

Boston Groundwater Trust

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October 4th, 2016

Gary R. Uter, Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201-1007

Subject: 2 Charlesgate West/120 Ipswich Street Expanded Project
Notification Form

Dear Mr. Uter:

Thank you for the opportunity to comment on the 2 Charlesgate West/120 Ipswich Street Project expanded project notification form (EPNF) located in the Fenway Neighborhood. The Boston Groundwater Trust was established by the Boston City Council to monitor groundwater levels in sections of Boston where the integrity of building foundations is threatened by low groundwater levels and to make recommendations for solving the problem. Therefore my comments are limited to groundwater related issues.

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

Also stated in the EPNF and confirmed at the scoping session compliance with the GCOD requires both the installation of a recharge system and a demonstration that the project cannot cause a reduction in groundwater levels on site or on adjoining lots. The EPNF states that the construction of the foundations and below-grade parking structure will require depths anticipated to be up to 31 feet below the Boylston Street ground surface (approximately El. 0 BCB). The EPNF states that the below-grade levels will be waterproofed.

As stated in the EPNF and confirmed at the scoping session, the excavation will be conducted within an engineered lateral earth support system, which will be designed to provide excavation support, limit ground movements outside the excavation to protect adjacent facilities, and maintain groundwater levels outside the excavation by creating a groundwater "cutoff" between the excavation

and the surrounding area. The lateral earth support system will be designed to be installed/sealed into the clay stratum to isolate the excavation and future below-grade garage from the groundwater table.

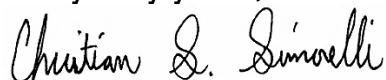
Before the GCOD zoning approval can be put in place, the proponent must provide the BRA and the Trust a letter stamped by a professional engineer registered in Massachusetts that details how it will accomplish what is stated in the EPNF and meets the GCOD requirement for no reduction in groundwater levels on site or on adjoining lots.

The EPNF states that temporary dewatering will be required inside the excavation during excavation and foundation construction to remove “free” water from the soils to be excavated as well as precipitation. The proponent confirmed at the scoping session that the dewatering effluent is scheduled to be deposited onsite into a recharge pit.

The proponent confirmed at the scoping session monitoring data for existing groundwater observation wells will be collected pre, during, and post construction and the data will be furnished to the Trust and the Agency on a weekly basis. In the event that groundwater levels drop below the observed pre-construction baseline levels during construction, provisions must be in place to halt construction and dewatering until the cause is found and remedied. I look forward to working with the proponents Engineer on reviewing the monitoring wells in the area to be read and reported.

I look forward to continuing to work with the proponent and the Agency to assure that this project can have only positive impacts on area groundwater levels.

Very truly yours,

A handwritten signature in cursive script that reads "Christian S. Simonelli".

Christian Simonelli
Executive Director

CC: Kathleen Pederson, BRA
Maura Zlody, BED

October 31, 2016

Mr. Brain Golden, Director
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201

Re: Comments on Two Charlesgate West PNF

Dear Mr. Golden,

We appreciate having the opportunity to submit this comment letter on the Expanded Project Notification Form ("PNF") dated September 9, 2016 on behalf of the project proponents, Charlesgate West Associates LP and Charlesgate Condo LLC. Berklee College of Music is a direct abutter to the project site as it owns the property located at 132 Ipswich Street developed by The Boston Conservatory.

As you know, Ipswich Street in the vicinity of the project site is not a particularly attractive part of the Fenway neighborhood given its immediately adjacency to the MBTA commuter rail tracks and the Massachusetts Turnpike. While the historic Fenway Studios and the 132 Ipswich Street buildings are attractive, the collection of low and mid-rise buildings on the site of the proposed project, while well maintained, presently do not make a significant contribution to the appearance of the area.

Replacement of these structures with a well designed, appropriately scaled building that places active uses along Ipswich Street and that otherwise contributes to upgrading the function and appearance of the public realm would be a welcome addition to the neighborhood. We do have certain questions and specific concerns about the development proposal that we have been discussing with the project proponent and other members of the Fenway community in the IAG process.

Presently, more than 300 students of The Boston Conservatory at Berklee ("TBCB") walk from other academic buildings located on The Fenway to the 132 Ipswich Street property. In addition, students attending the Boston Arts Academy walk to the Academy on Ipswich Street. We appreciate and endorse the development team's plan to maintain and widen the passage and stairway linking the Boylston Street and Ipswich Street between the planned new building and the existing Boylston Street residential structures to the west.

Several students use this walkway, while others approach the 132 Ipswich Street building from the east along Ipswich Street (as do legions of Red Sox fans). The latter walk on narrow sidewalks, and view the decrepit chain link fence on the north side of Ipswich Street. We would like to better understand the specific “significant improvements to the open space and streetscapes adjacent to the Project” proposed by the development team in the PNF’s Project Summary (Sec. 1.1 of the PNF). We suggest that these include improved lighting, an attractive, opaque fence along the MBTA tracks and Massachusetts Turnpike, and wider, landscaped sidewalks. The proposed “...new lighting and artwork in the area beneath the Charlesgate overpass” (Sec. 1.3) seems to us a very modest improvement.

With respect to the proposed project’s impacts, we are very concerned that the proponent’s wind tunnel testing indicates that pedestrian level winds along Ipswich Street at and near the entrance of the 132 Ipswich Street building are much higher in the Build Condition than the No Build condition. The conditions are projected to deteriorate from Comfortable for Standing (>12 and <15 mph) to Uncomfortable for Walking (>19 and <27 mph) in front of the 132 Ipswich Street building (Figures 4.1-6 and 4.1-7).

The mitigation of these wind impacts is characterized by the wind consultant as “difficult.” The suggestion that coniferous/marcescent trees and/or wind screens along the (very narrow) sidewalk areas seems to us impractical and insufficient. We ask that the proponent be required to investigate the creation of a meaningful setback of the proposed residential tower from the base of the building along Ipswich Street to appropriately mitigate the projected adverse wind impacts.

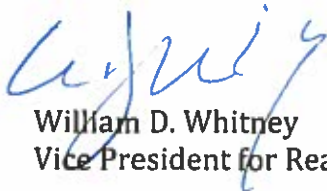
We understand and appreciate that a certain amount of disruption and inconvenience is associated with the construction of any new building. The proponent has volunteered to prepare and share a draft Construction Management Plan earlier in the development process than is customary, and we look forward to reviewing it. Given the proximity of the project site to the 132 Ipswich Street building, we are particularly interested in the planned organization of the construction site, including areas of construction vehicle access to the site, plans to maintain unfettered pedestrian access along Ipswich Street, planned frequency of roadway cleaning (especially during excavation and frequent concrete pours), loading dock location, and the location of hoists and the tower crane.

In a recent meeting of the IAG, a member of the project team indicated the planned location of the loading area, hoists and the tower crane as being on the westerly side of the project site, i.e., immediately adjacent to the 132 Ipswich Street property. Given that virtually all instruction in the Conservatory’s Ipswich Street building involves students playing and hearing music, we believe that locating these uses next to the teaching facility may well interfere with teaching and learning in the Conservatory’s building. We ask that the planned location of these functions and facilities be removed from the immediate vicinity of the 132 Ipswich Street building, ideally to the easterly portion of the site.

We also would like to better understand the specific type and planned location of the components of the planned "engineered lateral earth support system, such as a slurry wall or sheet pile wall system" (Sec. 4.10.4). As the 132 Ipswich Street building has a shallow base slab, we need to ensure that there is no meaningful settlement of this recently constructed building during the redevelopment of the Charlesgate West site. We ask that the proponent be required to provide a pre-construction survey of the Conservatory practice facility, and that regular monitoring of the elevation points on the 132 Ipswich Street building be performed during the demolition, pre-excavation, excavation and construction periods.

Once again, thank you for the opportunity to comment on the Enhanced PNF. We look forward to a continuing dialogue with the Agency and the proponent.

Sincerely,

A handwritten signature in blue ink, appearing to read 'W. Whitney', is written over the typed name and title.

William D. Whitney
Vice President for Real Estate

Cc: Mr. Gary Uter, BPDA
Mr. Jonathan Greeley, BPDA
Mr. Justin Krebs, Transnational Group

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October 28, 2016

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Executive Director

Gregory J. Galer, Ph.D.

Mr. Gary Uter
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201
Via email: Gary.Uter@boston.gov

Re: 2 Charlesgate West, Fenway

Dear Mr. Uter,

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

The Alliance has reviewed the Project Notification Form for the proposed tower at 2 Charlesgate West. While we are not opposed to the demolition of the existing structures on the site and the construction of a new building which could successfully enhance this area of Ipswich Street, we feel that the impacts to the neighborhood from this proposal, particularly the visual impacts from historic Fenway Park and from the abutting Emerald Necklace greenspace, are significant and require further analysis. We share many of the concerns expressed by the Red Sox that the visual obstruction of this massive building from within Fenway Park compromises the historic integrity of the nationally significant ballpark experience and its iconic views to the city skyline.

This site is a unique and highly visible gateway with a zoning maximum intended to protect the character of the neighborhood. While constructing a building that reinforces this gateway experience is an admirable goal, approving a building that is 150% taller than zoning sets a troubling precedent in a neighborhood already experiencing overwhelming development pressure. Unlike other new, tall construction at the other end of Boylston Street, this proposal exists within an entirely different context and the intrusion of a structure as presented in size and design is incompatible with the scale and character of the neighborhood.

The Alliance, therefore, urges the Boston Planning and Development Agency to require the proponent to complete a more comprehensive DPIR that includes views from within Fenway Park, the Emerald Necklace and elsewhere in the neighborhood so that the building's visual impacts can be better understood. Because of the low,

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bostonpreservation.org

intimate scale of the Fenway neighborhood and the adjacent Emerald Necklace, a building with this much mass and height raises significant concerns. We look forward to the opportunity to review additional renderings both of the existing proposal and alternatives that reduce the impact of the building to the neighborhood and Fenway Park and to work with the BPDA and the proponent to encourage a proposal more fitting to its context and less impactful of unique historic resources.

Thank you,



Greg Galer
Executive Director

CC via email:

Michelle Wu, Boston City Council President
Michael Flaherty, Boston City Council
Annissa Essaibi George, Boston City Council
Ayanna Pressley, Boston City Council
Josh Zakim, Boston City Council
Sheila Dillon, Chief of Housing, City of Boston
David Carlson, Boston Civic Design Commission
Rosanne Foley, Boston Landmarks Commission
Geoffrey Melhuish, Epsilon Associates



Mayor's Commission for Persons with Disabilities

Martin J. Walsh, Mayor

October 4th, 2016

**RE: 2 Charlesgate West, Boston MA 02215
Project Notification Form
Boston Planning and Development Agency**

The Disability Commission has reviewed the Project Notification Form that was submitted 2 Charlesgate West, in Boston. Since the proposed project is planned to be a vibrant destination area for housing, office and restaurant amenities, I would like to encourage a scheme that allows full and equal participation of persons with disabilities through *ideal design which meets as well as exceeds compliance* with accessibility building code requirements. It is crucial that the site layout, buildings, open spaces, parking, and circulation routes be developed with access in mind.

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

- **Accessible Group 2 Units:**
 - We would like to request more information on the accessible Group 2 units within the Project, including details types and floor plans.
 - Will any accessible Group 2 units will be included in the Inclusionary Development Policy? If so, how many?
- **Accessible Parking:**
 - Will there be a separate accessible on-street drop-off area for the restaurant component of the project or is will all drop-off activities be conducted inside the garage?
- **Accessible Route and Sidewalks:**
 - We would like to work with the Proponent, Boston Planning and Development Agency, Boston Transportation Department and the Public Improvement Commission to discuss future proposal for the sidewalk widenings/specific repairs for Ipswich Street, to ensure that future conditions meet and/or exceed Boston Complete Streets Guidelines and Standards.
 - The rehabilitated stair between Boylston Street and Ipswich Street is not fully accessible to individuals with mobility disabilities. We support a fully accessible access point that allows for the same access from Boylston Street to Ipswich Street.
 - Please provide detail on all walkways and plazas within the Site, including unit paving materials, dimensions and slopes. We support the use of smooth and continuous concrete to ensure that the surface texture is smooth and continuous and for the ease of maintenance.

- **Community Benefits:**
 - Accessibility extends past compliance through building code requirements. For example, by providing employment and other opportunities for persons with disabilities, the development becomes an asset to the surrounding community. What opportunities (ex. employment, community support, social) will the development provide for persons with disabilities?

- **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”*).

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

Thank You.



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

Reviewed by:

Patricia Mendez, Architectural Access Specialist
 Mayor’s Commission for Persons with Disabilities
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 617-635-252

Sarah Leung, Architectural Access Project Coordinator
 Mayor’s Commission for Persons with Disabilities
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Emerald Necklace

CONSERVANCY

Connecting People and Parks and Conserving the Emerald Necklace

BACK BAY FENS * RIVERWAY * OLMSTED PARK * JAMAICA POND * ARNOLD ARBORETUM * FRANKLIN PARK

Karen Mauney-Brødek, *President*

31 October, 2016

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Jamaica Hills Association
Jamaica Pond Association
MASCO
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Boston Planning and Development Agency
Attn: Gary Uter
One City Hall Square, 9th Flr.
Boston, MA. 02210-1007

Re: 2 Charlesgate West, Boston, MA.

Dear Mr. Uter:

We are writing to provide comment on the analysis and possible impacts, as discussed in the Expanded Project Notification Form (EPNF), for the proposed development at 2 Charlesgate West. The Project Review Committee of the Emerald Necklace Conservancy met with Justin Krebs and the development team on July 26th, 2016 to review the project prior to submittal of the EPNF. We subsequently received a copy of the EPNF from the developer. The Conservancy also now participates on the project Impact Advisory Group.

The Project Review Committee of the Conservancy uses four criteria to evaluate projects that abut the Emerald Necklace park system for potential impacts and benefits to the park. The criteria consider a) historic character, b) the visitor experience, c) potential environmental effects of adjacent development and d) benefits to the park system. Using these criteria we have the following comments:

• **Historic Character.**

The proposed project is located within the North Boylston Gateway Area covered by Article 66 of the Boston Zoning Code and by virtue of being within 100' of a parkway it is also covered under Chapter VII of the City of Boston Municipal Code. In both cases there are height restrictions that apply to the proposed building. Current zoning calls for a maximum of 135' in height; the Municipal Code allows no more than 70'. Given that both of these restrictions would apply to the proposed project we are concerned that the first scheme for public review, at 340', is 2 ½ times higher than the more generous allowed zoning height. Adequate reasoning has not been presented so far to support the assertion that the height of the building needs to be in line with the other Gateway location.

Olmsted could not have anticipated a future in which the parks would be overlooked by very tall buildings, changing the feeling of getting away from the "bustle and jar of the streets". Additional analysis from various locations within the Fenway and other parts of the Emerald Necklace should be provided for review.

It is not clear how the proposed height was determined, as it is considerably higher than that in the revised zoning. The proposed building as shown in the images provided would be a new dominant visual presence from inside the Emerald Necklace, and could have a very real impact on the Emerald Necklace experience and its users.

We do acknowledge and appreciate that the design of the building endeavors to help diminish the effects of wind and give the appearance of less bulk but the proposed height would be a major change to this edge of the park.

- **Visitor Experience.**

The closest park entry point for the tenants of the new development wishing to take advantage of the park will be into the Victory Gardens. We agree that the park will benefit from new activity in this area but we would ask that the developer work to help make any improvements that can be made for pedestrians and cyclists negotiating the intersection.

We believe that it is important that any redesign of the DCR-owned area outside the building entrance on Boylston St maintain a park-like experience to carry the park across Boylston St. We request that the new design will retain all existing trees, maintaining as much of the tree cover as possible and that tree pruning will only be employed to the extent necessary for the health of the trees.

- **Environmental Effects.**

In terms of environmental effects, we note from the EPNF that the proposed project's air quality, water quality and noise levels are not expected to create adverse effects and that no new shadows will be cast on the Victory Gardens area. However, several of the Figures in Section 4 show areas of shadow on Charlesgate Park. Already greatly impacted by the Bowker Overpass, shadowing would further affect the planting and water quality in the area and increase the sense of separation from the park as a whole. We also noted that solar glare is predicted to create frequent, short duration reflections in the Victory Gardens and ask that the developer work to mitigate that impact as the design progresses.

No information is included on the effect of light pollution from the building on the night sky. We request that this analysis is done, and we request that measures be taken to minimize the effect of light from building lighting and signage on the park edges.

We also look forward to the results of investigations into the effects of the proposed building on bird migratory paths along this corridor.

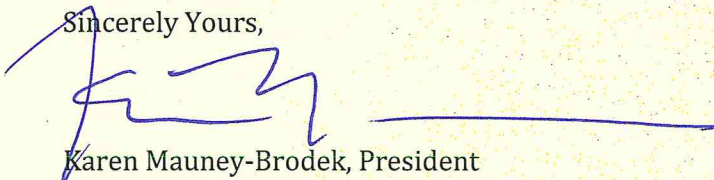
- We consider the Ipswich path that connects Ipswich St to Boylston St as an opportunity to improve access to the parks. With DCR's approval, we look forward to the proposed upgrades to the path in the form of more lighting and improved walking surface.

- **Benefits to the park system.**

It is important that the proposed project, which will add to the number of users visiting the park, should benefit the park and those who use it. The project should provide considerable long-term improvements and support to the areas of the park adjacent to the project.

Thank you very much for the opportunity to comment. We look forward to the additional analysis requested and working with the development team to insure the best outcome for the project and these special parks and open space.

Sincerely Yours,



Karen Mauney-Brodek, President
kmauney-brodek@emeraldnecklace.org

BOSTON

Martin J. Walsh, Mayor

October 31, 2016

Ms. Teresa Polhemus
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201

RE: Article 80 Expanded Project Notification Form, 2 Charlesgate, Fenway

Dear Ms. Polhemus:

The Boston Parks and Recreation Department (BPRD) has reviewed the *Article 80 Expanded Project Notification Form* for the proposed project at 2 Charlesgate West, in the Fenway neighborhood. This project is adjacent to the Back Bay Fens which is part of the Emerald Necklace system of parks and parkways listed on the National Register of Historic Places.

The project is subject to Municipal Code Section 7-4.10 *Restrictions on Park Frontages* and Section 7-4.11 *Permission for Construction Near Parks or Parkways*. Section 7-4.12 *Setback Requirements* appears to apply to portions of this project – this is discussed below.

Project Description

The project site is bounded by Ipswich Street to the north, and parkland along Charlesgate West that is owned by the Massachusetts Department of Conservation and Recreation (DCR) to the east. The site is currently made up of three separate parcels with three buildings at 6 Charlesgate West, 2 Charlesgate West, and 1161 Boylston Street.

The proposal is to demolish the existing structures and construct a 29 story building over 340' in height. The building will have 295 rental and ownership units with restaurant and office space on the ground floor. The proposed project will encompass 344,000 sf of gross floor area, resulting in an FAR of approximately 16.9.ⁱ The height and FAR will require relief from zoning.

The project site originally fronted directly on Boylston Street.ⁱⁱ However, the street system was reconfigured with the creation of the Bowker Overpass in the 1960s. The proposed project will face on the DCR parkland at Charlesgate West with separate entrances to the apartment and condominium portions of the building, entry to the restaurant and accessory retail, a dining terrace, and an existing stair to the private alley and Ipswich Street. Entrances to parking, residential and restaurant uses will also be available from Ipswich Street.

Back Bay Fens and the Emerald Necklace

This project abuts the Back Bay Fens portion of the Emerald Necklace which is on the National Register of Historic Places. The original 1879 takings plan for the park, and park development plans include all lands to the property line shared by the proposed project including the DCR



Boston Parks and Recreation Department

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property located between the project site and Charlesgate West. The takings and original park plans show an integrated design inclusive of the parkways and pathways. This definition of the Fens is consistent with the original takings planⁱⁱⁱ, deeds^{iv}, and betterment assessments.^v

The National Register of Historic Places inventory was completed in 1971. It affirms the limits of the Fens as inclusive of the original taking and the Olmsted plan for the park, including the parkways. The park system is described in part as “thence turning and running northeasterly and northerly by the northwesterly line of Boylston Street and easterly line of private property to a point at the northwest side of Ipswich Street and the southerly line of Interstate Route 90.”^{vi}

Parkway Purposes

The parkland adjacent to 2 Charlesgate was taken by the Metropolitan District Commission from the Boston Parks Department for parkway purposes.^{vii} The delineation of this taking can be seen on the website of the City of Boston Assessor’s Office (parcel #0504175002). This taking is defined in part by the property line adjacent to the proposed project at 2 Charlesgate.

In a recent letter, DCR noted that the MDC took this land from the City of Boston for “parkway purposes” in 1962 and stated that “MDC’s reconfiguration of the historic parkway and parkland at that time does not alter that both are protected public park resources under the care and control of DCR and have been operated as such by this agency for more than half a century.”^{viii}

The following description of parkways is from DCR’s *Historic Parkway Guidelines*:^{ix}

1.1 GUIDING PRINCIPLES: A parkway is not a road, but a park with a road in it...The earliest parkways were developed to create “ribbons of green” to connect open space and to provide recreational travel ways within the parks and reservation system. Built on parkland, parkways and park roads are protected by Article 97 of the State Constitution, which safeguards “the natural, scenic, historic, and esthetic qualities” of public lands...

Municipal Code Section 7-4

The project at 2 Charlesgate West is subject to Municipal Code Section 7-4, presented below.

Restrictions on Park Frontages

Municipal Code Section 7-4.10 *Restrictions on Park Frontages* applies to this site, as follows:

"No building or structure or any part thereof hereafter erected or altered on land which abuts on and has an entrance into and is within a distance of one hundred (100') feet from the following: The Fens; ...shall the extreme height of said buildings or structures exceed seventy (70') feet from the mean grade of the edgestone or sidewalk on the front facing said parkway, exclusive of such steeples, towers, domes, cornices, parapets, balustrades, sculptured ornaments, chimneys and roofs as the Parks and Recreation Commission shall approve."

Permission for Construction Near Parks or Parkways

Municipal Code Section 7-4.11 *Permission for Construction Near Parks or Parkways* applies to this site, as follows:

“No building or structure shall hereafter be erected or altered within a distance of one hundred (100’) feet from a park or parkway in the City of Boston, without permission in writing having first been obtained from the Parks and Recreation Commission...”

The so-called “100’ rule” is measured from the property line of the park, outward to adjacent properties. In this case, the 100’ rule applies to the site, and in fact, the current buildings on the site were reviewed and approved by the Parks and Recreation Commission prior to construction.

The parkway and the parkland owned by DCR are protected under *Article 97 of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts*, and are therefore subject to the review of the Parks and Recreation Commission.

Setback Requirements

Municipal Code Section 7-4.12 *Setback Requirements* appears to apply to portions of the site. The ordinance was revised in 1953 in a motion “*Concerning Restrictions on Park Frontages and Set-back Restrictions on Certain Estates Fronting on the Fens*”^x as follows:

“No building shall be erected or placed upon premises within the following distances from the following parks and parkways: The Fens, twenty (20’) feet...; provided, however, that the provisions hereof shall not apply to the lot of land on Ipswich Street bounded by and making the northwest corner of Charlesgate West and Boylston Street.”

The project site currently includes three buildings on three lots: lot #0504176000 at 6 Charlesgate West, a two-story commercial block constructed in 1954; lot #0504176001 at 2 Charlesgate West, a six-story commercial building constructed in 1963; and lot #0504176002 at 1161 Boylston Street, a one story office block and warehouse constructed in 1955.^{xi}

The setback exception appears to apply only to the parcel at 6 Charlesgate West (along Ipswich Street), and suggests that the lots at 2 Charlesgate and 1161 Boylston Street are subject to the 20’ setback. This is supported by the fact that the existing building at 6 Charlesgate West does not have a setback, while the other two buildings do have 20’ setbacks along the Fens.

Zoning

This site is in the *North Boylston Neighborhood Business Subdistrict NS-2* of the Fenway Neighborhood District. It is in the *North Boylston Gateway Development Area* which allows an as of right height of 95’ and an as of right FAR of 5.0. Article 66 allows a height up to 135’ and an FAR of 9.0 if a proposed project complies with Large Project Review of Article 80.

This site is partially within a *Greenbelt Protection Overlay District (GPOD)* which includes the Fenway / Park Drive Greenbelt Roadway and the adjacent areas between the overlay district boundary lines which are designated on the Fenway Neighborhood District Zoning Map.

Fenway Special Study Areas Final Report

Article 66 notes that the Zoning Commission recognized the *Fenway Special Study Areas Final Report: Land Use and Urban Design Guidelines* as the planning bases for the design guidelines and regulations for the Fenway Neighborhood District zoning. This study specifically noted that “in addition to zoning regulations and BRA Design Review, Gateway Parcel 2 is subject to the review of the Boston Parks and Recreation Commission, under Section 7-4 of the City of Boston Code, by virtue of its locations within 100 feet of Park Drive and/or the Back Bay Fens.”^{xii}

The Fenway study noted that “Section 7-4.10 limits the height of structures on these parcels to 70 feet exclusive of such steeples, towers, domes, cornices, parapets, balustrades, sculptured ornaments, chimneys and roofs as the Parks and Recreation Commission shall approve.”

The Fenway study noted that “Section 7-4.12 imposes setback requirements for segments of Park Drive and Boylston Street. For Boylston Street, a 15 setback is required on the south side of the street between Hemenway Street and the Fenway, which is what already exists in that area.”

The Fenway study noted that “Shadows and other environmental impacts, especially on...nearby open space, will be key considerations in reviewing requests for additional building height and/or density for buildings proposed on Gateway Parcels.”^{xiii}

Construction Impacts

This project site is immediately adjacent to the property line of the Back Bay Fens parkland. The construction plan for the project should ensure that there is no impact to this open space.

Sincerely,



Carrie Marsh
Executive Secretary, Boston Parks and Recreation Commission

cc: Austin Blackmon, Chief, Environment, Energy, and Open Space Cabinet
Christopher Cook, Commissioner, Boston Parks and Recreation Department
Margaret Dyson, Boston Parks and Recreation Department
Catherine Lizotte, City of Boston Law Department
Jon Greeley, Boston Planning and Development Agency
Michael Christopher, Boston Planning and Development Agency
Gary Uter, Boston Planning and Development Agency

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- ⁱ *Expanded PNF for 2 Charlesgate West*, Trans National Properties, September 9, 2016
- ⁱⁱ Plan titled *Metropolitan District Commission Parks Division, Charlesgate Interchange, Plan of Taking from the City of Boston Parks Department*, March 1964, recorded in Book 7835, page 547.
- ⁱⁱⁱ *Plan of Lands Taken for a Public Park on the Back Bay*, City of Boston Park Department, December 15, 1879
- ^{iv} Copies of Deeds to City of Boston of Land for the Back Bay Park, 1877-1878
- ^v *Proposed Improvement of Back Bay*, City of Boston Park Department, 1879
- ^{vi} U.S. Department of the Interior National Register of Historic Places, Metropolitan Park System, 1971
- ^{vii} *Order of Taking*, Metropolitan District Commission, April 2, 1964
- ^{viii} Leo Pierre Roy, Commissioner, DCR to Justin Krebs, February 3, 2016
- ^{ix} *Historic Parkways Treatment Guidelines*, DCR
- ^x Ordinances of 1953, Chapter 6, Section 2, Amendment by the City Council, *Concerning Restrictions on Park Frontages and Set-back Restrictions on Certain Estates Fronting on the Fens*.
- ^{xi} *Expanded PNF for 2 Charlesgate West*, Trans National Properties, September 9, 2016
- ^{xii} *Article 66 Fenway Neighborhood District*, 2004
- ^{xiii} *Fenway Special Study Areas Final Report: Land Use and Urban Design Guidelines*, March 2002



Gary Uter <gary.uter@boston.gov>

2 Charlesgate proposed development - Trans National Properties - Initial comments

5 messages

Vcevy Strekalovsky [REDACTED]
To: Gary Uter <gary.uter@boston.gov>

Sat, Oct 29, 2016 at 2:02 PM

Dear Gary,

Thank you for your management of the review process, and for the opportunity to be an IAG member and to make some early comments.

This is an opportunity for improvement to this neglected yet important part of Boston so that it can be a safe and interesting pedestrian precinct with active frontage on both Boylston and Ipswich Street. The development team has considered the context of the neighborhood in how it has proposed flow for both pedestrians and vehicles on both levels, and recognized the need to manage parking in an innovative way that does not create backup and place a blank parking structure on the street level.

I am familiar with the extensive interaction, already producing a positive neighborhood impact, that Trans National has had with such groups as the Artists for Humanity, the Boston Arts Academy, and more recently with Fenway Studios, where discussion of a partnership that would result in funding for preservation of this iconic and needy building has been ongoing for some time. The developers have a unique understanding of how important this upgrading could be for their project as well as the streets, parks and neighbors. It is an historic environment rich in the arts and open space that has decayed.

The building has been designed to acknowledge its importance as a focal point in considerable open space, and it does so quietly. The use of brownstone connects it to the vernacular, and the geometry is organic. As a gateway building, particularly if it stands alone, it recalls the obelisks such as those set by Pope Sixtus the Fifth around Rome, around which low rise architecture grew over the centuries. The gateway concept was established by the BRA, consistent with their Master Plan (on which I worked)it provides much needed orientation in a pretty chaotic city. It is tall but not scale less, and its density will allow beneficial mitigation.

Although I don't find the building to be out of scale in its context I do feel that it could have less definition of upper floors and so not read as a 27 story building, but more of the sculpture it is intended to be. The Hancock Tower succeeds with geometry and an elegantly proportioned façade.....any further definition would have been inappropriate. Charlesgate relies on setbacks, curves and bean shaped floor plates to break up the bulk, but doesn't succeed evenly on all sides. The convex surfaces will likely produce unfortunate glare that will be hard to satisfactorily reduce with fins as proposed.

In summary, I feel the City and Fenway area are fortunate to be working with Trans National to permit this project.....it is a great opportunity.

Best regards,

Vcevy

Vcevoid Strekalovsky

Strekalovsky Architecture Inc.

[REDACTED]

Hingham, MA 02043

[REDACTED]

[REDACTED]

Gary Uter <gary.uter@boston.gov>

Mon, Oct 31, 2016 at 2:21 PM

To: "Justin D. Krebs" [REDACTED]

[Quoted text hidden]

--



**boston planning &
development agency**

Gary R Uter

Project Manager

617.918.4457 (o)

Boston Planning & Development Agency (BPDA)

One City Hall Square | Boston, MA 02201

bostonplans.org

Gary Uter <gary.uter@boston.gov>

Mon, Oct 31, 2016 at 2:38 PM

To: Vcevy Strekalovsky [REDACTED]

Hi Vcevy,

I'm emailing to confirm that I've received your comment of the 2 Charlesgate West project. I will be reviewing, compiling, and forwarding all of the comments.

Regards,

Gary

[Quoted text hidden]

--



**boston planning &
development agency**

Gary R Uter

Project Manager

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One City Hall Square | Boston, MA 02201

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Vcevy Strekalovsky [REDACTED]
To: Gary Uter <gary.uter@boston.gov>

Mon, Oct 31, 2016 at 2:51 PM

Thanks Gary.

Vcevy

From: Gary Uter [mailto:gary.uter@boston.gov]
Sent: Monday, October 31, 2016 2:39 PM
To: Vcevy Strekalovsky
Subject: Re: 2 Charlesgate proposed development - Trans National Properties - Initial comments

Hi Vcevy,

I'm emailing to confirm that I've received your comment of the 2 Charlesgate West project. I will be reviewing, compiling, and forwarding all of the comments.

Regards,

Gary

On Sat, Oct 29, 2016 at 2:02 PM, Vcevy Strekalovsky <vcevy@strekalovskyarchitecture.com> wrote:

Dear Gary,

Thank you for your management of the review process, and for the opportunity to be an IAG member and to make some early comments.

This is an opportunity for improvement to this neglected yet important part of Boston so that it can be a safe and interesting pedestrian precinct with active frontage on both Boylston and Ipswich Street. The development team has considered the context of the neighborhood in how it has proposed flow for both pedestrians and vehicles on both levels, and recognized the need to manage parking in an innovative way that does not create backup and place a blank parking structure on the street level.

I am familiar with the extensive interaction, already producing a positive neighborhood impact, that Trans National has had with such groups as the Artists for Humanity, the Boston Arts Academy, and more recently with Fenway Studios, where discussion of a partnership that would result in funding for preservation of this iconic and needy building has been ongoing for some time. The developers have a unique understanding of how important this upgrading could be for their project as well as the streets, parks and neighbors. It is an historic environment rich in the arts and open space that has decayed.

The building has been designed to acknowledge its importance as a focal point in considerable open space, and it does so quietly. The use of brownstone connects it to the vernacular, and the geometry is organic. As a gateway building,

particularly if it stands alone, it recalls the obelisks such as those set by Pope Sixtus the Fifth around Rome, around which low rise architecture grew over the centuries. The gateway concept was established by the BRA, consistent with their Master Plan (on which I worked)it provides much needed orientation in a pretty chaotic city. It is tall but not scale less, and its density will allow beneficial mitigation.

Although I don't find the building to be out of scale in its context I do feel that it could have less definition of upper floors and so not read as a 27 story building, but more of the sculpture it is intended to be. The Hancock Tower succeeds with geometry and an elegantly proportioned façade.....any further definition would have been inappropriate. Charlesgate relies on setbacks, curves and bean shaped floor plates to break up the bulk, but doesn't succeed evenly on all sides. The convex surfaces will likely produce unfortunate glare that will be hard to satisfactorily reduce with fins as proposed.

In summary, I feel the City and Fenway area are fortunate to be working with Trans National to permit this project.....it is a great opportunity.

Best regards,

Vcevy

Vcevoid Strekalovsky

Strekalovsky Architecture Inc.

[Redacted]

Hingham, MA 02043

[Redacted]

[Redacted]

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| _____ |

Gary R Uter

Project Manager

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

From: **Vcevy Strekalovsky** [REDACTED]

[Quoted text hidden]

--



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Gary Uter <gary.uter@boston.gov>

2 Charlesgate West

3 messages

Kathleen Pedersen <kathleen.pedersen@boston.gov>

Tue, Oct 25, 2016 at 4:43 PM

To: David Carlson <david.carlson@boston.gov>

Cc: Gary Uter <gary.uter@boston.gov>

Good afternoon, hope all is well.

I just finished my review (in the midst of generating my comment letter) and am concerned about the wind re: build conditions, as 20 locations fall into the "uncomfortable" category, where only 1 does under the no-build conditions. On a more minor note, 12 locations that had previously fallen into a combination of the comfortable for "sitting" and "standing" categories are now in the comfortable for "walking" category.

Can we please discuss when you get a chance.

Thank you and have a good night,
Katie



**boston planning &
development agency**

Kathleen R. Pedersen, LEED AP, BD&C

Senior Land Use Planner/Sustainability Specialist & Environmental Review Specialist

(617) 918-4294

Boston Planning & Development Agency (BPDA)

One City Hall Square | Boston, MA 02201

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Gary Uter <gary.uter@boston.gov>

Mon, Oct 31, 2016 at 2:30 PM

To: "Justin D. Krebs" [REDACTED]

[Quoted text hidden]

--



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Gary Uter <gary.uter@boston.gov>

Wed, Nov 16, 2016 at 1:07 PM

To: Emily Wieja <emily.wieja@boston.gov>

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

From: **Kathleen Pedersen** <kathleen.pedersen@boston.gov>

Date: Tue, Oct 25, 2016 at 4:43 PM

Subject: 2 Charlesgate West

To: David Carlson <david.carlson@boston.gov>

Cc: Gary Uter <gary.uter@boston.gov>

[Quoted text hidden]

--



**boston planning &
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Gary R Uter

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Gary Uter <gary.uter@boston.gov>

2 Charlesgate West Project

2 messages

Brenda Lew [REDACTED]

Mon, Oct 31, 2016 at 4:46 PM

To: gary.uter@boston.gov

TO: Gary Uter (gary.uter@boston.gov)

From: Brenda Lew

Subject: 2 Charlesgate West Project

We are concerned about the impact of the proposed 2Charlesgate West high rise building on the Fenway and in particular the EmeraldNecklace. The views within the Emerald Necklace and along the Muddy Rivershould not be again disrupted by new tall buildings looming overhead. The height and density in this instancegreatly exceeds the allowed zoning and FAR. It should be more compatible with adjacent buildings and open spaces.

With 186 parking spaces, we are concerned about increasedtraffic not only on Boylston Street but along Ipswich Street and not just forFenway events. It is heavily travelled nowby buses and trucks.

Any new project should be green design and environmentallyfriendly. This project should strive for LEED platinum and not just silver.

Transnational needs to reconsider plans for this project.

Brenda Lew

Friends of the Muddy River, Inc.

[REDACTED]
Boston, MA 02215

Gary Uter <gary.uter@boston.gov>
To: Emily Wieja <emily.wieja@boston.gov>

Wed, Nov 16, 2016 at 1:05 PM

----- Forwarded message -----
From: **Brenda Lew** <rrbel@verizon.net>
Date: Mon, Oct 31, 2016 at 4:46 PM
Subject: 2 Charlesgate West Project
[Quoted text hidden]

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Gary R Uter

Project Manager

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One City Hall Square | Boston, MA 02201



Gary Uter <gary.uter@boston.gov>

2 Charlesgate West

4 messages

Robert Wright [REDACTED]
To: gary.uter@boston.gov

Mon, Oct 31, 2016 at 8:20 AM

Dear Gary,

As a long-time resident and property owner living in the East Fenway, I FULLY SUPPORT THE PLAN TO RENOVATE THIS PROPERTY AS PRESENTED.

In my opinion, the new building design is extremely thoughtful and represents an opportunity to introduce what would quickly become an Icon not only as an entrance to the East Fenway but one of the landmark buildings in Boston. It perfectly complements the Pierce building that serves as the gateway to West Fenway at the other end of Boylston Street.

From the research that has been conducted so far, it appears that there is minimal effect on shadows being cast on other buildings or the Commonwealth Mall. The one concern is potential wind sheer, particularly on Ipswich Street. But I am confident that the developers can come up with a solution to minimize any potential negative impact this would have.

I recommend that the project be approved for development without the need for a Project Impact Report. Thank you for considering my input.

Robert W Wright
[REDACTED]
Boston, MA 02115

Gary Uter <gary.uter@boston.gov>
To: "Justin D. Krebs" [REDACTED]

Mon, Oct 31, 2016 at 2:21 PM

[Quoted text hidden]

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Gary R Uter
Project Manager
[617.918.4457](tel:617.918.4457) (o)

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bostonplans.org

Gary Uter <gary.uter@boston.gov>
To: Robert Wright <rwwright11@gmail.com>

Mon, Oct 31, 2016 at 2:38 PM

Hi Robert,

I'm emailing to confirm that I've received your comment of the 2 Charlesgate West project. I will be reviewing, compiling, and forwarding all of the comments.

Regards,
Gary

[Quoted text hidden]

--



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Gary R Uter

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Gary Uter <gary.uter@boston.gov>
To: Emily Wieja <emily.wieja@boston.gov>

Wed, Nov 16, 2016 at 1:06 PM

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

From: **Robert Wright** <rwright11@gmail.com>

Date: Mon, Oct 31, 2016 at 8:20 AM

Subject: 2 Charlesgate West

To: gary.uter@boston.gov

[Quoted text hidden]

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**boston planning &
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Gary Uter <gary.uter@boston.gov>

Charlesgate West proposal

4 messages

Jane Hartmann [REDACTED]

Sun, Oct 30, 2016 at 12:07 PM

Reply-To: Jane Hartmann [REDACTED]

To: "gary.uter@boston.gov" <gary.uter@boston.gov>

Regarding the 2 Charlesgate West proposal: NO,NO,NO for all cogent reasons given by the FCA. Totally unacceptable. Should not be allowed under any circumstances in this neighborhood. Too tall, too dense. Would be impossible for older folks to ever walk in the area which we do to shop, walk to medical appointments and enjoy the Fens.

Jane and Jim Hartmann

[REDACTED]
East Fens.

Gary Uter <gary.uter@boston.gov>

Mon, Oct 31, 2016 at 2:21 PM

To: "Justin D. Krebs" [REDACTED]

[Quoted text hidden]

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**boston planning &
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Gary R Uter

Project Manager

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Gary Uter <gary.uter@boston.gov>

Mon, Oct 31, 2016 at 2:38 PM

To: Jane Hartmann [REDACTED]

Hi Jane,

I'm emailing to confirm that I've received your comment of the 2 Charlesgate West project. I will be reviewing, compiling, and forwarding all of the comments.

Regards,

Gary

[Quoted text hidden]

--



**boston planning &
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Gary R Uter

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Gary Uter <gary.uter@boston.gov>
To: Emily Wieja <emily.wieja@boston.gov>

Wed, Nov 16, 2016 at 1:06 PM

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

From: **Jane Hartmann** <hartmann_jf@yahoo.com>
Date: Sun, Oct 30, 2016 at 12:07 PM
Subject: Charlesgate West proposal
To: "gary.uter@boston.gov" <gary.uter@boston.gov>

[Quoted text hidden]

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**boston planning &
development agency**

Gary R Uter

Project Manager

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Gary Uter <gary.uter@boston.gov>

Comments about proposed Transnational Group Tower / FENWAY

2 messages

Thu, Oct 13, 2016 at 11:48 AM

[REDACTED]
To: gary.uter@boston.gov

Dear. Mr. Uter:

My name is Thomas Jones of 11 Park Drive in the Fenway neighborhood of Boston. We have owned our condo for 15 years but have lived in the neighborhood for more than 34 years. We love the Fenway. We are pro-development people and specifically purchased our condo on Park Drive because we were fully aware of the fact that the neighborhood was about to be transformed. I would also like to begin by going on record as a proponent of the project. I truly love the look of it and applaud the contemporary design and the "green aspects" that would be employed. This is not a negative letter but rather one that raises some legitimate concerns attached to the project.

I think we must be absolutely guaranteed that the intended use of the project remain as stated at the beginning. I think it would be unwise to allow this building to become a hotel or an investment property used for "Air B&B". We need tax-paying, invested residents.

Secondly, I would like to raise the issue of residential parking. As the neighborhood population has ballooned, the number of city residential parking spaces has become the source of daily frustration. As I have spoken with many longtime neighbors, it is the number one cause for concern. We believe that the city must address this need before we can support not only this project but others which will surely be unveiled in the coming years. We propose the elimination of "all day visitor parking" on the left side of the inner loop of Park Drive. Early every morning, commuters line up on the street, waiting like vultures to take the coveted spots in order to avoid paying for parking closer to their place of employment. The visitor status remains in effect until 10 PM every day, often making those spots (well into the hundreds!!) unavailable to residents. We fail to understand why this cannot be changed. I also suggest that residents be allowed to park on the OUTER loop of Park Drive from 10 PM until 8 AM everyday. This could easily be allowed on the right side of that outer loop and would add perhaps hundreds of available parking spots. I am pro-public transportation and I use it as frequently as possible but there are times when a car is necessary for work. The frustration of coming home to find dozens and dozens of cars with no parking permit taking the spots in front of our place of residence is a problem that could be fixed. I would also propose that Steve Belkin and the Transnational Group consider "thinking outside the box" by INCLUDING in the cost of rental a residential parking space in their building. They will be making plenty of money on this project and should, as a sign of solidarity with the community in which they wish to be included, be a part of the parking solution.

Thirdly, I applaud your "green construction efforts" and your pledge to include affordable housing units. It would go a very long way if the city would make this project an example of a commitment to the deep need for affordable housing by again going above and beyond the requirements. Why not? Again, there will be plenty of money made and this is a vital issue that determines the fabric and well-being of this neighborhood. It seems a fair request for endorsement and support. It should not be viewed as either bribery or a ransom note for support but rather a sign of solidarity with our neighborhood concerns. Frankly, I am not bothered by the height or the glass facade or certainly not with the proximity to the Back Bay Fens. I don't believe any of those issues are legitimate arguments against the project. And, as I said at the start, I like the building. But I do believe that the city and this developer could gain a great deal of trust and respect by going to the mat for the neighborhood on these issues.

Finally, as I read the proposal, there is mention of landscaping and street upgrades. While this may seem like a far-fetched idea, I believe that it is time to reconfigure the intersection of the Bowker Overpass and Boylston Street in order to allow two-way traffic directly from the Back Bay to the West Fenway and the Longwood Medical Area. The current configuration which forces westbound traffic to exit onto Commonwealth Avenue, pass under the Bowker and then return back UP the ramp just in order to continue west on Boylston Street is simply ludicrous and certainly a source of safety concern for police traffic, ambulances and firetrucks. If Steve Belkin's Transnational Group Charlesgate West project is approved, the time to reconfigure this intersection would be now. This new intersection would simply consist of traffic lights and 90 degree angles of entrance and exit from the Bowker to Storrow Drive. In the process of this reconfiguration, Steve Belkin could, with the city, invest in new sidewalks, lighting and safe crosswalks in order to make that stretch of Boylston Street west an inviting way to connect the Back Bay to the Fenway. In my opinion, it should be your objective anyway. The current disconnect works against the success of the West Fenway's massive redevelopment because the stretch is uninviting, chaotic and anti-pedestrian.

I understand that this letter is long but I care deeply about our neighborhood and respectfully hope you will take these ideas into consideration as the discussion continues. I would welcome your feedback and look forward to seeing you at the next community meeting.

Most sincerely,
Thomas M. Jones
[REDACTED]
Boston, MA 02215
[REDACTED]

Gary Uter <gary.uter@boston.gov>
To: Emily Wieja <emily.wieja@boston.gov>

Wed, Nov 16, 2016 at 1:07 PM

[Quoted text hidden]

--



Gary R Uter
Project Manager
617.918.4457 (o)

Boston Planning & Development Agency (BPDA)
One City Hall Square | Boston, MA 02201
bostonplans.org



Gary Uter <gary.uter@boston.gov>

Early comments on Transnational Development Project Ipswich/Charlesgate

4 messages

Kelly Brilliant [REDACTED]
To: gary.uter@boston.gov

Thu, Oct 27, 2016 at 11:13 AM

Dear Gary,

I am writing on behalf of the Fenway Alliance in preliminary support of the proposed Transnational building project on Ipswich Street and facing Charlesgate.

As Executive Director of the Alliance, I am very pleased with the handsome and innovative design of this building by prestigious architecture firm Elkus Manfredi, and believe the design more than satisfies the Mayor's rallying call for more interesting architecture in Boston.

I am also pleased that Transnational has already made inroads into improving Ipswich Street—a street in Boston that is sorely in need of some aesthetic attention. Transnational with matching funds from the BPDA's Fenway Beautification program has worked with young artists from Artists for Humanity and the Boston Arts Academy to create beautiful murals on the underpass and formerly dingy wall on Ipswich Street. These improvements have already added a benefit to the Fenway Cultural District, and Transnational has communicated that it would be willing to do more to improve the streetscape.

I'm also interested in the possibility of community benefits from this project going toward much needed renovation work for Fenway Studios—a national landmark and the oldest live/work space for artists in the nation. This architecture and artists gem in our community is well deserving of funding to ensure that artists can continue to live and work there—a goal of both the Mayor's Boston Creates Cultural Plan and the BPDA's Imagine Boston 2030 plan.

Finally, I have been impressed by the developer's willingness to extend himself to the community through presenting and answering questions at dozens of public and private community gathers. Mr Krebs seems to be open to community input and a good listener to community concerns.

The Fenway Alliance would like to be part of the community process going forward so we can make final comments, and would like to have a listing of public meetings for this development process.

For now, we believe this new beautiful building can enhance the Fenway Cultural District and create a welcoming and aesthetically improved streetscape on Ipswich Street which is now a bit of an eyesore in an increasingly more beautiful and efficient city. We look forward to learning more.

Best regards, Kelly
Kelly Brilliant, Executive Director
The Fenway Alliance, Inc.

Gary Uter <gary.uter@boston.gov>
To: Kelly Brilliant [REDACTED]

Thu, Oct 27, 2016 at 12:54 PM

Thanks for the email Kelly. I'll be sharing your comments with the development team and city staff. It will also be made available on our website at the close of the comment period.

Regards,
Gary
[Quoted text hidden]

--



Gary R Uter

Project Manager

617.918.4457 (o)

Boston Planning & Development Agency (BPDA)

One City Hall Square | Boston, MA 02201

bostonplans.org

Gary Uter <gary.uter@boston.gov>

To: "Justin D. Krebs" [REDACTED]

Mon, Oct 31, 2016 at 2:43 PM

[Quoted text hidden]



Gary R Uter

Project Manager

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Boston Planning & Development Agency (BPDA)

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Gary Uter <gary.uter@boston.gov>

To: Emily Wieja <emily.wieja@boston.gov>

Wed, Nov 16, 2016 at 1:06 PM

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

From: **Kelly Brilliant** <kbrilliant@fenwayculture.org>

Date: Thu, Oct 27, 2016 at 11:13 AM

Subject: Early comments on Transnational Development Project Ipswich/Charlesgate

To: gary.uter@boston.gov

[Quoted text hidden]



Gary R Uter

Project Manager

617.918.4457 (o)

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One City Hall Square | Boston, MA 02201

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Gary Uter <gary.uter@boston.gov>

Opposition to Trans National (2 Charlesgate West Project) - Kristen Mobilia (15 Park Drive)

4 messages

km [REDACTED]
To: gary.uter@boston.gov

Mon, Oct 31, 2016 at 11:25 PM

Hello,

I am writing as a long-term resident of the Fenway neighborhood, a trustee of the Lincoln Halls Condo Association (buildings at 11 and 15 Park Drive), a former board member and current gardener of the Fenway Garden Society, and a member of Fenway Civic.

Our neighborhood is already at its maximum with all the extra vehicle and foot traffic putting pressure on all aspects of our weakening infrastructure. We have not only lost resident and metered parking spaces (taken away permanently and also temporarily during Fenway Park concerts), but we now have an exponential number of new residents fighting for what spaces are left. We have more people visiting our neighborhood, leaving loads of trash, parking in our resident spots, and creating an elevated noise level. This building will add greatly to this already heavy negative impact.

Long-term residents (and some new who have taken the time to become true neighbors) are concerned at what is happening to this gem of a neighborhood. We have some of the best museums and historic parkland in the world. The 2 Charlesgate West Project monstrosity not only violates height/density zoning and the parkways protection ordinance, but it also compromises the integrity of our valuable neighborhood environment. As for the wind issues that will occur from such a building, that could greatly affect not only pedestrian traffic but also precious tree and other vegetation plantings in the immediate area (note: Olmsted's historic Emerald Necklace and the Fenway Victory Gardens are right around the corner).

Once a building like this goes up, we won't be able to reverse what we have lost. We are tired of being trod upon for a developer's quick gain. We continually pay the long-term price, and they walk away with a load of money in their pockets. We enjoy living in this great city, but it appears that developers continue to be more valued than the folks actually keeping our city communities alive and well.

The initial project filing with the Boston Planning and Development Agency (formerly known as the BRA) reveals some troubling potential impacts on the surrounding neighborhood. The BPDA should require the developer to further analyze these impacts in a Project Impact Report. Other than "mitigation payments" to local organizations and non-profits, no justification has been provided for why the developer needs such extreme relief from the zoning requirements for the site. No "as of right" project that meets the zoning requirements has been presented and no attempt has been made to show why the proposal justifies relief from the consensus zoning agreed to by the community, property owners, and planners a short time ago. I respectfully request that the developer's request for relief of zoning requirements be denied.

Sincerely,

Kristen Mobilia

[REDACTED]

Gary Uter <gary.uter@boston.gov>

Tue, Nov 1, 2016 at 11:19 AM

To: "Justin D. Krebs" [REDACTED]

[Quoted text hidden]

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**boston planning &
development agency**

Gary R Uter

Project Manager

617.918.4457 (o)

Boston Planning & Development Agency (BPDA)

One City Hall Square | Boston, MA 02201

bostonplans.org

Gary Uter <gary.uter@boston.gov>

Tue, Nov 1, 2016 at 11:21 AM

To: km <kmobilia@gmail.com>

Hi Kristen,

Thank you for the email. I've forwarded your comments to internal staff as well as the development team. The agency will be following up with updates in the upcoming weeks.

Regards,

Gary

[Quoted text hidden]

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Gary Uter <gary.uter@boston.gov>

Wed, Nov 16, 2016 at 1:04 PM

To: Emily Wieja <emily.wieja@boston.gov>

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

From: km <kmobilia@gmail.com>

Date: Mon, Oct 31, 2016 at 11:25 PM

Subject: Opposition to Trans National (2 Charlesgate West Project) - Kristen Mobilia (15 Park Drive)

To: gary.uter@boston.gov

[Quoted text hidden]



**boston planning &
development agency**

Gary R Uter

Project Manager

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October 28, 2016

Gary Uter
Project Manager
Boston Planning and Development Agency
One City Hall, 9th Floor
Boston, MA 02201

Re: 2 Charlesgate West Expanded Project Notification Form

Dear Gary:

Fenway Civic Association (“FCA”) is the Fenway's oldest all-volunteer organization that accepts no public or developer funds. Our mission is to promote a safe and vital neighborhood that serves the interest of our residents. FCA appreciates the opportunity to provide comment on the Expanded Project Notification Form (“PNF”) filed by Trans National Properties (the “Proponent”) for the development at 2 Charlesgate West (the “Project”).

1. Background

Fenway Civic Association is represented on the Impact Advisory Group (“IAG”) for the Project and has been involved with the review of this project since the Proponent met with FCA in the spring of 2016.

At the spring meeting in which the Proponent first presented the Project, FCA expressed strong reservations about the height and density of the Project, its inconsistency with zoning, the potential impacts of such extreme height and dense development at this location, and the failure to present an as-of-right project and demonstrate a justification for the sought-after zoning relief.

FCA representatives have attended the public meeting and IAG meetings held in the fall of 2016 after the filing of the PNF. FCA is disappointed to see that the Proponent has so far failed to respond to community concerns in any significant manner and has not presented an as-of-right project or justified why such extreme relief from the zoning requirements is justified.

FCA’s primary concerns related to the Project and its recommendations for the scope of a Project Impact Report are outlined below.

The B.P.D.A. Should Require the Proponent to Prepare a Project Impact Report Addressing the Impacts Outlined Below

2. *Height and Density*

FCA is fundamentally opposed to a project as tall and dense as proposed at the 2 Charlesgate West location. When FCA joined with property owners, community members, and the City’s planners to create consensus zoning for the Fenway, special care was given to the 2 Charlesgate West site. Unlike the surrounding parcels, 2 Charlesgate West was given a “Gateway Parcel” designation (the “North Boylston Gateway Area”). It was recognized that this parcel and the parcel at the intersection of Boylston and Brookline could serve as gateways to the Fenway neighborhood. Extra height and density -- up to 135 feet and an FAR of 9 if the Proponent went through the Article 80 process -- were considered appropriate for this site. That determination was made based on the parcel’s prominent location, but also recognizing its adjacency to parkland and its relationship to the beautiful low rise-rise residential buildings to the west. This is not a case where the zoning is old and outdated, any new project would require zoning relief. Rather, this is a case where the community worked together relatively recently to identify sites in the Fenway that could support extra height and specifically addressed this exact parcel and designated it for such height. But the Proponent has refused to show any respect for this consensus zoning and the community that worked hard to create it.

The Proponent has put forth a project stretching 340’ in height from “average grade” (effectively 347’ in height from Ipswich Street) and with an FAR of 16.9. The Proponent has not responded to the community’s concerns about height and density, reducing the original proposal by only a de minimis amount from that presented in the spring. The Proponent is seeking a **one hundred and fifty-two percent** (152%) increase over the allowed height and an **eighty-eight percent** (88%) increase in density.

The Proponent has consistently refused to show what an as-of-right project would look like. Typically, a developer seeking zoning relief will present an as-of-right design, and then work hard to show the community why the project is much better with the requested zoning relief. For example, a developer might seek relief on height so he can rearrange the massing of his building to provide extra open space at street level or a significant setback, a result which is significantly better for the community. In contrast, the Proponent is not rearranging the building blocks, but rather dumping boxes and boxes of building blocks on top. When asked at a public meeting, the Proponent responded, “Why would I consider an as-of-right project?” The only justification the Proponent has provided is that a bigger project can support more “benefits.” A Project should stand on its own merits; mitigation of impacts is a secondary concern.

The Proponent has pointed to “The Pierce”, noting that the project, located in the Fenway Triangle Gateway Development Area, is ultimately going to be constructed at a height of 340’. The Pierce is not a “comparable” for 2 Charlesgate West for numerous reasons. First, the Fenway Triangle Gateway Development Area was originally designated via the same community process for 250’ in height and an FAR of 12 (much greater height and

density), in recognition of its prominent location, the fact that higher development was anticipated and desired in and around that location, and the separation of the site from the low-rise residential development of the Fenway. In contrast, the North Boylston Gateway Development Area was designated for lesser height and density based on its location within and relationship to the surrounding neighborhood. Second, the Pierce became part of a Planned Development Area (“PDA”), which was ultimately amended to permit a *36% increase in height* (up to 340’) and a *29% increase in FAR* (up to 15.5). The proponent went through an extensive community process to justify the approximately 1/3 increase in project size. In contrast, the Proponent’s 2 Charlesgate West Project seeks a substantially greater percentage increase in both height and density without any such justification.

The Proponent acknowledges in Section 1.5 of the PNF that the Project will require variances since the height and FAR exceed that which is currently permitted. The legal standard for a variance requires a demonstration that compliance with the code would involve *substantial hardship*, due to *special conditions* at the site, and that failure to grant relief would *deprive the owner of the reasonable use* of his land. The Project site, which is currently in productive commercial use, does not demonstrate characteristics justifying such relief.

Section 6.0 of the PNF, Urban Design, is tellingly short at a page-and-a-half, and fails to justify why this urban design is appropriate for the area.

The B.P.D.A. Should Scope the Proponent to Consider an As-Of-Right Alternative That Respects the Underlying Zoning

3. *Pedestrian Level Winds*

The Project’s excessive height in an area surrounded by much shorter buildings creates severe wind conditions in the vicinity of the Project, as shown in Section 4.1, Pedestrian Level Winds. Wind conditions are expected to be “Uncomfortable for walking” and in some cases “dangerous” at numerous locations in and around the Project site, including areas highly trafficked by pedestrians. As shown in Figures 4.1-6 and 4.1-7, under the “no build” condition, all points evaluated on the south side of the Mass Turnpike are at a minimum comfortable for walking. Under the build condition, at least *twenty* points become “uncomfortable for walking”, including points in the major pedestrian areas of Ipswich Street, Charlesgate, and Boylston Street. At least three such points will create *dangerous* wind conditions in winter months, with wind speeds in excess of 27 mph.¹ This is due directly to the Project being completely out-of-scale with the buildings around it. As the Proponent notes, “Typically, wind speeds increase with elevations above the ground surface, and taller buildings intercept these faster winds and deflect them down to the pedestrian level.” (Section 4.1.2). The Proponent acknowledges that many of the points on off-site walkways will become uncomfortable for walking and that “mitigation

¹ In addition to these three points, Points 125 and 126 will also become “Dangerous” under the build conditions, but these points are not identified in the wind figures, so it is not possible for the reader to know where they are located.

to these off-site areas would be difficult.” (Section 4.1.5). The answer to this difficulty, of course, is to design a more appropriately sized project that does not divert such strong winds to pedestrians on the ground.

The Fenway has one of the lowest rates of car ownership of any neighborhood in the City, and many of its residents regularly commute by walking, biking or combining walking with public transit. In fact, the PNF itself predicts that many of the Project’s new residents will also walk and bicycle to work. In addition, Fenway Park attracts tens of thousands of patrons on game nights, the majority of whom make their final approach to the stadium on foot. All of these pedestrians and cyclists stand to be negatively impacted by the excessively uncomfortable wind conditions created by the Project.

The B.P.D.A. Should Require the Proponent to Develop a Design that Utilizes a Shorter Building and Does Not Create Uncomfortable Wind Conditions

4. Historic Resources

The PNF lists the many historic resources in the vicinity of the Project, but does not analyze the Project’s impacts on those resources, particularly the visual impact. The PNF’s claim that the Project is “in keeping with the architectural character of the surrounding neighborhood” is specious at best. (Section 7.4.3).

The B.P.D.A. Should Require the Proponent to Further Analyze Impacts to Historic Resources, Including Impacts to the Views from the Historic Emerald Necklace and Historic Fenway Park.

5. Transportation

The traffic analysis in the PNF analyzes future vehicular traffic and its impact on the level of service on various roadways. But the PNF also asserts that many of the Project’s residents will walk, bike, or take public transit. Yet there is no analysis of the impact of the project on pedestrian traffic, bicycle traffic, or public transit usage. (See Section 3.4, Build Condition). The #55 bus, which carries Fenway residents downtown to work and home in the evenings, would run right in front of the Project. That bus is often standing-room only in the peak hours. The Project is also quite close to major T stops including Kenmore Square and Hynes Convention Center. How would the additional influx of residents impact public transit capacity?

Any traffic analysis for a project located so close to Fenway Park should of course take into account the impacts of Red Sox games and other Fenway events. As noted in the PNF, the City “requested that additional pedestrian counts be collected in the study area along Ipswich Street near the Project site.” (Section 3.2.9). The additional counts were completed and show, not surprisingly, a massive increase in pedestrian traffic on game days. Yet no similar survey was done for vehicle traffic on game days. Ipswich Street is sometimes reduced to a near standstill in the time leading up to the game. The additional vehicular traffic generated by the Project would likely make conditions even worse.

The Proponent should be Scoped to Analyze Future Pedestrian, Cyclist, and Transit Usage Volumes, and Should Analyze Game Day Conditions for all Transportation Modes.

6. *Parklands*

FCA remains concerned about the impact of this tall and dense Project and its many residents on the parklands that form the Project's front yard. There is an ordinance in the City of Boston that protects such parklands by limiting development along parkways to reasonable heights. Boston City Ordinance § 7-4.10, *Restrictions on Park Frontages*, establishes a maximum height of 70 feet for building constructed on land that "abuts on and has an entrance into and is within one hundred (100) feet from certain designated parkways, including the roads along the Fens." Charlesgate West is included within the ordinance:

"No building or structure or any part thereof hereafter erected or altered on land which abuts on and has an entrance into and is within a distance of one hundred (100') feet from the following: The Fens (excepting Charlesgate East and Charlesgate West from a point one hundred (100') feet north from their intersection with Commonwealth Avenue to Charles River); ...

shall the extreme height of said buildings or structures exceed seventy (70') feet from the mean grade of the edgestone or sidewalk on the front facing said parkway, exclusive of such steeples, towers, domes, cornices, parapets, balustrades, sculptured ornaments, chimneys and roofs as the Parks and Recreation Commission shall approve"

The ordinance includes an exception for the 2 Charlesgate West site but only as it applies to the restriction on mercantile uses, which leaves no doubt that the property itself was meant to be included within the ordinance:

"provided further, however, that the prohibition of the use of building for mercantile purposes shall not apply to the lot of land on Ipswich Street bounded by and making the northwest corner of Charlesgate West and Boylston Street;"

There is no question that this ordinance restricting height along parkways applies to the 2 Charlesgate West site. The ordinance has been amended as recently as 1985, but no amendments exempt 2 Charlesgate West from the height restrictions. Nor does the conflict between the zoning and ordinance serve as a de facto amendment of the ordinance. In order to amend the underlying ordinance, the City Council or the Mayor must propose an amendment. A public hearing must be held by the Government Operations Committee and testimony must be accepted. The Committee must then refer back to the Council with a report for a vote, and the Mayor must execute the amendment. Anything short of this legislative process will not permit the Project to go forward as designed. The PNF's discussion of coordination with other governmental agencies does

not acknowledge this ordinance or address how the Proponent intends to amend it to accommodate the proposed Project. (Section 9.6).

The B.P.D.A. Should Scope the Proponent to Address How The Project Will Comply with Boston City Ordinance Section 7-4.10, Restrictions on Park Frontages

7. *Additional Concerns*

FCA remains concerned about additional project impacts, including:

- *Shadow* – Impacts on residential buildings on the back side of Newbury Street and the Commonwealth Mall.
- *Construction Period Impacts* - There is little space to stage construction work on the very narrow Ipswich Street, and the pedestrians and public transit users who frequently travel this route will be inconvenienced for a substantial amount of time.
- *Bird Migration* – The Project is located along a popular migratory pathway for birds, adjacent to the Emerald Necklace. The Project should incorporate bird-safe building design techniques.

FCA is also deeply troubled by the Proponent’s attempts to garner support for the Project by paying off neighbors and local non-profits. The Proponent has sought praise in public meetings for being “out in front with mitigation”. This is precisely the practice the Boston Globe criticized in a recent article, column, and editorial. The Proponent has approached the Fenway Studios, the Fenway Garden Society, the Emerald Necklace Conservancy, and the Fenway CDC with offers of cash in what appears to be a quid pro quo for Project support. These offers have taken place behind closed doors and outside of the public approval process. **A project should and must stand on its own merits.** If the project (*independent of any cash payouts*), is the highest and best use for the site, then its impacts (if any), can be mitigated as part of an open and formal process orchestrated by the B.P.D.A. through an Impact Advisory Group.

Sincerely,



Tim Horn
President, Fenway Civic Association

- cc. Rep. Livingstone
Rep. Rushing
City Councilor Josh Zakim
Jacob Wessel, Mayor’s Office of Neighborhood Services
Justin Krebs, Trans National Properties

October 31, 2016

Gary Uter, Project Manager
Boston Planning and Development Agency
One City Hall, 9th Floor
Boston, MA 02201

Re: 2 Charlesgate West Expanded Project Notification Form

Dear Gary:

The Fenway Garden Society (“FGS”) is a 501C3 non-profit organization that has the responsibility to steward the historic Fenway Victory Gardens. The Fenway Victory Gardens will be celebrating their 75th anniversary in 2017 and is an important part of the Fenway community, and of the City of Boston. Our organization has really stood the test of time with the development of the Fenway and has always truly been a community garden, even when it was started originally as a Victory Garden. I am thankful for the opportunity to represent the FGS and provide comment on the Expanded Project Notification Form (“PNF”) filed by Trans National Properties (the “Proponent”) for the development at 2 Charlesgate West (the “Project”) through the Impact Advisory Group (“IAG”) process.

I met with Justin Krebs who is representing the Proponent in the Spring of 2016 to review the proposed Project at the Transnational Building. During this meeting we discussed height, shadowing, shape, community spaces, affordable housing, and overall impact of the Project on the neighborhood. During this meeting Mr. Krebs was very genuine in his love for the neighborhood, the love of the location of the project, and how he really feels passionately that this project as it was represented in the PNF will be a valuable addition to the neighborhood. I appreciate his love for the neighborhood, but the Project proposed, I feel does not show that.

In addition to speaking with Mr. Krebs about the Project in the Spring, the discussion of how the Proponent was interested in assisting financially with any projects or improvements to the Fenway Victory Gardens. During any project review whether it is an IAG review, or a Peer Review for a 40B project, there are always ways a developer will work with the neighborhood to help a project go forward. As a non-profit organization run solely by volunteers, any donations are always welcomed, but I personally prefer support for the right reasons. No donations have been given to our organization thus far, but other organizations in the Fenway have informed me that they have received donations in what they felt were donations to attempt to gain support for the project.

Mr. Krebs in each IAG presentation, community meeting, and in individual organization meetings had stated that the Proponent has always has a vested interest in the community, but after speaking with members of the FGS, and other community organizations, until this Project

was proposed, the Proponent has not made any notable contributions to the neighborhood other than maintaining the triangle of DCR land on it's Boylston St. façade. This seems very deceitful to the neighborhood, especially because the Project as it is proposed in the PNF will make significant impacts to the neighborhoods and will change the overall fabric of the neighborhood.

The FGS requests that the B.P.D.A require the Proponent a revised PNF based on the following concerns, as well as concerns put forward by other IAG members:

1. Zoning

- a. An overall zoning concern is how the proposed Project does not meet the zoning codes that are currently in place for this parcel. The Proponent has failed to make an attempt to present an as-of-right project for the proposed location even as an informative study in the PNF. Many of the concerns listed below stem back to the overall lack of respect for the current zoning codes that members of the neighborhood, the City, and the B.P.D.A put time and effort into creating for the Fenway and for specifically the two Gateway parcels.

2. Height:

- a. The proposed Project as presented in the PNF is 152% taller than allowed in the current zoning requirements. The Proponent continues to try and give many reasons for the height, but alone from the fact that the Project does not even come close to meeting the allowed zoned height for the site, the renderings from every perspective shown have reinforced my position that this project is too tall for it's location.
- b. One of the many reasons the Fenway is such a sought after neighborhood is because of the scale of the neighborhood, the flexibility to live close to where you work, and the incredible proximity to the parkland that ties the East and West Fenway together. When standing in many places in the Fenway Victory Gardens, you cannot see tall city buildings; you see low-rise residential buildings (with the exception of the Viridian Building which has its scale reduced by the park trees) which are in closer proximity to you than the Prudential building and it's surrounding buildings which are quite a bit farther away and across the Muddy River.
- c. The Fenway Victory Gardens and The Fens portion of the Emerald Necklace are places in our neighborhood where you can truly have an escape from busy city life. With the Proposed project, there will be very few places within the gardens and the Fens in general that you will not be able to see this project which reduces the feeling of being in a park where you can escape from the city. If the Project was proposed at a height closer to the height allowed by zoning, the project would be more in line with the Viridian building which is more hidden by the trees

surrounding the parkland.

- d. The Proponent continues to compare this Project to the Pierce project because both are on Gateway parcels. However, the Pierce project's height was closer to the allowed zoning height, its surrounding buildings are also much closer in scale than that of the proposed Project. There are no buildings proposed or existing close to the proposed Building that make the height of the building's scale not feel so massive, and unlike the Pierce project, the buildings surrounding the proposed Project actually make the proposed Project feel even more out of scale for the neighborhood.
 - e. The Fenway is also home to many different migratory bird species, as well as hawks that live here full year round, and the height of the Project is a concern for the birds that inhabit our neighborhood. As of right now the only bird safe components put forward are specific glazing that is more reflective to help birds know it is there.
3. Shadow:
 - a. The Proponent does not seem to feel that the shadowing the proposed Project will create on the Fenway Studios and the surrounding northern portion of the Fenway / Kenmore neighborhood is an issue for those who live there. The height of this project creates an incredible shadow on the neighborhood especially those above the Mass Pike. The bare minimum shadow studies were shown in the PNF and although additional shadow studies have been requested by the IAG, they have not been presented.
 4. Solar Glare:
 - a. As a predominantly glazed building, the PNF and Proponents team have observed there are solar implications on drivers in the neighborhood during certain periods of time during the day. However, when this issue has been brought up with the Proponent, the implications have been downplayed and it was stated by the Proponents team that fins of some kind would be added to the building to help cut down on the glare. Solar glare is a much larger issue in high traffic areas, that it is on other sites where the adjacent roads are not busy. Boylston street is an extremely busy street throughout the day and if drivers should expect to have another distraction added onto city driving commute, I anticipate more traffic delays and more accidents than already happen in the area.
 - b. Any sort of fins or louvers added onto the building should show a plan for how potential ice and snow build up will be mitigated so that during the winter time, at the ground level, pedestrians are not blocked off from using portions of the

sidewalks due to snow and ice falling which is an issue on buildings that employ the same sorts of techniques.

5. Wind:

- a. Wind related implications on the pedestrian level have been discussed in the PNF and at the IAG meetings. As stated before, any sort of fins or louvers added onto the building should show a plan for how potential ice and snow build up will be mitigated so that during the winter time, at the ground level, pedestrians are not blocked off from using portions of the sidewalks due to snow and ice falling which is an issue on buildings that employ the same sorts of techniques.

6. Affordable Housing:

- a. The Proponent has indicated that they are willing to put a minimum of 50% of affordable housing on site, and that they are working with the Fenway CDC on possible locations throughout the Fenway neighborhood for the rest of the housing. Although questions have been raised by the IAG about this plan, the Proponent has not given more information on where housing may be located, the amount of sites housing may be broken up into, and when the off site housing will be available.

7. Vehicular Impact:

- a. The density of this building and the proposed amount of parking spaces for the residents of the Project, not to mention no parking spaces listed for visitors, building staff, or people who visit restaurant will negatively impact the Fenway neighborhood. Over the past 8 years that I have lived in Fenway, I have seen the street-parking situation become more difficult with the increase in high-rise, residential buildings that have been constructed. It is true that the Project's proposed site is close to public transportation, but if the Proponent were to walk up and down the streets during the day to see how many parking spaces open up because our residents are driving to their jobs, it will become more apparent how many residents do depend on cars to get to their jobs.
- b. There is very little visitor parking in Fenway that is affordable and encourages people to visit the people who live here. I do appreciate that the Proponent is looking into future trends on parking that is within the building and planning for the above grade parking levels to be at a height that can be converted into more residential units, however, I do feel that another parking level could be placed below ground that in the future could be turned into storage for the residents for example.

8. Construction Impacts:

- a. Due to the sites size and only having one viable road to use for material deliveries, waste removal, and equipment, more of a construction plan on how pedestrian traffic, with a focus on the students going to the Boston Conservatory building will be necessary to ensure safety for everyone.

I greatly appreciate the input presented from other IAG members and the community during this process thus far and look forward to seeing the next iteration of the Project based on the feedback the Proponent and the development team receives. Currently the Project is not an “as of right” design, and I’m hoping that a project that can speak for it’s self and really show it’s positive impacts on a community can be brought to fruition without the need for an intense mitigation process with the Proponent and with help of the B.P.D.A. through the Impact Advisory Group.

Sincerely,

Sarah Oakes

Sarah Oakes
President, The Fenway Garden Society



1903 1912 1915 1916 1918 2004 2007 2013

October 21, 2016

Gary Uter
Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201

Re: Comments on 2 Charlesgate West Expanded Project Notification Form

Dear Mr. Uter,

On behalf of the Boston Red Sox organization, we are writing to share our concerns and objections to the proposal set forth in the developer's Expanded Project Notification Form ("PNF") for 2 Charlesgate West. In light of many significant questions and issues raised in the PNF and the strong concerns and objections voiced by residents at the October 6 public meeting, the Boston Planning & Development Agency ("BPDA") should require the developer to further analyze the project's impacts in a Draft Project Impact Report, under the normal Large Project review process.

We believe that the appropriate starting point in reviewing the 2 Charlesgate West proposal is the Fenway neighborhood zoning plan. The existing zoning provisions were adopted after a lengthy community process. The maximum height and density levels set by the zoning plan generally strike a balance that allows property owners to develop residential and commercial projects that are compatible with the needs and interests of the surrounding residential neighborhood and historic Fenway Park. As you know, Fenway Park itself has had a critical place in the neighborhood for more than a century. It is a federally-recognized historic site that attracts visitors from around the world, has special historical and cultural significance, provides valued entertainment to City residents and visitors alike, and generates hundreds of millions of dollars in economic activity for the City itself and for local businesses and employees.

We are not against appropriate development in the Fenway neighborhood. We recognize that appropriate adjustments to zoning limits are sometimes justified to allow for desirable development that is consistent with the needs and interests of abutters and the neighborhood. The Red Sox are ourselves significant landowners in this neighborhood and we anticipate ourselves exploring development opportunities on our own parcels in the future; we too might find good reason to pursue ideas that go beyond what is allowed as of right, but those ideas still

David S. Friedman
Senior Vice President, Legal & Government Affairs
Red Sox Foundation, Board Member & Counsel

Red Sox letter to Gary Uter
October 21, 2016

would be appropriate to the neighborhood. Extreme variances from Fenway's zoning limits – like this project – should be given close scrutiny.

The 2 Charlesgate West property is a unique gateway parcel that is zoned for maximum height of 135 feet with a maximum Floor Area Ratio ("FAR") of 9.0. The developer's current proposal set forth in the PNF would be approximately 340 feet high, more than 200 feet higher than the maximum zoning limit, which is 150% more than the current height limit. The proposal, with an FAR of 16.9, would be significantly out of scale with all of the nearby properties. Given this very large departure from established zoning, we believe that a waiver from further Large Project review is inappropriate.

We understand that the project's height is intended to be similar to "The Pierce" project being built as the gateway site on the other end of Boylston Street. However, The Pierce is located significantly further away from Fenway Park and would be far less visible from within Fenway Park. The Pierce project has less density (FAR of 15.5) than the 2 Charlesgate West proposal, and its slender tower was designed to reduce the visual impact of such a tall structure. Moreover, The Pierce's location at the intersection of the two major arterials of Boylston Street and Brookline Avenue, fronting on the Sears Rotary, is fundamentally different than the TransNational project's location on Charlesgate and Ipswich streets, fronting on parkland and the Back Bay Fens.

These two unique gateway parcels received special attention in the community zoning process, and the contrasting contexts are reflected in the fact that The Pierce site was originally zoned for more height than the 2 Charlesgate West site. Thus, the original zoning recognizes that both parcels could serve as gateways to the neighborhood, but that more height was warranted for The Pierce site due to its particular location, the structures and uses surrounding it, and the vision for the adjacent parcels incorporated into the comprehensive neighborhood zoning. There are many reasons why The Pierce's height and design do not justify a 340-foot tower at 2 Charlesgate West.

It is clear from the BPDA's public meeting held on October 6 that we are not alone in how we look at this gateway site. At the meeting, you heard strong and widespread objections from residents and neighborhood organization representatives regarding the project's proposed height at this particular, unique location. Based on our review of the PNF, we have strong concerns that this proposed project would create an unacceptably tall and impactful 29-story building in very close proximity to Fenway Park, and which might have significant negative impacts on the surrounding neighborhood as well as our historic ballpark itself. We have previously shared these objections with members of the 2 Charlesgate West project team.

Further analysis and study is certainly needed before the BPDA endorses such a major departure from current zoning standards. Just to provide several examples of such areas:

- Traffic impacts. To analyze traffic impacts, the PNF utilizes a pedestrian, bicycle, and vehicle count conducted on February 4, 2016 (PNF p.3-8). When analyzing existing pedestrian traffic conditions, the PNF reports the results of two summertime pedestrian counts conducted at a single location on Ipswich Street on June 2nd and 3rd, 2016. The PNF notes this additional analysis was done at the City's request, in order to understand how pedestrian activity changes with Red Sox home games (PNF p.3-21). As best we can tell, however, the PNF did not analyze how the game day pedestrian volumes would be impacted by the more than 1,600 additional daily projected vehicle/bicycle trips the project is expected to generate (PNF Appendix B).

Furthermore, the PNF's study of vehicle traffic impacts simply ignores Red Sox games and other Fenway Park events (*see* PNF pp.3-8, 3-9). While we work closely with the City to mitigate traffic, there is no question that traffic related to Fenway Park events is a significant concern for local residents and for the fans who visit Fenway Park for major events during six to seven months each year (depending on whether the Red Sox play post-season baseball). Because the proposed project is so much larger than allowed under current zoning limits, we believe more study is needed to understand how this project would impact traffic, particularly when Fenway Park hosts large public events. Would this large new building with over 300 residents, 186 parking spaces, and an estimated 150 new permanent employees significantly slow down traffic on Ipswich Street before and after games and other major events? And if it did, how would that impact in turn affect traffic patterns and congestion on the other neighborhood streets?

We also suggest that in studying potential traffic impacts, the proposed project should be studied against the broader context of other neighborhood development that is taking place rapidly. The PNF indicates that its traffic study factors in additional traffic expected in 2021 from other new development projects (PNF p.3-28). Yet the PNF's analysis seems to suggest that all of that development will result in almost no changes in traffic delays during peak hours (*see* PNF pp.3-32 to 3-35 and 3-49 to 3-52) with only one location (Bowker Overpass SB) showing a degradation in the projected Level of Service between the build and no-build scenarios. This analysis seems questionable, particularly on days when Fenway Park hosts major public events and the effect of additional traffic would be magnified. Particular attention should be paid to Ipswich Street, an already heavily used street, where the entrance to the project and two new restaurants are proposed, and which serves as a major pedestrian route to and from Fenway Park.

The BPDA should require the developer to conduct a baseline count of all game-day traffic conditions (pedestrian, bicycle, and vehicle) through the horizon year, and to analyze how each would be impacted by the addition of the project. Consideration

should also be given to extending the horizon year beyond the limited 5-year window, much of which will be taken up during the project development and construction period. And the BPDA should scrutinize the developer's traffic study data, assumptions and analysis to ensure that it fully takes into account all of the other pending development in the Fenway area, to ensure that the total cumulative impact of all the development – including 2 Charlesgate West – does not produce unacceptable congestion.

- *Pedestrian impacts.* The PNF's wind analysis candidly finds that the project will cause "uncomfortable" conditions for walking in various spots on Ipswich Street, and recognizes that mitigation of these conditions would be "difficult" (PNF 4-14 & Fig. 4.1-7). That finding itself is troubling, and the PNF does not attempt to study how those uncomfortable pedestrian conditions would impact neighborhood residents and Fenway Park fans. Large numbers of fans walk to and from Fenway Park events on Ipswich Street and along Charlesgate, and we encourage fans to walk or bike to games. Would the resulting uncomfortable wind conditions deter fans from walking and biking on Ipswich Street? If so, how would that change impact other traffic patterns? Would a shorter building with less density and mass create the same uncomfortable pedestrian conditions?

The BPDA should require the developer to model the wind impacts of alternative building designs, including a zoning-compliant scheme, to identify options that would produce fewer uncomfortable-for-walking conditions in this heavily travelled pedestrian area.

- *View impacts in Fenway Park.* The existing neighborhood zoning plan serves to prevent the "Manhattanization" of Fenway Park – it does not allow skyscraper-type buildings to pop up in the immediate vicinity. Given Fenway Park's historic status (recognized by its listing in the National Register of Historic Places), it is important and necessary to study the full impact of this 29-story building on views from Fenway Park's seating bowl for the 3 million spectators who visit the ballpark for games, tours, concerts and other sporting events each year.

While the PNF provides renderings of the proposed 29-story tower from various vantage points, it does not show any views from within Fenway Park. When we met with the project team in March, they shared some rough images showing how the tower would significantly transform the iconic views of the city skyline that fans now enjoy. (A copy of one of their images is attached to this letter.) However, the developer did not include any images of views in Fenway Park when they presented their proposed project at the recent October 6 neighborhood meeting. The BPDA should ensure that a full scoping review includes studies that accurately assess how the project would look from within the ballpark.

Red Sox letter to Gary Uter
October 21, 2016

These are perhaps the most important questions and concerns that require more study and analysis, but not the only ones. We would urge a complete review of the proposed project's wind impacts (including potential impact on Fenway Park playing conditions), impacts on traffic and parking in the neighborhood, solar glare, and any other ways in which the project would affect all members of the community (residents, local businesses, and historic Fenway Park). We strongly encourage the BPDA to conduct a scoping session and require the developer to analyze these and other impacts and address specific questions from abutters and the community in a Draft Project Impact Report.

Back at the very beginning of the baseball season in March and early April, we shared with members of the developer's team our objections to the height and density of this proposal as well as various issues that need more analysis and study. We conveyed that we are not against appropriate development, but believe the project as proposed appears extreme relative to the neighborhood. We have not been contacted by the developer since that time, nor have any discernible changes to its original plans to address those subjects been made. The Red Sox organization looks forward to a thorough review process that will ensure that new development at 2 Charlesgate West is designed and tailored to fit the Fenway neighborhood.

Sincerely,



David S. Friedman
Senior Vice President, Legal & Government Affairs

cc: Justin Krebs, Trans National Properties
Senator Will Brownsberger
Representative Byron Rushing
Josh Zakim, City Councilor
Jonathan Greeley, BPDA Director of Development Review
Jacob Wessel, Mayor's Office of Neighborhood Services
Brona Simon, State Historic Preservation Officer

VIEWS
HOME PLATE
Google Earth 2016

