

February 28, 2003

Mr. Ralph Cox
Spaulding & Slye/Colliers
255 State Street
Boston, MA 02109

Dear Mr. Cox:

On November 6, 2002, North Point Land Company LLC. c/o Spaulding & Slye/Colliers submitted to the Boston Redevelopment Authority ("BRA") a Draft Project Impact Report ("DPIR") for the proposed North Point project. The public comment period for the DPIR ended on December 23, 2002. This letter requests that the Additional Materials be submitted before a Preliminary Adequacy Determination is issued.

The Additional Materials must respond to the comments received by the City agencies in response to the DPIR. A summary of the issues to be addressed is attached, along with the comment letters that have been received. Upon submission of the Additional Materials, the BRA and the appropriate city agencies will review the response and issue a Preliminary Adequacy Determination as required by Article 80B, Large Project Review of the Boston Zoning Code.

Please submit twenty (20) copies of the Additional Materials to the BRA for distribution.

If you have any questions, please call me at 918-4404.

Sincerely,

Heather Campisano
Project Manager

Cc: Susan Hartnett, Director, Economic Development
David Carlson, Boston Redevelopment Authority
Richard Mertens, Boston Redevelopment Authority
Dick Garver, Boston Redevelopment Authority
James McCarthy, Boston Transportation Department
Bryan Glascock, Boston Environment Department
Paul T. Burke, Acting Fire Marshall, Boston Fire Department
Michael Killoran, Mayor's Office of Neighborhood Services

BOSTON REDEVELOPMENT AUTHORITY
REQUEST FOR ADDITIONAL MATERIALS
NORTH POINT PROJECT

PROPOSED PROJECT: **NORTH POINT**

PROPONENT: **NORTH POINT LAND COMPANY LLC**
C/O SPAULDING & SLYE/COLLIERS
255 STATE STREET
BOSTON, MA 02109

DATE: **FEBRUARY 28, 2003**

The Boston Redevelopment Authority (“BRA”) is issuing this Request for Additional Materials in response to a Draft Project Impact Report (“DPIR”) which North Point Land Company LLC c/o Spaulding & Slye/Colliers (the “Proponent”) filed for the North Point project on November 6, 2002. Notice of the receipt by the BRA of the PNF was published in the Boston Herald on November 7, 2002, which initiated the public comment period with a closing date of December 23, 2002.

On May 5, 2002 the Proponent filed a Letter of Intent in accordance with the Executive Order regarding the proposed North Point project. On May 22, 2002 the Proponent filed a Project Notification Form (“PNF”). Notice of the receipt by the BRA of the PNF was published in the Boston Herald on May 23, 2002, which initiated the public comment period with a closing date of June 24, 2002. Pursuant to Section 80B-5.3 of the Code, a scoping session was held on June 4, 2002 with the City’s public agencies where the project was reviewed and discussed. The Notice and the PNF were sent to the City’s public agencies pursuant to Section 80A-2 of the Code. On July 29, 2002 the BRA issued a Scoping Determination in response to the PNF, which requested the filing of a DPIR.

The Proponent appeared before the Charlestown Neighborhood Council on December 3, 2002, and the Proposed Project was voted down to a subcommittee. On January 9, 2003, the Proponent appeared before the Charlestown Neighborhood Council subcommittee.

Written comments in response to the DPIR received by the BRA from agencies of the City of Boston are included in **Appendix A** and must be answered in their entirety.

Specifically, they are:

- Bryan Glascock, Boston Environment Department
- James McCarthy, Boston Transportation Department
- **David Carlson, Boston Redevelopment Authority**

Written comments from the BRA's Environmental Review Office to the Executive Office of Environmental Affairs in response North Point's Final Environmental Impact Report ("FEIR") are included in **Appendix B**.

PROJECT DESCRIPTION

The proposed North Point project calls for the redevelopment of approximately 45 acres of abandoned and underutilized railroad and industrial land in the municipalities of Cambridge, Somerville, and Boston into a new, vibrant, mixed-use urban neighborhood comprised of residential, commercial, and open space uses. The site is bounded by Charlestown Avenue/Gilmore Bridge, Msgr, O'Brien Highway/Route 28, and the MBTA maintenance facility and commuter rail right-of-way, and also includes the existing site of the Lechmere MBTA station (the "Project Site").

The total North Point development plan includes a 3 million square foot residential component, approximately 2 million square feet of office/lab space, 75,000 square feet of retail uses, 10 acres of open space, and 4,930 parking spaces. Three percent (3%) of the North Point project is located within the Charlestown neighborhood of Boston. The approximately 1.5 acre parcel includes portions of two proposed office buildings and 430 parking spaces (the "Proposed Project").

A. Transportation Component

The written comments of the Boston Transportation Department ("BTD") are included in **Appendix A** and are incorporated herein by reference and made a part hereof. The Proponent is required to address all comments included in this comment letter and summarized below.

Parking

Designated spaces for carpools, vanpools, and car share should be in more than one location. The Proponent should also indicate how parking spaces are managed.

Impacts on Existing Intesections

Although only approximately 3% of the Proposed Project is located in Boston, there will undoubtedly be an increase in traffic on the already overcrowded arterial roads that bring traffic into Boston. Specifically, BTD is concerned with the operation of the intersections at O'Brien/Gilmore/Land, O'Brien, Museum and Leverett Circle. BTD would like the O'Brien/Land/Gilmore and the O'Brien/Museum intersections connected to the BTD Control Center by way of an interconnect cable to the signals at Leverett Circle, which are presently connected to the BTD system. The upgrade of the traffic control equipment must include a new controller to be compatible with the BTD system. BTD also requests that mitigation improvements be made at the start of Phase 1A.

Transportation Demand Management

The DPIR proposes an extensive Transportation Demand Management Program (TDM) that identifies measures that minimize the number of vehicles that are traveling to and from the Project Site. The Proponent should continue to work with BTD on the implementation of a TDM.

Construction Management Plan

The Proponent must work with BTD to develop a Construction Management Plan ("CMP"), which will identify measures for the maintenance of existing levels of service on adjacent roadways during construction and to minimize disruption in the area.

Transportation Access Plan Agreement

BTD requires that the Proponent sign a Transportation Access Plan Agreement ("TAPA") in an effort to minimize and mitigate the transportation impacts. The TAPA will identify all mitigation, including TDM requirements, transportation system requirements, and a CMP.

B. Environmental Protection Component

The Additional Materials shall contain an Environmental Protection Component as outlined below, and shall address written comments of the City of Boston Environment Department dated December 12, 2002 and included in **Appendix A**, and incorporated herein by reference and made a part hereof.

Additional comments related to environmental impacts are outlined in a letter from Richard Mertens, Environmental Review Officer of the BRA, addressed to the Executive Office of Environmental Affairs and dated December 11, 2002. This memorandum is included in **Appendix B** and incorporated herein by reference and made a part hereof and should be addressed in its entirety in the Additional Materials.

Shadow and Wind

Building design should ensure that shadow and pedestrian level winds (PLW) do not discourage pedestrian and bicyclist use of major desire lines, recreational space and open space, especially in connection with the non-vehicular use and access to the Project Site via the Gilmore Bridge.

Shadow and wind impacts of the buildings located in Boston should be analyzed when height and massing are established. As structures in Somerville and Cambridge may also have wind and shadow impacts on property in Boston, the Proponent should submit studies when the designs of the buildings are more advanced. The appropriate City agencies will be afforded the opportunity to comment on the studies once submitted.

Stormwater

The Proponent should install plaques at all storm drains that bear the warning “Don’t Dump – Drains to Charles River” (or Boston Harbor, as appropriate). The casting can be obtained from the Engineering Division at the Boston Water and Sewer Commission (“BWSC”) at 617-330-9400.

Air Quality, Public Health and the Voluntary Diesel Retrofit Program

The DPIR notes several measures for the mitigation of construction related air quality impacts. The Proponent should also reference the Guidelines for additional information on other Best Management Practices.

The Proponent should also contact Steven G. Lipman, P.E. of the Massachusetts Department of Environmental Protection (DEP) at 617-292-5698 to discuss the Massachusetts Clean Air Construction Initiative (CACI) and how it might be used to minimize adverse construction impacts from the Proposed Project.

Construction Worker Transportation

The Proponent should commit to taking all necessary steps to ensure that TDM is required for the construction workforce. Furthermore, anyone making reservations at the hotel or registering for a hotel-based conference or meeting should be information on Zipcar availability and rates, on-site car rentals, public transportation, and any shuttle service with which the hotel may contract. It should be noted that the auto mode share for the hotel appears high for an area with the range of transportation options provided.

General

The Proponent should submit a map of the seven Massachusetts Contingency Plan (MCP) sites within the project area.

Traffic Impacts

Although the Proposed Project will not add significant amounts of project-generated traffic to the Rutherford Avenue/Austin Street/Gilmore Bridge intersection, and signal timing adjustments are projected to improve morning

peak hour conditions from levels of service E and F to D, evening peak hour conditions, even with mitigation, will remain at unacceptable levels, although slightly less so than No-Build conditions. Further mitigation should be explored for the Rutherford Avenue/Austin Street/Gilmore Bridge intersection in Charlestown in an attempt to improve the evening peak hour to an acceptable level of service.

Pedestrian Connections to Project Site

It is essential that the public access provided from the Gilmore Bridge via escalator/stairs/elevator be fully available to the public at all hours of the day and night, every day of the week. Both stairs and mechanical circulation elements should be located entirely within the public realm and should be designed so that the public does not have to enter private space, such as a building lobby, to access them.

Urban Ring

The Proponent's design has not adequately provided for the right-of-way of Urban Ring Bus Rapid Transit (BRT) Route 1 that will cross the North Point site between Community College and Lechmere Stations. The Urban Ring ENF called for this segment to cross the North Point site. By placing buildings G and H against the property line, the viaduct that will bring BRT 1 from its alignment parallel to the Gilmore Bridge to grade is forced off the site and must remain elevated above the MBTA's commuter rail tracks until it can descend at Water Street. This outcome imposes consequential premium costs on the Urban Ring Project. The project must therefore be reconfigured to provide a right-of-way that will allow this viaduct to descend to grade and enter the site in an alignment that is favorable to the Urban Ring Project.

Because of the Proponent's design does not satisfy the policy established in the November 16, 2001 Massachusetts Environmental Protection Agency (MEPA) Certificate on the Urban Ring Project Expanded Environmental Notification Form (ENF), and reiterated in MEPA's June 21, 2002 Certificate on the North Point Draft Environmental Impact Report (DEIR), the MEPA Certificate on the North Point Final Environmental Impact Report (FEIR), dated December 16, 2002, calls for the MBTA and the Proponent to pursue three design approaches to achieving a design solution that satisfies MEPA policy:

- An alignment entirely within the MBTA's commuter rail yard;
- An alignment largely within the commuter rail yard, with a minor impingement on the North Point site.
- An alignment that impinges more deeply on the North Point site. In this approach the developer may propose to replace parking lost to the Urban Ring right-of-way on air rights structures over the MBTA rail yard.

The MBTA is to submit a final report on the results of this exercise to the Executive Office of Environmental Affairs and the Urban Ring CAC no later than March 31, 2003.

These alternatives offer a useful framework for identifying a BRT 1 right-of-way that will satisfy this determination. If an at-grade alignment can be defined within the commuter rail yard, no building set-back would appear to be required beyond the eighteen foot fire safety lane stipulated elsewhere in this document. If the alignment requires a minor infringement on the present design, the Proponent may want to explore the utilization of this fire safety lane as part of the needed right-of-way. If either solution proves to be infeasible, however, Buildings G and H will need to be revised to accommodate the busway on the North Point Site.

C. Zoning Approval

In reiterating the two of the outstanding conditions set forth in the Scoping Determination issued by the BRA on July 29, 2002, a recommendation of permanent zoning will be made for the portion of the Proposed Project that is located within Boston based on the completion of the following:

- The provision of specifics and documentation with regard to Phase I, II and III of the Urban Ring;
- The provision of fire and safety agreements with Boston, Cambridge, and Somerville.

D. Urban Design Component

E. Public Process

The BRA requests that the Proponent return to the CNC subcommittee before the Proponent appears before the BRA Board for approval. The CNC subcommittee would like to see draft plans of the Proposed Project, specifically with regard to the portion located within Charlestown, which should clearly define the uses within buildings G and H. The CNC subcommittee should also be informed once more detailed plans are prepared for BRA Urban Design approval, and prior to the completion of the design review process.