Boston Redevelopment Authority

Boston's Planning & Economic Development Office

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March 1, 2013

Jordan Warshaw
Trinity Stuart LLC
40 Trinity Place
Boston, MA 02116

Re: 40 Trinity Place, Boston, Massachusetts

Dear Mr. Warshaw:

Please find enclosed the Scoping Determination for the 40 Trinity Place proposal, which calls for the redevelopment of the site at 40 Trinity Place located in the Back Bay neighborhood of Boston, together with air rights over a portion of the adjacent property at 426 Stuart Street that currently houses the University Club of Boston (together, the Proposed Project site). The proposed development includes the demolition of the existing Boston Common Hotel and Conference Center, and the construction of a 33-story, approximately 400 foot tall, mixed-use building totaling approximately 369,370 square feet (sf), with approximately 142 residential units, approximately 220-room hotel with accessory conference center space, two restaurants and approximately 100 above grade residential parking spots will be located on levels 4 and 5 (the "Proposed Project"). The Scoping Determination describes information required by the Boston Redevelopment Authority in response to the Project Notification Form, which was submitted per the requirements of Article 80 of the Boston Zoning Code on October 29, 2012 and noticed in the *Boston Herald* on the same day. Additional information may be required during the course of the review for this proposal.

If you have any questions regarding the Scoping Determination or the review process, please contact me at (617) 918-4297.

Sincerely,

Geoffrey Lewis
Senior Project Manager

Cc. Heather Campisano

BOSTON REDEVELOPMENT AUTHORITY
SCOPING DETERMINATION

FOR

40 TRINITY PLACE – BOSTON, PROJECT NOTIFICATION FORM

PREAMBLE

Trinity Stuart LLC (the "Developer") submitted to Boston Redevelopment Authority ("BRA") a Project Notification Form ("PNF") under Article 80 of the Boston Zoning Code on October 29, 2012 and noticed in the Boston Herald on the same day, for the redevelopment of the site at 40 Trinity Place located in the Back Bay neighborhood of Boston, together with air rights over a portion of the adjacent property at 426 Stuart Street that currently houses the University Club of Boston (together, the Proposed Project site). The proposed development includes the demolition of the existing Boston Common Hotel and Conference Center, and the construction of a 33-story, approximately 400 foot tall, mixed-use building totaling approximately 369,370 square feet (sf), with approximately 142 residential units, approximately 220-room hotel with accessory conference center space, two restaurants and approximately 100 above grade residential parking spots will be located on levels 4 and 5 (the "Proposed Project"). Written comments constitute an integral part of the Scoping Determination and should be responded to in the Draft Project Impact Report (the "DPIR").

Specific concerns below are highlighted for additional emphasis and consideration:

- Height Many of the comments received highlight concerns regarding the height and massing of the Proposed Project. The Proposed Project will be surrounded by planned, approved, and existing buildings exceeding 400 feet, including the tallest building in Boston, the John Hancock tower. Nevertheless, comments from the community are not unanimous that the proposed height is appropriate in this location. While the Proposed Project conforms to the 2010 Stuart Street Planning Study Guidelines (the "Guidelines"), some comments suggest that a lower height limit in the Guidelines would have been more appropriate. Justification for a project of this size with respect to economic feasibility should be included in the DPIR.

- Construction and Abutter Impacts Should approvals be granted after review of the DPIR, the BRA will seek to ensure that the construction of the

Proposed Project occurs with absolutely minimal disruption to the residents, businesses, and institutions of the surrounding neighborhood. The Developer should identify any encroachments upon abutters' rights or means of access and prepare a plan to mitigate any such encroachment. The Developer will be required to submit a Construction Management Plan to the Boston Transportation Department ("BTD") to ensure that proper measures are put in place to mitigate any and all potential negative impacts, especially for the closest abutters, the YWCA at 140 Clarendon Street.

- Diverse Housing Stock Comments from the community and elected officials strongly suggest that the Developer satisfy the Inclusionary Development Policy by building the units on-site. Furthermore, there is a strong desire to provide both market rate and affordable housing appropriate for families wishing to live in the neighborhood. The Developer should evaluate the feasibility of placing all required affordable units on-site and maximizing housing appropriate for families in the Proposed Project.

- No Build / As of Right For the purpose of meaningful analysis, the Developer should include in the DPIR a no build option andan as of right option. .

- Pedestrian Level Uses Comments received indicate a strong desire to improve the pedestrian experience in this stretch of Stuart Street. The Developer should continue to refine the design for the ground floor of the Proposed Project with the community, the BRA, and the Boston Civic Design Commission ("BCDC").

- Wind and Shadow The Proposed Project will alter wind patterns and cast shadows, impacting the surrounding areas. Comments from the community suggest that past wind studies conducted for now-constructed buildings did not adequately or completely describe the wind impacts of the building. Therefore, the Developer should complete a wind study as according to BRA guidelines described later in this Scoping Determination.

- Transportation Any large project will have traffic impacts. BTD requests that the Developer study six intersections: St. James Avenue / Trinity Place; St. James Avenue / Clarendon Street; Stuart Street / Trinity Place; Stuart Street / Clarendon Street; St. James Avenue / Dartmouth Street; and Stuart Street / Dartmouth Street. As is required in all Article 80 Reviews, traffic studies should incorporate projects approved by the BRA, but not yet completed.

- Educational Facility Mayor Thomas M. Menino has asked the City of Boston and the BRA to collaborate and evaluate the demand for a new school that would serve the neighborhoods adjacent to the Proposed Project. Comments from elected officials and the community reflect the desire to locate a Boston Public School in near proximity to the Proposed Project. Since the Developer has a vested interested in the neighborhood we request a strong partnership moving forward. The BRA requests continued dialogue with the Developer to help achieve the goal of a new educational facility in the general vicinity of the Proposed Project. The Developer should also investigate the feasibility of locating a school within the current project site.

- Green The Developer should strive to achieve the highest level of LEED certification possible. The Developer should encourage alternate modes of transportation by providing safe and secure bike storage, scooter parking and other facilities for residents and patrons to the site.

SUBMISSION REQUIREMENTS

FOR

THE 40 TRINITY PLACE / 426 STUART STREET PROJECT, PROPOSAL CONSISTING OF APPROXIMATELY 369,370 SQUARE FEET OF DEVELOPMENT, APPROXIMATELY 142 RESIDENTIAL UNITS AND 220 ROOM HOTEL, INCLUDING 100 ABOVE-GRADE PARKING SPACES WITH RESTAURANT AND CONFERENCE SPACE - DRAFT PROJECT IMPACT REPORT

Written comments constitute an integral part of the Scoping Determination and should be responded to in the Draft Project Impact Report (the "DPIR").

The Boston Redevelopment Authority ("BRA") is issuing this Scoping Determination ("Scope") pursuant to Section 80B-5 of the Boston Zoning Code (the "Code"), in response to a Project Notification Form ("PNF") which Trinity Stuart LLC (the "Developer" or "Proponent") submitted on October 29, 2012 proposing the redevelopment of the site at 40 Trinity Place located in the Back Bay neighborhood of Boston, together with air rights over a portion of the adjacent property at 426 Stuart Street that currently houses the University Club of Boston (together, the Proposed Project site). The proposed development includes the demolition of the existing Boston Common Hotel and Conference Center, and the construction of a 33-story, approximately 400 foot tall, mixed-use building totaling approximately 369,370 square feet (sf), with approximately 142 residential units, approximately 220-room hotel with accessory conference center space, two restaurants and approximately 100 above grade residential parking spots will be located on levels 4 and 5 (the "Proposed Project"). Notice of the receipt by the BRA of the PNF was published in the *Boston Herald* October 30, 2012 initiating the public comment period that initially was scheduled to end on November 30, 2012 but at the request of the Impact Advisory Group ("IAG"), local elected officials and members of the community it was extended to January 4, 2013. Pursuant to Section 80A-2 of the Code, the Notice and the PNF were sent to all public agencies of the City and other interested individuals and parties. Written comments in response to the Notice and the PNF that were received by the BRA prior to the end of the public comment period are included in the Appendices of this Scope. The Scope requests information that the BRA requires for its review of the Proposed Project in connection with the following:

(a) Certification of Compliance of the Proposed Project pursuant to Article 80, Section 80B-6 of the Code; and

(b) Preliminary Adequacy Determination pursuant to Article 80, Section 80B-5.4(c) of the Code; and

The BRA is reviewing the Proposed Project pursuant to Article 80, Section 80B, Large Project Review, which sets out comprehensive procedures for project review and requires the BRA to examine the urban design, transportation, environmental, and other impacts of proposed projects. The Developer is required to prepare and submit to the BRA a Draft Project Impact Report ("DPIR") that meets the requirements of the Scope by detailing the Proposed Project's expected impacts and proposing measures to mitigate, limit, or minimize such impacts. The DPIR shall contain the information necessary to meet the specifications of Section 80B-3 (Scope of Review; Content of Reports) and Section 80B-4 (Standards for Large Project Review Approval) as required by the Scope.

Subsequent to the end of the sixty (60) day public comment period for the DPIR, the BRA will issue a Preliminary Adequacy Determination ("PAD") that indicates the additional steps necessary for the Proponent to complete in order to satisfy the requirements of the Scope and all applicable sections of Article 80 of the Code. If the BRA finds that the PNF/DPIR adequately describe the Proposed Project's impacts and, if appropriate, proposes satisfactory measures to mitigate, limit or minimize such impacts, the PAD will announce such a determination and that the requirements for the filing and review of a Final Project Impact Report are waived pursuant to Section 80B-5.4(c)(iv) of the Code. Before reaching said findings, the BRA shall hold a public hearing pursuant to Article 80 of the Code. Section 80B-6 requires the Director of the BRA to issue a Certification of Compliance before the Commissioner of Inspectional Services can issue any building permit for the Proposed Project.

I. PROPOSED PROJECT DESCRIPTON

The project, as proposed, will be located 40 Trinity Place located in the Back Bay neighborhood of Boston, together with air rights over a portion of the adjacent property at 426 Stuart Street that currently houses the University Club of Boston (together, the “Project Site”).

The proposed development includes the demolition of the existing Boston Common Hotel and Conference Center, and the construction of a 33-story, approximately 400 foot tall, mixed-use building totaling approximately 369,370 square feet (sf), with approximately 142 residential units, approximately 220-room hotel with accessory conference center space, two restaurants and approximately 100 above grade residential parking spots will be located on levels 4 and 5 (the “Proposed Project”).

II. DEVELOPMENT REVIEW REQUIREMENTS - ARTICLE 80

SUBMISSION REQUIREMENTS

In addition to full-size scale drawings, sixty-five (65) copies of a bound report containing all submission materials reduced to size 8-1/2" x 11", except where otherwise specified, are required and one (1) CD with all materials. The report should be printed on both sides of the page. In addition, an adequate number of copies must be available for community review. A copy of this Scope should be included in the report submitted for review.

A. GENERAL INFORMATION

1. Applicant Information
   - a. Development Team
     - (1) Names
       - (a) Developer (including description of development entity and type of corporation)
       - (b) Attorney
       - (c) Project consultants and architect
     - (2) Business address and telephone number for each
     - (3) Designated contact for each
   - b. Legal Information
     - (1) Legal judgments or actions pending concerning the Proposed Project
     - (2) History of tax arrears on property owned in Boston by the Applicant
     - (3) Evidence of site control over the project area, including current ownership and purchase options of all parcels in the Proposed Project, all restrictive covenants and contractual restrictions affecting the proponent's right or ability to accomplish the Proposed Project, and the nature of the agreements for securing parcels not owned by the Applicant.
     - (4) Nature and extent of any and all public easements into, through, or surrounding the site.

2. Project Area

   a. An area map identifying the location of the Proposed Project

b. Description of metes and bounds of project area or certified survey of project area

3. Public Benefits

a. Anticipated employment levels including the following:
   (1) Estimated number of construction jobs
   (2) Estimated number of permanent jobs
   The Proponent is expected to provide a workforce development plan and needs assessment for the Proposed Project. The Proponent should describe the efforts it will undertake to ensure that an appropriate share of new jobs and construction jobs will be filled by Boston residents.
b. Current activities and programs which benefit adjacent neighborhoods of Boston and the city at large, such as: child care programs, scholarships, internships, elderly services, education and job training programs, etc.
c. Other public benefits, if any, to be provided.

4. Regulatory Controls and Permits

a. Existing zoning requirements, zoning computation forms, and any anticipated requests for zoning relief should be explained.
b. Anticipated permits required from other local, state, and federal entities with a proposed application schedule should be noted.
c. A statement on the applicability of the Massachusetts Environmental Policy Act (MEPA) should be provided. If the Proposed Project is subject to MEPA, all required documentation should be provided to the BRA, including, but not limited to, copies of the Environmental Notification Form, decisions of the Secretary of Environmental Affairs, and the proposed schedule for coordination with BRA procedure.

5. Community Groups

a. Names and addresses of project area owners, abutters, and any community or business groups which, in the opinion of the applicant, may be substantially interested in or affected by the Proposed Project.

b. A list of meetings held and proposed with interested parties, including public agencies, abutters, and community and business groups.

B. PROJECT DESCRIPTION AND ALTERNATIVES

1. Project Description

The DPIR shall contain a full description of the Proposed Project and its components, including its size, physical characteristics, development schedule, costs, and proposed uses. This section of the DPIR also shall present analysis of the development context of the Proposed Project. Appropriate site and building plans to illustrate clearly the Proposed Project shall be required.

2. Project Alternatives

A description of alternatives to the Proposed Project that were considered shall be presented and the primary differences among the alternatives, particularly as they may affect environmental conditions, shall be discussed. In addition, any alternative development studies requested by the Boston Landmarks Commission should be discussed.

C. TRANSPORTATION COMPONENT

Please refer the comments and information requested by the Boston Transportation Department ("BTD") included in Appendix 1.

D. ENVIRONMENTAL PROTECTION COMPONENT

Please refer to the comments and information requested by the Boston Environment Department ("BED") and BRA environmental review included in Appendix 1. In addition, the Proponent is requested to provide information on the following:

- The Proponent should consider and document how it would use the Leadership in Energy and Environmental Design (LEED) standards. Integrating green building components into the planning and design of new projects improves energy efficiency and promotes responsible and sustainable building practices.

E. URBAN DESIGN COMPONENT

The BCDC voted to review the Proposed Project on January 8, 2013 and saw a preliminary presentation. The Project was referred to Design Committee, which met on January 22 and further discussed concerns. When sufficient progress in preparation of a Preferred Alternative in the DPIR in response to the Scoping Document has been made pursuant to preliminary BCDC, IAG/public, and BRA staff comments, BCDC Design Committee meetings should be further scheduled by contacting David Carlson, Executive Director of the BCDC. Minutes from the 40 Trinity portion of the January BCDC meeting are attached.

It should be noted that a more advanced design should allow more in-depth comment at the DPIR stage. We reserve the right to comment at that stage toward the submission of an FPIR. In general, we will ask for studies related to all requested alternatives, with certain modifications, as well as comparisons to both existing conditions and an 'as-of-right' alternative. The 40 Trinity Place Project is at an interesting location in the Back Bay, and stands to make a significant difference on its block of Stuart Street. The proposed height places the Project in interesting company in the area; it should not try to compete directly but achieve its own form of expressed elegance. The following urban design objectives should be addressed in the DPIR submission.

1) Standard alternatives for study include no-build, and an 'as-of-right' build-out...in this case FAR 10, with a height of 155'. This alternative will conform to the density planned and anticipated in this area under current zoning, but not necessarily under the Stuart Street study. The Proponent has presumed a process allowing the flexibility in density and height pursuant to recommendations in the latter and so should conform to the preconditions contained therein.

2) In general, the project should strive to minimize any incremental increase in environmental impacts as compared with either the full 'as-of-right' build-out or existing conditions. The specific building volume and massing should be designed such that with respect to criteria such as daylight, shadows, and wind, some elements or points may be worse, but analysis will prove that the whole is better as a Project. We will expect in fact that mitigations or positive urban benefits will result from this Project and in balance far outweigh any negative impact. Specific shadow and wind investigations will be requested - a separate category in this memorandum - to determine what the impacts are specifically regarding Copley Square. Height, tower shaping and setbacks should be adjusted to minimize any impacts.

3) The highest building elements generally should be as diverse in height as possible, but orchestrated to be a natural completion to the idea of the building and not set in forced counterpoint. Where desirable to create an emphasis or entry, the higher facade elements could come straight down to the ground...but only if wind conditions (or effective mitigations of same) permit such. We ask that any infrastructure constraints in particular be studied to clarify any limitations for the Proposed Project.

4) The most active ground floor program elements (entries to residential, hotel, and restaurant/skylobby function uses) should be not only retained but enhanced as a positive element of the Project, with entries possibly on both public sides, but adequate space and program planning along the sidewalk to avoid confusion or conflict. A hierarchy of such uses should be considered. Transparency and views into the uses must be maximized on each frontage.

5) Multiple upper story uses as shown in the PNF are accordingly encouraged to enliven the streets with a diversity of activity throughout the day. Necessary service and access functions should not occur in areas where they will *directly* impact key points in the paths of residents and visitors.

6) Above-grade garage floors should be covered, where possible, with program uses on all sides. Treatment of any directly visible portions of the garage should be of a high architectural character with robustly convincing detail.

7) The Proposed Project is a layering of uses with at least one dramatically intended carving of the volume. Emphasize both aspects. And SIMPLIFY the chosen expression(s). Try to make the building appear slim in proportion. A strong, simple form may be best against the backdrop of the massive Hancock Garage structure.

8) Study the choice of materials carefully. The nature of the curtainwall should be studied carefully - and understood as part of the composition. If the building is less a curtainwall and more metal, then the metal should have a special character or articulation - and not be just a flat metal panel system, which would diminish the potential appeal of the building.

9) Street edges and new sidewalks created as a result of any version of the Proposed Project must conform to all applicable standards and be appropriately sized to bear pedestrian traffic peaks. Street trees or plantings should be included in site plans. Incorporate bicycle stations into the Project...both public and private.

Among others, the refined design included in the DPIR must satisfactorily address all the above parameters. An accurate sense of scale of the Proposed Project in its context must be achieved. Focus on key distanced views, as well as key intermediate / user viewpoints, to guide the design composition of the Proposed Project. Utilize techniques that capture the context at each scale. Reinforce pedestrian pathways; develop a plan which shows the building program and how it supports such activity within the pedestrian / public access network. Active programming that will engage the public should be maximized. Take note of the fundamental contextual strengths of the site, including its connections to Back Bay Station, the MBTA, and Copley Square - and the other nearby towers in the present and future skyline - incorporate that sense into the overall design approach, tempered / enhanced by the proposed uses.

The PNF Proposal includes parcels not currently under direct control of the redeveloper. Evidence of the team's ability to secure an arrangement for use of these parcels (and air rights) must be submitted.

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

1. Written description of program elements and space allocation (in square feet) for each element, as well as Project totals.
2. Neighborhood plan, elevations and sections at an appropriate scale (1"=100' or larger as determined by the BRA) showing relationships of the proposed project to the neighborhood context:
    a. massing
    b. building height
    c. scaling elements
    d. open space
    e major topographic features
    f. pedestrian and vehicular circulation
    g. land use
3. Color, or black and white 8"x10" photographs of the site and neighborhood.
4. Sketches and diagrams to clarify design issues and massing options.

5. Eye-level perspective (reproducible line or other approved drawings) showing the proposal (including main entries and public areas) in the context of the surrounding area. Views should display a particular emphasis on important viewing areas such as key intersections, pathways, or public parks/attractions. Some suggested viewpoints include (also see Copley Expansion Project views): north and south along Dartmouth and Clarendon, from Copley Square, east and west along Stuart, from the Southeast Expressway, from Memorial Drive (skyline), from adjacent residential neighborhoods (South End, Bay Village), et al. Long-ranged (distanced) views of the proposed project must also be studied (some are suggested above) to assess the impact on the skyline or other view lines. At least one bird's-eye perspective should also be included. All perspectives should show (in separate comparative sketches) at least both the build and no-build conditions; any alternatives proposed should be compared as well. Planned context (projects approved) should also be included in build conditions. The BRA should approve the view locations before analysis is begun. View studies should be cognizant of light and shadow, massing and bulk.
6. Additional aerial or skyline views of the project, if and as requested.
7. Site sections at 1"=20' or larger (or other scale approved by the BRA) showing relationships to adjacent buildings and spaces.
8. Site plan(s) at an appropriate scale (1"=20' or larger, or as approved by the BRA) showing:
    a. general relationships of proposed and existing adjacent buildings and open spaces
    b. open spaces defined by buildings on adjacent parcels and across streets
    c. general location of pedestrian ways, driveways, parking, service areas, streets, and major landscape features
    d. pedestrian, handicapped, vehicular and service access and flow through the parcel and to adjacent areas
    e. survey information, such as existing elevations, benchmarks, and utilities
    f. phasing possibilities, if applicable
    g. construction limits

9. Massing model (ultimately in basswood) at 1":40'0" for use in the Authority's Downtown Model
10. Study model at 1" = 16' or 1" = 20' showing preliminary concept of setbacks, cornice lines, fenestration, facade composition, etc.
11. Drawings at an appropriate scale (e.g., 1":16'0", or as determined by BRA) describing architectural massing, facade design and proposed materials including:

a. building and site improvement plans
b. neighborhood elevations, sections, and / or plans showing the development in the context of the surrounding area
c. sections showing organization of functions and spaces, and relationships to adjacent spaces and structures
d. preliminary building plans showing ground floor and typical upper floor(s).
e. phasing, if any, of the Proposed Project

12. A written and / or graphic description of the building materials and its texture, color, and general fenestration patterns is required for the proposed development.
13. Electronic files describing the site and Proposed Project at Representation Levels one and two ("Streetscape" and "Massing") as described in the document *Boston "Smart Model": CAD & 3D Model Standard Guidelines*.
14. Full responses, which may be in the formats listed above, to any urban design-related issues raised in preliminary reviews or specifically included in the BRA scoping determination, preliminary adequacy determination, or other document requesting additional information leading up to BRA Board action, inclusive of material required for Boston Civic Design Commission review.
15. Proposed schedule for submission of all design or development-related materials.
16. True-scale three-dimensional graphic representations of the area indicated above either as aerial perspective or isometric views showing all buildings, streets, parks, and natural features.

SHADOW AND WIND COMMENTS

In addition to the comments and scoping by others, the Proponent is directed to conduct a specific shadow analysis for the specific time range of any new impacts on Copley Square Park....in other words defining rough extent and duration in terms of hours and time of year. Give particular attention to the period from March 21 to October 21; the Proposed Project should conform to the criteria suggested in the Stuart Street Zoning Study. Include duration studies for any other impacted open spaces in the area, including the Southwest Corridor, and the park on Stanhope Street. If overall duration is greater than one hour, provide an overlap study which defines any area impacted by shadows for a period greater than one hour. All net new shadows shall be defined as outlined elsewhere either by darker tone or color and shall be clearly shown to their full plan extent, whether on street, park, or rooftop.

Regarding wind, *all wind tunnel test points shall be approved by BRA staff* before conduction of testing. Wind analysis may be requested at points within several

blocks of the property in question; especially where contiguous to open space, analysis may extend to likely bounds of no impact. Analysis of results and effective mitigation shall be presented in the DPIR using diagram methodology so that the delta or changes manifested by the project relative to existing or as-of-right conditions...again, whichever provides the higher base impacts...are clearly understood. See Appendix 6 for required wind study points.

DAYLIGHT COMPONENT

The BRADA program used for this analysis should look at views from Stuart and from Trinity Place. If a Proponent wishes to substitute a more contemporary computer program for the 1985 BRADA program, its equivalency must first be demonstrated to the satisfaction of BRA staff before it is utilized for inclusion in the DPIR, and it must be commonly available to Boston development team users.

INFRASTRUCTURE SYSTEMS COMPONENT

An infrastructure impact analysis must be performed.

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

Any system upgrading or connection requiring a significant public or utility investment, creating a significant disruption in vehicular or pedestrian circulation, or affecting any public or neighborhood park or streetscape improvements, comprises an impact which must be mitigated. The DPIR must describe anticipated impacts in this regard, including specific mitigation measures, and must include nearby Proposed Project (i.e. the Copley Expansion tower, Columbus Center, Exeter Residences, 888 Boylston, et al.) build-out figures in the analysis. The standard scope for infrastructure analysis is given below:

1. Utility Systems and Water Quality

    a. Estimated water consumption and sewage generation from the Proposed Project and the basis for each estimate. Include separate calculations for air conditioning system make-up water

b. Description of the capacity and adequacy of water and sewer systems and an evaluation of the impacts of the Proposed Project on those systems; sewer and storm drain systems should include a tributary flow analysis as part of this description

c. Identification of measures to conserve resources, including any provisions for recycling or 'green' strategies, including green roofs

d. Description of the Proposed Project's impacts on the water quality of Boston Harbor or other water bodies that could be affected by the Project, if applicable

e. Description of mitigation measures to reduce or eliminate impacts on water quality

f. Description of impact of on-site storm drainage on water quality

g. Information on how the Proposed Project will conform to requirements of the Ground Water Trust under Article 32, if applicable, by providing additional recharge opportunities

h. Detail methods of protection proposed for infrastructure conduits and other artifacts, including the MBTA tunnels and station structures, and BSWC sewer lines and water mains, during construction

i. Detail the energy source of the interior space heating; how obtained, and, if applicable, plans for reuse of condensate.

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

2. Energy Systems

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

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

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

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

Excerpted from the unofficial minutes of the BCDC of January 8, 2013:

WR remained recused for the next item. The next item was a presentation of the **40 Trinity Place Project**. Gary Saunders stood and introduced himself and his brother Jeff. He noted Jordan Warshaw (JW) was their partner and would begin as Gary Kane (GK) of The Architectural Team (TAT) finished setting up. JW began by noting the locus. JW: This is the Hancock Conference Center site; we are taking air rights over the University Club. The YWCA is the third building on the (sub-)block. The building was originally built sequentially; the higher portion (the Conference Center) was built later. Windows are small in the existing building (shows picture) and the first floor is 8 steps up. It's an ADA nightmare - for those who know it's here to begin with, against the wall of the Hancock Garage. One of the keys of this Project is to reanimate the site - so even the Boston Preservation Alliance has supported something new. (Shows section diagram of program. Points...) This is for the expansion of the University Club, although they are undecided on their program. Above that, parking. It's too expensive below grade, but also gives a better footprint above, in the cantilevered zone. Then hotel, then the sky lobby / amenities levels, including a restaurant and conference center. Condos are above. The plan (shows) is formed in part by shadow limitations, since the community is sensitive to Copley Square. The shadows are okay in summer and in winter; the shoulder season (and time, roughly 9-11am is at issue) is the concern. JW then showed the ground floor plan, and a typical hotel floor plan. LW asked about the cantilever toward the garage, and JW noted a property overlap. JW showed the sky lobby floor for the hotel, with a stair up to the conference center. JW: There is an outside terrace with views toward the South End. There are bathrooms with City views.

Michael Liu (ML) of TAT noted that they would show the PNF images, but that the design has evolved further with BRA staff, and Gary would show that. ML: The base is regular, doing 'urban design work.' The building footprint should be about 13,000 SF, but constraints at the base force it to 11,000. We bump it out to 12,000 with the core, trying to maximize it. We are trying to develop a form that distinguishes itself, but doesn't blur the reading of the Hancock. The curve does some work to reduce the shadow impacts, and the building is turned 'sideways' for the same reason, as well as visual interest. It takes its sculptural form from the curve. But it's also orienting internal views. That results in the faceting, which is the distinguishing characteristic.

The YWCA and University Club both have punched windows; the Hancock is set back from the street. So there is a limited amount we can do for the street with our frontage. So there are lobbies, but light and activity in the restaurant, which is lively, and enlivening for the street. DS: Isn't the Simon tower blue glass? ML noted the graphics here are diagrammatic, showing curtainwall and metal-paneled areas. GK: The comment from BRA staff was to simplify. GK then went through a series of iterations, looking toward the (south)east from two altitudes. They had aligned edges, reduced fins, gone to two from three materials, and returned to a curve on both sides. GK then showed a quick fly-around 'just of the block, not of it in the City.' GK: We wanted to get the simplicity of the east and bring it to the west side.

DH: This is a really exciting project. The sky lobby could be great. The notion to simplify is good. I'm less concerned about the (SE) view down Stuart, versus other views (from the SE, from Copley). It looked bisected. The fly-around is good, but we really need to see a model in Committee. LE: Street-level views as well. It would help to understand the parameters. DC: The Hancock Building, and Dartmouth Street views. Trinity Place is like an alley, but think of it more as a connection. DH: Could that be cobbled? It would really transform it. JW: We have talked about that with Boston Properties, because it's also their garage entry. If they and the City are okay with it, we're in agreement. DS: Other projects should be shown in the model. It's confusing to have two roof forms going two directions, stronger to have one. KS: The faceting is a nice contrast to the angularity of the Hancock. Show views both day and night. We'll give lighting here more attention than we did at Nashua. On Stuart, think about how to make sense of that mishmash. On your ground plane, I don't quite understand how that works. MD: I'm not quite convinced by the ground floor yet, its faceting. Why not normalize it, and make the upper portion more interesting? You're losing what little space you have. Also - how it connects to the above program. You don't always have to hold the street edge, but I'm not sure why you're not.

JW: These are similar to the BRA comments; we have concentrated on floors 6-33. The top and the ground need work. DH: There are a lot of buildings that have *craft* in this area. I would be interested in discussing the curtainwall - how it makes its breaks, walls, angles. Especially with the Hancock as a simple, elegant backdrop. KS: Think about the entry procession into a big (tall) space, like the Langham in Hong Kong, for a relationship to the sky lobby. JW: We're thinking about that for the restaurant, 'hanging' that so that the spaces interact. Like the Dana in Chicago. The massing here is generally done in accord with the Stuart Street Planning Study. With no other comments, the 40 Trinity Place Project was sent to Design Committee.

Note: 40 Trinity was also seen in Design Committee (DH, AL, KS) on January 22.

F. HISTORIC RESOURCES COMPONENT

The Proposed Project site is located near a number of historic properties listed in the National and State Registers of Historic Places. The DPIR shall identify, map, and describe these historic resources and any other historic properties in the vicinity of the Proposed Project's site and shall evaluate the anticipated effects of the Proposed Project on these resources. Particular attention shall be given to the design, scale, height, massing, materials, and other architectural elements of the proposed buildings as these relate to the significant architectural and historic resources in the proposed project's vicinity. The DPIR must also include an assessment of the potential presence of archaeological resources that may be disturbed by the Proposed Project. The Proponents should also respond to the comments of the Boston Environment Department outlined in Appendix 1.

G. DEVELOPMENT IMPACT PROJECT COMPONENT

If applicable, based on square footage and use the Proposed Project could be subject to and be required to enter into a Development Impact Project ("DIP or Linkage") agreement. A full analysis of square footage should be submitted in the DPIR. See below for a breakdown of payment if required.

Housing Linkage:

DIP Uses	??????? square feet
Exclusion:	-100,000
	??????
	x $7.87 /square foot
	$??????????

Jobs Linkage:

DIP Uses	????????? square feet
Exclusion	-100,000
	??????
	x $1.57 /square foot
	$?????????

H. PUBLIC NOTICE

The Proponent will be responsible for preparing and publishing in one or more newspapers of general circulation in the city of Boston a Public Notice of the submission of the Draft Project Impact Report (DPIR) to the BRA as required by Section 80A-2. This Notice shall be published within five (5) days after the receipt of the DPIR by the BRA. Therefore, public comments shall be transmitted to the BRA within seventy-five (75) days of the publication of this Notice.

Sample forms of the Public Notices are attached as Appendix 4.

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

APPENDIX 1
COMMENTS FROM CITY PUBLIC AGENCIES

1. Katie Pedersen, Boston Redevelopment Authority
2. Boston Transportation Department
3. David Carlson, Boston Redevelopment Authority

BRA MEMORANDUM

TO: Geoff Lewis

FROM: Katie Pedersen

DATE: December 12, 2012

RE: 40 Trinity Place
Boston, Massachusetts
Project Notification Form

I have reviewed the Project Notification Form (PNF) dated October 29, 2012 and submit the following comments for the Environmental Protection Component. Trinity Stuart LLC (the Proponent) proposes the redevelopment of the site at 40 Trinity Place located in the Back Bay neighborhood of Boston, together with air rights over a portion of the adjacent property at 426 Stuart Street that currently houses the University Club of Boston (together, the Proposed Project site). The proposed development includes the demolition of the existing Boston Common Hotel and Conference Center, and the construction of a 33-story, approximately 400 foot tall, mixed-use building totaling approximately 369,370 square feet (sf), with approximately 142 residential units, approximately 220-room hotel with accessory conference center space, two restaurants and approximately 100 above grade residential parking spots will be located on levels 4 and 5 (the Proposed Project).

The Proposed Project will also include approximately 10,000 new square feet to be occupied by the existing University Club.

Wind

A quantitative wind tunnel analysis of the potential pedestrian level wind impacts shall be required. This analysis shall determine potential pedestrian level winds adjacent to and in the vicinity of the Proposed Project site and shall identify the projected annual wind speeds for each season at each location. Expected wind levels should be reported using the amended Melbourne scale. The analysis shall identify any areas where wind velocities are expected to exceed acceptable levels, including the Boston Redevelopment Authority's (BRA) guideline of an effective gust velocity of 31 mph not to be exceeded more than 1% of the time.

Particular attention shall be given to areas of pedestrian use, including, but not limited to, the entrances to the Proposed Project and existing buildings in the vicinity of the Proposed Project, the sidewalks and walkways within and adjacent to the Proposed Project development and in the vicinity of the Proposed Project and the Copley Square Park. Specific locations to be evaluated shall be determined in consultation with the BRA and the City of Boston Environment Department.

For areas where wind speeds are projected to exceed acceptable levels, measures to reduce wind speeds and to mitigate potential adverse impact shall be identified and tested

in the wind tunnel to quantify the expected benefit. Should the qualitative analysis indicate the possibility of excessive or unacceptable pedestrian level wind speeds, additional study may be required.

The wind tunnel testing shall be conducted in accordance with the following guidelines and criteria:

* Data shall be presented for both the existing (no-build) and for the future build Scenario.
*The analysis shall include the mean velocity exceeded 1% of the time and the effective gust velocity exceeded 1% of the time.
*Wind direction shall include the sixteen compass points. Data shall include the percent or probability of occurrence from each direction on seasonal and annual bases.
*Results of the wind tunnel testing shall be presented in miles per hour (mph).
*The model scale shall be such that it matches the simulated earth's boundary and shall include all buildings within at least 1,500 feet of the Proposed Project site. The model shall include all buildings recently completed, under construction, and planned within 1,500 feet of the Proposed Project site. Prior to testing, the model shall be reviewed by the BRA.
*The written report shall include an analysis which compares mean and effective gust velocities on annual and seasonal bases, for no-build and build conditions, and shall provide a descriptive analysis of the wind environment and impacts for each sensor point, including such items as the source of the winds, direction, seasonal variations, etc., as applicable. The report shall also include an analysis of the suitability of the locations for various activities (e.g., walking, sitting, standing, driving etc.) as appropriate, in accordance with Melbourne comfort categories.
*The pedestrian level wind impact analysis report shall include, at a minimum, the following maps and tables:

-Maps indicating the location of the wind impact sensors, for the existing (no-build) condition and future build scenario.
-Maps indicating mean and effective gust wind speeds at each sensor location, for the existing (no-build) condition and each future build scenario, on an annual basis and seasonally. Dangerous and unacceptable locations shall be
highlighted.
-Maps indicating the suitability of each sensor location for various pedestrian related activities (comfort categories), for the existing (no-build) condition and future build scenario, on an annual basis and seasonally. To facilitate comparison, comfort categories may be distinguished through color coding or other appropriate means. In any case, dangerous and unacceptable conditions shall be highlighted.
-All maps should include a north arrow and be oriented and of the same scale as shadow diagrams.

Shadow

A shadow analysis shall be performed for existing and build conditions for the hours 9:00 a.m., 12:00 noon, and 3:00 p.m. for the vernal equinox, summer solstice, autumnal equinox, and winter solstice and for 6:00 p.m. during the summer and autumn, it should be noted that due to the time differences (daylight savings v. standard), the autumnal equinox shadows would not be the same as the vernal equinox shadows and therefore separate shadow studies are required for the vernal and autumnal equinoxes.

The shadow impact analysis shall include net shadow as well as existing shadow and must clearly show the incremental impact of the Proposed Project. For purposes of clarity, new shadow should be shown in a dark, contrasting tone distinguishable from existing shadow. The shadow impact study area shall include, at a minimum, the entire area to be encompassed by the maximum shadow expected to be produced by the Proposed Project. The build condition shall include all buildings under construction and any proposed buildings anticipated to be completed prior to the completion of the Proposed Project. Shadow from all existing buildings within the shadow impact study area shall be shown. A North Arrow shall be provided on all figures. Shadows shall be determined by using the applicable Boston Azimuth and Altitude data.

Particular attention shall be given to existing or proposed public open spaces and pedestrian areas, including, but not limited to, the existing sidewalks and pedestrian walkways within, adjacent to, and in the vicinity of the Proposed Project and the existing and proposed plazas, historic resources and open space areas within the vicinity of the Proposed Project.

The Proposed Project shall demonstrate conformance with the Stuart Street Planning Study Development Review Guidelines regarding the Copley Square Park (please see below).

> *"Each proposed project shall be arranged and designed in a way to assure that it does not cast shadows for more than two hours from 8:00 a.m. through 2:30 p.m., on any day from March 21 through October 21, in a calendar year, on any portion of Copley Square Park (bounded by Boylston Street, Clarendon Street, St James Ave. and Dartmouth St, excluding land occupied by Trinity Church.)"*

Daylight

(Please refer to Urban Design's comments)

Solar Glare

The Proponent has stated that the Proposed Project's design is not anticipated to include reflective glass or other reflective materials, thus, the Proponent does not anticipate the creation of either an adverse solar glare impact or a solar heat buildup in nearby

buildings. However, should the design change and incorporate substantial glass-facades (reflective glass), a solar glare analysis shall be required.

The analysis shall measure potential reflective glare from the buildings onto potentially affected streets and public open spaces and sidewalk areas in order to determine the likelihood of visual impairment or discomfort due to reflective spot glare. Mitigation measures to eliminate any adverse reflective glare shall be identified.

Air Quality

The Proponent shall provide a description of the existing and projected future air quality in the Proposed Project vicinity and shall evaluate ambient levels to determine conformance with the National Ambient Air Quality Standards (NAAQS). Careful consideration shall be given to mitigation measures to ensure compliance with air quality standards.

A future air quality (carbon monoxide) analysis shall be required for any intersection (including garage entrance/exits) where the level of service (LOS) is expected to deteriorate to D and the Proposed Project causes a 10 percent increase in traffic or where the level of service is E or F and the Proposed Project contributes to a reduction in LOS.

The study shall analyze the existing conditions, future No-Build and future Build conditions. The methodology and parameters of the air quality analysis shall be approved in advance by the BRA and the Massachusetts Department of Environmental Protection (DEP). Mitigation measures to eliminate or avoid any violation of air quality standards shall be described.

There are currently two sets of National Ambient Air Quality Standards (NAAQS) for particle pollution: one for coarse particles (PM10) and the other for fine particles (PM2.5).

The health-based primary standard for PM10 is 150 micrograms per cubic meter (ug/m) averaged over a 24-hour period. The primary standards for PM2.5 are 15 ug/m averaged over an entire year and 35 ug/m averaged over a 24-hour period. The Proponent shall be required to demonstrate compliance.

A description of the Proposed Project's heating and mechanical systems including location of buildings/garage intake and exhaust vents and specifications, and an analysis of the impact on pedestrian level air quality and on any sensitive receptors from operation of the heating, mechanical and exhaust systems, including the building's emergency generator as well as the parking garage, shall be required. Measures to avoid any violation of air quality standards shall be described.

The Construction Management Plan (CMP) shall include mitigation measures to ensure the short-term air quality impacts from fugitive dust expected during the early phases of

construction from demolition of existing buildings and site preparation activities are minimal.

Noise

The Proponent shall be required to establish the existing noise levels at the Proposed Project site and vicinity based upon a noise-monitoring program and shall calculate future noise levels after the Proposed Project completion based on appropriate modeling and shall demonstrate compliance with the Design Noise Levels established by the U.S. Department of Housing and Urban Development for residential and other sensitive receptors and with all other applicable Federal, State and City of Boston noise criteria and regulations. The noise evaluation shall include the effect of noise generated by the area's traffic and other noise sources. Any required mitigation measures to minimize adverse noise impacts and to reduce interior noise levels of residential and other sensitive receptors to acceptable limits shall be described.

Analyses of the potential noise impacts from the Proposed Project's mechanical and exhaust systems and compliance with applicable regulations of the City of Boston shall be required. Descriptions of the Proposed Project's mechanical and exhaust systems and their location shall be included. Measures to minimize and eliminate adverse noise impacts on nearby sensitive receptors shall be described.

Groundwater

The Proponent has stated that the Proposed Project is located within the Groundwater Conservation Overlay District (GCOD) established under Article 32 of the Zoning Code. The Proponent has stated that the Proposed Project is located in an area where groundwater levels have traditionally been down below what is usual and below where wood pilings are regularly cut off, thus exposing the tops of the pilings to oxygen and potential rot, with groundwater elevations measured generally between EL 2.5 and 5.5 when measured against Boston City Base.

The Proponent has provided a comprehensive description of the Proposed Project's compliance with the GCOD, stating that the Proposed Project will not cause a reduction in area groundwater levels and will also include the installation of a recharge system.

The Proponent shall be required to consult with the Boston Groundwater Trust as well as the Boston Water and Sewer Commission.

Sustainable Design/Green Buildings

Any project subject to Article 37 shall contact the NSTAR Account Sales Executive in the pre- design stage and utilize the Comprehensive Design, Custom or Advanced Building Programs. The project will target at least a 25% combined electric and gas savings over the current Massachusetts Building Code. The Comprehensive Design Program is for commercial buildings over 100,000. The program is designed to

incorporate an integrated approach to building design that may offer higher custom incentives based on the interactive building model required for the program. The Advanced Building program targets commercial building between 10,000 and 100,000 sf based on a prescriptive set of requirements with no modeling required and an incentive of $1.50 a sf is offered for this program.

The purpose of Article 37 of the Boston Zoning Code is to ensure that major buildings projects are planned, designed, constructed and managed to minimize adverse environmental impacts; to conserve natural resources; to promote sustainable development; and to enhance the quality of life in Boston. Any proposed project subject to the provisions of Article 37 shall be LEED Certifiable (U.S. Green Buildings Council) under the most appropriate LEED rating system. Proponents are encouraged to integrate sustainable building practices at the pre-design phase. Proposed Projects which are subject to comply with Section 80B of the Boston Zoning Code, Large Project Review, shall be subject to the requirements of Article 37.

As per the Draft Stuart Street Planning Study Development Review Guidelines the Proponent was encouraged to "incorporate advanced sustainability methods and/or accreditation that achieve certifiable status at LEED Silver level or equivalent, whichever meet or exceed environmental standards in effect." The Proponent has responded accordingly and has indicated that the Proposed Project is striving to achieve 53 points (silver certification) under the LEED 2009 for New Construction and Major Renovations rating system.

The Proponent is encouraged to strive to attain additional points, such as those indicated as "maybes" (15), as points may be dropped during the design and construction phases. The Proponent shall be required to continue to work with the Proposed Project team and research additional sustainable and energy-efficient measures to be incorporated into the Proposed Project design and as the building design develops, strive to achieve a higher level of LEED certification.

The Proponent has stated that a minimum of a 20% improvement over a baseline building performance rating has been targeted for the Proposed Project. The Proponent is reminded that the Proposed Project must demonstrate compliance with the Massachusetts Stretch Energy Code. The Proponent shall demonstrate that the designed energy use in the Proposed Project is at least 20% below the use expected based on the energy modeling standards contained in ASHRAE 90.1 2007.14, which is the latest version of the national model code for commercial buildings. The Proponent shall be required to explore methods to achieve an even greater percentage better than the Massachusetts Stretch Energy Code.

The Proponent shall be required to revise and update the LEED checklist as the Proposed Project design advances. Prior to the Article 80B process completion the Proponent shall be required to submit a Final Article 37 Submission Package This package shall include the most current and accurate LEED Checklist, together with a comprehensive narrative, detailing how each of the points will be achieved. Please refer to the USGBC guidelines as to what is deemed necessary to demonstrate that the point has been achieved (or will be).

December 14, 2012

Geoffrey Lewis, Senior Project Manger
Boston Redevelopment Authority
Boston City Hall, 9th Floor
Boston, MA 02201

RE: 40 Trinity Place ("PNF")

Dear Mr. Lewis:

Thank you for the opportunity to comment on 40 Trinity Place - (PNF) dated on November 7, 2012. Trinity Stuart LLC is proposing the construction of a new 33 story, 379,370 square foot mixed-use building with approximately 142 residential and 220 hotel rooms with accessory conference center, and two restaurants. The project is located at the corner of Stuart Street and Trinity Place, abutting 100 Clarendon Street Garage to the south and 426 Stuart Street (University Club) to the east, in Back Bay. The building will allow parking for residential parking for 100 vehicles on levels 4 & 5 via vehicle elevators with access/egress via Trinity Place. The project will request valet for hotel and restaurant on both Stuart St. and Trinity Place. The rear of the building will serve as the loading area- with both service and loading occurring on site.

The Boston Transportation Department (BTD) is required to comment on the combined impacts of all the components of the project. The proponent needs to address these comments and concerns when preparing future submissions as part of the Article 80 process as well as the Transportation Access Plan Agreement. Please note that upon BTD's final review and approval, a Transportation Access Plan Agreement codifying the transportation agreements and mitigation reached with BTD needs to be executed.

Parking

The proponent is proposing 100 on-site parking spots resulting in a .70 ratio of spaces per unit. The proponent is within a quarter mile of approximately 4,700 public off-street parking spaces. Current trends indicate that electric hybrids will soon be a significant percentage of all vehicles on the road. BTD is aggressively promoting the installation of a supporting infrastructure for these vehicles. We request a commitment to dedicate 5 percent of the total parking capacity to low-emitting and fuel efficient vehicle spaces for electric vehicle parking in addition to car-share to meet climate actions goals set forth by the City. The site will also utilized valet parking

service to hotel and restaurant patrons at nearby facilities- looking at 4 spaces on Stuart Street and Trinity Place.

The area is thoroughly served by MBTA public transit lines including Heath Street Green line and 39 buses in the project radius is located one-half mile from the Brookline Village MBTA D-line stop as well as 4 other bus line stops. BTD would like to thank the proponent for accounting for bike parking accommodations (according to the City's Bike Parking Guidelines) of one in each unit as well as at spaces in front of the building. BTD requests a commitment to additional parking at the garage level for visitors and residents that can no accommodate the space at the apartment level.

Traffic

To help evaluate both existing and future conditions, the study proposes four intersections: St. James/Trinity Place; St. James/Clarendon Street; Stuart St/ Trinity Place and Stuart St/Clarendon St. BTD requests that two intersections be added to the study to include St. James/Dartmouth and Stuart/Dartmouth St. This is in response to neighborhood concerns regarding traffic at peak hours and on weekends close to the site. BTD will require the proponent to study these intersections and make recommendations to improve vehicular and pedestrian flow. The proponent will need to coordinate with the anticipated Copley Place project in efforts to coordinate traffic study areas.

Transportation Demand Management

BTD thanks the proponent for the described TDM measures listed in the PNF, including bike parking guideline ratios, car & bike share, transit information and a transportation coordinator position. BTD would suggest obtaining information on EV charging locations also at area garages.

Service and Loading

We commend the proponents for providing off-street facilities for loading, garbage collection activity ; and particularly the appointment of a transportation coordinator to manage area activities and recommend posting "no idling" signage in loading and parking areas to assist BTD's efforts of reducing emissions & traffic congestion caused by off-street truck maneuvering and loading.

Site Plan

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

- Vehicular Access and Circulation
- Parking Layout and Circulation
- Pedestrian Access and Circulation
- Bicycle Access and Circulation
- Area Shuttle/Van Pool Pickup and Drop-off
- Parking Spaces for Car Sharing services
- Service and Loading*
- Roadways and Sidewalks
- Building Layout
- Bicycle Parking Locations and Types (covered, indoor, bike share, etc)
- Transit Stops and Connections
- Electric Vehicle Charging Stations

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

Construction Management Plan
As the projects in the PNF advance, 40 Trinity Place proponents will be required to develop and submit a detailed Construction Management Plan (CMP) to BTD for review and approval. The CMP will address TDM measures for construction workers, proposed street occupancies, equipment stating, sidewalk relocations and hours of construction work. BTD acknowledges carpooling and transit subsidy commitments and will work with the proponent to execute the CMP.

The issues raised above should be addressed in the TAPA to be provided for the projects in the IMP. BTD looks forward to working collaboratively with the Trinity Stuart LLC and the community in review of these projects and to address any outstanding concerns in the permitting process.

Sincerely,

Rachel Szakmary
Transportation Planner
Boston Transportation Department
Policy and Planning Division

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

MEMORANDUM

TO: Geoff Lewis
FROM: David Carlson
DATE: January 13, 2013 and as amended
SUBJECT: **40 Trinity Place PNF**
Scoping Comments

The 40 Trinity Place Project is a proposal by Trinity Stuart LLC (Jordan Warshaw, the Saunders Hotel Group) to demolish the existing 8-story Boston Common Hotel and Conference Center building and to redevelop the site as a tower containing about 142 residential units, a hotel of some 220 keys, and a restaurant at 40 Trinity Place at the SE corner of Stuart Street (and including air rights over 426 Stuart, the University Club) in the commercial area of the Back Bay neighborhood. This Project also includes on-site parking for the residential component and the potential for expansion of the adjacent University Club. Access remains from Stuart, Trinity, and the access driveway around this site, serving the University Club, and the YWCA adjacent to the Hancock Garage; details of this require further investigation. Agreements with the abutters will likely be required. The property in fact overlaps somewhat the Hancock Garage. The architect is The Architectural Team of Chelsea, with hotel interior spaces designed by Stonehill & Taylor Architects, P.C. of New York City.

The Proposed Project increases the FAR on its site (including the University Club parcel) to about 17.5, with a height of about 400'. Background zoning has an FAR of 8 with no height limit; IPOD zoning allows an enhanced (with Article 80 LPR) FAR of 10 and a height of 155'; the Stuart Street Zoning Study recommended an FAR of up to 17.5 and height of up to 400' for a project meeting certain criteria.

Comments are offered below related to a few environmental categories as well as Urban Design; please take these as modest augmentations of comments offered by others.

URBAN DESIGN COMPONENT

The BCDC voted to review the Proposed Project on January 8, 2013 and saw a preliminary presentation. The Project was referred to Design Committee, which met on January 22 and further discussed concerns. When sufficient progress in preparation of a Preferred Alternative in the DPIR in response to the Scoping Document has been made pursuant to preliminary BCDC, IAG/public, and BRA staff comments, BCDC Design Committee meetings should be further scheduled by contacting David Carlson, Executive Director of the BCDC. Minutes from the 40 Trinity portion of the January BCDC meeting are attached.

It should be noted that a more advanced design should allow more in-depth comment at the DPIR stage. We reserve the right to comment at that stage toward the submission of an FPIR. In general, we will ask for studies related to all requested alternatives, with certain modifications, as well as comparisons to both existing conditions and an 'as-of-right' alternative. The 40 Trinity Place Project is at an interesting location in the Back Bay, and stands to make a significant difference on its block of Stuart Street. The proposed height places the Project in interesting company in the area; it should not try to compete directly but achieve its own form of expressed elegance. The following urban design objectives should be addressed in the DPIR submission.

1) Standard alternatives for study include no-build, and an 'as-of-right' build-out...in this case FAR 10, with a height of 155'. This alternative will conform to the density planned and anticipated in this area under current zoning, but not necessarily under the Stuart Street study. The Proponent has presumed a process allowing the flexibility in density and height pursuant to recommendations in the latter and so should conform to the preconditions contained therein.

2) In general, the project should strive to minimize any incremental increase in environmental impacts as compared with either the full 'as-of-right' build-out or existing conditions. The specific building volume and massing should be designed such that with respect to criteria such as daylight, shadows, and wind, some elements or points may be worse, but analysis will prove that the whole is better as a Project. We will expect in fact that mitigations or positive urban benefits will result from this Project and in balance far outweigh any negative impact. Specific shadow and wind investigations will be requested - a separate category in this memorandum - to determine what the impacts are specifically regarding Copley Square. Height, tower shaping and setbacks should be adjusted to minimize any impacts.

3) The highest building elements generally should be as diverse in height as possible, but orchestrated to be a natural completion to the idea of the building and not set in forced counterpoint. Where desirable to create an emphasis or entry, the higher facade elements could come straight down to the ground...but only if wind conditions (or effective mitigations of same) permit such. We ask that any infrastructure constraints in particular be studied to clarify any limitations for the Proposed Project.

4) The most active ground floor program elements (entries to residential, hotel, and restaurant/skylobby function uses) should be not only retained but enhanced as a positive element of the Project, with entries possibly on both public sides, but adequate space and program planning along the sidewalk to avoid confusion or conflict. A hierarchy of such uses should be considered. Transparency and views into the uses must be maximized on each frontage.

5) Multiple upper story uses as shown in the PNF are accordingly encouraged to enliven the streets with a diversity of activity throughout the day. Necessary service and access functions should not occur in areas where they will *directly* impact key points in the paths of residents and visitors.

6) Above-grade garage floors should be covered, where possible, with program uses on all sides. Treatment of any directly visible portions of the garage should be of a high architectural character with robustly convincing detail.

7) The Proposed Project is a layering of uses with at least one dramatically intended carving of the volume. Emphasize both aspects. And SIMPLIFY the chosen expression(s). Try to make the building appear slim in proportion. A strong, simple form may be best against the backdrop of the massive Hancock Garage structure.

8) Study the choice of materials carefully. The nature of the curtainwall should be studied carefully - and understood as part of the composition. If the building is less a curtainwall and more metal, then the metal should have a special character or articulation - and not be just a flat metal panel system, which would diminish the potential appeal of the building.

9) Street edges and new sidewalks created as a result of any version of the Proposed Project must conform to all applicable standards and be appropriately sized to bear pedestrian traffic peaks. Street trees or plantings should be included in site plans. Incorporate bicycle stations into the Project...both public and private.

Among others, the refined design included in the DPIR must satisfactorily address all the above parameters. An accurate sense of scale of the Proposed Project in its context must be achieved. Focus on key distanced views, as well as key intermediate/user viewpoints, to guide the design composition of the Proposed Project. Utilize techniques that capture the context at each scale. Reinforce pedestrian pathways; develop a plan which shows the building program and how it supports such activity within the pedestrian/public access network. Active programming that will engage the public should be maximized. Take note of the fundamental contextual strengths of the site, including its connections to Back Bay Station, the MBTA, and Copley Square - and the other nearby towers in the present and future skyline - incorporate that sense into the overall design approach, tempered/enhanced by the proposed uses.

The PNF Proposal includes parcels not currently under direct control of the redeveloper. Evidence of the team's ability to secure an arrangement for use of these parcels (and air rights) must be submitted.

We reserve the right to add additional concerns during the course of the process of

combined BRA staff, IAG, and BCDC review which may affect the responses detailed in the DPIR. The following urban design materials for the Proposed Project's schematic design must be submitted for the DPIR.

1. Written description of program elements and space allocation (in square feet) for each element, as well as Project totals.
2. Neighborhood plan, elevations and sections at an appropriate scale (1"=100' or larger as determined by the BRA) showing relationships of the proposed project to the neighborhood context:
    a. massing
    b. building height
    c. scaling elements
    d. open space
    e major topographic features
    f. pedestrian and vehicular circulation
    g. land use
3. Color, or black and white 8"x10" photographs of the site and neighborhood.
4. Sketches and diagrams to clarify design issues and massing options.
5. Eye-level perspective (reproducible line or other approved drawings) showing the proposal (including main entries and public areas) in the context of the surrounding area. Views should display a particular emphasis on important viewing areas such as key intersections, pathways, or public parks/attractions. Some suggested viewpoints include (also see Copley Expansion Project views): north and south along Dartmouth and Clarendon, from Copley Square, east and west along Stuart, from the Southeast Expressway, from Memorial Drive (skyline), from adjacent residential neighborhoods (South End, Bay Village), et al. Long-ranged (distanced) views of the proposed project must also be studied (some are suggested above) to assess the impact on the skyline or other view lines. At least one bird's-eye perspective should also be included. All perspectives should show (in separate comparative sketches) at least both the build and no-build conditions; any alternatives proposed should be compared as well. Planned context (projects approved) should also be included in build conditions. The BRA should approve the view locations before analysis is begun. View studies should be cognizant of light and shadow, massing and bulk.
6. Additional aerial or skyline views of the project, if and as requested.
7. Site sections at 1"=20' or larger (or other scale approved by the BRA) showing relationships to adjacent buildings and spaces.
8. Site plan(s) at an appropriate scale (1"=20' or larger, or as approved by the BRA) showing:
    a. general relationships of proposed and existing adjacent buildings and open spaces
    b. open spaces defined by buildings on adjacent parcels and across streets
    c. general location of pedestrian ways, driveways, parking, service areas, streets, and major landscape features
    d. pedestrian, handicapped, vehicular and service access and flow through the parcel and to adjacent areas
    e. survey information, such as existing elevations, benchmarks, and utilities
    f. phasing possibilities, if applicable
    g. construction limits

9. Massing model (ultimately in basswood) at 1":40'0" for use in the Authority's Downtown Model
10. Study model at 1" = 16' or 1" = 20' showing preliminary concept of setbacks, cornice lines, fenestration, facade composition, etc.
11. Drawings at an appropriate scale (e.g., 1":16'0", or as determined by BRA) describing architectural massing, facade design and proposed materials including:
    a. building and site improvement plans
    b. neighborhood elevations, sections, and/or plans showing the development in the context of the surrounding area
    c. sections showing organization of functions and spaces, and relationships to adjacent spaces and structures

d. preliminary building plans showing ground floor and typical upper floor(s).
e. phasing, if any, of the Proposed Project

12. A written and/or graphic description of the building materials and its texture, color, and general fenestration patterns is required for the proposed development.
13. Electronic files describing the site and Proposed Project at Representation Levels one and two ("Streetscape" and "Massing") as described in the document *Boston "Smart Model": CAD & 3D Model Standard Guidelines*.
14. Full responses, which may be in the formats listed above, to any urban design-related issues raised in preliminary reviews or specifically included in the BRA scoping determination, preliminary adequacy determination, or other document requesting additional information leading up to BRA Board action, inclusive of material required for Boston Civic Design Commission review.
15. Proposed schedule for submission of all design or development-related materials.
16. True-scale three-dimensional graphic representations of the area indicated above either as aerial perspective or isometric views showing all buildings, streets, parks, and natural features.

SHADOW AND WIND COMMENTS

In addition to the comments and scoping by others, the Proponent is directed to conduct a specific shadow analysis for the specific time range of any new impacts on Copley Square Park....in other words defining rough extent and duration in terms of hours and time of year. Give particular attention to the period from March 21 to October 21; the Proposed Project should conform to the criteria suggested in the Stuart Street Zoning Study. Include duration studies for any other impacted open spaces in the area, including the Southwest Corridor, and the park on Stanhope Street. If overall duration is greater than one hour, provide an overlap study which defines any area impacted by shadows for a period greater than one hour. All net new shadows shall be defined as outlined elsewhere either by darker tone or color and shall be clearly shown to their full plan extent, whether on street, park, or rooftop.

Regarding wind, *all wind tunnel test points shall be approved by BRA staff* before conduction of testing. Wind analysis may be requested at points within several blocks of the property in question; especially where contiguous to open space, analysis may extend to likely bounds of no impact. Analysis of results and effective mitigation shall be presented in the DPIR using diagram methodology so that the delta or changes manifested by the project relative to existing or as-of-right conditions...again, whichever provides the higher base impacts...are clearly understood.

DAYLIGHT COMPONENT

The BRADA program used for this analysis should look at views from Stuart and from Trinity Place. If a Proponent wishes to substitute a more contemporary computer program for the 1985 BRADA program, its equivalency must first be demonstrated to the satisfaction of BRA staff before it is utilized for inclusion in the DPIR, and it must be commonly available to Boston development team users.

INFRASTRUCTURE SYSTEMS COMPONENT

An infrastructure impact analysis must be performed.

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

Any system upgrading or connection requiring a significant public or utility investment, creating a significant

disruption in vehicular or pedestrian circulation, or affecting any public or neighborhood park or streetscape improvements, comprises an impact which must be mitigated. The DPIR must describe anticipated impacts in this regard, including specific mitigation measures, and must include nearby Proposed Project (i.e. the Copley Expansion tower, Columbus Center, Exeter Residences, 888 Boylston, et al.) build-out figures in the analysis. The standard scope for infrastructure analysis is given below:

1. Utility Systems and Water Quality

a. Estimated water consumption and sewage generation from the Proposed Project and the basis for each estimate. Include separate calculations for air conditioning system make-up water

b. Description of the capacity and adequacy of water and sewer systems and an evaluation of the impacts of the Proposed Project on those systems; sewer and storm drain systems should include a tributary flow analysis as part of this description

c. Identification of measures to conserve resources, including any provisions for recycling or 'green' strategies, including green roofs

d. Description of the Proposed Project's impacts on the water quality of Boston Harbor or other water bodies that could be affected by the Project, if applicable

e. Description of mitigation measures to reduce or eliminate impacts on water quality

f. Description of impact of on-site storm drainage on water quality

g. Information on how the Proposed Project will conform to requirements of the Ground Water Trust under Article 32, if applicable, by providing additional recharge opportunities

h. Detail methods of protection proposed for infrastructure conduits and other artifacts, including the MBTA tunnels and station structures, and BSWC sewer lines and water mains, during construction

i. Detail the energy source of the interior space heating; how obtained, and, if applicable, plans for reuse of condensate.

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

2. Energy Systems

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

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

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

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

Excerpted from the minutes of the BCDC of January 8, 2013:

WR remained recused for the next item. The next item was a presentation of the **40 Trinity Place Project**. Gary Saunders stood and introduced himself and his brother Jeff. He noted Jordan Warshaw (JW) was their partner and would begin as Gary Kane (GK) of The Architectural Team (TAT) finished setting up. JW began by noting the locus. JW: This is the Hancock Conference Center site; we are taking air rights over the University Club. The YWCA is the third building on the (sub-)block. The building was originally built sequentially; the higher portion (the Conference Center) was built later. Windows are small in the existing building (shows picture) and the first floor is 8 steps up. It's an ADA nightmare - for those who know it's here to begin with, against the wall of the Hancock Garage. One of the keys of this Project is to reanimate the site - so even the Boston Preservation Alliance has supported something new. (Shows section diagram of program. Points...) This is for the expansion of the University Club, although they are undecided on their program. Above that, parking. It's too expensive below grade, but also gives a better footprint above, in the cantilevered zone. Then hotel, then the sky lobby/amenities levels, including a restaurant and conference center. Condos are above. The plan (shows) is formed in part by shadow limitations, since the community is sensitive to Copley Square. The shadows are okay in summer and in winter; the shoulder season (and time, roughly 9-11am is at issue) is the concern. JW then showed the ground floor plan, and a typical hotel floor plan. LW asked about the cantilever toward the garage, and JW noted a property overlap. JW showed the sky lobby floor for the hotel, with a stair up to the conference center. JW: There is an outside terrace with views toward the South End. There are bathrooms with City views.

Michael Liu (ML) of TAT noted that they would show the PNF images, but that the design has evolved further with BRA staff, and Gary would show that. ML: The base is regular, doing 'urban design work.' The building footprint should be about 13,000 SF, but constraints at the base force it to 11,000. We bump it out to 12,000 with the core, trying to maximize it. We are trying to develop a form that distinguishes itself, but doesn't blur the reading of the Hancock. The curve does some work to reduce the shadow impacts, and the building is turned 'sideways' for the same reason, as well as visual interest. It takes its sculptural form from the curve. But it's also orienting internal views. That results in the faceting, which is the distinguishing characteristic. The YWCA and University Club both have punched windows; the Hancock is set back from the street. So there is a limited amount we can do for the street with our frontage. So there are lobbies, but light and activity in the restaurant, which is lively, and enlivening for the street. DS: Isn't the Simon tower blue glass? ML noted the graphics here are diagrammatic, showing curtainwall and metal-paneled areas. GK: The comment from BRA staff was to simplify. GK then went through a series of iterations, looking toward the (south)east from two altitudes. They had aligned edges, reduced fins, gone to two from three materials, and returned to a curve on both sides. GK then showed a quick fly-around 'just of the block, not of it in the City.' GK: We wanted to get the simplicity of the east and bring it to the west side.

DH: This is a really exciting project. The sky lobby could be great. The notion to simplify is good. I'm less concerned about the (SE) view down Stuart, versus other views (from the SE, from Copley). It looked bisected. The fly-around is good, but we really need to see a model in Committee. LE: Street-level views as well. It would help to understand the parameters. DC: The Hancock Building, and Dartmouth Street views. Trinity Place is like an alley, but think of it more as a connection. DH: Could that be cobbled? It would really transform it. JW: We have talked about that with Boston Properties, because it's also their garage entry. If they and the City are okay with it, we're in agreement. DS: Other projects should be shown in the model. It's confusing to have two roof forms going two directions, stronger to have one. KS: The faceting is a nice contrast to the angularity of the Hancock. Show views both day and night. We'll give lighting here more attention than we did at Nashua. On Stuart, think about how to make sense of that mishmash. On your ground plane, I don't quite understand how that works. MD: I'm not quite convinced by the ground floor yet, its faceting. Why not normalize it, and make the upper portion more interesting? You're losing what little space you have. Also - how it connects to the above program. You don't always have to hold the street edge, but I'm not sure why you're not.

JW: These are similar to the BRA comments; we have concentrated on floors 6-33. The top and the ground need work. DH: There are a lot of buildings that have *craft* in this area. I would be interested in discussing

the curtainwall - how it makes its breaks, walls, angles. Especially with the Hancock as a simple, elegant backdrop. KS: Think about the entry procession into a big (tall) space, like the Langham in Hong Kong, for a relationship to the sky lobby. JW: We're thinking about that for the restaurant, 'hanging' that so that the spaces interact. Like the Dana in Chicago. The massing here is generally done in accord with the Stuart Street Planning Study. With no other comments, the 40 Trinity Place Project was sent to Design Committee.

Note: 40 Trinity was also seen in Design Committee (DH, AL, KS) on January 22.

APPENDIX 2
COMMENTS IAG

APPENDIX 3
COMMENTS FROM THE PUBLIC

1. Ellis South End Neighborhood Association
2. YWCA
3. Marvin Wool
4. Boston Preservation Alliance
5. Downtown Schools for Boston
6. Tent City Corporation
7. Neighborhood Association of the Back Bay
8. Representatives Walz, Rushing, and Michlewitz
9. Susan Prindle
10. The Clarendon Condominium Trust Development Committee

January 4, 2013

Mr. Geoff Lewis
Boston Redevelopment Authority
One City Hall Plaza
Boston, MA 02201

The Ellis South End Neighborhood Association, Inc.
Post Office Box 961
Boston, Massachusetts 02117
www.ellisneighborhood.org

Re: 40 Trinity Place Project

Dear Mr. Lewis:

The Ellis South End Neighborhood Association is writing to convey our comments and concerns regarding the proposed 40 Trinity Place project (the Project) as outlined in the October 29, 2012, Project Notification Form and further described by the development team at public meetings held on December 12 and 18, 2012. The planning and design of the Project is now at a schematic level and much refinement will be made as the design and review process continues. The following comments briefly summarize our neighborhood's concerns to date, and we encourage our further involvement as the Project continues through next stages of review and permitting.

The Ellis South End Neighborhood Association does not object to new development in the Stuart Street corridor, and welcomes projects which invigorate this area abutting the northern edge of the South End neighborhood. We are encouraged that the Project is proposed by Trinity Stuart LLC, with principals who have a deep background as developers and property owners in Boston. We anticipate as good neighbors, they will work with neighborhood groups and adjacent property owners to incorporate our concerns into the next stage of design.

Comments:

Height and Density: the Project has been presented as conforming with the maximum height and FAR density limits as outlined in the 2010 Stuart Street Planning Study. Zoning relief will be required to permit the project. A total height no taller than the recently built Clarendon condominium tower on Stuart Street, including all rooftop mechanical space and penthouses, is strongly preferred. The proposed tower height of 400 feet is not yet acceptable, and will be decided after the further development of floor plate changes, exterior design and wind studies.

Traffic and Parking: the Project will increase traffic on Stuart Street and Dartmouth Street, the major cross street feeding into Stuart. These streets and nearby intersections are already over capacity at morning and evening rush hours, and we are concerned about the effect added vehicular traffic generated by the Project will create. A new signal light at the intersection of Stuart and Trinity Place, with pedestrian crossing signals, will be essential. The 100 private parking spaces proposed within the tower are accessed by two car lifts entered on Trinity Place. There is a strong likelihood that resident's waiting to park will backup Trinity Place and back onto Stuart Street at peak hours, creating further constriction of traffic flow on Stuart Street. Detailed traffic studies have not yet been presented.

Wind and Shadow: We have deep concerns with wind problems, both at street level and at higher elevations this Project will create. High wind problems, created by taller buildings in the Stuart Street corridor, are real, unpleasant and dangerous. We will need to be convinced that

rights above the University Club. We encourage the development team to study adding the air rights above Trinity Place to the floor plate, creating the potential for a larger floor plate, and a building of less overall height. Dedicating some lower level floors for public use, specifically a new Boston elementary school, should be a priority. We support and encourage this direction.

Affordable Housing: affordable housing is noted in the developer's Project Notification Form, but doesn't state if residential units will be provided or a cash payment be made to an affordable housing fund. We support the location of affordable housing units linked to the Project, with a priority for multi-bedroom units for families, be located within the building and placed in equitable locations. Affordable housing is a key factor in maintaining the diversity of our urban neighborhoods. An affordable housing plan has not yet been presented.

Exterior Design: the architect's drawings presented so far have focused on the Project's exterior as seen from Copley Square and the Back Bay neighborhood to the North of the Project. We stress the importance of how the tower will look facing the South End residents to the South and West. This visual, and the Project's relationship with the highly reflective John Hancock tower, as an dual ensemble, is the single most important visual aspect concerning the South End neighborhood. We will expect the tower to be richly detailed, and not give the South End neighborhood a back side view. We encourage the development team to be bold in terms of design in order to enliven the skyline while being equally sensitive to the surrounding buildings - some of which are historic as others are more contemporary. Both the design of the street level portion, the choice of materials, and glass are of high concern. Detailed exteriors, all sides, materials and glass choices have not yet been presented.

Respectfully submitted:

Michael Hall

Michael Hall
President
The Ellis South End Neighborhood Association

Cc: Mayor Thomas M. Menino
BRA Director Peter Meade
Representative Aaron M. Michlewitz
Representative Marty Walz
Representative Byron Rushing
Councilor Bill Linehan

YWCA Boston
140 Clarendon Street, Suite 403
Boston, MA 02116
617-585-5400

January 4, 2013

By Hand

Mr. Peter Meade, Director
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201-1007

Re: **Proposed 40 Trinity Place Project**

Dear Mr. Meade:

This letter sets forth the comments of YWCA Boston ("YW Boston") on the Project Notification Form ("PNF") for the 40 Trinity Place project (the "Proposed Project") formally filed with the BRA as of October 29, 2012.

Based on our review of the Proposed Project and absence of any Proponent responsiveness to the concerns we have shared with them thus far in writing, in conversations, and at the BRA-sponsored community meeting, we have no choice but to strongly oppose the proposal in its current form based on its potential to severely impact the continued viability of YW Boston's operations and its ability to deliver essential services to Boston's most vulnerable communities.

As you know, YW Boston owns the building known as 140 Clarendon Street at the corner of Clarendon and Stuart Streets in the Back Bay neighborhood (the "YWCA Building"). The building is located just steps from the site of the Proposed Project and was recently renovated in 2005 with a combination of private and public financing sources, which include funds from the City's Department of Neighborhood Development and Neighborhood Housing Trust. The YWCA Building currently houses a range of uses, including budget hotel rooms at the "Hotel 140"; 79 affordable apartment units which are so restricted of record; 50 market rate apartment units, most the home of long-time residents; an annex of the Boston Public Schools' Snowden International High School; a 250 - seat theatre space in which the Lyric Stage of Boston is the resident theatre company; approximately 21,000 s.f. of office space (including the YW Boston's home offices); and ground floor retail space which the YW is currently in the process of re-tenanting.

The YWCA Building is YW Boston's only real estate asset and as you can see, it hosts a range of activities that contribute to Boston's vitality, including educational and cultural uses,

affordable housing, reasonably priced hotel rooms that are located in the heart of the City, and reasonably priced apartments. The continued viability of the building, as well as its economic health, is critical to YW Boston's ability to operate its programs in the areas of building social, racial and gender equity with a focus on the priority areas of public health, education and safety.

We also note that the YWCA Building is listed on the National Register of Historic Places and is a "significant" building as determined by the Boston Landmarks Commission.

As a result, the YW Boston is very focused on and concerned about the plans for the Proposed Project, because the Proposed Project will have substantial impacts on YW Boston and the activities in the YWCA Building, potentially of sufficient magnitude to threaten the operational viability of YW Boston itself. As you know, the PNF filed is a "skinny" PNF and thus, does not include the detailed analysis that would make it possible for us to evaluate the Proposed Project's potential impacts, especially on matters such as wind, shadow, daylight, air quality, groundwater, traffic, etc. In addition, the conceptual plans presented in the PNF do not allow evaluation of the Proposed Project's design (by way of example, such basic dimensions as the distance between the YWCA Building and the Proposed Project are not provided) or its operation (e.g., the ground floor plans depict the project site but not within a larger context such as the city block on which the Proposed Project will be situated), so it is impossible for us to understand in any detail, the proposed traffic area in the service and access area.

In addition, we do not think that the PNF makes possible any evaluation of the Proposed Project against the Proposed Stuart Street Development Review Guidelines informally issued by the BRA in December of 2010 to ascertain whether the project (i) meets the standards set forth in those guidelines for the extra height and FAR being requested, and (ii) will provide the extraordinary public benefits called for in connection with such extra density. We assume (but ask you to confirm) that through the open public and public agency review process afforded by Article 80B Large Project Review, the BRA would discuss with the community these standards and the Proposed Project's satisfaction thereof, and whether the BRA would be prepared to make these determinations prior to any positive recommendation for the zoning relief the Proposed Project will require from the City's Board of Appeal.

We want to note in particular that YW Boston, our neighbor the University Club, and the 40 Trinity Place property all adjoin a shared access area at the back of the three properties, and the three properties share legal rights in such area. This area is of particular concern to YW Boston since its loading operations occur in this area. YW Boston also has parking and other property rights there which we believe would preclude the Proposed Project from being developed or operated as currently proposed, until and unless such rights are legally addressed by the Proponent by written agreement. While YW Boston and the University Club participated in a Proponent-requested meeting to discuss this shared area, there has been no proposal made by the Proponent to address any adjustment of the easement rights of the respective parties or indeed, how the Proposed Project will function in this shared area.

A. Impacts of the Proposed Project

Based upon the PNF and the presentation made by the Proponent at the BRA-sponsored community meeting on December 18, 2012, the preliminary concerns of YW Boston are focused primarily on the physical, environmental, and operational impacts on the YWCA Building. As a result, YW Boston has no choice but to oppose the Proposed Project at this time on the basis of its as-yet unexamined potential impacts on the surrounding environment, the public realm, and the physical integrity of the YWCA Building itself.

YW Boston believes that the Proposed Project may cause permanent and irreparable harm to its surrounding environment and on YW Boston due to the following categories of impacts, all of which must be definitively addressed by the Proponent in the DPIR, in the form of detailed environmental studies of the Proposed Project and a variety of smaller scenarios that the Proponent should be required to study:

1. Shadow Impacts on the following sensitive areas:

    a. Copley Square park

    b. Frieda Garcia park

    c. Southwest Corridor Park

    d. The YWCA Building's historic facades

    e. Trinity Church's historic roofs, facades, and grounds

2. Wind Impacts on the public realm in the following pedestrian-intensive areas:

    a. Stuart Street

    b. Clarendon Street

    c. Dartmouth Street

    d. Trinity Place

    e. The plaza surrounding the John Hancock building on both Stuart and Clarendon Streets

    f. Copley Square

3. Wind Impacts on the adjacent YWCA Building itself, including:

   a. Cladding pressure impacts (both positive and negative, on windows, doors, ornamental terra cotta elements, and other exterior elements)

   b. Enhanced structural stresses associated with wind gusts/vortices caused by the Proposed Project

   c. Enhanced geotechnical stresses (both compressive and uplift forces) caused by wind gusts/vortices caused by the Proposed Project's tower element

   d. Negative and positive pressure impacts on essential ventilation air intakes and exhausts, laundry intakes and exhausts, stairwell pressurization equipment, and other air-handling equipment located on or near the YWCA Building's exterior envelope

4. Traffic & Transportation Impacts, including as follows:

   a. Stuart Street – The Proposed Project will have multiple entrances for the hotel, residential component and restaurant, as well as valet service on Trinity Place and presumably a drop-off area on Stuart Street to serve both the residences and the restaurant. This will occur on a very short stretch of Stuart Street, a major inbound traffic artery for the city's downtown core that is already heavily congested.

   b. Trinity Place – It is not clear from the PNF what services and access will be provided from Trinity Place other than garage access; the use of this public street needs to be clarified and binding commitments made by the Proponent with respect to long-term operational limitations of the use of Trinity Place, to avoid further impacts on traffic conditions on Stuart Street.

   c. The shared access area – It is not clear from the PNF how the Proposed Project will be serviced, but we understand that the Proponent is proposing to use the shared access area in which YW Boston has property rights (and which runs along the rear of the University Club and the Proposed Project site), as a loading area to a degree far in excess of its originally contemplated and current usage. This overburdening of the existing YWCA easement rights is unacceptable to YW Boston and an alternate means of providing loading and service to the Proposed Project should be identified and committed to in the DPIR, and memorialized in one or more legally binding documents. Alternatively, YW Boston's easements rights will need to be adjusted in a

mutually agreeable manner among the University Club, YW Boston, and the Proponent.

5. Air Quality Impacts, including as follows:

   a. Stuart Street/Trinity Place – The increased volume of vehicular traffic associated with the Proposed Project's garage, coupled with the conditions created by the introduction of a hotel porte-cochere, is likely to have a meaningful impact on the air quality along Stuart Street and Trinity Place. The Proponent must demonstrate that there will be no negative air quality impacts on the YWCA Building's ventilation air intakes.

6. Daylight Impacts.

   a. Stuart Street

   b. Trinity Place

   c. The plaza surrounding the John Hancock building on both Stuart and Clarendon Streets

   d. Copley Square

   e. Hotel rooms and dwelling units within the YWCA Building, whose revenues are essential to the continued viability of the YW Boston. The Proponent and its development team have toured the YWCA Building multiple times and are well acquainted with the residential areas of the building.

7. Solar Glare/Lighting Impacts.

   a. The YWCA Building's air conditioning systems were not designed to accommodate the types of solar loads that could result from direct solar glare from additional glass curtain wall facades; glare from the eastern elevation of the Proposed Project must be studied to evaluate these impacts, and appropriate mitigation measures proposed.

   b. The impacts of the Proposed Project's lighting (both decorative and operational), considering the number and immediate proximity of residential dwelling units and hotel rooms at the YWCA Building that face the Proposed Project.

   c. Impacts from garage lighting and vehicular lights within the garage must be

studied; ideally the garage should be enclosed in an opaque enclosure material on all sides such that vehicle headlights would not be visible from outside the garage levels.

8. Noise Impacts.

   a. Noise associated with the Proposed Project's mechanical equipment, including garage exhausts. The location and proposed enclosures for all roof top or other exterior mechanical equipment should be detailed in the DPIR, in plan and text.

   b. Garage entry/exit sirens

   c. Construction-related noise impacts

   d. Other noise impacts related to the construction and/or operation of the Proposed Project.

9. Geotechnical impacts.

   a. These include potential impacts (temporary and permanent) on the YWCA Building's foundations and adjacent public infrastructure facilities, as well as on historic structures in the vicinity of the site of the Proposed Project.

10. Construction Impacts. The Proponent should be required to demonstrate that the construction of the Proposed Project will not have any material impacts on the structure, building systems, or ongoing operation of the YWCA Building, including the hotel and residences. Any such impacts, if unmitigated, would threaten the viability of YW Boston as an organization. While YW Boston expects to enter into a private abutter's agreement with the Proponent prior to any BRA Board action on the Proposed Project (such agreement to include matters relating to construction-period impact modeling, monitoring, mitigation, as well as a variety of other areas of concern for YW Boston), the DPIR would be an appropriate forum in which to demonstrate how the Proponent will avoid construction-related impacts on our adjacent property and mitigate any impacts that do occur, including any financial costs to YW Boston associated with the Proposed Project's development. We also expect that various matters including pedestrian circulation and access to the YWCA Building, construction staging and equipment locations, noise, dust, vibration, and pest mitigation, and other related matters, would be detailed in a future Construction Management Plan for a more appropriately conceived project on the site.

11. Impacts to Existing Telecommunications Equipment. We are concerned about the Proposed Project's impacts on the YWCA's rooftop areas and the telecommunications equipment there that provides an essential revenue stream to the YW Boston. We are concerned

that the Proposed Project will cause interference with this equipment, both due to direct line-of-sight obstruction and also due to backscatter effects.

12. Impacts on the Value of the YWCA Building. We are concerned about the impacts of the Proposed Project on the value of the YWCA Building, which is YW Boston's single most significant physical asset. The value of this asset is derived in large part from the revenues generated by its programs, including its affordable housing, market-rate housing, hotel, and retail spaces. Any impacts to the revenue-generating potential of these spaces would have a direct and highly negative impact on the viability of the YW Boston as an organization and its mission-driven programs of eliminating racism and promoting gender equality in the City of Boston.

While YW Boston has not engaged engineers and technical experts to elaborate on these concerns at this time, it is our hope that the BRA and the various City of Boston agencies that comment on the PNF can elaborate on these general concerns in the Scoping Determination and require the Proponent to examine all of these impacts in detail so that we can be assured that the Proposed Project will not create significant and unacceptable impacts on our structure, operations, residents, and guests.

13. Loss of Business & Organizational Revenues. We are concerned that the construction of the Proposed Project in its current form, would lead to a significant interim and long-term loss of business from existing YW operations at the YWCA Building and resultant loss of revenue to YW Boston. Because YW Boston is a non-profit social-service organization, this loss of revenue would threaten the viability of the organization. We trust that the Proponent will seek ways to ensure that this loss of revenue to the organization, and its resultant direct impact on the neediest of Boston's citizens, would be appropriately mitigated.

B. Comments on Proposed Project Scoping Determination

Notwithstanding YW Boston's opposition to the Proposed Project at this time, we recognize that the Proponent has commenced with the BRA, a public process for the Proposed Project. Without prejudicing our assertion that the Proponent does not have sufficient rights in the Proposed Project site to actually construct the project as proposed, we include our specific comments related to the content of the BRA's Scoping Determination. We hope that the BRA will incorporate the following comments into their Scoping Determination, and will require the Proponent to prepare the studies requested as part of the YW Boston's comments.

Specifically, the YW Boston requests that the Proponent conduct the following studies on the Proposed Project and a variety of other development scenarios and include their results in the DPIR:

1. Detailed shadow analysis demonstrating shadow impacts in each month of the year, not just the customary cardinal months; such shadow analysis should focus on the areas enumerated above. Cumulative shadow impacts with other development projects currently under review, proposed, or under construction (including the Simon/Copley Place expansion project and the development potential of the Dartmouth Street garage site) should also be examined closely to ensure that sensitive areas are not overburdened with excess aggregate shadow. A masonry porosity and moisture dissipation study of the YWCA Building's western elevation will be an essential component of these shadow studies in order to evaluate impacts on the historic masonry and terra cotta materials that comprise the YWCA Building's envelope due to our and our tax credit investors' major concerns about the inability of the YWCA Building's historic masonry to dry sufficiently if cast in too much shadow, leading to deterioration and accelerated weathering.

2. Comprehensive Pedestrian Level Wind (PLW) analyses of the areas outlined above and comprehensive analyses of wind impacts on the YWCA Building should be conducted – both Cladding Pressure and Force-Balance tests must be conducted to demonstrate no adverse impact on the YWCA Building, its windows and other envelope components, its structure and foundations, and other sensitive receptors such as fresh air intakes, laundry exhausts, stairwell pressurization system, etc. We request that the Proponent conduct a large-scale and fully instrumented wind tunnel test of the YWCA Building to demonstrate that the Proposed Project, set in its appropriate context, will have no negative impact on any of the structural, envelope, or mechanical components of the YWCA Building.

3. Comprehensive traffic analysis should be conducted, especially with respect to the extraordinary incremental volume of traffic that the Proposed Project contemplates for Trinity Place and the rear service area that is the subject of YW Boston easement rights. The location of both a restaurant and a residential entrance on Stuart Street, a major vehicular artery leading into the downtown core from the I-90 eastbound off-ramp, is very problematic, and will cause significant additional traffic congestion on Stuart Street. We would like further detail about the nature of proposed valet operations at the Proposed Project and the nature and volume of service deliveries to the proposed hotel.

4. Comprehensive air quality analyses should be conducted along key pedestrian corridors and at sensitive receptor areas such as the YWCA Building's fresh air intakes, which serve the hotel, residential, office, and community spaces within the building. Negative impacts to the air quality at the YWCA Building's intake locations could be disastrous to the organization. Mechanical equipment, garage exhaust locations, vehicular traffic-

related air quality impacts, and service vehicle idling air quality impacts, as well as other aspects of the Proposed Project must be studied to evaluate possible air quality impacts on the public realm and the indoor air quality at the YWCA Building.

5. Comprehensive noise impact analyses should be conducted to evaluate the noise impacts associated with the Proposed Project's garage entrances and operations, porte-cochere, mechanical equipment, wind effects, and other sources of noise associated with the Proposed Project on the surrounding residential and hotel uses.

6. Comprehensive daylight analyses should be conducted to evaluate the loss of daylight and skylight in the vicinity of the Proposed Project; special care and level of detail should be mandated with respect to conducting such studies from major pedestrian areas, parks and public open spaces, and within the dwelling units and hotel rooms of the YWCA Building.

7. The Proponent should complete a thorough analysis of potential geotechnical impacts of the Proposed Project's construction to evaluate whether the Proposed Project will have any impact on the adjacent historic YWCA Building. The Proponent should be required to make firm commitments with respect to the type of foundation construction contemplated, and instrumentation and analysis programs and standards for surrounding properties and facilities to be adopted as part of the Proposed Project's construction. It should be noted that impacts on the University Club's structure directly affect the YWCA Building pursuant to the so-called Row Building section of the Massachusetts State Building Code; the Proponent must demonstrate that the removal of a portion of the in-line diaphragm wall on the front and rear elevations of the contiguous block of buildings between Trinity Place and Clarendon Street will not have any negative effect on the shear or lateral load-bearing capacity of the University Club building's walls, and in turn, the YWCA's co-planar wall sections on these elevations.

8. The Proponent should be required to conduct studies of alternate tower design, shape, massing, setbacks, and orientation to evaluate whether such alternatives could reduce the environmental and visual impacts of the Proposed Project on the YWCA Building and the surrounding public realm. A special focus should be placed on setbacks, both with respect to adjacency to the YWCA Building and in terms of sky plane setback along an already extraordinarily narrow view corridor. The issues of setback and tower orientation require significant study by the Proponent, and we ask the BRA to require the Proponent to look at a variety of different massing, setback, and tower orientation alternatives to determine how impacts could be minimized, even within the bounds of the existing regulatory framework. Scenarios should also be examined that evaluate tower shapes and footprints that fit entirely within the Proponent's owned property, since certain portions of the project as currently proposed encroach into property encumbered with YW Boston

easement rights, and others encroach into property owned by a third party whose definitive consent has not yet been given for its use.

9. The Proponent should be required to provide numerous rendered views of the entire Proposed Project from various points in the Back Bay and South End neighborhoods, and other surrounding areas that show the oblique (not the narrow) sides of the Proposed Project, and that show the pedestrian-level view of the Proposed Project's entire height. Views from the Southwest Corridor Park, Stuart Street sidewalks, and from within the YWCA Building should be provided so that the public and the Proposed Project's most impacted neighbor can have a holistic view of the proposed construction.

10. The Proponent should be required to identify in detail the building materials and garage enclosure system proposed for the Proposed Project's eastern façade, which faces the YWCA Building. All materials facing the YWCA Building should be equal in quality as other elevations, and the garage should be fully enclosed with building materials that are of equal quality and consistency to those on other portions of the building. As proposed, the Proposed Project would leave many or our affordable housing residents and hotel guests facing a parking garage, whose envelope design is currently undefined. This is an unacceptable proposal and we request that the BRA require the Proponent to explore alternative approaches to accommodating parking on-site that do not negatively impact our residents and guests.

11. The Proponent should specify exactly how far from the YWCA Building's western façade the Proposed Project would be constructed, and provide view studies from within various components of the YWCA Building (i.e. affordable and market-rate housing, as well as hotel rooms) showing the visual, light and air, and shadow impacts that the Proposed Project would have on the YW Boston's program spaces.

12. The Proponent should be required to conduct structural analysis of the existing YWCA Building roofs to ensure that incremental wind loading and snow loading resulting from the development of the Proposed Project will not approach or exceed allowable stresses in our building's structural members.

13. The Proponent should be required to commit to providing the affordable housing for the Proposed Project on-site. As the Back Bay's largest affordable housing community, the YWCA Building plays an important role in ensuring the economic diversity of the Back Bay neighborhood. Consistent with the Simon/Copley Place expansion project's commitment to house all of its affordable housing on site, the Proponent should be required to do the same.

In addition to these specific studies, we request that the BRA require the Proponent to conduct all applicable environmental and other studies, including the above-referenced studies,

for a series of alternative development projects. These analyses will help the BRA and other reviewing agencies to compare the Proposed Project as described in the PNF to alternative projects that reflect the Proponent's actual site ownership boundary and/or that may not have such significant impacts on the YW Boston's ongoing operations and programs:

- A project configuration that complies with existing zoning on the Proposed Project site;

- A project configuration that complies with the so-called "Base" provisions of the Proposed Stuart Street Development Review Guidelines;

- A "No-build" configuration.

- A configuration that adds value incrementally to the existing historic structure, rather than replaces the entire structure. The YW Boston, which recently invested nearly $50 million in a complete redevelopment of its own building, believes that this type of modest incremental approach could yield more public benefits than are currently proposed by the Proponent, while avoiding most of the environmental impacts that would be caused by the Proposed Project.

- A configuration that does not encroach into the YW Boston's easement area either at or above grade.

C. Zoning Clarifications

We also request that the Proponent clarify in the DPIR exactly what zoning envelope is being proposed for Article 80B review as part of the Proponent's current PNF, exactly how the Proposed Project is proposing to seek relief from the Boston Zoning Code, and whether the Proposed Project , as defined in the PNF, is intended to include any additional FAR or building envelope related to a hypothetical future vertical or horizontal expansion by the University Club of its existing building. We do not understand the reference to proposed expansion space of the University Club in the PNF, and have not been able to receive clarification as to the same from the Proponent's counsel. We would expect that any separate University Club proposed expansion would be reviewed under the Boston Zoning Code as a separate project. We would therefore object to any attempt by the Proponent to seek approvals or zoning relief for a hypothetical future expansion of the University Club building absent a full and complete public process and application for relief from the Board of Appeal related to and providing specific details about any such future expansion. We request that the BRA require the Proponent to provide specific confirmation of the project for which development review approval and zoning relief is being sought under the current public process.

D. Property Considerations

In addition to our concerns about the above-referenced physical and environmental impacts on the YWCA Building, we have previously noted the existing property rights benefitting YW Boston and affecting the site of the Proposed Project; those rights cannot be amended without YW Boston's express consent, and no such consent has been granted. Such rights are key to the developability of the Proposed Project. Hence, we request that the BRA follow past practice and include the following subsection in its Scoping Determination for the Proposed Project:

> "***PROPERTY CONSIDERATIONS***
>
> *Consistent with the BRA's approach to other projects currently proposed to occupy adjacent land owned by parties other than the Proponent, the Proponent must identify and delineate any and all property currently owned by others, that it proposes to occupy temporarily or permanently as part of the Proposed Project's development.*
>
> *The Proponent must also identify any and all private third party rights and/or interests in the Proposed Project site or other adjacent parcels that would be affected by the Proposed Project's development. These rights may include (but not be limited to): leases, easements, existing agreements, covenants, restrictions, and other encumbrances that may affect the Proponent's ability to construct the Proposed Project. The Proponent must specify exactly how these rights and/or interests will be maintained, modified, or extinguished in connection with the Proposed Project's development, and the Proponent must provide definitive evidence of authority to modify any third-party rights and/or interests in the Proposed Project site in the DPIR.*"

This section of the Scoping Determination would then help ensure that the review process for the Proposed Project is appropriately coordinated with resolutions to private property rights issues essential to the Proposed Project's ability to proceed.

E. Conclusion

As I stated at the December 18, 2012 community meeting , YW Boston is not opposed to development,. In fact, YW Boston embraces its urban context and our mission is focused on building the social fabric of our city, just as others focus on building its physical fabric. But, as a nonprofit organization whose focus is on achieving social justice in our community, we cannot afford to suffer the financial and physical impacts that the Proposed Project in its current form would have on our operations.

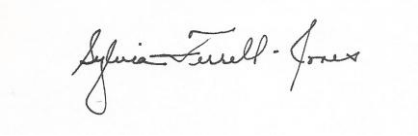
We look forward to a serious and thorough analysis and review of the Proposed Project's design and impacts, as well as a robust public discussion about the mitigation measures and community benefits to be legally committed to by the Proponent. We hope that the BRA incorporates this letter and the studies and analyses requested in this letter, into the Article 80B Scoping Determination and that the Proponent commits to preparing the analyses requested and thoughtfully and fully considering the impact issues set forth in this comment letter.

I cannot overemphasize that the future of YW Boston and the countless lives we touch with our social justice programming depends on our ability to continue our mission unaffected by the kinds of impacts that the Proposed Project would have on our organization and the YWCA Building.

In closing, based on our review of the PNF filing and absence of any Proponent response to our stated concerns to date, we must reiterate our opposition to the Proposed Project in its current form. We hope that the BRA will take our concerns seriously and help ensure the future success of one of Boston's oldest and largest community service organizations, which has dedicated its nearly 150-year life to eliminating racism, empowering women, and promoting peace, justice, freedom and dignity for all of Boston's citizens.

Thank you for your consideration.

Sincerely,



Sylvia Ferrell-Jones
President and Chief Executive Officer

cc: Mayor Thomas M. Menino
Mayor's Office of Neighborhood Services
Geoffrey Lewis, BRA
Lawrence Seamans, YW Boston
Jack Tynan, YW Boston
Rebecca A. Lee, Esq.

MARVIN S. WOOL, M.D.

780 Boylston St. – Suite 20-I ***Phone/FAX: 617-266-2275***
Boston, Massachusetts 02199 ***e-mail: mwool@massmed.org***

VIA: e-mail and FAX

Jan. 3, 2013

Dear Mr. Lewis and Mr. Meade,

As a resident of the Back Bay, I write to comment on the proposed 40 Trinity Place project.

The developers' failure to specifically commit to putting all required affordable housing on site is disappointing.

They acknowledge on page 2 of their Oct. 29th PNF that the inclusionary guidelines require that 17.5% of the market based units in the proposed building be devoted to affordable housing and that "consideration be given to the distribution of unit types and sizes." That 17.5% was recommended by the Stuart St. Planning Group with the declared intent to help remedy the severe dearth of affordable housing in the neighborhood.

Further, the 'typical floor' plan the developers have shown for each of the 16 residential floors in the Oct. 29th PNF was originally drawn in May and projected a total of 140-142 residences.

They have acknowledged that since that time they've realized that the basic floor plan was in error because it underestimated the core utility space required on each floor thereby significantly decreasing the net square footage available for residences.

Subsequently they have made two changes in their projections which will, in net, reduce the number of residences on each floor as well as increasing the average square footage of each residence, resulting in 110-120 total residences. That in turn would yield between 16 and 17 affordable units.

They should therefore promptly submit new ‘typical floor plans’ indicating the square footage of each unit as well as the unit’s designation (i.e. 3BR, 2BR, 1 BR, studio). Further, the mix of affordable units should precisely mirror the mix of the market priced units and the developers should indicate how they plan to place those 16-17 units among the 16 residential floors. To clarify: the neighborhood is one of families and therefore that should hold for residents in affordable units as well as those in market priced units.

Yours truly,

Marvin S. Wool

Cc: Representatives Byron Rushing and Marty Walz

BOSTON PRESERVATION ALLIANCE

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45 School Street
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617.367.2458
bostonpreservation.org

January 3, 2012

Mr. Geoffrey Lewis
Boston Redevelopment Authority
One City Hall Square, Floor 9
Boston, MA 02201

Re: 40 Trinity Place

Dear Mr. Lewis:

The Boston Preservation Alliance has reviewed the Project Notification Form prepared by Epsilon Associates and filed on behalf of Trinity Stuart LLC. This project includes demolition of an existing building and new construction at 40 Trinity Place in the Back Bay. The Alliance met with the project proponents' development team for a presentation on the plans in mid-December.

The Project site is located amidst a variety of historic resources at the southwest corner of the Park Square-Stuart Street historic area, which was determined eligible for listing in the National Register. The combined Boston Common Hotel and Conference Center/University Club Building itself is included in the Inventory of Historic and Archaeological Assets of the Commonwealth (MHC No. 2395). The Georgian Revival building, designed by the Boston architectural partnership of Archibald G. Monks & Granville Johnson, has a brick and limestone eight-story main block with a three-story wing fronting Stuart Street.

We recognize that demolition of this historic resource is being proposed by this project. While the Alliance desires historic buildings being given full consideration and review for adaptive use and preservation, the proponent appears to have given fair and reasonable consideration to utilizing the existing structure, and has demonstrated that such use is not viable due to structural limitations and restraints related to ADA access, among others. The Alliance supports the overall concept of bringing life to this block of Trinity Place with a mixed use project and is willing to sacrifice the historic building on this site in exchange for the project's many positive aspects, particularly because the proposed development

meets the BRA's Draft Proposed Development Review Guidelines for Stuart Street.

The proponent has promised to coordinate with MHC and BLC regarding the proposed demolition of the Stuart Street portion of the building, and we would like the BRA to formally stipulate such coordination in its Article 80 scope. In addition, we request that the structure to be demolished be fully photo-documented both prior to being razed and during demolition, the later to document construction methods. Such photos should be approved by BLC, Alliance, and MHC staff before they are submitted to the City Archives and MHC as a permanent record.

While we are willing to forgo opposition to the demolition for the overall benefits of the project, there are some concerns that we believe require further examination in the BRA Article 80 process, and request that the BRA include these items within its Article 80 scope. Items requiring further study by the proponent include:

Street Level Elevations and Views

While the birds-eye renderings presented by the developer are informative about the building itself, they provide limited information to aid our understanding of how the average person will experience the building from street level. We request that the proponent provide a full study of the proposed building from various areas of the neighborhood, and the city more broadly. We would like to see a wide variety of views from a pedestrian and/or automobile elevation. We are particular interested in views from several locations in Copley Square as well as views along Stuart Street itself. An understanding of the building's visual impact on approaches from the south is important as well.

The drawings presented to us included a "base" section for the new building that is aligned parallel to the street and designed in a vocabulary conceptually consistent with the adjacent University Club. We do not suggest that the base of the new building mimic the adjacent historic buildings as it must work with the new tower, however, we feel that this lower level must coordinate with the adjacent buildings on the block, with all façades working together in one complimentary palette. In this regard we believe that a study of options for façade materials is in order. Such an analysis should look at these materials within the context of the entire block. We are most concerned about the materials at the lower elevations, with

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the upper stories providing more opportunity for variation in material and orientation.

Impact on Neighboring Historic Resources

As you know, this site is nearby some of the city's most important architectural and historic resources, including Trinity Church, the Boston Public Library, the New Old South Church, and the new and old John Hancock Buildings as well as Copley Square itself. In addition, immediately adjacent are other historic buildings, perhaps of less significance as independent structures but as a whole contributing to the character-defining streetscape and pedestrian experience of the neighborhood. These latter buildings include the project building itself, the University Club, and The YWCA.

Although shadow studies are part of the normal requirements for a project of this size, we want to reiterate the importance of shadow analysis. New shadows introduced to historic buildings not only have negative aesthetic effects, but can adversely affect physical aspects of buildings – leading to accelerated deterioration of masonry, wood, and other historic components. Shadows are also known to change building dynamics, resulting in issues such as ice dams in places where they had never previously existed. We therefore insist on full shadow analysis for these impacts of the new building on the very important historic buildings in the area. We appreciate the developer's preemptory efforts in this regard, now presenting a building with some curved sides in an attempt to reduce shadow effects on Copley Plaza.

In addition we ask that the impact of the new construction in relation to its very close proximity to existing structures and the proposed cantilever over the University Club be fully studied for potential negative impacts on these contiguous buildings. Water sheeting from the cantilever to the building below, for example, could create significant problems for the University Club. The new building's proximity to the YMCA should also be fully evaluated.

Visual Impact on the Skyline

The proposed 33-story, 400-foot tall building will be conspicuous in the skyline, in particular as viewed when entering the city from the south and looking south from Copley Square. The upper floors of the building as proposed are quite "busy," particularly in contrast to the iconic sleekness of the adjacent Hancock Tower, and we feel it

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is important to have a full understanding of this contrast and the changes it will make to the well-known view of the Hancock Tower.

In order to fully evaluate the overall impact of the proposed project we request, in addition to a variety of views of an accurate computer-generated model, a physical model demonstrating the proposed building within its urban context.

We anticipate that through the MEPA process this project will undergo review through the Massachusetts Historical Commission. We look forward to participating in that process and to continued discussion with the project proponent as the project evolves. If an MOA is determined necessary by MHC we request to be co-signatories on this document.

Sincerely,

Greg Galer
Executive Director

Susan Park
President

Cc:
Maureen Cavanaugh, Epsilon Associates
Gary Saunders, Jeffrey Saunders, and Jordan Warshaw, Trinity Stuart LLC
Matthew Kiefer, Goulston & Storrs
Ellen Lipsey, Boston Landmarks Commission
Howard Kassler, Neighborhood Association of the Back Bay

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downtown schools for boston

January 4, 2013

Geoffrey Lewis
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201

Re: 40 Trinity Place Project Notification Form

Dear Mr. Lewis:

We are a group of several hundred Boston parents (and children), grandparents, and other local residents working to add public elementary schools in our city's downtown neighborhoods. We want to make it possible for more children to attend Boston Public Schools and help more families stay in downtown Boston. We are strong supporters of Boston Public Schools and the City of Boston. Indeed, many of us have children in BPS now, and many others hope to – or had hoped to.

We are writing in connection with the Project Notification Form filed for a building proposed for 40 Trinity Place. We ask the Boston Redevelopment Authority to include in the scope of review an alternative that includes a public elementary school. Finding a location for a new school in Boston's downtown neighborhoods will require creativity and flexibility, and we are prepared to work with the BRA, BPS, and others within city government to meet the needs of our families and the families of Boston's future. We are also enthusiastic about the opportunity to work with Trinity Stuart LLC as it moves forward with the review of its proposed building. We believe it is possible for the company to achieve its goals while at the same time we, and the City of Boston, achieve our shared goal of educating the city's children close to home.

If you have any questions or would like more information about Downtown Schools for Boston Inc., please do not hesitate to contact me at ania.camargo@gmail.com.

For Downtown Schools For Boston Inc.

Ania Camargo
Temple Street
Boston

Tent City Corporation
130 Dartmouth Street
Boston, MA 02116

January 4, 2013

Geoffrey Lewis
BRA Project Planner
One City Hall Square – 9th floor
Boston, MA 02201

RE: Proposed development at 40 Trinity Place, Boston, MA

Dear Mr. Lewis:

On behalf of residents of Tent City, the large mixed income development at 130 Dartmouth Street, just across from the proposed residences and hotel at 40 Trinity Place, I would like to submit the following comments to you today, ahead of the close of the public comment period this afternoon.

We understand that in the project Notification Form the developers have commented on the required amount of affordable housing to be included in their project. However, they have not been specific as to how they will meet that requirement.

We could support this project if the developers would present a specific plan which includes placing all of the required 17.5 % of affordable units on site in their proposed new building and that the sizes of the affordable units (3 Br, 2Br, 1Br) match those of the market rate units. This would help to preserve the character of our common neighborhood as one that is favorable to residential properties and families as well as commercial spaces. We believe that a successful city plan is one that accommodates both in a mixed use setting versus favoring one type of development in isolation and to the exclusion of the other.

Sincerely,

Susan Mills
Chair, Tent City Corporation Board of Directors

Neighborhood Association of the Back Bay

N A B B

January 3, 2013

Geoff Lewis
Boston Redevelopment Authority
One City Hall Square, 9th Floor
Boston, MA 02201
Fax: 617-742-7783
Email: geoffrey.lewis.bra@cityofboston.gov

Re: 40 Trinity Place/426 Stuart Street

Dear Mr. Lewis,

The Neighborhood Association of the Back Bay (NABB) is a volunteer organization whose mission is to halt deterioration of the neighborhood, maintain its architectural beauty, and further its historic residential character.

We are writing on behalf of NABB in connection with the 40 Trinity Place/426 Stuart Street Project Notification Form filed by Trinity Stuart LLC. The PNF presents a preliminary description of the proposed project. We support Trinity Stuart LLC' s approach to the Article 80 process and agree that a project of this importance requires and merits a two-stage review process, requiring both Draft Project Impact and Final Project Impact Reports (DPIR and FPIR).

Our comments are intended to respond to the request for recommendations for additional research and study that the development team will address in the next phase of the Article 80 process. We anticipate discussing other issues such as materials and fenestration in the next phase, when those items are presented by the development team in more detail.

Environmental Impacts
As density is increased, the importance of open space increases. Boston is and should remain a livable walking city. Copley Square has a place among the elite public squares in the world because of its unique charm and its historical significance. It is the City's prime gathering place for special events. Sunlight is key to the vitality that permeates this area. However, the excessive wind we all experience in the square makes it less than desirable at many times of this year. This is also true of the area near the John Hancock Tower, where the winds can be dangerous. In addition to their damage to the walking environment, the wind impacts upon existing buildings created by the proposed project may be an undesirable side effect.

At the BRA Scoping Session on November 20th, we emphasized the importance of thorough, high quality environmental impact studies for the preservation of sunlight, particularly in the public realm during winter months; comprehensive, reality based wind studies; comprehensive traffic studies of impacts on neighboring City streets, as well as the nearby Mass Pike on and off ramps; and preservation of groundwater.

Sunlight: We endorse the legislation proposed by Rep. Walz, which prohibits the casting of new shadows on Copley Square between the first hour after sunrise and the last hour before sunset, and urge the BRA to adopt that criterion.

The current BRA proposal would allow any new building to cast shadow on the square for two hours every day between March and October. Thus three or four projects, strategically placed, could eliminate the sun from the square entirely. There is no limitation on new shadow in the winter months, when sunlight is even more important. We feel strongly that following these criteria will negatively affect Copley Square, turning it into a darkened, windswept plaza for much of the year.

We request detailed sunlight studies that illustrate the path of travel of the proposed building (and alternatives) throughout the year. We request quantification of the areas of Copley Square and the Dartmouth Street Mall that are in shadow and the times they are in shadow. We also request a study that illustrates the movement of shadow on the faces of the key historic buildings facing Copley Square: the Boston Public Library and Courtyard, Old South, and Trinity Church. Spring and Fall studies should show hourly progression of the shadow on these areas.

Wind: It is commonly acknowledged that the John Hancock Tower is responsible for a majority of the excessive and uncomfortable wind impacts on pedestrians in Copley Square and surrounding areas throughout the year. We cannot allow this situation to worsen.

The Clarendon project (circa 2004) requirements included requests for post-construction monitoring of wind conditions. However, we have not seen the requested real-time data on current wind conditions. If this information is available, it would be of great use at this time. If it is not available, we again urge that monitoring equipment be installed and the data mined to improve the accuracy of predicted wind study information, which is currently based on physical and mathematical models. We request the study area to extend along Dartmouth and Clarendon Streets to the River and an equal distance to the south, east and west. We request that the Wind Study Reports be translated into units and language lay people can relate to and understand. Further, we request a program of post construction monitoring for this project.

It should be noted that the Landmarks Commission asked for a study of the wind effects on historic resources in the area near the Clarendon. This should

be included in the next submission.

Traffic: We request a comprehensive traffic study for the area, including vehicular and pedestrian movements and their interactions. (These are particularly important during peak hours, when automobile and transit commuting is heavy.) Impacts on access routes to the area should be included, particularly those that pass through residential areas such as Dartmouth, Clarendon, and Berkeley Streets. Special attention should be given to parking and circulation in and near the project during Farmer's Market Days. Peak hour impacts on the Green and Orange Line should be quantified, and their capacity to absorb these impacts assessed. We request a study of Trinity Place and potentially closing it off. As with all of the impact studies, we request a traffic study that analyzes the situation with and without the improvements anticipated if the Simons project is built and if it is not built.

The Green and Orange Lines appear to be close to or even over capacity at peak times now. We request current information about each line as well as the added projected impact related to the proposed project.

Historic Preservation: We request that the study include impacts on protected buildings, such as Trinity Church, the Library, and Old South Church, as well as "eligible" or rated I-III buildings, such as John Hancock Clarendon Building, the Carriage Houses on Stanhope Street, the Publishers Building, the Salvation Army Building and the New England Power Building.

Sustainability: Proposed development in the area should readily be able to attain LEED Silver, in part due to its proximity to public transportation. It also should respect the right to solar access of properties within the impact area. The precepts in the LEED certification program run in tandem with the objectives of the Mayor's Climate Action Plan. Consistent with the City's Climate Action objectives and its leadership as one of thirteen inaugural Solar America Cities under the Solar America Initiative of the U.S. Department of Energy, "As-of-Right" development should be required to achieve LEED Gold and "Enhanced" development should achieve LEED Platinum.

Groundwater: Data reported by The Boston Groundwater Trust indicate that there is a significant groundwater drawdown nearby, along Stuart Street. There has been a history in this area of large basements with aging construction, leaking foundation walls and high volume sump pumping, all of which can contribute to groundwater depression. Of particular concern, in that regard, is the existing building at this location, which is understood to have an extensive basement and a deeper partial sub-basement. Both of these basements are proposed to be incorporated into the development and have potential for groundwater breaches.

We request that the project team further identify and study the existing basements and all utility connections for potential groundwater issues and recommend possible waterproofing mitigation measures as part of the DPIR and FPIR.

Further, we request that the highly unusual methodology proposed for constructing supplemental new foundations be analyzed and explained because of the hazard it may introduce by penetration through the aquifer that currently preserves existing wood pile foundations.

Other provisions of the study should include the following:

- Identify wood pile-supported buildings nearby.
- Develop construction phase protocols, such as water level monitoring, stop work, notice to authorities & abutters and recharging in the event of lowered water levels.
- Detail specification of a permanent storm water recharge system from rooftop into the aquifer.
- A commitment to permanently manage groundwater protection measures by annual inspection and reporting to the City, following completion of the development.

Urban Design & Uses

Massing: The importance of limiting the height of buildings within proximity to the original Hancock building cannot be overlooked. The maximum height of the Clarendon project is below the shoulder of the Hancock building. The height limit is intended to reinforce and preserve the iconic skyline defined by the original Hancock building and should be no taller, including mechanicals, than the shoulder of that building, or 356 feet. NABB has consistently argued against the concept of the "High Spine", which would create a wall of high rise buildings walling off the South End from the Back Bay. Although it may seem attractive as viewed from surrounding expressways, it is extremely detrimental to the surrounding neighborhoods.

Enlivening the streetscape: The project site is located within a block that will benefit from new active uses to link the abutting neighborhoods--Ellis, Bay Village, and the Back Bay--by enlivening the streetscape and encouraging residential use and pedestrian activity in what is today a dead zone at night. Despite the proposed programming for the lower floor of the building, the link is broken by the street access from the Hancock Garage at Trinity Place.

Affordable Housing and Linkage: We strongly encourage the BRA and Trinity Stuart LLC to work creatively to forge a package for the project to provide all required Affordable Housing on-site, as well as expending any linkage funds for housing to develop uses particularly well-suited to this block in the Back Bay. NABB has consistently advocated that all the required affordable units be on-site and does so for this project as well.

Alternatives

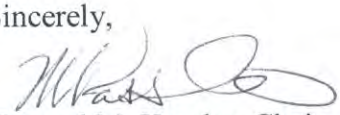
We appreciate the deliberate pace of the planning and design for this site, which affords the exploration of options for building uses, massing, and design. Options, for example:

- A project design similar to the Old Police Headquarters, designed within the limitations of existing zoning should be included.
- An alternative massing at 356' should be included in the DPIR.
- Affordable Housing Options should be explored, especially to provide housing for families in three bedroom units. We believe the Affordable Housing Policy has the flexibility to provide much needed family housing.
- The Downtown Neighborhoods are severely hampered by the lack of a K-8 school within walking distance. Incorporation of an urban school should be studied, perhaps by using the air rights over Trinity Place or the parking Garage.

Conclusion

The Back Bay is not valuable as a consequence of the towers around it, but the other way around. The most dense, walkable, livable, vibrant, mixed-use, urbane and valuable areas of Boston are the small-scale, tightly packed ones, the historic neighborhoods. In Back Bay, the vibrant urban density is here, in the low-scale historic district; this is from whence the character and life of the Back Bay spring. This is what draws people--visitors, residents, shoppers, tourists, and businesses--from all over the world to Boston, not the towers around it. Putting it into the perpetual shadow of a "high spine" of towers will only maim that golden goose. Any high-rise development must be carefully designed to be respectful of its neighbors and its physical environment.

Sincerely,



Howard M. Kassler, Chair
Neighborhood Association of the Back Bay

Cc: Mayor Thomas M. Menino
BRA Director Peter Meade
Senator Will Brownsberger
Representatives Byron Rushing and Marty Walz

The Commonwealth of Massachusetts
House of Representatives
State House, Boston 02133-1054

January 3, 2013

Geoff Lewis
Boston Redevelopment Authority
One City Hall Square, 9th Floor
Boston, MA 02201

Re: 40 Trinity Place

Dear Mr. Lewis:

As State Representatives whose districts include the Back Bay and South End, we are writing with comments regarding the scope of review the Boston Redevelopment Authority should require Trinity Stuart LLC to undertake in connection with the building proposed for 40 Trinity Place.

Wind Impacts

At a recent meeting, the proponent's representative stated that the proponent's goal is to improve upon the existing wind conditions. We wholeheartedly support this goal and ask that scope of review require the proponent to evaluate wind mitigation measures that will improve the existing conditions, especially for pedestrians.

Given the extraordinary wind caused by the Hancock Tower, we ask that the wind analysis for this project use actual readings taken at each location to be studied. In this way, the on-the-ground reality is the baseline for all measurements. This area of the Back Bay is already uncomfortable for pedestrians, and local residents avoid it. We should forthrightly address the problem, and we can do so only with accurate data.

Shadow Impacts

Any building that limits the amount of sunshine on Copley Square is a serious concern. In addition to evaluating shadows cast by the proposed building, we ask that the scope of review require the proponent to evaluate alternative designs that (a) reduce the amount of new shadow that would be cast on Copley Square by the proposed building and (b) eliminate new shadow from being cast on the park between one hour after sunrise and one hour before sunset.

With the information gained from these alternative designs, we can make better informed judgments about the merits of the proposed building and the tradeoffs being sought by the proponent.

In addition, the shadow study should be required to show any new shadows cast on the courtyard of the Boston Public Library's McKim building and on the Commonwealth Avenue Mall.

Traffic Analysis

In addition to studying traffic and pedestrian counts for the four intersections proposed in the PNF, we ask that the proponent be required to analyze the traffic impacts on Dartmouth St.

between Newbury St. and Tremont St. and develop appropriate mitigation measures, if necessary.

We do not support a 0.7 parking ratio for the proposed residential units. We ask that the proponent be required to study traffic impacts using a more typical 0.5 parking ratio for residential units. This is a more appropriate ratio given the site's close proximity to public transportation and the ease of commuting by walking from the site to downtown or the nearby commercial areas.

Alternatives Analysis

We ask the BRA to require the proponent to evaluate an alternative proposal that includes an elementary school in the building. We note that the Massachusetts School Building Authority has a spreadsheet on its website that allows a person to calculate different amounts of square footage for a possible school based on a variety of assumptions. We would be pleased to work with the proponent on creating a set of assumptions that would be used to understand how a school could be included on site.

As the proponent considers what uses can be accommodated in the building, we propose that the developer evaluate a building that (1) includes use of the air rights over Trinity Place, (2) reduces the number of parking spaces so that the parking ratio for the residential units is 0.5 rather than 0.7 as proposed, and (3) uses space on a roof added to the Hancock Garage adjacent to the site (this could be appropriate for a school's outdoor recreation space).

University Club Air Rights and FAR Calculation

We request that the BRA require the proponent to explain in detail the arrangement it has with the University Club with regard to (1) the use of the University Club's air rights and (2) what space within the proposed building will be used by the Club. In addition, we ask that the proponent be required to identify what air rights the University Club will convey to the proponent and what air rights the Club will retain for possible future development.

We further request that the BRA require the proponent to calculate the project's FAR using only that portion of the University Club's air rights that will be used for the new building. The proponent's FAR calculation uses all of the University Club's air rights, even though it appears that not all of those air rights will be conveyed to the proponent. By doing so, the FAR is smaller than it would be if it is calculated based on the actual air rights used.

Draft Stuart Street Development Review Guidelines

The most recent draft of these guidelines specifies that for portions of new development that extend above the base level street wall height, the average residential floor plate above 200 feet high is 12,000. The DPIR should show whether or not this requirement is satisfied.
The draft guidelines also state that the maximum length is 200 feet for the portion of new development that extends above the base level street wall height. The DPIR should also show whether or not this requirement is satisfied.

The DPIR should also identify whether the revised FAR calculation requested above is more or less than the maximum allowed FAR of 17.5.

Affordable Housing

The proponent has committed to classifying 17.5% of the units as affordable housing in accordance with the most recent draft of the Stuart Street Planning Study Guidelines. We applaud that commitment.

The Project Notification Form does not state whether the affordable units will be located on-site and, if the units are on site, where they will be located in the building and the size of the units. We believe the affordable housing units should be located on-site or in the Back Bay or South End to ensure these neighborhoods have more housing that is affordable to people of all economic means. If some or all of the affordable housing will be located on site, the proponent should identify the number of units that will be on site, their size (e.g., how many will be 3 bedroom apartments), and where they will be located within the building.

Architectural Design

We know the influential role BRA staff members play in matters of exterior design. We urge the BRA to work with the proponent and its architects to take advantage of this opportunity to create a building that is architecturally bold and creative. A location outside of an architectural district provides a rare opportunity to build a tower that adds distinctive architecture to our city's built environment.

The addition of active, pedestrian friendly uses on the lower floors of 40 Trinity Place is especially important as the location is one of the few spots in Back Bay's business section that cries out for activity. As a result, the renderings included in the DPIR should pay particular attention to the design of the lower floors.

We urge the BRA to require the DPIR to include detailed renderings of the building as seen from the South End and how it will be reflected in the Hancock Tower when viewed from the south.

Impact on YWCA

At the recent community meeting, the President and CEO of the YWCA identified in general terms the concerns of her organization. We ask that the scope of review acknowledge the expressed concerns of the YWCA and that the DPIR include a plan of relief and mitigation for these concerns.

The Proponent's History of Large-Scale Development

We ask the BRA to require the proponent to explain in the DPIR its history of developing a building of the size and cost proposed here.

Please do not hesitate to contact us if you have any questions.

Sincerely,

Martha M. Walz
8th Suffolk District

Byron Rushing
9th Suffolk District

Aaron M. Michlewitz
3rd Suffolk District

Susan D. Prindle
140 Marlborough St.
Boston, MA 02116

Geoff Lewis, Project Coordinator
Boston Redevelopment Authority
One City Hall Square, 9th Floor
Boston, MA 02201

December 27, 2012

Re: 40 Trinity Place/426 Stuart Street

Dear Mr. Lewis,

I continue to be concerned about the pressure to build ever higher along the High Spine. Creating the Berlin Wall between the Back Bay and the South End is not and never has been a good idea, to my way of thinking. Pursuing that approach will sacrifice the livability of the abutting neighborhoods, cast critical historic resources in shadow, and exacerbate already unacceptable and dangerous wind levels. Despite this developers' good intentions, I doubt that the current proposal will be a net benefit to our area. As it will surely be cited as a precedent for future projects, it is doubly concerning to those of us who live here.

I was as disappointed as anyone that the Stuart Street study, which was, I believe, undertaken in good faith by all parties, failed to address the critical environmental and preservation issues in the Back Bay. After limping along for two years, it eventually foundered on, among other issues, neighborhood opposition to the proposed 400' height limit adjacent to Copley Square.

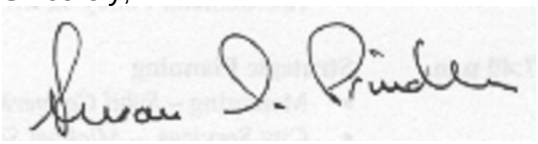
However, the residential groups which comprised the Stuart Street Study seemed willing to support a building that respected the height of the shoulder of the old John Hancock tower (356', including mechanicals). I would urge that this lower height be studied in the DPIR to see if it would create less wind and shadow impact on the immediate area and on our neighborhoods. Having such a comparison would be useful not only for this project, but for future proposals.

In addition, I would like to see an as of right alternative studied. This could prove the most appropriate and cost-effective alternative for this site.

I would also like to reiterate a plea for actual, on-site wind studies of this area. My understanding is that the current wind studies are based on readings at Logan Airport, rather than Clarendon Street. Given the importance of this issue to those of us who traverse this corridor, I would hope that the City would be willing to install anemometers at key locations (at minimum around the Hancock, at the entrance to Copley Place, at the YWCA and Trinity Church) to test the accuracy of their estimates.

Thank you for the opportunity to comment.

Sincerely,



Susan D. Prindle

The Clarendon
400 Stuart Street
Boston, MA 02116

February 28, 2013

Mr. Geoff Lewis
Boston Redevelopment Authority
One City Hall Square, 9th Floor
Boston, MA 02201

RE: 40 Trinity Place/426 Stuart Street

Dear Mr. Lewis:

Thank you for your responsiveness to our recent inquiries about the proposed development at 40 Trinity Place. Although we are supportive of a redevelopment of this property,we have serious concerns about the impact the proposed project would have on our neighborhood and our property as it has been presented.

A small new neighborhood was effectively created in 2009 with the opening of the residences at The Clarendon at 400 Stuart Street and One Back Bay at 135 Clarendon Street, now collectively housing approximately 600 residents. As new residents of this project, we are keenly interested in the ongoing evolution of our immediate neighborhood and are motivated to preserve the characteristics that attracted us to move here. However, as residents of this new neighborhood, we don't feel our concerns have been adequately addressed to date by those who have been involved in the early stages of the 40 Trinity Place permitting process. Thanks to your introduction, we were able to have our first meeting three weeks ago with the developers of the proposed Trinity project and are pleased to have initiated a dialogue.

We are still learning about this project and the permitting process but would like you to consider the following concerns as part of your scoping determination.

Overall Project Size and Scope

First and foremost, we ask that the BRA carefully evaluate the appropriateness of the very large degree of the zoning relief requested by developer. We believe the proposed mixed-use development as presented is far too large, far too tall, and too complex for the very small site it is proposed to be constructed upon.

We do not believe it would be proper to allow the developer use of the University Club's "air rights" in the determination of the acceptable Floor Area Ratio, particularly given that insufficient public benefits accrue from the resulting increase in allowable size and height. However, even with the square footage of the University Club property included, the proposed height and FAR of the project are grossly excessive. The height of the proposed building is 400 feet, or more than three times the maximum as-of-right height allowed in this B-8 zoning district. Even if the Board of Appeal were to grant an "enhanced" height of 155 feet, the proposed building would be more than two and one half times higher than the maximum enhanced height allowed in Subdistrict K of the Downtown IPOD. The proposed FAR is similarly excessive, with a proposed FAR of 17.5, or more than twice the maximum as-of-right FAR of 8.0, and greatly in excess of the maximum "enhanced" FAR of 10.0.

No exterior changes are proposed to the existing private University Club so the desired streetscape improvements and other such public benefits that would presumably be necessary to qualify for the requested zoning relief for this portion of the project are clearly lacking.

The proposed design does not provide sufficient streetscape improvements on Stuart Street. We request that the developer consider alternate configurations for the base of the building. The proposed design introduces an additional private entry on Stuart Street, adjacent to the existing private entry to the University Club, and eliminates a current active public retail space. In addition, the balance of the streetscape plan on Stuart Street eliminates another retail space and replaces it with a hotel entry. The only retail space being added is on the side street (Trinity Place) which will be less desirable to the restaurateurs targeted to occupy the space. In addition, the depths of the proposed sidewalks are much too narrow for the size of the project and its proposed uses.

The developer's Project Notification Form (PNF) cites a draft summary of the Stuart Street Planning Study Proposed Development Review Guidelines (the "Study"), as its primary justification for the significant zoning relief requested, despite the fact that the Study was never adopted or incorporated into the Boston zoning code in any way. We understand that significant differences remain among the organizations that participated in the Study, including differences that would preclude a project anywhere near the height proposed. Also, our property represents the largest group of homeowners living within the Study area and also those in closest proximity to the project yet we had absolutely no input into the Study. In addition, the Study did not contemplate the recently approved, 47 story, 600+ foot high tower at Copley Place located less than 400 feet from the proposed project on the border of the Study area. The impact of this major project that will become the 3rd tallest building in Back Bay was not considered in the Study. Accordingly, we ask the BRA to review the proposed 40 Trinity project on its own merits in accordance with the Article 80 process and reject any use of the draft recommendations included in Stuart Street Planning Study.

Traffic and Congestion

We have enormous concerns about increased traffic and congestion that would result from this massive project. The proposed usage of essentially the entire footprint of the site for the building leaves no private space available to deal with the parking and circulation challenges presented by the project. Given the large number of visitors, employees and residents that can be expected to go in and out daily, we do not believe the developer's plan to rely primarily upon valet service will be practically workable. The developer's PNF makes a remarkable claim that peak period vehicle trips will decrease with the proposed development. We ask that the BRA challenge the developer's Trip Generation study given that it would seem very unlikely that the development, which is four times the size of the current underutilized hotel and conference center, would generate less vehicular traffic, as claimed. Even the hotel and conference portion of the project, which will be twice the size of the current facility, is projected to generate fewer trips, which also seems highly suspect.

Trinity Place is effectively a one way street given that the only outlets heading South are a parking garage entrance, a Mass Turnpike entrance and the tight parking and loading area behind the building shared with abutting properties. The developer anticipates using Trinity Place to help deal with the traffic challenges but there is no ability to reverse direction without making a U

turn. In addition, the hotel entry on Stuart Street lacks any private off-street space to accommodate guests and visitors coming to the hotel by car. The three or four public parking spaces in front of the building are several magnitudes lower than would be necessary to address adequately the hotel, residential and restaurant valet parking needs in addition to drop off/pick – up and taxi service usage. We ask the BRA seriously consider whether the traffic, parking and circulation challenges can ever be adequately overcome on this small site. A further traffic and circulation challenge exists with respect to loading. No provision for daily loading is evident in the plan for the building's residents and the specified loading area for the entire 379,000 square foot building is located behind the property in a spot that would prohibit drive through circulation.

We ask that the BRA carefully study the project's ability, or inability, to deal with the expected additional traffic given the many site constraints. We also request that the developers add the intersection of Stuart Street and Dartmouth Street to the list of to-be-studied intersections for their traffic analysis. Virtually all vehicular traffic to the site will come on Stuart from the Dartmouth Street direction and this intersection is critical to circulation in and around the neighborhood, as well as for access to Back Bay from the Mass Turnpike. We ask that the study consider the traffic impact with and without the already approved Copley Place Expansion.

Specific to our building, we face daily challenges today dealing with gridlocked street traffic combined with steady pedestrian traffic in the AM period which often makes it difficult to exit our garage onto Stuart Street. We also frequently walk past the proposed project site in our daily excursions, along with a sidewalk full of commuters during peak periods, and regularly witness the gridlock on Stuart Street created by the growing level of pedestrian traffic crossing the street. We ask that the scoping determination also study the increased pedestrian and vehicular traffic that the project will generate that would likely exacerbate these existing and potentially dangerous problems.

<u>Shadows and Loss of Daylight</u>

The developer's PNF did little to address shadow and daylight impacts from the proposed project. The visual presentation in the PNF was focused on views from Copley Square, the Charles River and the Southwest Corridor with little attention paid to Stuart Street other than in the immediate block of the proposed development. Figure 2-6 in the developer's PNF presentation gives evidence of the significant adverse shadow and daylight impact on and around our residences as well as upon the prominent historic buildings and parks that surround us. Given that the proposed 400 foot tall tower is located less than 200 feet from our homes, we request that shadow and daylight studies be completed by the developer to specifically address the magnitude and timeframe of lost sunlight and new shadows throughout the year that will be imposed upon our building and the buildings and public areas surrounding it.

<u>Skyline Perspective</u>

A review of the publicly available documents for the approved Copley Expansion, the unadopted Stuart Street Planning Study and the proposed 40 Trinity Place PNF all failed to study the impact to the Back Bay skyline looking from the east and from our neighborhood. We request that the skyline perspective be considered looking West from the East.

Wind

The intersection of Stuart Street and Clarendon Street is among the windiest in all of Boston. The wind study completed to help secure approval of the Copley Place Expansion showed Unacceptable levels of wind gusts at this intersection, where we enter and exit our residences. Wind levels deemed "Dangerous" were found a block away. Clearly, wind is serious problem in the area around the proposed development and we request that wind speeds not be allowed to increase at all in this area as a result of the proposed new building. Given the less than precise science of predicting wind levels, we ask that actual baseline studies be performed to compare actual wind speeds at key points in and around our property to the projected wind speeds from wind tunnel modeling using the wind study data that was the basis for approval for the Copley Expansion. Such a study will help provide an understanding of the precision and reliability of the wind studies in a known problematic location that can't safely sustain any higher wind levels.

Construction

By any measure, constructing a 33 story, 400 foot tower is a complicated endeavor that would present a variety of challenges. Trying to build one with virtually no setbacks on a parcel of only 13,361 square feet would appear to be exceedingly daunting. Given the property's location, fronting on a very busy commuting artery which also serves as the front door to our homes, we question how such a tower can be built without subsuming an unacceptable amount of public roadway. For one, there doesn't appear to be any viable staging area for this large tower. It would seem that all staging, construction equipment, vehicles, deliveries, etc. would have to make use of the public roadways surrounding the building. This would create too great a burden for too long for area residents and businesses who have just endured many years of construction-related delays. Will the proposed plan close one or more lanes of Stuart Street for the duration of the project? Will a relocated pedestrian sidewalk take away more of Stuart Street, or will we need to cross the street for the three year duration of the project to walk past the development back and forth on Stuart Street? Accordingly, we ask that the developer present a very detailed and credible construction plan (and schedule) that addresses the myriad of challenges that this project presents. And given that the PNF made no reference to the nearby residences, including ours, we ask that the developer address how noise and other environmental concerns will be handled to minimize their effects upon our homes.

Developer Experience and Financial Commitment

The 40 Trinity Place project proposes incorporating a hotel, residential units, an upper level garage, restaurant space and the expansion of the adjacent University Club, with the upper levels cantilevering over the existing University Club. Even if it were to be built on a far larger site, it would still be a complex project that would demand an experienced and proven development team to execute. We ask that the agency review closely the developer's experience executing similar complicated high-rise mixed-use projects.

A large, complex project as proposed will require a very large financial commitment to it see it through its multi-year development cycle. Accordingly, we request that the developer be able to demonstrate its financial capacity for the project including sufficient contingency funding to account for the project's inherent complexity.

Design Issues

Studies on the BRA website detail desired tower design configurations, including appropriate setbacks above a tower's base as the building rises. The proposed tower lacks such setbacks and instead proposes an undesirable, walled-off effect on Stuart Street and as viewed from the East and West. Given the degree of zoning relief being requested, we believe the tower design should at the very least be in keeping with your tower design guidelines. We also find the aesthetic design as depicted in the renderings to not be in keeping with the proposed project's location directly across the street from the iconic John Hancock tower. We presume that many opinions will be weighed on this subjective perspective as the project advances in the permitting process and ask that our input be considered along with others'.

We believe the proposed project has many serious flaws that will be difficult if not impossible to address in acceptable manner. We ask that our opinions be heard and that we be included in the process going forward.

Thank you for your consideration of our requests. We look forward to continuing our dialogue with you and the developer on this important project. If you would like to connect with us, please feel free to call Rosemary Austin, property manager of The Clarendon at (617) 284-5111 or Tom Iannotti, the chairman of our committee at (617)-638-0054.

Sincerely,

The Clarendon Condominium Trust Development Committee

Thomas Iannotti, Committee Chairman
Elliot Katzman, Board Member, The Clarendon Condominium Trust
Lisa Pedicini, Board Member, The Clarendon Condominium Trust
William Beckeman, Committee Member

Cc:

Senator William N. Brownsberger
Councilor Bill Linehan
Peter Meade, Director Boston Redevelopment Authority
Hilani Morales Neighborhood Coordinator
Representative Byron Rushing
Howard P. Speicher
Jay Walsh, Director ONS Neighborhood Coordinators

APPENDIX 4
EXAMPLES OF PUBLIC NOTICE

SAMPLE

PUBLIC NOTICE

The Boston Redevelopment Authority (BRA), acting pursuant to Article 80 of the Boston Zoning Code, hereby gives notice that a Draft Project Impact Report (DPIR) for Large Project Review has been received from _____

_____

(Name of Applicant)

for _____

(Brief Description of Project)

proposed at _____.

(Location of Project)

The DPIR may be reviewed or obtained at the Office of the Secretary of the BRA Boston City Hall, Room 910, between 9:00 A.M. and 5:00 P.M., Monday through Friday, except legal holidays. Public comments on the DPIR, including the comments of public agencies, should be transmitted to Geoffrey Lewis, Senior Project Manager, Boston Redevelopment Authority, Boston City Hall, Boston, MA 02201, within sixty (60) days of this notice or by _____. Approvals are requested of the BRA pursuant to Article 80 for _____.

The BRA in the Preliminary Adequacy Determination regarding the DPIR may waive further review requirements pursuant to Section 80B-5.4(c)(iv), if after reviewing public comments, the BRA finds that the _____ adequately describes the Proposed Project's impacts.

BOSTON REDEVELOPMENT AUTHORITY
Brian T. Golden, Executive Director / Secretary

APPENDIX 5
SUBMISSION REQUIREMENTS FOR DESIGN DEVELOPMENT AND CONTRACT DOCUMENTS SUBMISSIONS

Phase II Submission: Design Development

1. Written description of the Proposed Project.

2. Site sections.

3. Site plan showing:

    a. Relationship of the proposed building and open space and existing adjacent buildings, open spaces, streets, and buildings and open spaces across streets.

    b. Proposed site improvements and amenities including paving, landscaping, and street furniture.

    c. Building and site dimensions, including setbacks and other dimensions subject to zoning requirements.

4. Dimensional drawings at an appropriate scale (e.g., 1" = 8') developed from approved schematic design drawings which reflect the impact of proposed structural and mechanical systems on the appearance of exterior facades, interior public spaces, and roofscape including:

    a. Building plans

    b. Preliminary structural drawings

    c. Preliminary mechanical drawings

    d. Sections

    e. Elevations showing the Proposed Project in the context of the surrounding area as required by the Authority to illustrate relationships or character, scale and materials.

5. Large-scale (e.g., 3/4" = 1'-10") typical exterior wall sections, elevations and details sufficient to describe specific architectural components and methods of their assembly.

6. Outline specifications of all materials for site improvements, exterior facades, roofscape, and interior public spaces.

7. Eye-level perspective drawings showing the Proposed Project in the context of the surrounding area.

8. Samples of all proposed exterior materials.

9. Complete photo documentation (35 mm color slides) of above components including major changes from initial submission to the Proposed Project approval.

Phase III Submission: Contract Documents

1. Final written description of the Proposed Project.

2. A site plan showing all site development and landscape details for lighting, paving, planting, street furniture, utilities, grading, drainage, access, service, and parking.

3. Complete architectural and engineering drawings and specifications.

4. Full-size assemblies (at the project site) of exterior materials and details of construction.

5. Eye-level perspective drawings or presentation model that accurately represents the Proposed Project, and a rendered site plan showing all adjacent existing and proposed structures, streets and site improvements.

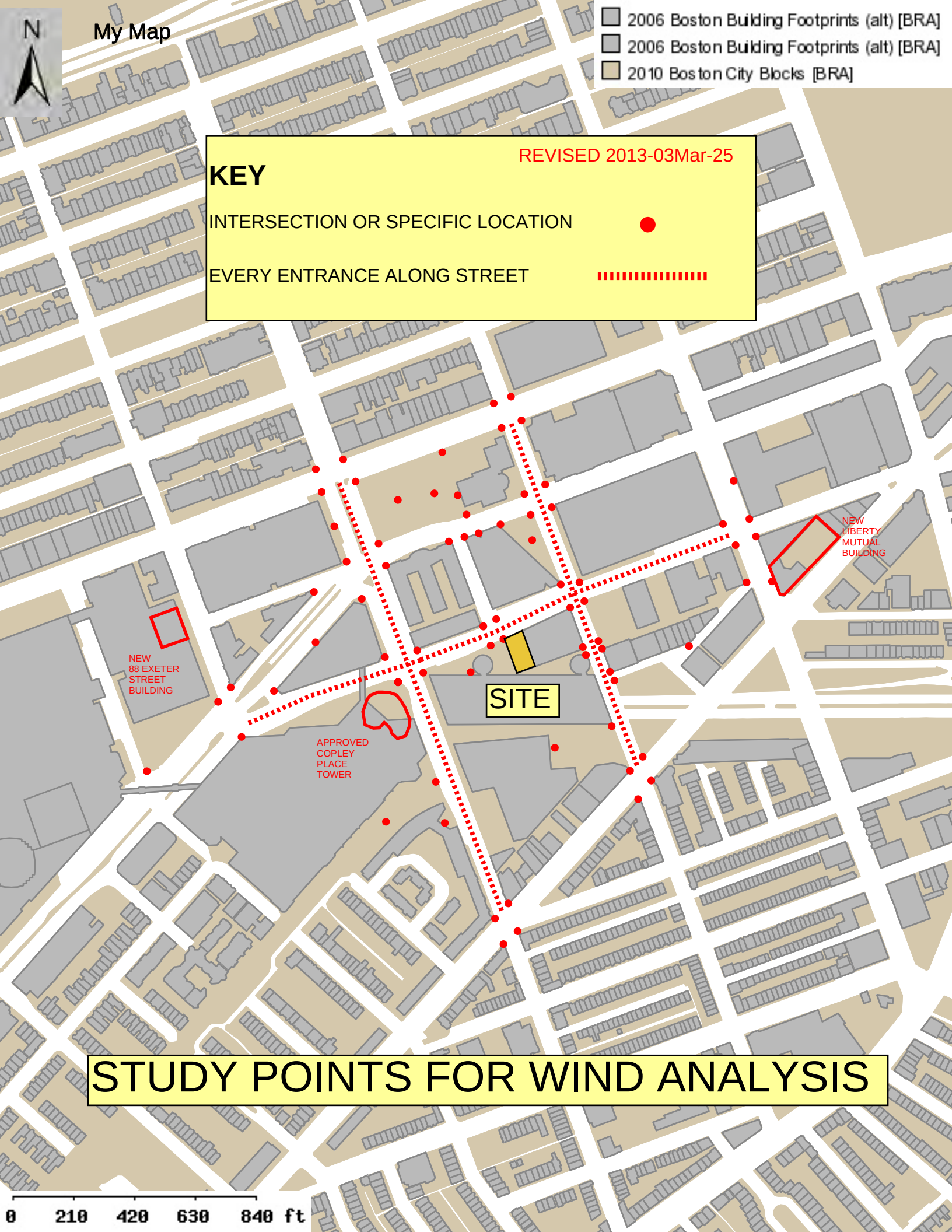
6. Site and building plan at 1" - 100' for Authority's use in updating its 1" = 100" photogrammetric map sheets.

Phase IV Submission: Construction Inspection

1. All contract addenda, proposed change orders, and other modifications and revisions of approved contract documents, which affect site improvements, exterior facades, roofscape, and interior public spaces shall be submitted to the BRA prior to taking effect.

2. Shop drawings of architectural components, which differ from or were not fully described in contract documents.

APPENDIX 6
SUBMISSION REQUIREMENTS FOR WIND STUDY


My Map
N
2006 Boston Building Footprints (alt) [BRA]
2006 Boston Building Footprints (alt) [BRA]
2010 Boston City Blocks [BRA]
REVISED 2013-03Mar-25
KEY
INTERSECTION OR SPECIFIC LOCATION
EVERY ENTRANCE ALONG STREET
NEW LIBERTY MUTUAL BUILDING
NEW 88 EXETER STREET BUILDING
SITE
APPROVED COPLEY PLACE TOWER
STUDY POINTS FOR WIND ANALYSIS
0
210
420
630
840 ft