

Audubon Park Residences
16 Miner Street
Boston, MA 02215
on behalf of the
Board of Trustees
and Owners

October 6, 2017

Mr. Tim Czerwienski
Boston Planning & Development Agency
One City Hall Square
Boston, MA
02201

Re: Notice of Project Change
Landmark Center

Dear Mr. Czerwienski:

I am one of two Board of Trustee Members at 16 Miner Street representing fifty-three (53) property owners. I write to offer our comments on behalf of both the Board and Owners regarding the Notice of Project Change by Fenway Enterprises LLC and Landmark Ventures LLC at Landmark Center.

Our comments generally pertain to three (3) aspects of the project.

1. Excessive Massing and Height of New Building

As newly proposed, the building is excessively massive and overshadowing given its new size and density. The new building is considerably larger than the previously approved building proposed for the coordinates of the site. Fenway Enterprises LLC and Landmark Ventures LLC is essentially taking the square feet of four buildings and putting them into one.

Additionally, one, must take into consideration the mechanical penthouse and the additional height. The height of the mechanical penthouse is between 32-36 feet (with 35 feet quoted at the September 27th public meeting) and this effectively translates into two

additional stories of building height given the office and lab use of the new building. At twelve stories (vs. the proposed fourteen) we can support the project.

The new building is massive and disproportionately large compared to what was previously proposed on the existing building site. This scale and size of this building is inconsistent with what we as neighbors can support. The building, as proposed, looms over the residences at 16 Miner Street.

2. Increase Morning Traffic Count

We realize that by reducing the height and massing of the building, without some other accommodation, the proposed office and lab space would also be reduced. This addresses a concern which pertains to the increased number of early morning traffic counts. Foot and automobile traffic existing on both Brookline Ave, Park Drive, Beacon Street, Miner Street and Fullerton Street face extremely dangerous conditions due to the increased traffic counts and ever growing population density.

As an automobile owner, I can attest to the excessive amount of traffic and congestion that currently manifests on Brookline Ave, Park Drive, Beacon Street, Miner Street and Fullerton Street. Excessive traffic congestion is experienced on Brookline Ave, Park Drive and Beacon Street in both the a.m. and p.m. hours and is accentuated (1) during rush hour, (2) before and after Red Sox games and more so, (3) during the combination of the two. I have personally borne witness to numerous automobile accidents on Brookline Avenue and Beacon Street in the vicinity of this project and am gravely concerned for the likelihood of many more accidents given the additive mix of traffic load and pedestrians resulting from the project size and scope.

3. Excessive Noise

The proposed structure locates loading docs, trash and garage entrances / exits in the direction of 16 Miner Street—and will this will create a virtual echo chamber of noise, as it does today. Excessive noise concerns include truck back-up sirens, commercial deliveries, trash compacting, trash pick up, recycling noise and automobile horns. Noise concern is not unfounded as this is an ongoing problem with the Landmark Center today. 16 Miner Street is a building of residential owners. I suggest that all loading docs, commercial deliveries, trash pickup locations, recycling, etc., be designed to attenuate noise and be located on a side away from the Miner Street residences.

Any project approvals should be carefully conditioned on appropriate restrictions on the timing of deliveries and pick ups. HVAC and mechanical placement should take into consideration neighboring residents, as well.

Design/Architectural Comments

While we welcome the investment in our neighborhood, additional planning and design coordination are warranted to ensure that the project does not overwhelm the residents who live here. We look forward to participating in the public review process for the project and hope that my comments and observations are carefully considered.

Very truly yours,

Michael Simons
on behalf of the
Board of Trustees
and Owners at
Audubon Park Residences
16 Miner Street
Boston, MA
02215

Boston Groundwater Trust

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

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Angie Liou

Executive Director

Christian Simonelli

September 29th, 2017

Tim Czerwienski, Project Manager
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201-1007

Subject: Landmark Center Notice of Project Change (NPC) Comments

Dear Mr. Czerwienski:

Thank you for the opportunity to comment on the Notice of Project Change (NPC) for the Landmark Center Project located in the Fenway. The Boston Groundwater Trust was established by the Boston City Council to monitor groundwater levels in sections of Boston where the integrity of building foundations is threatened by low groundwater levels and to make recommendations for solving the problem. Therefore my comments are limited to groundwater related issues.

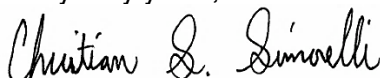
The project is located in the Groundwater Conservation Overlay District (GCOD) established under Article 32 of the Zoning Code. As stated in the NPC and confirmed at the scoping session, the site plan and GCOD approval will be updated for the proposed project.

As confirmed at the scoping session compliance with the GCOD requires both the installation of a recharge system and a demonstration that the project cannot cause a reduction in groundwater levels on site or on adjoining lots. Before the GCOD zoning approval can be put in place, the proponent must provide the BPDA and the Trust a letter stamped by a professional engineer registered in Massachusetts that details how it will accomplish what is stated in the NPC and meets the GCOD requirement for no reduction in groundwater levels on site or on adjoining lots.

As stated in the NPC and confirmed at the scoping session, the project will comply with the City's Complete Streets program. The Trust has groundwater observation wells located along Brookline Avenue and Park Drive which must be preserved during the sidewalk reconstruction. At the scoping session the proponent acknowledged and committed to working with the Trust to identify those observation wells to be preserved.

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

Very truly yours,



Christian Simonelli
Executive Director

CC: Kathleen Pederson BRA,
Maura Zlody, BED

**Boston Water and
Sewer Commission**



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

September 18, 2017

Mr. Tim Czerwienski
Project Manager
Economic Development
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201-1007

Re: Landmark Center Redevelopment
Notice of Project Change

Dear Mr. Czerwienski:

The Boston Water and Sewer Commission (Commission) has reviewed the Notice of Project Change (NPC) for the proposed Landmark Center Redevelopment Project in Boston. The Commission reviewed the Expanded Project Notification Form that was submitted to the BPDA and submitted comments to the BPDA on November 8, 2013. The Commission also reviewed the Expanded Environmental Notification Form that was submitted to MEPA and submitted comments to MEPA on May 9, 2014. This letter reflects those comments and provides the Commission's comments on the NPC.

The proposed project is located at the Landmark Center. In 2000, the old Sears Building was transformed into the Landmark Center which contains approximately 970,000 square feet of office, health club, daycare, retail and cinema space. The Landmark Center also has a five-level 380,000- square foot parking structure.

The prior proposed project would demolish the existing parking structure and replace it with a below grade parking structure with 1,500 striped parking spaces with additional capacity provided by managed valet operations. The prior project also proposed construction of four buildings with approximately 725,000 square feet of space for retail, office space and up to 600 residential units.

The currently proposed project, will be undertaken in a phased transformation of the Landmark Center and will include a destination food hall. The project includes one new office/lab building with approximately 506,000 square feet of office / laboratory space along the Fullerton Street side of the building. In total, the project will consists of 1,484,200 square feet of space with 308,000 square feet of retail space and 1,176,200 square feet of office / laboratory space. No residential space is proposed. In addition, the current plan no longer requires demolition of the garage. The existing above-grade parking structure will remain and has 1,500 parking spaces.



For water service, the site is served by a 12-inch low service main on Park Drive and Brookline Avenue and an 8-inch low service main on Fullerton Street. There is also a 48-inch main on Brookline Avenue.

For sewer and storm drainage service, the site is served by a 12-inch storm drain and an 18-inch sanitary sewer on Fullerton Street. There is a 24x31-inch and a 15-inch sanitary sewer on Brookline Avenue. There is also a 116x120 inch storm drain on Brookline Avenue.

The previous project estimated that the proposed project would have used approximately 241,867 gallons per day (gpd) of water and generate approximately 219,879 gpd of total wastewater from total project. The current propose project will use approximately 168,799 gpd of water and generate approximately 153,454 gpd of wastewater. As presented in the NPC, this represents a decrease of 66,425 gpd of wastewater from the prior project and an increase of 61,919 gpd over existing wastewater.

The Commission has the following comments regarding the proposed project:

General

1. Prior to demolition of any building, all water, sewer and storm drain connections to the buildings must be cut and capped at the main pipe in accordance with the Commission's requirements. The proponent must then complete a Termination Verification Approval Form for a Demolition Permit, available from the Commission and submit the completed form to the City of Boston's Inspectional Services Department before a demolition permit will be issued.
2. All new or relocated water mains, sewers and storm drains must be designed and constructed at Fenway Enterprises LLC's expense. They must be designed and constructed in conformance with the Commission's design standards, Water Distribution System and Sewer Use Regulations, and Requirements for Site Plans. To assure compliance with the Commission's requirements, the proponent must submit a site plan and a General Service Application to the Commission's Engineering Customer Service Department for review and approval when the design of the new water and wastewater systems and the proposed service connections to those systems are 50 percent complete. The site plan should include the locations of new, relocated and existing water mains, sewers and drains which serve the site, proposed service connections as well as water meter locations.



3. The Department of Environmental Protection, in cooperation with the Massachusetts Water Resources Authority and its member communities, are implementing a coordinated approach to flow control in the MWRA regional wastewater system, particularly the removal of extraneous clean water (e.g., infiltration/ inflow (I/I)) in the system. In this regard, DEP has been routinely requiring proponents proposing to add significant new wastewater flow to assist in the I/I reduction effort to ensure that the additional wastewater flows are offset by the removal of I/I. Currently, DEP is typically using a minimum 4:1 ratio for I/I removal to new wastewater flow added. The Commission supports the DEP/MWRA policy, and will require Fenway Enterprises LLC to develop a consistent inflow reduction plan. The 4:1 requirement should be addressed at least 90 days prior to activation of water service and will be based on the estimated sewage generation provided on the project site plan.
4. The design of the project should comply with the City of Boston's Complete Streets Initiative, which requires incorporation of "green infrastructure" into street designs. Green infrastructure includes greenscapes, such as trees, shrubs, grasses and other landscape plantings, as well as rain gardens and vegetative swales, infiltration basins, and paving materials and permeable surfaces. The proponent must develop a maintenance plan for the proposed green infrastructure. For more information on the Complete Streets Initiative see the City's website at <http://bostoncompletestreets.org/>
5. For any proposed masonry repair and cleaning Fenway Enterprises LLC will be required to obtain from the Boston Air Pollution Control Commission a permit for Abrasive Blasting or Chemical Cleaning. In accordance with this permit Fenway Enterprises LLC will be required to provide a detailed description as to how chemical mist and run-off will be contained and either treated before discharge to the sewer or drainage system or collected and disposed of lawfully off site. A copy of the description and any related site plans must be provided to the Commission's Engineering Customer Service Department for review before masonry repair and cleaning commences. Fenway Enterprises LLC is advised that the Commission may impose additional conditions and requirements before permitting the discharge of the treated wash water to enter the sewer or drainage system.
6. Fenway Enterprises LLC should be aware that the US Environmental Protection Agency issued a draft Remediation General Permit (RGP) for Groundwater Remediation, Contaminated Construction Dewatering, and Miscellaneous Surface Water Discharges. If groundwater contaminated with petroleum products, for example, is encountered, Fenway Enterprises LLC will be required to apply for a RGP to cover these discharges.
7. The project site is located within Boston's Groundwater Conservation Overlay District (GCOD). The district is intended to promote the restoration of groundwater and reduce the impact of surface runoff. As was stated in the EENF, the projects will be constructed



to include provisions for retaining stormwater and directing the stormwater to the groundwater table for recharge.

8. As stated in the EENF, Fenway Enterprises, LLC will conduct engineering analysis to determine that the water, sewer and storm drainage systems serving the project site are sufficient to meet project demands. The capacity analyses must be provided with the site plan for the proposed project and must be conducted assuming full build.

Water

1. Fenway Enterprises LLC must provide separate estimates of peak and continuous maximum water demand for residential, commercial, industrial, irrigation of landscaped areas, and air-conditioning make-up water for the project with the site plan. Estimates should be based on full-site build-out of the proposed project. Fenway Enterprises LLC should also provide the methodology used to estimate water demand for the proposed project.
2. In addition to the water conservation measures required by the Massachusetts Plumbing Code, Fenway Enterprises LLC plans to install low flow toilets, and flow-restricting faucets. The Commission suggests that public restrooms also be equipped with sensor-operated faucets and toilets.
3. Fenway Enterprises LLC must obtain a Hydrant Permit for use of any hydrant during the construction phase of this project. The water used from the hydrant must be metered. Fenway Enterprises LLC should contact the Commission's Operations Division for information on and to obtain a Hydrant Permit.
4. The Commission is utilizing a Fixed Radio Meter Reading System to obtain water meter readings. For new water meters, the Commission will provide a Meter Transmitter Unit (MTU) and connect the device to the meter. For information regarding the installation of MTUs, Fenway Enterprises LLC, should contact the Commission's Meter installation Department.

Sewage / Drainage

1. A Total Maximum Daily Load (TMDL) for Nutrients has been established for the Lower Charles River Watershed by the Massachusetts Department of Environmental Protection (MassDEP). In order to achieve the reductions in Phosphorus loading required by the TMDL, phosphorus concentrations in the lower Charles River from Boston must be reduced by 64%. To accomplish the necessary reductions in phosphorus, the Commission is requiring developers in the lower Charles River watershed to infiltrate stormwater discharging from impervious areas in compliance with MassDEP. Fenway



Enterprises LLC will be required to submit with the site plan a phosphorus reduction plan for the proposed development. Fenway Enterprises LLC must fully investigate methods for retaining stormwater on-site before the Commission will consider a request to discharge stormwater to the Commission's system. Under no circumstances will stormwater be allowed to discharge to a sanitary sewer.

In conjunction with the Site Plan and the General Service Application, the Fenway Enterprises LLC will be required to submit a Stormwater Pollution Prevention Plan. The plan must:

- Identifies best management practices for controlling erosion and for preventing the discharge of sediment and contaminated groundwater or stormwater runoff to the Commission's drainage system when the construction is underway.
 - Includes a site map which shows, at a minimum, existing drainage patterns and areas used for storage or treatment of contaminated soils, groundwater or stormwater, and the location of major control or treatment structures to be utilized during construction.
 - Provides a stormwater management plan in compliance with the DEP standards mentioned above. The plan should include a description of the measures to control pollutants after construction is completed.
2. Developers of projects involving disturbances of land of one acre or more will be required to obtain an NPDES General Permit for Construction from the Environmental Protection Agency and the Massachusetts Department of Environmental Protection. The proponent is responsible for determining if such a permit is required and for obtaining the permit. If such a permit is required, it is requested that a copy of the permit and any pollution prevention plan prepared pursuant to the permit be provided to the Commission's Engineering Services Department, prior to the commencement of construction. The pollution prevention plan submitted pursuant to a NPDES Permit may be submitted in place of the pollution prevention plan required by the Commission provided the Plan addresses the same components identified in item 1 above.
 3. The Commission encourages Fenway Enterprises LLC to explore additional opportunities for protecting stormwater quality on site by minimizing sanding and the use of deicing chemicals, pesticides, and fertilizers.
 4. The Commission requests that Fenway Enterprises LLC install permanent castings stating "Don't Dump: Drains to Charles" next to any catch basin created or modified as part of this project. Fenway enterprises LLC should contact the Commission's Operations Division for information regarding the purchase of the castings.



5. Fenway Enterprises LLC must install grease traps in any proposed commercial kitchen in accordance with the Commission's Sewer Use Regulations.
6. The enclosed floors of a parking garage must drain through oil separators into the sewer system in accordance with the Commission's Sewer Use Regulations. The Commission's Requirements for Site Plans, available by contacting the Engineering Services Department, include requirements for separators.
7. The Commission requires that existing stormwater and sanitary sewer service connections, which are to be re-used by the proposed project, be dye tested to confirm they are connected to the appropriate system.

Thank you for the opportunity to comment on this project.

Yours truly,

John P. Sullivan, P.E.
Chief Engineer

JPS/cj

A. Menzin, Landmark Center Venture LLC
D. Husid, Landmark Center Venture LLC
M. Junghans, Vanasse Hangen Brustlin, Inc.
Lauren DeVoe, Vanasse Hangen Brustlin, Inc.
K. Pedersen, BRA
M. Zlody, BED
P. Larocque, BWSC

October 3, 2017

Tim Czerwienski, AICP
Boston Planning and Development Agency
One City Hall Square | Boston, MA 022101

Dear Tim,

Thank you for inviting me to participate in the Impact Advisory Group for the Landmark Center Redevelopment. As long-time residents of 16 Miner St condominium, my neighbors and I are acutely aware of the issues with the area. I have solicited input from my fellow residents in crafting this message.

Below, we have summarized the main issues, along with recommendations, that we demand Samuels and Associates and the City of Boston address to satisfy the residential abutters before, during and after the development of this project.

The input is an aggregation of comments from others in the neighborhood, 16 Miner St condo-dwellers and my personal observations and opinions. Where possible, I have included exhibits.

In summary, without addressing the below concerns, we are not supportive of this project in its current form.

Sincerely,

Sandeep Karnik (On Behalf of Local Residents, including those of 16 Miner St.)

Summary of Issues and Recommendations

Issue 1: Noise from Loading Dock (See exhibits)

- Noise emanating from the loading is present at all times of day and night
- Noise is offensively loud (loud enough to wake residents from sleep) coming from transport trucks, garbage trucks, heavy machinery
- One resident had to install TWO double pain windows to shield from noise at personal expense of ~\$5-\$10K
- Numerous police complaints have been filed against the Landmark Center
- This activity is illegal relative to:
 - ***Massachusetts General Law (MGL), Chapter 90, Section 16A, 310 Code of Massachusetts Regulation (CMR), Section 7.11 and MGL, Chapter 111, Sections 142A – 142M***

Resolutions:

- Revert to earlier plan design approved by the City of Boston in which the entire loading dock was covered by platform or deck and where the loading

- dock was made indoors (See exhibit 1.4 and 1.5) to eliminate noise. In the earlier version, we were promised that the loading dock would be entirely indoors. This was the same strategy that was completed for 1325 Boylston and is currently under construction for the entry way between the Trilogy building and the Pearce (all of which are Samuels properties). It is upsetting that Samuels is only investing in this kind of care for the areas that benefit Samuels' exclusively, whilst neglecting the long time residence of the area.
- Relocate the loading dock to Brookline or Park Drive side of the building that is closest to the I-90 expressway where trucks are coming from.
 - a. Study truck traffic patterns coming off of I-90 to Landmark center.
Minimize the amount of time and distance trucks are transiting around the Landmark Center
 - Reduce number of loading docks and keep the active ones far away from the residential buildings as possible
 - Create a sound barrier / wall to prevent sound from coming (see photos 1.6 from trucks around perimeter of entire loading dock area
 - Introduce a green space with trees to break the sound
 - Install sound proof windows for all abutters to the loading dock
 - Enforce all idling and noise ordinances by the City of Boston (including installation of cameras all around the facility to ensure record for police)

Exhibit 1.1: Trucks loading / unloading at 5:16 AM



Exhibit 1.2 and 1.3: Trash collection after 12:30 AM



Exhibit 1.4 and 1.5: Landmark center loading dock completely covered in earlier design (view from Miner St., looking toward Brookline; image of developers' model)



Exhibit 1.6: Possible sound remediation – sound walls (including aesthetically pleasing walls with water features and beautiful design, below)



Issue 2: Noise from Parking Garage

- Noise can be heard at all times of night from the garage being cleaned by cleaning machines (see 2.1)
- In the winter time, heavy equipment is used to clear snow from the parking garage (see 2.2 and 2.3)
- Rubbish removal happens at all times of night (see 2.4)
- Use of Caterpillar and large construction dumpster at hours between 6 pm and 7 am is unlawful according to:
 - **16-26.5 Noise Levels at Residential Lot Lines.**
 - It shall be unlawful for any person except in emergencies by Public Utility Companies to operate any construction device(s), including but not limited to impact devices, on any construction site if the operation of such device(s) emits noise, measured at the lot line of a residential lot in excess of 50 dBa between the hours of 6:00 p.m. and 7:00 a.m.

Resolutions:

- Ensure that the garage is completely enclosed, with windows and sound deadened.
- Ensure/enforce that garage is cleaned and rubbish is removed ONLY DURING regular working hours of 9-5 pm
- Ensure that exhaust fans from parking garage do not produce noise
- Ensure that there are no entry / exit buzzers for cars

Exhibit 2.1 and Exhibit 2.2/2.3: Parking Garage Being Cleaned at 11:17 PM and Bobcats and Caterpillar clearing the garage and loading dock at 2 am



Issue 3: Rubbish removal

- Rubbish is being removed from Landmark Center at all times of day and night. Antiquated system of refuse of construction material removal leads to excessive idling and noise

- Loading dock is used for construction at early morning hours with rubbish being dumped into dumpsters (see exhibit 3.1 and 3.2)
- This activity is illegal relative to:
 - **Massachusetts General Law (MGL), Chapter 90, Section 16A, 310 Code of Massachusetts Regulation (CMR), Section 7.11 and MGL, Chapter 111, Sections 142A - 142M**
 - **MGL16-26.4 Regulation of Construction Hours.**
 - No erection, demolition, alteration, or repair of any building and excavation in regard thereto, except between the hours of 7:00 a.m. and 6:00 p.m., on weekdays or except in the interest of public safety or welfare, upon the issuance of and pursuant to an Off Hours Permit from the Commissioner, Inspectional Services Department, which may be renewed for one or more periods of not exceeding one week each

Resolutions:

- Landmark Center must observe use of loading dock between 7 am and 6 pm only (regular business hours)
- Update refuse collection system with noise suppression and move the refuse collection to other side of building (and at minimum to the side of the loading dock, furthest away from Miner St. residents)

Exhibit 3.1 and 3.2: Rubbish removal at 4:14 AM (dropping large objects into metal garbage bin creating very loud reverberating noise throughout the early AM and throughout the day). Second picture shows truck DROPPING dumpster and creating excessive noise and vibration without consideration to residents



Issue 4: Landscaping of Fullerton / Miner area

- The landscaping around all corners of the landmark center where Samuels properties (Trilogy and the Pierce) abut have been very nicely designed, however, the Miner St/ Fullerton St. (as depicted in above) area has been entirely ignored. (see 4.1)

Exhibit 4.1: Very unattractive corner of the landmark center



Resolution:

- Create a small green parks for children and residents to relax in the same manner all other corners of the Landmark property have been thoughtfully “activated” in both the new and old renderings of the project. See example below:



Issue 5: Noise from Construction

- Residents have endured construction from 9 Miner St (completed 2016), adjacent property on Beacon St (currently under construction – see exhibit 5.1), and Boston Children’s Hospital, which has been approved for ground break shortly
- There has been no reprieve from construction for my fellow residents and I for the duration that we have lived at 16 Miner St.

Exhibit 5.1: Current construction adjacent to 16 Miner St.



Resolution:

We demand that noise from construction is monitored by both the City and the developer and only allowed during the hours of 7 am to 6 pm per MGL:

- **MGL16-26.4 Regulation of Construction Hours.**
- No erection, demolition, alteration, or repair of any building and excavation in regard thereto, except between the hours of 7:00 a.m. and 6:00 p.m., on weekdays or except in the interest of public safety or welfare, upon the issuance of and pursuant to an Off Hours Permit from the Commissioner, Inspectional Services Department, which may be renewed for one or more periods of not exceeding one week each
- In addition, we want to ensure that the construction

Issue 6: Traffic and Accessibility

- The intersection of Fullerton St., Miner St and the proposed multi-use pathway requires careful attention as pedestrians, wheels chairs, bicycle, and heavy commercial vehicles (from the landmark center), all use the same roadway; the sidewalks are inadequate or avoided
- Currently there are heavy commercial vehicles and construction vehicles going into and out of the Landmark Center using the Miner St. / Fullerton St. road as shown below.
- ***Violation: American Disabilities Act***

Exhibit 6.1: Sample usage of Miner St by commercial, residential and foot traffic



Resolution:

- Restrict all commercial and construction vehicle traffic on Miner St and the Landmark Center through clearly labeled signs restricting traffic (ideally at all hours)
- Level the side walk and/or create a proper and dedicated ramp for people in wheel chairs to use, instead of having to share the road with the trucks (somebody will eventually get hurt)

Issue 7: Illegal Hawkers and Homeless Persons

- Due to the lack of attention given to this area by the City,
 - Illegal hawkers often sell Boston Red Sox gear
 - Homeless person use an electrical outlet that Samuels has kept at the Landmark center to operate appliances (including TVs, radios and microwaves)
 - In the very recent past, homeless persons have actually trespassed on 16 Miner St and slept in the hallways/garbage rooms
 - **Violation: MGL Part IV, Title 1: Chapter 266 Section 120**

Resolution:

- Post signs prohibiting loitering
- Remove electrical outlet on Samuels property
- Light the path with bright lights
- Put up appropriate and attractive signage

Exhibit 7.1 and 7.2: Illegal hawker selling baseball caps and homeless person in lawn chair using electricity from Landmark Center



Issue 8: Ride-share Pick Up / Pick-up by Residences

- The Samuels properties including 1325 and the Landmark Center are creating immense congestion and dangerous driving conditions along Brookline St and Fullerton St. due to ride-share drivers stopping in front of the building and the intersection (Kilmarnock and Boylston) for extended periods of time. We need to solve for this.
- Ride-share volume is expected to increase, therefore this must be accommodated by Samuels and the City of Boston

Resolution:

- Create dedicated inset parking (where the cars can pull off into a dedicated spot that does not block the intersection) along Brookline and/or Fullerton St for passenger pick up that moves

Issue 9: Bike Paths

- Brookline and Fullerton do not accommodate bikes

Resolution:

- Create dedicated Bike paths, as is happening all around the city

Please call me with any questions you may have.

Sincerely,
Sandeep Karnik



Tim Czerwienski <tim.czerwienski@boston.gov>

Re: Landmark Center IAG meeting/BCDC meeting

Fri, Oct 6, 2017 at 2:44 PM

Reply-to: [REDACTED]
To: Tim Czerwienski <tim.czerwienski@boston.gov>
Cc: [REDACTED]

Tim.

As mentioned at the IAG meeting, I would like to see committed funds for the Emerald Necklace Conservancy designated for maintenance of the Muddy River Restoration Project across from the Landmark Center. The Conservancy is a great organization, but has many projects. Designating the funds would benefit the neighborhood, the Landmark Center Project, and the Conservancy.

Sincerely,

Ruth E. Khowais

IAG committee member

-----Original Message-----

From: Tim Czerwienski

Sent: Oct 2, 2017 11:29 AM

To: undisclosed-recipients;

Subject: Landmark Center IAG meeting/BCDC meeting

Good morning,

This is a reminder that the Impact Advisory Group for the Landmark Center project will be meeting tonight at 6PM at [136 Brookline Avenue](#), second floor conference room. In addition to evaluating the new office/lab building for its impacts relative to the previously approved project. I would ask that you review sections C, D, and E of the Executive Summary in the NPC document. These sections outline benefits, impacts, and mitigation that were identified and agreed to in the previous approval of the project.

Also, this project will be appearing before the Boston Civic Design Commission at its monthly meeting tomorrow. You can view the agenda here: <http://www.bostonplans.org/news-calendar/calendar/2017/09/26/boston-civic-design-commission-meeting>

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**boston planning &
development agency****Tim Czerwienski, AICP***Project Manager*

617.918.5303

Boston Planning & Development Agency (BPDA)

One City Hall Square | Boston, MA 02201

bostonplans.org



October 4, 2017

Member Institutions

- Beth Israel Deaconess Medical Center
- Boston Children’s Hospital
- Brigham and Women’s Hospital
- Dana-Farber Cancer Institute
- Emmanuel College
- Harvard University
Harvard Medical School
Harvard School of Dental Medicine
Harvard T.H. Chan School of Public Health
- Isabella Stewart Gardner Museum
- Joslin Diabetes Center
- Judge Baker Children’s Center
- Massachusetts College of Art and Design
- Massachusetts College of Pharmacy and Health Sciences University
- Massachusetts Department of Mental Health
- Simmons College
- Temple Israel
- Wentworth Institute of Technology
- Wheelock College
- The Winsor School

Associate Members

- Massachusetts Eye and Ear Infirmary
- Merck Research Laboratories

Mr. Tim Czerwienski, AICP
 Project Manager
 Boston Planning & Development Agency (BPDA)
 One City Hall Square
 Boston, MA 02201

RE: Comment Letter on Notice of Project Change for Landmark Center

Dear Mr. Czerwienski:

We are pleased to support the Landmark Center’s proposal contained in their Notice of Project Change dated 8-30-2017. The NPC adds an office/research building. The overall site proposal’s scale and components have been reduced with the removal of residential towers, a supermarket and a garage replacement. Many positive improvements continue to be proposed in relation to the new project that will positively impact the public realm including improved sidewalk conditions on Brookline Ave., improved path legibility and safety for pedestrians through the site as they access the Fenway MBTA stop, and creation of a new 1.3 acre park adjacent to the Emerald Necklace.

We request that the developer, working with the City of Boston Planning and Development Agency and the Boston Transportation Department, consider additional evaluations or improvements in the vicinity of their development as follows:

- 1) Evaluation of signal timing to enhance pedestrian safety at the rotary, particularly at Brookline and Boylston Avenue intersections with Park Drive. These are very difficult locations for the many pedestrians who walk between the Longwood Medical and Academic Area and MASCO members’ near-site facilities, retail, transportation assets at Yawkey Station, and the West Fenway community. Because the multimodal impacts of any proposed timing changes will be felt in both the Fenway and LMA, we request that there be coordination with MASCO prior to completion and implementation of study recommendations.

- 2) Consider audible pedestrian signals as a mitigation, particularly in the path of travel to and from the LMA's nearby colleges through the Sears Rotary crossings to the Landmark Center/Fenway Green Line station. We have a standing request to DCR to improve these signals for sight impaired students from LMA.
- 3) Study and install a crosswalk on the Park Drive bridge at the MBTA bus stop on the westbound side to the Emerald Necklace Park on the eastbound side. This is a busy but unprotected location for pedestrian and bicyclist crossings, and is an important but currently unsafe link to and from the park and the LMA.

As Samuel's progresses with construction planning we request that their team coordinate with MASCO's Construction Coordination process in advance of and during construction, so that impacts to the access to and from the Fenway and LMA can be anticipated and communicated.

We also encourage Samuels to join MASCO's CommuteWorks Program as a TMA member. Given that many of the Landmark Center's tenants are MASCO members we would be pleased to work with Samuels to provide TDM services to reduce the demand for solo occupancy vehicle access.

Finally, we request that MASCO be included in the planning process with City and State as design progresses for the multi-use path. We were instrumental in getting funding from the state for this path and have a continued interest in improving the right of way for bicyclists, pedestrians, and future transit.

Thank you for the opportunity to comment.

Sincerely,



Sarah J. Hamilton
Vice President, Area Planning and Development



Tim Czerwienski <tim.czerwienski@boston.gov>

Fwd: Landmark Center Redesign | Input Needed by Thursday at 6 pm

Sat, Oct 7, 2017 at 3:42 PM

[REDACTED]
To: Tim Czerwienski <tim.czerwienski@boston.gov>

FYI more community support

Begin forwarded message:

From: Adam Noyes [REDACTED]
Date: October 7, 2017 at 2:15:49 PM EDT
To: Sandeep Karnik [REDACTED]
Subject: Re: Landmark Center Redesign | Input Needed by Thursday at 6 pm

Hey Sandeep,

Thanks for taking the lead on this and for asking for my input. Sorry I wasn't able to get back to you before the comment deadline. I think you encompassed everything that's on my mind, particularly the noise and traffic impacts. Let me know if there's anything you need from me as this thing progresses.

Have a great weekend,

- Adam

On Wed, Oct 4, 2017 at 8:28 AM, Sandeep Karnik [REDACTED] wrote:

Hi folks,

I've been asked to participate on the Landmark Center redesign impact advisory group. This is a group of business owners and citizens that advises the city on large scale development.

Attached, is a firmly stated note that I've crafted to the Boston Planning and Development Agency. Could you please

1. Review the document and provide input (with edit tracker on) in the body of the note and send directly back to me. I want to ensure it is cogent and includes your feedback, where appropriate.
2. I will copy you on the note to BPDA unless you indicate otherwise.
3. If you wish your name to be included in support of the document, please indicate as such or simply respond when I send it to the city.
4. If you wish to state additional issues directly, please feel free to contact tim.czerwienski@boston.gov (Project Manager).
5. Note that I cannot commit any more time than I already have, so please keep things simple in your feedback.
6. If there are others whom you think might be interested, please let me know or collect their feedback and send back to me.

The comment period closes on Friday. Also, feel free to reach out to me directly if you have any questions. There is a link below should you wish to learn more about the project.

<http://www.bostonplans.org/projects/development-projects/landmark-center>

Sincerely,
Sandeep

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The information transmitted herewith is intended only for use by the individual or entity to which it is addressed. If the reader of this message is not the intended recipient, you are hereby notified that any



Tim Czerwienski <tim.czerwienski@boston.gov>

Landmark Center (401 Park) Project

Lauren Dewey Platt [REDACTED]
To: tim.czerwienski@boston.gov

Fri, Oct 6, 2017 at 9:57 AM

Hello Tim,

After attending the scoping session and the IAG meeting recently, along with review of the documents, following are my comments on this project:

1. Given that the project is vastly downsized from the original design, there is not much to dislike about the changes. Certainly the impacts on both the Fenway and Audubon Circle neighborhoods are reduced, and the addition of green space in the front of the building where surface parking used to be is a major enhancement.
2. While I am delighted that the project adds no new parking, I think there should be emphasis added to the assumption that more commuters will arrive by bike and MBTA. Because I work in the Landmark building, I am aware of the need for additional bike storage to accommodate even the bikers that use the building now. Presumably there will be many more folks riding bikes, so there needs to be a commitment by the developer to build more and better bike storage for the project.
3. The Fenway MBTA station should be enhanced for safety and security. I understand that the developer is improving access to/from the station and is redesigning the shared-use pathway, but there needs also to be a serious commitment, via a collaboration between the MBTA and the developer, to enhance lighting, at the very least, at the Fenway station.
4. I would like to see a number of spaces (perhaps 5-10) for Zipcars in the parking garage. There used to be 2 spots for car-sharing automobiles, but those cars are now gone.
5. In terms of community benefits, as was stated by the IAG members at the meeting earlier this week, the funds being provided to the Emerald Necklace Conservancy (ENC) ought to be granted on the condition that they be used to maintain/enhance those parts of the Emerald Necklace bordering the project area--that is, Back Bay Fens Muddy River Restoration and perhaps the Riverway portion of the Necklace. There was consensus among the IAG members at the meeting that this condition should be incorporated into the community benefit to ENC.

Thank you for all of your efforts on this project and for leading the IAG discussions.

All best,

Lauren Dewey Platt
41 Park Drive
Boston, MA 02215



Tim Czerwienski <tim.czerwienski@boston.gov>

Fwd: Landmark Center comments

Fri, Oct 6, 2017 at 10:51 PM

[REDACTED]
To: Tim Czerwienski <tim.czerwienski@boston.gov>

Please find below a note from Dr Vacirca in support of the note that was sent over

Begin forwarded message:

From: Stephen V [REDACTED]
Date: October 6, 2017 at 10:48:17 PM EDT
To: [REDACTED]
Subject: Landmark Center comments

Hi Sandeep,

Sorry for the delay in my response, but I just discovered your emails in my hotmail account. I very rarely check that account any more, and for some reason, I'm not able to send out emails from that account (hence the reply from this account).

I'm happy to know that you will be part of the Impact Advisory Group. Your letter to the BPDA is excellent! It makes a very compelling, thoughtful, and importantly, well documented, case for the issues cited. I agree that these are very important issues that need to be addressed.

I very much appreciate your efforts, and you have my support.

Thanks Sandeep,

Steve Vacirca

To: Tim Czerwienski tim.czerwienski@boston.gov

Re: Notice of Project Change – Landmark Center Redevelopment Project

October 6, 2017

Dear Tim,

Thank you for the informative sessions held for IAG members and the public on the plans to change the previously approved projects for the Landmark Center. In general, I believe the switch from multiple residences to a singular office/lab use structure at Fullerton and Brookline Avenue is a desirable change, and takes that opportunity to improve the public's approach to the overall site as well as the activities/commerce within the footprint. The numerous public improvements of access, circulation, and programming, especially in Phase I, are ambitious and will be valuable for everyone in the future. We are fortunate to have the Samuels & Associates understanding of the Fenway and their commitment to the many improvements planned.

Wind

There was considerable concern expressed at the meetings about need to find a solution to the current and projected wind shear from the new project. Several factors suggest the wind shear will be less than current conditions, but plans should detail how even improved conditions can be made safer for pedestrians on Brookline Avenue and Fullerton/Van Ness. After the project is completed, there needs to be follow-up of people on the ground to ascertain if the mitigation is what was envisioned or needs further action.

Solar Glare – Unexpected Consequences

This past week, I had the chance to spend time in Ramler Park in the morning around 10 -11 AM and was shocked at the blinding glare and heat from the Pierce building on the people sitting under the shade of the trees on the row of fountain-facing park benches. I moved from bench to bench but could not escape the glare on my eyes and found that the reflective heat to be nearly as hot as the direct sun. This is quite a distance from the Pierce building, and it is hard to believe such a transformative impact was possible on Ramler Park. (The same glare effects are felt earlier for pedestrians walking on Park Drive in the last block before Shaw's parking lot.) I do not know if any study for the Pierce suggested that this occur in Ramler Park, but it shows the limitations of virtual studies in a planning document vs. real life experience. Although less likely because of its location, I would like to ensure that the proposed building will not cast any more glare on Ramler Park or any other public park.

Contributions for Muddy River project area

The previously approved mitigations included a \$100,000 contribution to the Emerald Necklace Conservancy for "projects and programming in the Back Bay Fens are of the Emerald Necklace park system". At the 10/2 IAG meeting, there was a desire by members to see that contribution increased, and targeted specifically to maintenance of Phase I of the Army Corps Muddy River restoration project upon conveyance of the project back to the public partners. I would like to suggest an additional

\$50,000 be added to the original commitment, with payment schedule to be determined by the proponent and BPDA. It is important to note that the additional maintenance contribution is not be used to offset the public partners' budgeted funds, but rather be used to augment the considerable care required to ensure the viability and longevity of the extensive plantings in the Phase I project area.

Thank you for the opportunity to comment.

Fredericka Veikley
Fenway Resident
Member of IAG for Landmark Center Redevelopment

Landmark Center NPC Public Comments via website form 2017-10-10

Date	Name	Organization	Address	Opinion	Comments
10/6/2017	Brenda Lew	Friends of the Muddy River, Inc.	107 Queensberry Street, #2 Boston MA 02215	Support	<p>At the October 2, 2017 meeting, an IAG member raised the question of how the \$100,000 contribution to the Emerald Necklace Conservancy will be used. It should specify that it will be earmarked for the maintenance of the Muddy River Restoration Project across from the Landmark Center possibly over the next five years.</p> <p>The Friends of the Muddy River support such a stipulation for not only maintenance of Phase I but also later Phase 2. We thank Samuels & Associates for their contribution and support of the Muddy River.</p>
9/12/2017	Thomas Plant	Boston Public Health Commission	1010 Massachusetts Avenue 2nd Floor Boston MA 02118	Support	<p>I like the original plan that call for residential housing (I hope mixed income) to be added to the former Sears Complex. I believe we miss a great opportunity to balance and restore to this building to the community without a housing component which is desperately needed in Boston and is inline with Imagine Boston 2030. While I support the redevelopment of the Sears Complex. I would like to see the residential component added to the final proposal.</p>