
Eric Gordon
Eric McGrath
Eric O'Brien
Erin O-Fallon
Etson Alves
Evelyn Kimber
Faith Justice
Faith Perkins
Fordos
Frank and Susan Bomba
Frank Duncan
Frank Monteforte
Franklin R. Medinas
Frederick Putnam
Gabriel Gunsberg
Gail Laffer
Gale Morgan
Gang Huang
Gene Bauer
George E. Coorsen, Jrs
George Straele
Greg Costa
Greg Galer/Boston Preservation Alliance

Greg Selloe
Gretchen Novak
Gudrun Seward
Hakeem Coleman
Haley Cutter
Ham Hon Ho
Hamilton Hu
Hannah Kanstroom
Hannah Vigneron
Harry Johnston
Heather Keane
Heidi Moesinger
Hong Xie
Hope McDermott
Hou Grant
Huiming Guo
Ivey St. John
J Dayne Lamb
Jack Brennan
Jack Greggs
Jackie Mignone
Jacquelin Yessian
Jacqueline Blombach
Jacqueline Royce
Jame Kelly
James Healey
James Labeck
James Pishkin
James Simpson
Jan Beaven
Jane Coleman
Jane Dimitry
Jane Kelley
Janet Hurwitz

Jared Freed
Jason Chambers
Jason Kulik
Jason Post
Jason Weldon
Jaymeson McIntosh
Jean Bachovchin
Jean O'Neil
Jeanne Fiol Burlingame/BH Garden Club
Jeanne Stanton
Jeannine Randolph
Jeff McCarthy
Jeffrey L. Thompson
Jeffrey Shuman
Jennie Zheng
Jennifer Iles
Jerry Rubin
Jessica Schmitz
Jie Lzan Liang
Jill Barry
Jillian Bargar
Jim Xiang
Jiny Toch
Joan and Joseph Patton
Joan Bragen
Joan E. Korb
Joan Hass
Joann Robinson
Joe Govern
Joe O'Brien
Joe Pearce
Joerg Ladny
Joh Ciolfi
John C. Butti II

John Carmona
John H Spurr, Jr.
John H.
John Hennessey
John Lagasse
John Luciano
John McL
John McL
John McLachlan
John Murad
John Newhall
John P. Sullivan/ Boston Water and Sewer
John R. Carroll
John Schiffman
John Sullivan/ BWSC
John Wadlington
Jolinda Taylor/Sherley Smith/ Garden Club of Back Bay
Jon Hamilton
Jonathon Freni
Jonathon R
Jorg Ladmy
Jose Sequeria
Joseph McCue
Josh Zakim
Joshua Butler
Joyce Stevens Roetter
Joyce Tallent
Judy & Phil Tedeschi
Julie Lannon
Justin Nadolney
Justine Harrision
Karen Maunery Broderick- Emerald Necklace
Karen Firestone
Karen Garvin

Karen Gregg
Karen LaFranzia
Karen Shine
Karen Smith
Karen Vachon
Karla Rojas
Kate Enroth
Kathie O'Dowd
Kathleen and Stephen Young
Kathleen Fox
Kathleen Koplik
Kathleen McIntyre
Kathleen Young
Kathy Pattison
Kathy Plazak
Katie Fagan
Katie Pederson
Katie Weigmann
Kavieen Herbst
Keith Lagreze
Ken Smith
Kenneth G. Smith
Kevin Greene
Kevin Leary
Kevin McCaskill
Kevin O'Connor
Kim Devine
Kristen McCosh
Kristin Field
Kristin Garcia
Kyra LeRoy Haydock
Larissa Jones
Larry Baxter
Larry Post



Laura Chassaigne
Laura Grover
Laura Haime
Laura Jasinski
Lauren Axell
Lauren Pfizenmaier
Lauren Phelan Lipscomb
Lauren Thomas
Legia Pisinski
Len Thomas
Leonard Rosen
Leslie Adam
Lia Poorvu
Lily Tang
Lin Sasman
Linchul Shin
Linda McLaughlin
Linda Whitehead
Lisa Ireland
Lisa Leary
Logan Bergeron
M.J. Kennedy
Madolyn Sullivan
Marc Harris
Marcus Baker
Margaret Anteblian
Margaret Pokorny
Margaret Shepherd
Maria Del Tufo
Maria Hilliard
Mariel Lacina
Marjorie Greville
Mark Kiefer/Beacon Hill Civic Association
Mark Slater

Mark Tavitian
Mark Vachon
Mark Yessian
Martha Gefter
Marty Walz
Martyn Roetter
Marvin Wool
Mary Fitzsimmons
Mary Kaba
Mary Nada
Mary Vogel
Matt Badger
Matt Fallon
Matt Fenlon
Matt Giffune
Matt M
Matt Twist
Matthew Brooks/Fenway Civic
Matthew Kay
Maureen O'Hara
May Lui
Meredith Christensen
Merloyd Lawrence
Michael & Elisabeth Lay
Michael Behnke
Michael Cappellano
Michael Caricri
Michael Hess
Michael Hines
Michael McCord
Michael Samuelian
Michael Taylor
Michael Weiss
Michelle Otey

Miguel Rosales
Mike Cappellano
Mike Freedbeua
Mike George
Mohamad Aden
Mohamad Arepasul
Mohamed Ismail
Mohamed Warfa
Mohamed Warfa
Mohamed Wausamc
Mohammad Qureshi
Molly H. Sherden
Mona Sadler
Moniqua Williams
Nai Ko
Nancy Gertner
Nancy Marttila
Nancy Morristoe/Bay Village Neighborhood Association
Nancy Reynolds
Nancy Roberts
Nancy Tavitian
Nate Thomas
Nicholas Chiaelli
Nicholas Mattra
Nick Kast
Nick Litton
Nicole Blanchard
Nicole Yonke
Osman Moh'ud
Osmei Yusuf
Osmon Aden
P. Beauregard
Pam Jackson
Pamela C. Messenger- Friends of Post Office Square

Pamela Hart
Pamela Oswald Louis
Pamela Stahl
Pat M. Dermott
Patricia Noyes-Corrigan
Patrick A Cavanagh
Patrick Cutter
Patrick Lue
Paul Chan
Paul Greenfield
Paul Miller
Paul Reinsmith
Paul Sweeney
Paula Furst
Paula Griswald
Peni Garber
Peter Coxe
Peter Davidow
Peter Dominski
Peter Muqfad
Peter Nessen
Peter Papesch
Peter Saradjian
Peter Thomson
Philip Wright
Polly Timken
Qiang Huang
R.W Lopez
Rebecca Brooks
Rebecca G. Mulzer
Reginald Nunnally
Richard Beal
Richard Chin
Richard Mertens

Richaro Nojoruo
Rieta Bobb
Rob Radloff
Robert & Priscilla Hayes
Robert Fitzgerald
Robert Ross
Robert Smith
Robert Wulff
Robert Zec
Roberta Crowley Gottlieb
Robertvtone Goodridge
Robin Weinberger
Ronald Gacicia
Rosemarie E. Sansone- Downtown Boston Business Imp Dist
Rosma Catizone
Ruth Kenworthy Ecker/Metro District of the Garden Club Federation
Ruth Sherman
Ryan Pavao
Sally and Jim Fitzpatrick
Sally Reyerling
Sally Taylor
Sam
Sam Albertson
Sam Perry
Sandra Gilpatrick
Sandra Kyon
Sandra Ourusoff
Sandy Yeung
Sara D. McCammond
Sara Demeter
Sara Ferino
Sara Pouladian
Sara Wragge
Sarah Freeman

Sasha T. Fernandes
Sean and Rachel Robertson
Sean Dacey
Shannon Kelly
Shari Loessberg & Christopher Smart
Sharon Guandago
Sharon Lewis
Sharon Lincoln
Sharon Malt
Sharon Miller
Sharon Zetiro-Nourse
Shaun Shields
Shawn Halloran
Shayne and Sharpe Rather
Sheila Patterson
Sheri Olans Wright
Sherif Nada
Sherley Smith, Garden Club
Shiran Weber
Shondy Geryl
Sidney Kenyon
Sonja Yates
Sophie Schmitt- Livable Streets
Stalwart Dalzell/Massport
Stephanie Fletcher
Stephanie Flynn
Stephen Jerome
Steve Burtman
Steve Hollinger
Steve Young
Steven Kunian
Steven Sayers
Susan and George Dumolky
Susan Ashbrook

Susan Baker
Susan Bianchi
Susan Clare
Susan Morris
Susan Prindle
Susan Probolus
Susan Shafer
Suzanne Brown
Sydney Leonard
Tabia Gustave
Tabylor Newhall
Tamar Frieze
Taylor Lane
Terry Joseph
Theodore Touloukian
Thomas Cabarle
Thomas Conway
Thomas Fletcher
Thomas Jones
Thomas Loring
Thomas Loring/Karen Tenney
Thomas Meade
Tim Higgins
Tim Horn/ Fenway Civic Association
Tim Howe
Tim Ian Mitchell
Tim Mckenzie
Timothy Paul Buttner
Todd Lee- Light Boston
Tom Iannotti
Tom Ward
Tony Fusco
Tony Ursillo
Tracy Pesonelli

Tucker Durant
Tuuyen Dao
Tyrone Kendall Sr.
Vicki Smith
Vicki Smith/NABB
Victor Broгна
Victoria
Victoria C. Kay
Victoria Cumings
Victoria Sepowich
Vien Nguyen
Vincent Fanuele
Vincent J. Miles
Virgina Morse
Vivian Le
Walter Hyde
Walter Kuemmerle
Warren Johnson
Wendy Landman- Walk Boston
Wenyin Cao
William Crean- CBRE
William French
William Loomis
William Muse
Willian E. Foreman
Xavier Ruiz
Xiru Zhang
YanJing Huang
Yared Bedasso
Ying Lu Lin check
Yinkong Yang
Yolanda Sweeting
Zach Harentmian
Zahid Siddigui



Zena Savage-Aird
Zul

<b>Received after comment period</b>
Reggie Lewis
James King
Joseph Addesa
Brian Doherty
Sholla Muudesa
Bar O
Muheller Ug
Jonathan Cy
Jepsel Gomes Medina
Eber Orantes
Marcus Merritt
Dawan Glover
Ryan Tusi
Sean Goughan
Ryan Herlihy
Jean Robert Orne
Kamal Wallace
Deeo Santus
Jakeen Cobb
Derrick Rogers
Carlos Rodriguez
Robert Santo
Pedro Lopez
Eduardo Lopez da Gama
Yarmi Cofield
Kevin Mason
Jeffrey Robertson
Sheldon Jackson Jr
Frederick Lewis Jeune
Nathaniel Price

Ciana Carter
Melvin Saunders
Erico V. Frederico
Marlon Kerr
Joseph Gallagher
Renessa Conely
De Los Santos
Powell Simpson
Derek Saunders
Jesus E. Martinez
Kenneth Davis
Hung Lam
Eric Bickford
Alicia Mitchell
Mark Mullaly
Lorne Johnson
Derrick Hobson
Raymond Pizarro
Ignaccio Blanco
Malik Roderick
Tony Lai
Lieng Tran
John Young
Jillian Yebba
Gregory Price
Andrew Ray
Desmond Roach
Thomas Petersen
David Evans
Michael Ferrara
Conor Flaherty
Bernard Johnson
Michael Lauro
David McCarthy

Donald Milley
Harry Minucci
Dennis Missett
Kevin Rosher
John Russell
Orlando Stallworth
Patrick Wallace
Sergio Weber
Andrick Wilkins
William Anderson
Alphonse Beasley
Edward Bonsu
John Britt, III
David Brown
William Burchill
Jared Coakley
Mark Corbett
Angel DeJesus
Sean Dooley
Andy Durity
Grady Eason
David Evans
Michael Ferrara
Conor Flaherty
Tim Cook
M.J. Kennedy
Zamawa Arenas
Ia Nguyen
Alan Streetin
Karen Brown Holmes
Brian Kelly
Aaron Nevers
Marinho Rodriguez
Tai Nguyen

Don Tran
Jerome Hobson
Janice Murphy
Susan Ponsetto
Sheila Leavitt
Local Union 550 Gibbons/Fortune
Tadhg Brosnan
Andrew Lichtman
Patricia Quinn
James Holske
Shariff Green
Mynor Perez
Josh Weiland
Chris Cook
BPDA Urban Design/Planning

Public comments available on BPDA website. Links below:

[Public Comments Part A](#)

[Public Comments Part B-C](#)

[Public Comments Part D-E](#)

[Public Comments Part F-H](#)

[Public Comments Part I-J](#)

[Public Comments Part K-L](#)

[Public Comments Part M](#)

[Public Comments Part N-O](#)

[Public Comments Part R-S](#)

[Public Comments Part -Z](#)

[Public Comments Post 1.16.17](#)

\*Hard copies available upon request

**APPENDIX C**  
COMMENTS FROM THE IMPACT ADVISORY GROUP



Downtown Boston  
Business Improvement District  
Corporation

January 20, 2017

Ms. Casey Hines  
Senior Project Manager  
BPDA  
One City Hall Sq.  
Boston, MA 02201

Dear Ms. Hines:

As part of the public review process for the 115 Winthrop Square development, I am writing as a member of the Impact Advisory Group (IAG) and as President and CEO of the Downtown Boston Business Improvement District (DBBID). I am also writing as one who has witnessed and been a part of the transformation and renaissance of the downtown neighborhood for over four decades. At the outset, I would like to commend the BPDA for extending the comment period in response to the IAG's request.

The Downtown Boston BID, established as part of this renaissance, is a private non-profit organization made up of hundreds of property and business owners. Our mission is to significantly improve the experience of all who work, live, visit, shop and go to school in our 34-block area. Since the BID began full operations in spring 2011, it has invested nearly \$27 million in the area. The BID's 350+ commercial property owner members have contributed an additional \$2.465 billion in assessed property value since 2011, from \$4.597 billion in FY12 to \$7.062 billion in FY17. They will pay \$179.1 million in property taxes in FY17, nearly \$32.4 million more than FY12. As a result of BID members' new developments and investments, hundreds of new businesses and thousands of new residents now call this district their home.

As stewards of this 34-block area, we provide supplemental services to keep the streets and sidewalks clean, upgrade the aesthetic appearance of the district and make people feel welcomed and safe. Our work is to promote and foster an energetic and thriving business climate in the area and serve as a voice and advocate for our members. Our neighborhood is the hub of the transit system, we welcome over 4.2 million visitors a year and we have the busiest pedestrian area in New England. Our mission is to continue to maximize the district's full potential as a premier and vibrant destination in the heart of Boston.

I believe Millennium Partners' proposal for the 115 Winthrop Square development will continue the unprecedented transformation and investment in downtown which is in keeping with the mission of the Downtown Boston BID. Already, Downtown Boston has been enhanced by three of Millennium Partners' successful and transformative development projects--the Ritz-Carlton hotel/residences complex (2000); Millennium Place (2014); and the Burnham Building renovation/Millennium Tower redevelopment (2016). In each case, blocks have been re-imagined and revitalized. For nearly two decades, Millennium Partners' investment has been a catalyst for Boston, encouraging others to invest both in the downtown area and surrounding neighborhoods.

Here in downtown, Millennium Partners has renovated sidewalks and streets; added new trees and lights; installed security cameras; and created open spaces for the public to enjoy. Their retail tenants have added to the vibrancy of the downtown streetscape, with Legal Crossing, Caffè Nero, Roche Bros., and SIP Wine Bar and Kitchen creating much-welcomed street activity. In addition, Millennium Partners renovated two of downtown's MBTA entrances (the Orange Line portals at Downtown Crossing and Chinatown) and added the stadium steps and performance space at the corner of Washington and Franklin streets.

During the next phase of development review, I would like to see further study and public input regarding the following areas of concern:

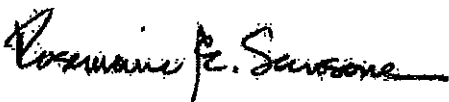
- 1.) In spring 2016, following up on a preliminary communication the BID sent to the BPDA regarding the dilapidated Winthrop Square Garage, nine abutters to the site met to discuss their concerns about its deteriorating and unsafe status. This group of property owners represented properties totaling 3.1 million square feet of commercial real estate and \$1.7 billion in assessed value. The meeting generated a letter to Brian Golden, Director of the BPDA, highlighting the abutters' concerns. Unfortunately, most of these negative conditions remain problems, and thus the abutters' concerns continue. They would like to see the demolition occur during the earliest possible phase of the project.
- 2.) The project proposes significant changes to the traffic circulation in Winthrop Square. The project site is adjacent to, and will have a major impact on, MBTA bus routes and public transportation. Further study and public discussion of these changes should happen during the next phase.
- 3.) The 115 Winthrop Square development will initiate a much-needed redesign of, and reinvestment in, the surrounding public areas. To ensure that this investment is protected, well-maintained and coordinated with other public realm investments, the BID would like to participate in and be part of the discussions involving choice of materials and management operations.
- 4.) The Great Hall and attendant public uses proposed for 115 Winthrop Square will bring a vitality and liveliness to this area, as the design seeks to make the space a major pedestrian destination. The design of the Great Hall, and its role as a connector between Federal Street and Winthrop Square, creates the potential for a great new "urban room" that will enhance historic Winthrop Square. Thoughtful landscape and architectural design can integrate new elements while paying attention to the historic integrity and tradition of the space and adjacent buildings.

Per the development proposal, the Great Hall is intended to be "a distinctive gathering place active through all seasons and a focal point for activity from morning into the evening." To help the project achieve this goal, the BID would like to see an operating plan for the Great Hall space. As a new pedestrian element in the City's most highly trafficked pedestrian area, the BID would also like to see the space include public restrooms, which are sorely needed in the district. This space has enormous potential, and further exploration is recommended to help it become a special place unlike any other in the country.

- 5.) And finally--but by no means least--improvements to streets and sidewalks continue to be a top priority for the district. The BID would like to see City capital match Millennium Partners' private investment in Winthrop Square streets and sidewalks. The streets and sidewalks of the Downtown Crossing Pedestrian Zone, such as Winter Street, which is a major gateway to downtown, have not received significant City investment in years. This dedicated allocation will ensure that sidewalks and roadways throughout the BID area--which has one of the highest pedestrian counts in all of New England--are upgraded, accessible and welcoming.

Thank you for your attention to this matter. I look forward to continuing to work with the BPDA, abutting BID property owner members, and other stakeholder communities on this vitally important redevelopment project in the heart of downtown Boston.

Sincerely,



Rosemarie E. Sansone  
President & CEO  
Downtown Boston Business Improvement District



Chair  
Campe Goodman

Vice Chair  
Jane R. Matlaw

Treasurer  
Robert Hughes

Secretary  
Richard Yanofsky

Chair Emeritus  
Mark Stein

Directors  
Ilana Braun  
Howard Brick  
Catherine Bromberg  
Dr. Marna Dolinger  
Roman Fayerberg  
Abby Flam  
Penny Garver\*  
Claudia Gilman Elsenbaum  
Marjorie Glazer  
Joseph Goodman  
Stacy Goodman  
Kenneth J. Greenberg  
Michael S. Grill\*  
Richard Heller  
Susan Houston  
Ben Inker  
Wendy Landman  
Rebecca Leventhal  
Douglas F. Newman  
Judith Obermayer\*  
Jay Rosenbaum  
Jennifer Rosenbaum  
Ellen Segal\*  
Gabe Sunshine  
Cantor Steve Weiss  
Joe Zeff

\* Past Board Chair

President & CEO  
Jerry Rubin



SKILLS . JOBS . CAREERS

January 12, 2017

Boston Planning and Development Agency  
Boston City Hall  
1 City Hall Square  
Boston, MA 02201

To the Boston Planning and Development Agency:

I am writing as a member of the IAG for the Winthrop Square development project. I was selected to serve on the IAG because the organization that I run, Jewish Vocational Service (JVS), a non-profit provider of adult education, training and employment services, occupies the entire third floor and part of the second floor of 75-101 Federal Street and is therefore an immediate abutter to the development site and will be significantly impacted by the project. As the President and CEO of JVS, the largest workforce development organization in the region, I believe I also represent on the IAG the voice of access to employment and the economic opportunity represented by this proposed development project. I am also a resident of the Jamaica Plain neighborhood of Boston, have been a resident of the City of Boston for nearly 40 years, and care deeply about the future and success of our city.

I will address five issues in my comments: 1. The overall development; 2. The impact on immediate abutters; 3. Permanent employment for Boston residents; 4. Winthrop Square design, including pedestrian access; and 5. The proposed "Great Hall" and its management and use.

### 1. The Overall Development

After hearing presentations by the developers, residents, and commercial abutters of the site, I have reached the conclusion that the benefits of Millennium's proposed development of the publicly owned Winthrop Square site to the entirety of Boston residents outweigh the negative impacts of the proposed project.

The negative impacts of the development project appear to be limited to modest increased shadows on the public assets of the Boston Common and Boston Public Garden, as well as construction period and permanent impacts on immediate abutters (see below).

The benefits of the development project appear to be removal of a blighted public parking garage, significant infusion of economic activity in the Financial District, significant improvement to the public streetscape and public activity in

the Financial District and Winthrop Square areas, significant permanent jobs (see below), significant revenues for the city of Boston and its residents through the sale of this public asset and construction-related linkage, and substantial affordable housing.

In a sense, the IAG has been asked to consider the potential impacts on or from two public assets, the Boston Common/Public Garden and the Winthrop Square Garage site. Comparing the potential negative impacts to the potential positive impacts, I feel confident that the positives far outweigh the negatives.

## **2. Employment for Boston Residents**

One of the key benefits of the proposed project is the creation of hundreds of permanent positions both for building operations as well as for tenants of the building. These jobs include a wide range of skill level, from janitorial and security, to food service, to legal and financial positions. I strongly recommend that the developer be encouraged to pursue a realistic and meaningful plan to make these positions available to Boston residents, and combine recruitment, job training, and placement services to ensure that as many Boston residents as possible can attain the positions.

Given that JVS, the largest regional workforce development provider in the Boston area and the operator of the Downtown Boston One-Stop Career Center, is located immediately adjacent to the Winthrop Square project, the developer and the City of Boston have a unique opportunity to more comprehensively and effectively leverage effective recruitment, training, and placement of Boston residents for this development than is typically done in downtown development projects. JVS stands ready to work closely with the BPDA, the Mayor's Office of Workforce Development, and Millennium Partners to provide recruitment, training, and placement services for Boston residents and other Boston-area job seekers to ensure that the permanent jobs benefits of the project accrue to Boston residents so that they can share in the exciting growth of the downtown economy.

I urge that the BPDA and Millennium Partners work closely with JVS to ensure that revenues from the sale of the garage and/or related linkage payments are made available to adequately fund these recruitment, training, and placement services so that we can ensure that Boston residents fully benefit from the employment opportunities of this development project.

## **3. Impact Upon Immediate Abutters**

A development project of this scale will undoubtedly have significant impact on abutters in the Winthrop Square area. These impacts can be divided into two categories: construction period impacts and permanent impacts. The developers have begun to address many of the construction period impacts such as traffic, noise, dust/debris, and utility interruptions. It is important that the BPDA work closely with Millennium and immediate abutters to review construction period mitigation plans more closely and create an ongoing committee to monitor the effectiveness of mitigation efforts.

One particular concern is noise. JVS operates numerous classrooms on the third floor of 75-101 Federal Street which provide education, training, and employment services for Boston and Boston-area residents. These classrooms are located inches from the proposed building and appropriate noise mitigation efforts will need to be in place to ensure that the important services

in these classrooms are not interrupted. This will be an issue for any of the tenants of 75-101 Federal Street that have offices on that side of the building. Permanent impacts from the proposed

development project include increased traffic, significant loss of natural light for immediate abutters, and loss of natural light for all Winthrop Square abutters. Traffic in Winthrop Square is likely to increase significantly as a result of this project, and the current configuration of the square and its incoming and outgoing streets is not adequate to handle this new traffic. I would urge that the developers and the City of Boston carefully consider a re-configuration of the traffic flow of the Square to minimize negative impacts.

The current design plans for the proposed building appear to have the section of the building immediately adjacent to 75-101 Federal Street built within inches of the existing building, thereby blocking natural light from all offices on that side of the building. I would urge the BPDA and the developer to consider setting the building back from the 75-101 façade at enough of a distance to allow some natural light into those offices. In the case of Jewish Vocational Service, we built new classrooms as part of our new Center for Economic Opportunity on that side of the building which serve low-income and immigrant residents of Boston. \$6 million of philanthropic dollars was raised to build this beautiful and impactful space. The new classrooms were designed and built to be "inspirational and aspirational" spaces and include large windows with substantial natural light. These well-lighted classrooms are continuously highlighted by students and instructors as one of the most attractive and motivational features of JVS's new Center for Economic Opportunity. Under the current design of the new Winthrop Square development project, this important feature would be lost. I strongly recommend that either the building be set back further, or that this very negative impact be mitigated in some other fashion to the benefit of the Boston residents who use this important space.

The proposed Winthrop Square development project, and its very large mass, will also have a substantial impact on Winthrop Square itself, which already is a relatively dark square, with little access to natural light. I will address this issue in the next section.

#### **4. Winthrop Square Design**

The proposed Winthrop Square development project, and its very large mass, will have a substantial impact on Winthrop Square itself, which already is a relatively dark square, with little access to natural light. I recommend that Millennium consider two possible approaches to mitigating this impact. First, the developers and the BPDA should explore the expansion of the Winthrop Square park to the maximum degree possible, both maintaining existing trees if possible, and adding additional trees, seating, and other park amenities. The design of the park should be integrated into the Winthrop Square side of the new development entrance ways, with similar design features, and if possible, matching open space at the entrance of the proposed Great Hall that would greatly expand the public park-like feeling of Winthrop Square. Winthrop Square is an urban gem, and I would urge the BPDA and Millennium to put substantial attention and resources to improving this important space.

Winthrop Square is also an important pedestrian pathway from the nearby MBTA stations across the adjacent alley. At present, pedestrians are faced with a dangerous "free-for-all" crossing to

75-101 Federal Street and other nearby buildings, which will only get worse as many new commuters use this pathway to the new development. It is critically important that Winthrop

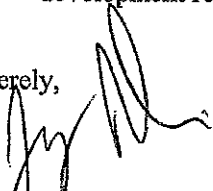
Square improvements that result from the new development include well-marked, well-lit, and safe pedestrian crossings from the alley to the square.

Finally, I would urge Millennium to consider putting aside resources for programming in the Winthrop Square park which could be coordinated with programming in the "Great Hall" (see below). This would allow the park to become, in a sense, the outdoor portion of the "Great Hall" and truly create an active, vibrant, and exciting public space in Winthrop Square and the Financial District overall.

#### 5. The Proposed "Great Hall"

Millennium has proposed the creation of a public "Great Hall" in the new development. While I am intrigued by this idea, I have several concerns about it. First, as it is currently proposed, the "Great Hall" runs the risk of becoming a very large food court, such as the large atrium space at International Place. To avoid this will require both careful design, which I have not yet seen, as well as dedicated and consistent programming and a permanent fund to support such programming. These types of public spaces that are tied to food and other retail uses can work, but the examples are few and far between. I strongly recommend that this aspect of the proposed development receives a great deal more attention.

Sincerely,



Jerry Rubin  
President, CEO  
Jewish Vocational Service



ONE WINTHROP SQUARE  
BOSTON, MA 02110

January 18, 2017

Comment from Impact Advisory Group (IAG) Member for 115 Winthrop Square

For the past eleven years, my company, Aureus Asset Management, has been headquartered in Winthrop Square. As I spend my working hours there, I take a strong interest in this location. I have worked in the Financial District since 1977 and was born in Boston, so I am very familiar with the neighborhood. City Council President Michelle Wu asked if I would like to join the IAG for 115 Winthrop Square, and I was very pleased to do so. I have long believed that the Winthrop Street Garage could be put to a better use for the neighborhood and the entire city. I am grateful for the opportunity to contribute to the public discussion of this important city project and appreciate the Boston Planning & Development Agency's (BPDA) consideration of my comments.

While I am a great believer in the potential of this site as a major new development for Boston, I wish to share the following concerns about the project as proposed.

1. The BPDA will receive many comments about the shadows on the Boston Common and Boston Public Garden. I strongly support those who want to maintain the shadow law and am opposed to either overturning that long-established law or providing this developer with an exemption. Further, as those familiar with the area can attest, very little sunlight reaches Winthrop Square and that which remains will be substantially lost after the tower is built. The developer has shown sunny illustrations of proposed outdoor space at Winthrop Square, which are unrealistic, given both the limited sun exposure of the square and the proposed construction.
2. The developer has not fully addressed the issues surrounding the increased level of car and foot traffic around Winthrop Square, particularly if Devonshire Street, which is well used at both ends of the day, is closed off to cars.
3. We all remember the problem with wind at the Hancock Tower and the glass panes falling out. The Devonshire side of the tower is one of the windiest places in the city and the Impact Advisory Group received no indication that the developer has done simulations of wind effect on the proposed tower.
4. Turning to the appropriateness of the size of the building, we should consider whether new construction of a one million square-foot tower in downtown is strategically additive for Boston at this time. As highlighted by several recent articles<sup>1</sup>, the enormous growth in luxury apartment construction in many cities is reaching a level of saturation and, potentially, overcapacity. With thousands of high-end residential units having been added in Boston, particularly the Seaport but also in the South End, South Boston, Ladder District, and Financial District, BPDA may be adding high-end residential units at exactly the wrong time. Given that 30-40% of units in several new residential buildings have been purchased by foreign owners, and that Millennium forecasts similar purchase patterns, we much weigh the costs and benefits to the community against the benefits to absentee owners.

<sup>1</sup> See, e.g., <http://www.wsj.com/articles/luxury-apartment-boom-looks-set-to-fizzle-in-2017-1483358401>

5. The IAG has also heard significant concerns about excess supply of commercial space. The *Boston Globe* article from Dec 25, 2016, describes how the vacancy rate has risen for high end space in both the Back Bay and Financial District as Seaport space has grown.<sup>2</sup> Seaport space has increased 55% over the past 5 years and there are over 825,000 additional square feet soon to open. Without commitments for commercial occupancy, the scale of the building's commercial footage presents an additional challenge for Downtown Crossing.

Millennium Partners has claimed that it must build at Winthrop Square what will become the city's tallest building in order to justify the costs associated with its bid, including a commitment of \$153 million in payments to Boston. The IAG heard testimony that Millennium Partners offered a bid that was 50% higher than the next closest builder. Many IAG and community members believe that if Millennium trapped itself into an unaffordable commitment, that remains Millennium's challenge, and not the city's to bear. In fact, the developer demanding a variance on height and shadow restrictions to build a tower higher than any other in Boston, strikes many as inconsistent with the charge to design a building that would contribute to the resurgent neighborhood of Downtown Crossing. If Millennium offered a financially irresponsible bid, future generations of Bostonians should not shoulder the cost of that mistake.

Finally, I would like to draw the BPDA's attention to a couple of points within the marketing book and documents that Millennium sent to the members of the IAG. The developer has written on pages 1-7 of the proposal that "the Project will create approximately 2,670 permanent jobs." I asked for clarification of those numbers because I could only come up with about 200 new jobs when adding up the security, maintenance, cleaning, and retail professionals directly associated with the project.

Many members of the IAG were shocked to discover that in reaching its "job creation" estimates, the developer is counting each of the estimated 2,500 people who might eventually work in the building's commercial office space. Because we all know that most buildings are filled with firms that move from other locations, the developer's claim that all jobs inside 115 Winthrop Sq are thanks to this new structure is, at the very least, seriously misleading.<sup>3</sup>

In summary, I am fully confident in Millennium Partners' capacity to work with the city on a building that is beautiful, architecturally-significant, beneficial to the financial and social health of the city, and economically-viable. With such a rare parcel, the city and its residents should not be required to make the compromises demanded by the current proposal. It is simply too risky. Optimistic about a reasonable accommodation of these broadly-shared concerns, I urge the mayor, the BPDA, and the City Council to reduce the project's scale.

Sincerely,



Karen Firestone  
Chaitman & CEO

---

<sup>2</sup> <https://www.bostonglobe.com/business/2016/12/25/top-floor-space-financial-district-not-attractive-some-companies-seaport/4YnG7LO2XXLGdsQDyHU7MN/story.html>

January 16, 2017

Boston Planning and Development Agency  
ATTN: Ms. Casey A. Hines  
One City Hall Square, 9<sup>th</sup> floor  
Boston, MA 02201

Re: Proposed development of 115 Winthrop Square by Millennium Partners

Dear Director Golden and Ms. Hines,

I greatly appreciate the opportunity to offer my comments on Millennium Partners' project proposal for 115 Winthrop Square. It has been a privilege to serve as a member of the 115 Winthrop Square Impact Advisory Group, and I appreciate the importance of this project to the city and various other constituents of Boston. I look forward to participating in additional constructive discussions going forward.

I have taken the time to read and absorb the PNF, as well as various other pieces of information offered by Millennium Partners as it relates to the project, including the shadow law implications. I have also attended both IAG meetings and one public meeting and engaged numerous members of the neighborhood, both residents and business owners, to understand their perspectives. Finally, I live at 45 Province, which is just a few blocks from the site, and I work at One Financial Center, which is also just a few blocks from the site. So I am intimately familiar with the Winthrop Square area in the context of its potential impact to the Financial District and Downtown Crossing. It is with this base of knowledge that I offer my feedback on the 115 Winthrop Square proposal.

At this point, I am generally supportive of the proposal. I view it as having numerous positive attributes. Namely, I see the following as key in supporting my positive view:

- **Increase in the residential density of the area, inviting further investment.** Downtown Crossing and the Historic Ladder District neighborhood have seen thousands of new residents in the past five years. As the community has seen, this growth in residents has attracted meaningful investment in the form of new restaurants and retail establishments. However, there remains the opportunity for more residents in this part of town in a project that makes sense. To me, that means one that assimilates itself into the immediate neighborhood and is not meaningfully disruptive to the people who already live in the area or is a threat to pedestrian safety. The 115 Winthrop Square proposal seems to qualify along those lines. I believe that continuing to extend this residential progress toward the Financial District would invite further investment in the area.
- **Serving as a connector to bring continuity, community and vibrancy to the area.** The Historic Ladder District neighborhood and broader Downtown Crossing area have seen a robust revival over the past two years and now enjoy healthy pedestrian activity at all hours of the day as well as on weekends. The Financial District is thriving during weekday hours while the nearby stretch of the Greenway is making steady progress as both a social and artistic space. However, sitting in between these parts of town is somewhat of a "dead zone." Little activity takes place in the area including and surrounding Winthrop Square after work or on weekends. With new energy from residences, a Great Hall, and the Accelerator concept, the proposal has the potential to serve as a bridge connecting these areas and adding continuity that the city and its residents would benefit from.
- **Working to create more affordable housing in Chinatown.** It has been clear from other project proposals I've witnessed that Chinatown is under stress to remain affordable for its population of residents. As opposed to just donating to a generic effort, the Proponent's stated intention to address this pain point for a unique and treasured section of town stands out in my view.
- **Inclusion of below grade parking.** I commend Millennium Partners for continuing its practice of building below grade parking, as it did with the Ritz condo towers, Millennium Place, and Millennium Tower. While constructing such parking is more expensive than above grade, I think it is undeniably better for building aesthetics and the streetscape, and I feel that all new construction should conform to this best practice.

Again, I think there is a lot to be excited about with respect to the potential of the 115 Winthrop Square proposal. With that said, I have two concerns that I would like to express:

- **Shadow impact and implications of changing the law:** As is well-advertised at this point, the building as proposed would be in violation of the "shadow law" (Chapters 362 and 384 as distributed at the first IAG meeting). What has been broadly proposed is to make a one-time alteration of the law to allow a special exception for 115 Winthrop Square to cast a shadow on both the Common and the Garden outside of what is currently legally allowed. My concern relates to setting an uneasy precedent in two respects:
  1. I believe the current law, which was thoughtfully considered at the time, has worked well for more than 25 years to allow for reasonable development while protecting a precious, fixed resource that is a universal draw for residents and visitors. Changing such an agreeable provision to accommodate a single project naturally opens the door for further infringement on the Common and Garden despite what sounds like the best intentions of the Proponent, the BPDA, and the City to insure that any such change is indeed a one-time exception.
  2. While such a change to the shadow law may indeed prove to be one-time in nature, taking this action invites other developers to ask for their own one-time exceptions as it relates to other laws, whether they be zoning height limits, road access and usage, permitted zoning uses, etc. Laws are not created lightly and I don't think they should be viewed as readily fungible in an effort to accommodate for-profit enterprises.

With that said, I do view the 115 Winthrop Square project as being exceptional in nature. The structure that exists on the site today is unusable in its current state, so it should certainly be replaced. The proposal from Millennium Partners offers many city-wide benefits. I would like to see the City and the community continue to work to find a solution that would produce an agreeable outcome for everyone. I will concede that from what was described, the infringement on the Garden seems minimal in terms of time of day and duration. Infringement on the Common is more objectionable. It is not entirely clear to me if a negotiable trade-off can be made between what shadows would be cast by this proposal and what shadow currently remains in the "Shadow Bank." Separately, perhaps the Proponent can offer other accommodations that can be made to address the health and enjoyment of the Common and the Garden in return for the shadow impact that would occur from this project.

- **Traffic flow:** I feel strongly that there should be no restrictions put on passenger or commercial vehicle access to Devonshire St. or Otis St. My understanding from speaking with the representatives of Millennium Partners and their traffic consultant VHB is that there is no such intention to do so at this time. They do plan to make the area surrounding Winthrop Square more pedestrian friendly through methods such as signage, crosswalks, traffic bumps, and topographical changes to the street. That makes sense and would be advisable. But the city and the developer should appreciate that Devonshire St. is a critical passageway for existing residents of nearby buildings such as The Devonshire, Millennium Tower, and 45 Province as well as many who work in the immediate vicinity. And Otis St. serves as an outlet for numerous buses that serve thousands of commuters as well as commercial vehicles that cannot comfortably use other nearby streets en route to their destinations. So maintaining open access to these streets should be a requirement of any finalized plan for the project. As I have given more thought to the traffic challenges of the project, it occurred to me that the city should consider the opportunity to make the stretch of Summer Street between Otis St. and Arch St. a two-way section. It is a very wide road – just as wide as the two-way stretch between Devonshire St. and Otis St. Converting this to two-way traffic would serve as a release valve to funnel some traffic away from Devonshire St. and the proposed project by offering vehicles more convenient access to Arch St., which can very comfortably handle the modest additional traffic activity. I urge the Proponent and the DBRA to work with related agencies such as the BTDA to consider incorporation of such a change into its broader consideration of this project.



Again, I am generally favorable on the project as it is proposed. I welcome the opportunity to work alongside Millennium Partners and the BPDA to work through whatever issues need to be resolved in order to reach a successful outcome for everyone.

Sincerely,

Tony Ursillo  
IAG member, 115 Winthrop Square  
45 Province Street, #2402  
Boston, MA 02108

January 16, 2017

Boston Planning & Development Agency  
ATTN: Director Gordon, Casey Hines  
One City Hall Square, 9<sup>th</sup> floor  
Boston, MA 02201

Re: Proposed development of 115 Winthrop Square by MCAF Winthrop LLC / Millennium Partners

Dear Director Golden and Ms. Hines,

I thank you for the opportunity to offer my comments on MCAF Winthrop LLC / Millennium Partners proposal for the development at 115 Winthrop Square. It has been a privilege to serve as a member of the 115 Winthrop Square Impact Advisory Group. I appreciate the BPDA's commitment to the Article 80 process and seriously considering feedback from the public and the IAG. I look forward to participating in additional constructive discussions moving forward.

Over the past two months, I have read the PNF and the article 80 process to educate myself on the project and the process the BPDA uses on large project review. I have also taken the time to engage numerous members of the neighborhood, both residents and business owners to solicit feedback on the proposed project. I have attended the IAG and public meetings to hear the feedback and concerns of the public. It is with this knowledge that I offer my feedback on the 115 Winthrop Square project proposal.

I want to begin with some background information about me and my understanding of the neighborhood that surrounds the proposed location. In 2010 I moved my organization to downtown Boston. We began an office search in 2009, there was an abundance of vacant commercial space in the downtown financial district. At the end of our search we decided to purchase a commercial condominium located at 185 Devonshire Street. We moved one of our offices to Devonshire st in the early months of 2010. In 2012 my wife and I decided to move our residence into Boston. We purchased a condominium in the 45 Province Street development. My wife and I purchased our home there because we were attracted to how centrally located 45 Province is, both to my place of employment and to the restaurants, concerts, and city events we enjoy attending. There were many vacant store fronts and the entire area was closed for business after 6pm and weekends. We were optimistic about the location. In late 2016 we moved from 45 Province Street to Millennium Tower and currently reside there today. I'm thrilled with how quickly the neighborhood has matured and developed. A welcome mix of retail, commercial, and residential investments has created a vibrancy to the neighborhood and we have all seen our quality of life improve greatly because of it. I offer this information to compliment my understanding of the downtown Boston neighborhood including the Financial District where the proposed project is to be built if permitted.

From that perspective, I have carefully weighed the positive and negative impact the 115 Winthrop Square project will have on the neighborhood, members of the community and local businesses. I would like to highlight the following comments on the project in no specific order of importance.

- 1) **The building design and area of development.** The proposed 750 foot tower is large to say the least. If this building was proposed to be built in any other part of Boston other than the financial district I would adamantly oppose the height and size of this proposal. The fact that the proposed building is in the financial district with the vast concentration of tall buildings I don't believe the overall scope of the project will look out of place among the many tall buildings it will abut. Winthrop square is a quaint little area that could offer serenity in the middle of a very fast paced financial district. I often walk my dogs around the area at 6am, 1pm, 6pm and late evening 10/11pm. Currently it serves as a hangout for bike messengers and homeless people. Since the closing of the public garage the proposed development site and surrounding area is a black hole in the middle of the financial district. Unlike surrounding public areas such as Post Office Square and Boston Common there are few if any residents or local business employees utilizing this area as a relaxing place to eat lunch, read a book or generally enjoy an outdoor park in the city. This area would greatly benefit from the development of this site and some investment in the cleanup and reconfiguration of Winthrop Square. During the public meetings, I observed many people from Back Bay and Charlestown who commented on the Great Hall proposed in

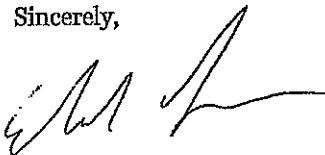
this project. The consensus from these comments was they did not care for nor think it was necessary for the building to house a public space such as the great hall. Many of the residence and business owners who live and work in this area did not agree with such comments. People at the public meetings who live in different areas of the city and spend little if any time in the financial district don't understand the needs or wants of the area residents and employees of local businesses. There is very little activity in the Winthrop Square area after 6pm on weekdays and on the weekends. I heard from people in the area I spoke with about the proposed project and the addition of the Great Hall. The conclusion I gathered from these comments was positive and many believe some type of public space would bring new life to the area and offer residence, people who work in the area and visitors a space they can enjoy.

- 2) **New traffic on already congested streets.** There were a few comments on creating more traffic in the area of Devonshire street heading toward Franklin. There is no doubt there will be more traffic in this area. After reading through the traffic study and understanding the flow of commercial traffic will come from the Federal street side of the building I feel civilian and residential traffic impact could be mitigated with use of the surrounding streets. The existing public garage housed close to one thousand parking spaces. The garage while in operation was often close to capacity, I parked there for years prior to moving to Boston. The proposed development has about one third of the spaces the public garage had while in operation. One way to minimize some of the traffic coming down Devonshire may be to make the last block of Summer Street two ways so you could take a right-on Hawley St. This would alleviate traffic going to Millennium Tower and Arch Street garage from having to travel down Devonshire Street to Franklin St. The developer could also look at using Federal St as the entrance to parking and loading docks. Federal St is one of the most underutilized streets in downtown Boston. This would eliminate the traffic from Devonshire Street.
- 3) **Economic impact of the proposed project.** The proposed project has a very positive economic impact for the city and residents of Boston. The sale of the property will bring a much-needed injection of revenue stated to be \$152,790,000. This money can be used in many ways to benefit the residents of the City of Boston. The building will continue to provide revenue to the City in the form of residential and commercial taxes. This will not only help fund city services but through commercial assessments there will be more funding for the Boston Improvement District programs. BID has been critical to the cleanliness, safety and security of the downtown area. One of the most critical impacts the project will make is the creation of affordable housing in the Chinatown district. Listening to feedback in the public meetings and from residents creating affordable housing in Chinatown is a necessity for the people and the culture. With the rising rents and limited affordable housing I feel the benefits of the affordable housing will make a major impact in Chinatown for years to come. Another positive impact would be jobs. Although I think the statistics in the PNF were overstated the fact is the project will create thousands of temporary construction jobs and hundreds if not thousands of permanent jobs for years to come. The construction workers, residential and commercial tenants/owners will contribute to the local economy through spending at local restaurants and shops, many that have recently opened and need support from the local community.
- 4) **Shadow on the Common and Changing the law.** As we are well aware the height of the building will create a new shadow on the Boston Common. This was by far the most contested issue at the public and IAG meetings. I believe laws are enacted for the greater good of society and we need to carefully consider the pros and cons of changing the law to allow for a proposed development. The precedent this could set for future projects is a major concern. The proponent of the project detailed out the impacts created by the proposed project and provided the shadow study video for public review. I spend a lot of time in Boston Common and have never thought about the impact of a shadow. It came to my attention for the first time last year while attending the public meeting for the proposed One Broomfield project. Since then I have spent a lot of time observing the shadows and thinking about the impact of this issue. I have also spent time reviewing the shadow study video submitted by the proponent of the 115 Winthrop Square project. The videos show in detail the additional shadow created by the proposed development. The proposed building violates the law for a portion of the year but had little to no impact for the rest of the year. Considering the comments at public meetings and speaking to residents there is an obvious split leaning toward amending the law for the proposed project.

As a member of the Impact Advisory Group I will offer my conclusion on the pros and cons of this project. Without a doubt the shadow issues appears to be the most contested issue with the proposed development. If we take the shadow issue off the table for just a minute, we can look at the other impacts the project will have on the area and the city to see if the pros outweigh the cons. There is no doubt this project is large in scale but it also in the right area of Boston to support its size and scope. If this were in Back Bay or Beacon Hill the size would be more of a concern. The proposed site is owned by the city so there must be careful consideration by the city when amending the shadow law. I would suggest a give and take possibly strengthening the law in other aspects making this a onetime exception. The proposed project will generate much needed immediate revenue of \$150+ million dollars and ongoing tax revenue of approximately \$12 million a year. The project will create much needed affordable housing Chinatown is in desperate need of. The project will create jobs and generate business for local merchants. There will be thousands of construction workers and hundreds if not thousands of people who will work in the commercial area of the building once completed. The project will create public space and new business opportunities for local area merchants. The project will revive a neglected area of the financial district and downtown and bring life to this area post 6pm and on the weekends. We can now look at the shadow and traffic issues. The developer and the city could creatively address the traffic issue. The building will create a shadow at 775, 750 or 650 feet. The shadow issue doesn't go away unless the building is around 400 feet, per the developer. At this height, the land is not worth \$150 plus million dollars and the tax base would drastically decrease. The affordable housing requirements would decrease considerably and the whole project begins to lose economic value to the City. The shadow law is violated for only part of the year and the extent of the new shadow is minimal in comparison to the net benefits of this project to the City.

There are additional issues I have no doubt will be voiced by others. The issues I mentioned above were the most serious in my view and the feedback I received. As an IAG member we are tasked with helping the City understand the impact this project will have on the community. I hope my comments were both constructive and helpful to the BPDA on their review of the 115 Winthrop Square project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Edward Lennon', written in a cursive style.

Edward Lennon  
IAG member, 115 Winthrop Square

January 20, 2017

Boston Planning & Development Agency (BPDA)  
One City Hall Square  
Boston, MA 02201

Dear BPDA,

As an appointed member of the Impact Advisory Group for the 115 Winthrop Square project, I respectfully make the following observations.

I begin with the arguments against the proposal, with the strongest argument first.

**We are designing a project and then changing State and City laws to conform to the design.** This is a very fair critique and obviously not ideal public policy. Regardless of the outcome of this particular project, this approach needs to be changed. Frankly, the necessity to change both State and City laws at this late juncture of the planning process is somewhat disturbing.

**This opens the door to future shadow infringements on the park space.** This is a fair critique. On what basis should future developers expect an exception, and what is the price tag that the City puts on that? In terms of public policy, I suggest that the City create a significant monetary cost, paid by developers, for the privilege of creating a shadow infringement. The greater the shadow, the more you pay. Similarly, there should be a financial benefit for someone eliminating a shadow on this space. In this way, the City incentivizes the behavior it wants while not squelching development altogether.

**The project casts a shadow on the Common and the Public Garden.** There is indeed a measurable shadow cast by this project, but I might suggest that it is not proportional to the public outcry on the matter. Everyone should carefully review the shadow animation on the BPDA website. My experience is that people introduced to this study are surprised that the amount of public space impacted is smaller than that which is being portrayed in the media.

The following are the arguments in favor of the proposal, with the strongest one first.

**This project helps the working poor and middle class.** It creates new entry-level jobs, both during the construction phase and afterward. It also has an affordable housing component. Advocates for the poor support this proposal. The City should encourage proposals like this one which are mutually beneficial to the rich and the poor. I am somewhat fearful that the shadow argument is a debate which meaningfully engages only the wealthy and the more-wealthy.

**There are tremendous economic benefits to the City and its residents in this proposal.**

**Impairment of the park space notwithstanding, there are significant positive environmental aspects to the proposal.** One of the benefits is the creation of a very energy-efficient building.

**The local Winthrop Square neighborhood will be much improved.** The current site is an eyesore and a health and safety hazard. The people invested in living, working, volunteering and worshipping in this neighborhood deserve better.

Sincerely,

Fr. Thomas Conway, OFM  
Executive Director, St. Anthony Shrine  
100 Arch Street  
Boston MA 02110

Boston Planning & Development Agency [DPDA]

One City Hall Square

Boston, MA 02201      1/20/17      115 Winthrop Square Project

Dear DPDA,

As an IAG member I have attended all relevant meetings and talked to many individuals and groups, all through the lens of my 50 year work experience in the Financial District and 40 year residency along the Boston Common. It is my opinion that this project would be an important part of the culture, economy, skyline and future of the City of Boston. In particular it would transform and enhance Winthrop Square, provide a modern and powerful residential and economic contribution to the Financial District and thereby connect the Boston Common, the State House, the Greenway and the Seaport. The entire City would be rewarded.

There are many issues, details, negatives and positives in this project which I won't list here, as they have been noted by many already. Those details can be worked out. It is more important for me to use the context of the past, the present and a projection of the future in my recommendation.

In the past, I remember my first job in the Financial District at the State Street Bank Building in 1966, just after it rose above much shorter buildings and rivaled the Custom House Tower. It was exciting. In 1972 I moved into Tremont on the Common when it was then one of the largest apartment buildings and on the very edge of the Combat Zone. It is now a condominium and I still live there. It was and is very exciting. Boston has grown and now we have GE, just headquartered in the exploding growth in the Seaport District. That is the future and it is all extremely exciting.

The above is chronology, but during that time I have been a Trustee of 151 Tremont St., an active member of probably every neighborhood committee from Chinatown to Beacon Hill, as well as parks committees, and work with the Boston Police Department. I am also a founding member of the Downtown Boston Residents Assoc.

I think there is a way to make this project happen, if everyone makes an effort. I hope so!

Respectively,

George E. Coorsen, Jr.

Resident: 151 Tremont St.

IAG Member

**ALLAN E. TAYLOR**  
**115 Myrtle Street**  
**Boston, MA 02114**

January 20, 2017

***BY ELECTRONIC MAIL***

Casey Ann Hines, Senior Project Manager  
Boston Planning & Redevelopment Agency  
One City Hall Square  
Boston, MA 02201

Re: Comment Letter  
115 Winthrop Square Project

Dear Ms. Hines:

As you know, I am a member of the Impact Advisory Group appointed for this Project; and I have been a Boston resident for over forty years. What follows are my comments regarding the Project, to which I am vigorously opposed in its current design.

The Project is in gross violation of the shadow laws enacted by the Massachusetts legislature to protect the Boston Common and the Boston Public Garden, two iconic treasures of priceless historical and cultural value to the City. Moreover, the manner in which the Project contravenes those laws is not a minor, technical violation; rather, the Project would cast an enormous shadow across both parks all the way to the Commonwealth Avenue Mall adversely affecting the parks' valued horticulture and the quality of life of the thousands of residents and visitors who enjoy these parks every day of the year. These parks are among the City's most important assets and the overwhelming public interest demands they be protected, which was the thoughtful rationale behind the enactment of the shadow laws over twenty-five years ago. That public interest is, if anything, even stronger today in this period of rapid development than it was then.

Section 1.3 of the Project Notification Form for the Project lists a number of "Public Benefits" the Project supposedly offers, yet the characterization of many of these items as real "Public Benefits" is dubious at best, particularly when weighed against the enormous importance to the City of the protection of the Common and the Public Garden. Indeed, supposed "Benefits" from the Project listed in the Project Notification Form like "The Accelerator: Keeping Innovation in Boston," "Creative and Productive Spaces that Work," "Enhancement of the Downtown Public Realm," and "Sustainable Development for the Future" are little more than public relations fluff; and the miniscule benefit a few additional high-end restaurants and shops that the Project's highly touted "Great Hall" will supposedly add to the vicinity pales in comparison to the detrimental effect the Project will have on two of Boston's cultural treasures.



Moreover, *not a single one of the supposed "Public Benefits" listed in the Project Notification Form would be lost or eliminated if the Project were designed in compliance with the current laws.* True, less money may flow to the City from a design that is in compliance with the law, but when the incremental difference is calculated, any argument that the public interest of the residents of the City of Boston is better served by the construction of this Project in its current design as opposed to an alternative design protecting the Common and the Public Garden defies all logic and is remarkably short-sighted. Even more short-sighted is the notion that the value of the additional number of short-term construction jobs required to build the Project in its current design as opposed to a structure that complies with the law somehow outweighs the permanent detrimental effect the Project will have on these two treasured parks, particularly in a period when unemployment is low and construction in the City is flourishing with many more projects in the pipeline. Development in the City has prospered over the past several decades while staying within both the letter and the spirit of the shadow laws, and there is no reason to make an exception for this Project.

Construction of this Project in its current form will require not simply a zoning variance but an actual change in the Massachusetts General Laws by the legislature, an extraordinary remedy that will set an alarming precedent. At the same time, there are a myriad of alternative uses that could be made of the garage property on which this Project is proposed to be built, including construction of an office and residence complex of lesser height, that would be within the law and still provide great benefit to the City.

I am also concerned that the affordable housing component of the Project will not be developed on the site of the Project itself. This circumstance clearly undercuts the notion that the Project will provide a significant public benefit to City residents as a whole.

Apparently, the developer also expects that it should be allowed to cast an enormous shadow over these two iconic parks *for free*. What the developer in fact seeks is what amounts to a permanent easement over these two unique, treasured properties, yet there is no provision in the Project Notification Form for the developer to pay a single dime for this extraordinary easement. Nor does it seem plausible to argue that the value of this easement is included in the purchase price for the property where the developer has admitted publicly it was not even aware of the shadow issue when it submitted its bid, the Project Notification Form makes no mention of it as a "Public Benefit," and nowhere in the Project Notification Form is there an explanation as to what portion of the purchase price is supposedly allocated to this easement. Certainly, one would think given the easement would be permanent that its value by today's standards would be astronomical.

Nor is there any provision in the Project Notification Form for the developer to undertake to pay for any damage to the horticulture of the parks the Project may cause over the next hundred years or more whether currently known or unknown. The overwhelming public interest dictates that no developer should be allowed to build a project that is detrimental to the City's priceless public assets, but if the public interest is to be ignored in this instance and the Project is to be allowed to go forward in its current design, at the very least the developer should be required to pay a fair price not simply for the land but also for the permanent detrimental effects the Project will have on those priceless assets.

Accordingly, I ask that the developer be directed to provide the following in its Project Impact Report:

- A comprehensive environmental study of the impact of the Project from a 360 degree perspective to determine the Project's impact not only on the Common and the Public Garden but also on other historical sites and parks in the City, such as but not limited to the Commonwealth Avenue Mall, the Old State House, the current State House, City Hall and City Hall Plaza, the park in Post Office Square, the Custom House and the Greenway.
- A calculation of the financial impact on the Project by the inclusion of affordable housing units on the site itself, and an explanation as to why no units of this type will be included in the Project.
- A calculation of the financial impact on the Project of a reduction in its height in 100 foot increments down to 400 feet together with the impact each such incremental reduction will have on the shadow the Project will cast.
- A detailed explanation of how it calculates the monetary value of the permanent right it seeks to cast the shadows that the Project is projected to cast on the Common and the Public Garden, and any of the City's other priceless public landmarks, and whether and how it intends to compensate the City for receiving the benefit of this extraordinary right.
- What it estimates to be the additional cost of repairing any and all damage these shadows may cause to the horticulture in the two parks over the next hundred years whether known or unknown, and whether and how it is prepared to fund those costs.

Not long ago, in the public debate over whether the City should bid to host the Summer Olympics, much of the discussion centered on Boston's status as a world class city. Boston is, and will continue to be, a world class city because of its many historic and cultural assets like the Common and the Public Garden, but not because of projects like this one.

Thank you for your consideration.

Very truly yours,

  
Allan E. Taylor

cc: [byron.rushing@mahouse.gov](mailto:byron.rushing@mahouse.gov)  
[joseph.boncore@masenate.gov](mailto:joseph.boncore@masenate.gov)  
[aaron.michlewitz@mahouse.gov](mailto:aaron.michlewitz@mahouse.gov)  
[william.brownsberger@masenate.gov](mailto:william.brownsberger@masenate.gov)  
[jay.livingstone@mahouse.gov](mailto:jay.livingstone@mahouse.gov)  
[michelle.wu@boston.gov](mailto:michelle.wu@boston.gov)



January 17, 2017

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

Re: **115 Winthrop Square, Boston**  
**Project Notification Form**

Dear Director Golden:

I write as a member of the Institutional Advisory Group appointed for the above referenced proposed development but also as someone who has lived opposite the Boston Common at 49 Beacon Street for the past eighteen years. As such, I appreciate the opportunity to comment on the Project Notification Form (PNF) submitted by MCAF Winthrop LLC (Millennium) initiating BPDA Large Project Review under Article 80 of the Boston Zoning Code.

The proposed project is one of the largest and most significant development projects proposed in Boston. It is a development that has the potential to bring tremendous benefits not only to the neighborhood where it will reside but also has the potential to produce jobs and mitigation dollars to communities in Boston far from Winthrop Square. Moreover, the developer has a track record second to none in the downtown neighborhoods.

However, both the BPDA and the developer have been clear that the project, at its current proposed height, violates the Public Commons Shadow Law (1990) and the Public Garden Shadow Law (1993) which protect the Boston Common and Public Garden from the negative effect of new shadows cast onto these resources. In that there has not been any stated solution to this violation of the laws protecting these two unique assets which, in tandem, act as the social and physical center of gravity for all of Greater Boston, I am regretfully left with no

option but to oppose further review of the project until one is proposed.

Thank you for considering my comments on the Project Notification Form. I truly believe that this project can be great for all residents of our city but not without solving for the violation of the "shadow laws" prior to pushing forward with the Article 80 Large Project Review process.

Sincerely,

Ben Starr

[REDACTED]

Cc: Mayor Marty Walsh  
Senator Joseph Boncore  
Senator Will Brownsberger  
Representative Aaron Michlewitz  
Representative Jay Livingstone  
City Councilor Joshua Zakim  
City Councilor Bill Linehan  
City Councilor Tim McCarthy  
City Councilor Tito Jackson  
City Councilor Matt O'Malley  
City Councilor Michael Flaherty  
City Councilor Frank Baker  
City Councilor Mark Ciommo  
City Councilor Sal LaMattina  
City Councilor Andrea Campbell  
City Councilor Annissa Essaibi-George  
City Councilor Michelle Wu  
City Councilor Ayanna Pressley  
Jonathan Greeley, BPDA Director of Development Review  
Casey Hines, BPDA Project Manager  
Joe Larkin, Millenium Partners



Rose Kennedy Greenway Conservancy  
185 Kneeland Street  
Boston, MA 02111

January 20, 2017

Casey Hines  
Senior Project Manager  
Boston Planning and Development Agency  
One City Hall Square  
Boston, MA 02201

Re: Rose Kennedy Greenway Conservancy Comments 115 Winthrop Square Proposal

Dear Ms. Hines,

The Rose Kennedy Greenway Conservancy has been pleased to participate as a member of the Impact Advisory Group for the 115 Winthrop Square Development proposed by Millennium Partners. We appreciate being involved by the Boston Planning and Development Agency.

Since the Greenway Conservancy assumed responsibility for The Greenway in 2009, the Greenway District has seen several new developments – including the Radian and Atlantic Wharf – as well as numerous other projects currently underway or under review, such as Boulevard on The Greenway (110 Broad Street), 55 India Street, Hook Lobster, The Harbor Garage, Haymarket Hotel (Parcel 9), the Government Center Garage, and more. This flurry of development in due in no small measure to Central Artery/Tunnel project and the success of the Greenway, which has brought workers, residents and visitors into the heart of downtown and reconnected the City's downtown to its waterfront. The 115 Winthrop Square project provides further confirmation of this evolution and, given its scale and complexity, is a particularly important site for the neighborhood and the city as a whole.

Each of these projects merits a robust public process to review future impacts and to make necessary adjustments to the plans. As it relates to The Greenway, our experience has shown that large nearby developments in a dense urban core have meaningful impacts on public parks and we expect 115 Winthrop Square to be no different. The most significant impact is also likely to be the most welcome: people. The Greenway's Dewey Square Park and Fort Point Channel Parks each sit just 0.3 miles from the proposed development and The Greenway's Chinatown Park is just 0.2 miles away. With The Greenway just steps from Winthrop Square, the park will welcome all of its workers, residents and visitors to enjoy the organic horticulture, public art, fitness classes, fountains, food trucks and over 400 free public programs. However, heavier traffic in the park very clearly equates to more wear on The Greenway. This is particularly important as the park's infrastructure approaches ten years of use and capital replacement needs increase. We encourage Millennium Partners and the BPDA to recognize this inevitability and contribute financially to enable The Greenway to create and sustain vibrant public experiences.

In addition to added use of the park, the potential for new shadow impacts that influence the park experience on The Greenway are not fully understood at this time. Attention thus far has been paid to the height of the proposed building as it relates to aviation and shadow impacts on public spaces to the



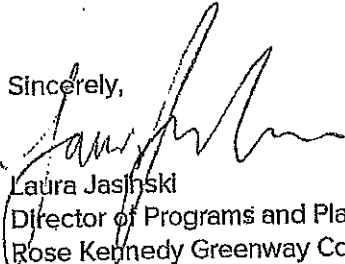
west, and The Greenway is interested in obtaining more information on the potential impact on public spaces to the east. As the stewards of public land that saw over 1.3 million trackable visitors in 2016, we understand the real impacts that increased shadows have on horticulture and, more importantly, the public experience. A stroll through a sunny path in April is a much different experience than the same walk on a shaded route. We encourage the City not to take this lightly. At the very least, it should be made clear to the IAG what building height would avoid or mitigate new hours of shade on any public space and all efforts should be made to make development feasible at that scale.

From recent presentations, it is clear that Millennium Partners values well-programmed civic spaces and we applaud them for using the Great Hall as the foundation of the 115 Winthrop Square building program. With years of experience programming The Greenway, the Conservancy is uniquely positioned to offer comments on the necessary ingredients for successful activation and offers the following feedback on the current design on the building's public realm:

- **Scale:** The human-scaled details are typically un-finalized in the conceptual design phase of large projects. However, entrance dimensions, textures and tone of facades and incorporation of plantings are all critical components of humanizing a space. Currently, the design of the building's exterior and the Interior Great Hall reads as monumental and austere, rather than welcoming. Thinking early about how to address these details will play a large role in the space's success.
- **Connection:** Similarly, physical connection cues are important to signal the public intent of the Great Hall. Scale contributes to this, as does the articulation of thresholds and signage. These can and should be used to invite people into the space rather than mask it. Programmatic connection is equally important. 115 Winthrop Square is situated between well-used public spaces like Norman Leventhal Park, Boston Common, and The Greenway. It should both *pull* from the successes of these spaces through co-produced events and *push* people to nearby offerings with thoughtful wayfinding elements.
- **Flexibility:** Perhaps the biggest lesson from The Greenway is the importance of flexibility. Public spaces evolve over time and the infrastructure needs to adapt to new needs and preferences. This applies to indoor spaces as much as outdoor. The office component of 115 Winthrop Square recognizes this market phenomenon and is being designed accordingly. The public realm of the building should as well.

We look forward to continued collaboration with the Millennium Partners and the City to ensure that this important site receives a development worth of its prominent location.

Sincerely,

  
Laura Jasinski  
Director of Programs and Planning  
Rose Kennedy Greenway Conservancy

Cc:

Jesse Brackenbury  
Jim Kalustian

**APPENDIX D**  
EXAMPLE OF PUBLIC NOTICE



SAMPLE

**PUBLIC NOTICE**

The Boston Redevelopment Authority d/b/a Boston Planning & Development Agency ("BPDA"), acting pursuant to Article 80 of the Boston Zoning Code ("Code"), hereby gives notice that a Draft Project Impact Report ("DPIR") for Large Project Review has been received from \_\_\_\_\_

(Name of Proponent)

for \_\_\_\_\_  
(Brief Description of Proposed Project)

proposed at \_\_\_\_\_  
(Location of Proposed Project)

The DPIR may be reviewed on the BPDA website - [www.bostonplans.org](http://www.bostonplans.org) - or at the Office of the Secretary of the BPDA at Boston City Hall, Room 910, between 9:00 A.M. and 5:00 P.M., Monday through Friday, except legal holidays. Public comments on the DPIR, including the comments of public agencies, should be transmitted to Casey Hines, Senior Project Manager, BPDA, Boston City Hall, Boston, MA, 02201 or via email at Casey.A.Hines@Boston.gov within seventy five (75) days of this notice or by \_\_\_\_\_.

The Proponent is seeking issuance of a Preliminary Adequacy Determination ("PAD") by the Director of the BPDA pursuant to Section 80B-5 of the Code. The PAD may waive further review requirements pursuant to Section 80B-5.4(c)(iv), if, after reviewing public comments, the BPDA finds such DPIR adequately describes the Proposed Project's impacts.

Teresa Polhemus, Secretary

**APPENDIX E**  
ACCESSIBILITY CHECKLIST

## Article 80 – Accessibility Checklist

### A requirement of the Boston Planning & Development Agency (BPDA) Article 80 Development Review Process

The Mayor's Commission for Persons with Disabilities strives to reduce architectural, procedural, attitudinal, and communication barriers that affect persons with disabilities in the City of Boston. In 2009, a Disability Advisory Board was appointed by the Mayor to work alongside the Commission in creating universal access throughout the city's built environment. The Disability Advisory Board is made up of 13 volunteer Boston residents with disabilities who have been tasked with representing the accessibility needs of their neighborhoods and increasing inclusion of people with disabilities.

In conformance with this directive, the BPDA has instituted this Accessibility Checklist as a tool to encourage developers to begin thinking about access and inclusion at the beginning of development projects, and strive to go beyond meeting only minimum MAAB / ADAAG compliance requirements. Instead, our goal is for developers to create ideal design for accessibility which will ensure that the built environment provides equitable experiences for all people, regardless of their abilities. As such, any project subject to Boston Zoning Article 80 Small or Large Project Review, including Institutional Master Plan modifications and updates, must complete this Accessibility Checklist thoroughly to provide specific detail about accessibility and inclusion, including descriptions, diagrams, and data.

For more information on compliance requirements, advancing best practices, and learning about progressive approaches to expand accessibility throughout Boston's built environment. Proponents are highly encouraged to meet with Commission staff, prior to filing.

#### Accessibility Analysis Information Sources:

1. Americans with Disabilities Act – 2010 ADA Standards for Accessible Design  
[http://www.ada.gov/2010ADASTandards\\_index.htm](http://www.ada.gov/2010ADASTandards_index.htm)
2. Massachusetts Architectural Access Board 521 CMR  
<http://www.mass.gov/eopss/consumer-prot-and-bus-lic/license-type/aab/aab-rules-and-regulations-pdf.html>
3. Massachusetts State Building Code 780 CMR  
<http://www.mass.gov/eopss/consumer-prot-and-bus-lic/license-type/csl/building-codebbrs.html>
4. Massachusetts Office of Disability – Disabled Parking Regulations  
<http://www.mass.gov/anf/docs/mod/hp-parking-regulations-summary-mod.pdf>
5. MBTA Fixed Route Accessible Transit Stations  
[http://www.mbta.com/riding\\_the\\_t/accessible\\_services/](http://www.mbta.com/riding_the_t/accessible_services/)
6. City of Boston – Complete Street Guidelines  
<http://bostoncompletestreets.org/>
7. City of Boston – Mayor's Commission for Persons with Disabilities Advisory Board  
[www.boston.gov/disability](http://www.boston.gov/disability)
8. City of Boston – Public Works Sidewalk Reconstruction Policy  
[http://www.cityofboston.gov/images\\_documents/sidewalk%20policy%200114\\_tcm3-41668.pdf](http://www.cityofboston.gov/images_documents/sidewalk%20policy%200114_tcm3-41668.pdf)
9. City of Boston – Public Improvement Commission Sidewalk Café Policy  
[http://www.cityofboston.gov/images\\_documents/Sidewalk\\_cafes\\_tcm3-1845.pdf](http://www.cityofboston.gov/images_documents/Sidewalk_cafes_tcm3-1845.pdf)

#### Glossary of Terms:

1. **Accessible Route** – A continuous and unobstructed path of travel that meets or exceeds the dimensional and inclusionary requirements set forth by MAAB 521 CMR: Section 20
2. **Accessible Group 2 Units** – Residential units with additional floor space that meet or exceed the dimensional and inclusionary requirements set forth by MAAB 521 CMR: Section 9.4
3. **Accessible Guestrooms** – Guestrooms with additional floor space, that meet or exceed the dimensional and inclusionary requirements set forth by MAAB 521 CMR: Section 8.4
4. **Inclusionary Development Policy (IDP)** – Program run by the BPDA that preserves access to affordable housing opportunities, in the City. For more information visit: <http://www.bostonplans.org/housing/overview>
5. **Public Improvement Commission (PIC)** – The regulatory body in charge of managing the public right of way. For more information visit: <https://www.boston.gov/pic>
6. **Visitability** – A place's ability to be accessed and visited by persons with disabilities that cause functional limitations; where architectural barriers do not inhibit access to entrances/doors and bathrooms.

**Article 80 | ACCESSIBILITY CHECKLIST**

**1. Project Information:**  
*If this is a multi-phased or multi-building project, fill out a separate Checklist for each phase/building.*

Project Name:	
Primary Project Address:	
Total Number of Phases/Buildings:	
Primary Contact (Name / Title / Company / Email / Phone):	
Owner / Developer:	
Architect:	
Civil Engineer:	
Landscape Architect:	
Permitting:	
Construction Management:	

At what stage is the project at time of this questionnaire? Select below:

	PNF / Expanded PNF Submitted	Draft / Final Project Impact Report Submitted	BPDA Board Approved
	BPDA Design Approved	Under Construction	Construction Completed:

Do you anticipate filing for any variances with the Massachusetts Architectural Access Board (MAAB)? *If yes*, identify and explain.

**2. Building Classification and Description:**  
*This section identifies preliminary construction information about the project including size and uses.*

What are the dimensions of the project?

Site Area:	SF	Building Area:	GSF
Building Height:	FT.	Number of Stories:	Flrs.
First Floor Elevation:		Is there below grade space:	Yes / No

**Article 80 | ACCESSIBILITY CHECKLIST**

What is the Construction Type? (Select most appropriate type)				
	Wood Frame	Masonry	Steel Frame	Concrete
What are the principal building uses? (IBC definitions are below – select all appropriate that apply)				
	Residential – One - Three Unit	Residential - Multi-unit, Four +	Institutional	Educational
	Business	Mercantile	Factory	Hospitality
	Laboratory / Medical	Storage, Utility and Other		
List street-level uses of the building:				
<p><b>3. Assessment of Existing Infrastructure for Accessibility:</b>  <i>This section explores the proximity to accessible transit lines and institutions, such as (but not limited to) hospitals, elderly &amp; disabled housing, and general neighborhood resources. Identify how the area surrounding the development is accessible for people with mobility impairments and analyze the existing condition of the accessible routes through sidewalk and pedestrian ramp reports.</i></p>				
Provide a description of the neighborhood where this development is located and its identifying topographical characteristics:				
List the surrounding accessible MBTA transit lines and their proximity to development site: commuter rail / subway stations, bus stops:				
List the surrounding institutions: hospitals, public housing, elderly and disabled housing developments, educational facilities, others:				
List the surrounding government buildings: libraries, community centers, recreational facilities, and other related facilities:				
<p><b>4. Surrounding Site Conditions – Existing:</b>  <i>This section identifies current condition of the sidewalks and pedestrian ramps at the development site.</i></p>				
Is the development site within a historic district? <b>If yes</b> , identify which district:				
Are there sidewalks and pedestrian ramps existing at the development site? <b>If yes</b> , list the existing sidewalk and pedestrian ramp dimensions, slopes, materials, and physical condition at the development site:				

**Article 80 | ACCESSIBILITY CHECKLIST**

<p>Are the sidewalks and pedestrian ramps existing-to-remain? <b>If yes</b>, have they been verified as ADA / MAAB compliant (with yellow composite detectable warning surfaces, cast in concrete)? <b>If yes</b>, provide description and photos:</p>	
<p><b>5. Surrounding Site Conditions – Proposed</b></p> <p><i>This section identifies the proposed condition of the walkways and pedestrian ramps around the development site. Sidewalk width contributes to the degree of comfort walking along a street. Narrow sidewalks do not support lively pedestrian activity, and may create dangerous conditions that force people to walk in the street. Wider sidewalks allow people to walk side by side and pass each other comfortably walking alone, walking in pairs, or using a wheelchair.</i></p>	
<p>Are the proposed sidewalks consistent with the Boston Complete Street Guidelines? <b>If yes</b>, choose which Street Type was applied: Downtown Commercial, Downtown Mixed-use, Neighborhood Main, Connector, Residential, Industrial, Shared Street, Parkway, or Boulevard.</p>	
<p>What are the total dimensions and slopes of the proposed sidewalks? List the widths of the proposed zones: Frontage, Pedestrian and Furnishing Zone:</p>	
<p>List the proposed materials for each Zone. Will the proposed materials be on private property or will the proposed materials be on the City of Boston pedestrian right-of-way?</p>	
<p>Will sidewalk cafes or other furnishings be programmed for the pedestrian right-of-way? <b>If yes</b>, what are the proposed dimensions of the sidewalk café or furnishings and what will the remaining right-of-way clearance be?</p>	
<p>If the pedestrian right-of-way is on private property, will the proponent seek a pedestrian easement with the Public Improvement Commission (PIC)?</p>	

**Article 80 | ACCESSIBILITY CHECKLIST**

<p>Will any portion of the Project be going through the PIC? <b>If yes</b>, identify PIC actions and provide details.</p>	
<p><b>6. Accessible Parking:</b>  <i>See Massachusetts Architectural Access Board Rules and Regulations 521 CMR Section 23.00 regarding accessible parking requirement counts and the Massachusetts Office of Disability – Disabled Parking Regulations.</i></p>	
<p>What is the total number of parking spaces provided at the development site? Will these be in a parking lot or garage?</p>	
<p>What is the total number of accessible spaces provided at the development site? How many of these are “Van Accessible” spaces with an 8 foot access aisle?</p>	
<p>Will any on-street accessible parking spaces be required? <b>If yes</b>, has the proponent contacted the Commission for Persons with Disabilities regarding this need?</p>	
<p>Where is the accessible visitor parking located?</p>	
<p>Has a drop-off area been identified? <b>If yes</b>, will it be accessible?</p>	
<p><b>7. Circulation and Accessible Routes:</b>  <i>The primary objective in designing smooth and continuous paths of travel is to create universal access to entryways and common spaces, which accommodates persons of all abilities and allows for visitability with neighbors.</i></p>	
<p>Describe accessibility at each entryway:          Example: Flush Condition, Stairs, Ramp, Lift or Elevator:</p>	
<p>Are the accessible entrances and standard entrance integrated? <b>If yes</b>, describe. <b>If no</b>, what is the reason?</p>	

**Article 80 | ACCESSIBILITY CHECKLIST**

<p><i>If project is subject to Large Project Review/Institutional Master Plan, describe the accessible routes way-finding / signage package.</i></p>	
<p><b>8. Accessible Units (Group 2) and Guestrooms: (If applicable)</b>  <i>In order to facilitate access to housing and hospitality, this section addresses the number of accessible units that are proposed for the development site that remove barriers to housing and hotel rooms.</i></p>	
<p>What is the total number of proposed housing units or hotel rooms for the development?</p>	
<p><i>If a residential development, how many units are for sale? How many are for rent? What is the breakdown of market value units vs. IDP (Inclusionary Development Policy) units?</i></p>	
<p><i>If a residential development, how many accessible Group 2 units are being proposed?</i></p>	
<p><i>If a residential development, how many accessible Group 2 units will also be IDP units? If none, describe reason.</i></p>	
<p><i>If a hospitality development, how many accessible units will feature a wheel-in shower? Will accessible equipment be provided as well? If yes, provide amount and location of equipment.</i></p>	
<p>Do standard units have architectural barriers that would prevent entry or use of common space for persons with mobility impairments? Example: stairs / thresholds at entry, step to balcony, others. <i>If yes, provide reason.</i></p>	
<p>Are there interior elevators, ramps or lifts located in the development for access around architectural barriers and/or to separate floors? <i>If yes, describe:</i></p>	



**Article 80 | ACCESSIBILTY CHECKLIST**

**9. Community Impact:**

*Accessibility and inclusion extend past required compliance with building codes. Providing an overall scheme that allows full and equal participation of persons with disabilities makes the development an asset to the surrounding community.*

<p>Is this project providing any funding or improvements to the surrounding neighborhood? Examples: adding extra street trees, building or refurbishing a local park, or supporting other community-based initiatives?</p>	
<p>What inclusion elements does this development provide for persons with disabilities in common social and open spaces? Example: Indoor seating and TVs in common rooms; outdoor seating and barbeque grills in yard. Will all of these spaces and features provide accessibility?</p>	
<p>Are any restrooms planned in common public spaces? <b>If yes</b>, will any be single-stall, ADA compliant and designated as "Family"/"Companion" restrooms? <b>If no</b>, explain why not.</p>	
<p>Has the proponent reviewed the proposed plan with the City of Boston Disability Commissioner or with their Architectural Access staff? <b>If yes</b>, did they approve? <b>If no</b>, what were their comments?</p>	
<p>Has the proponent presented the proposed plan to the Disability Advisory Board at one of their monthly meetings? Did the Advisory Board vote to support this project? <b>If no</b>, what recommendations did the Advisory Board give to make this project more accessible?</p>	

## Article 80 | ACCESSIBILITY CHECKLIST

### 10. Attachments

*Include a list of all documents you are submitting with this Checklist. This may include drawings, diagrams, photos, or any other material that describes the accessible and inclusive elements of this project.*

Provide a diagram of the accessible routes to and from the accessible parking lot/garage and drop-off areas to the development entry locations, including route distances.

Provide a diagram of the accessible route connections through the site, including distances.

Provide a diagram the accessible route to any roof decks or outdoor courtyard space? (if applicable)

Provide a plan and diagram of the accessible Group 2 units, including locations and route from accessible entry.

Provide any additional drawings, diagrams, photos, or any other material that describes the inclusive and accessible elements of this project.

- 
- 
- 
- 

This completes the Article 80 Accessibility Checklist required for your project. Prior to and during the review process, Commission staff are able to provide technical assistance and design review, in order to help achieve ideal accessibility and to ensure that all buildings, sidewalks, parks, and open spaces are usable and welcoming to Boston's diverse residents and visitors, including those with physical, sensory, and other disabilities.

For questions or comments about this checklist, or for more information on best practices for improving accessibility and inclusion, visit [www.boston.gov/disability](http://www.boston.gov/disability), or our office:

The Mayor's Commission for Persons with Disabilities  
1 City Hall Square, Room 967,  
Boston MA 02201.

Architectural Access staff can be reached at:

[accessibility@boston.gov](mailto:accessibility@boston.gov) | [patricia.mendez@boston.gov](mailto:patricia.mendez@boston.gov) | [sarah.leung@boston.gov](mailto:sarah.leung@boston.gov) | 617-635-3682