Boston Redevelopment Authority

Boston's Planning & Economic Development Office

Thomas M. Menino, *Mayor*
Clarence J. Jones, *Chairman*
John F. Palmieri, *Director*

One City Hall Square
Boston, MA 02201-1007
Tel 617-722-4300
Fax 617-248-1937

July 1, 2009

Paul Davis
Midwood Management Corporation
430 Park Avenue, Suite 505
New York, NY 10022

Re: Scoping Determination for the Proposed One Bromfield Project

Dear Mr. Davis:

Please find enclosed the Scoping Determination for the proposed One Bromfield project (the "Proposed Project"). The Scoping Determination describes the information required by the Boston Redevelopment Authority ("BRA") in response to the Project Notification Form, which was submitted to the BRA on October 27, 2008 in compliance with Article 80B of the Boston Zoning Code. Additional information may be required during the course of the review of the Proposed Project.

If you have any questions regarding the enclosed Scoping Determination or the review process, please do not hesitate to contact me at 617-918-4267.

Sincerely,

John FitzGerald
Project Manager

cc: Brenda McKenzie, BRA
Kairos Shen, BRA
James Tierney, BRA
Heather Campisano, BRA
Jay Walsh, Mayor's Office of Neighborhood Services

BOSTON REDEVELOPMENT AUTHORITY

SCOPING DETERMINATION
ONE BROMFIELD STREET

SUBMISSION REQUIREMENTS
FOR DRAFT PROJECT IMPACT REPORT (DPIR)

PROPOSED PROJECT:	ONE BROMFIELD STREET
PROJECT SITE:	BOUNDED BY BROMFIELD STREET, WASHINGTON STREET, PROVINCE STREET, PROVINCE COURT AND ORDWAY COURT, IN THE MIDTOWN CULTURAL DISTRICT
PROPONENT:	MIDWOOD MANAGEMENT
SCOPING DETERMINATION DATE:	July 1, 2009

I. PREAMBLE AND PROCESS BACKGROUND

The Boston Redevelopment Authority ("BRA") is issuing this Scoping Determination pursuant to Section 80B-5 of the Boston Zoning Code ("Code"), in response to a Project Notification Form ("PNF") which Midwood Management (the "Proponent") filed for the One Bromfield Street Project ("the Proposed Project") on October 27, 2008. Notice of the receipt by the BRA of the NPC was published in the Boston Herald on October 27, 2008 which initiated a 30-day public comment period with a closing date of December 2, 2008, but was extended until January 23, 2009. The Scoping Determination requires the Proponent to respond to comments received from City and State agencies, elected officials, the Mayorally appointed Impact Advisory Group (the "IAG"), and the public.

On July 10, 2008, in accordance with the BRA's policy on mitigation as outlined in Mayor Thomas M. Menino's Executive Order Relative to the Provision of Mitigation by Development Projects in Boston, the Proponent submitted a Letter of Intent with the respect to the redevelopment of property located at the corner of Washington and Bromfield Streets in the Downtown Crossing neighborhood, encompassing properties located at 349-369 Washington Street and 11-21 Bromfield Street. The Letter of Intent calls for the demolition of these existing structures and the construction of a new building containing approximately 407,000 square feet of gross floor area, and consists of a base of six floors with a tower of 22 stories rising above.

On July 28, 2008, letters soliciting IAG nominations for the Proposed Project were delivered to City Councilor Salvatore LaMattina, former Speaker for the House Salvatore DiMasi, and Senator Anthony Petruccelli. Additional letters seeking recommendations were delivered to the Office of Neighborhood Services and the City Councilors At-Large. Nominations were also sought from the BRA.

Six (6) individuals were appointed to the IAG and have been invited to participate in advising BRA staff on the determination and consideration of impacts and appropriate mitigation regarding the Proposed Project. The following list includes the names of the IAG members:

1. Mr. George Coorsen
2. Ms. Rosemarie Sansone
3. Mr. David Lee
4. Mr. Yanni Tsippas
5. Mr. Harvey Leong
6. Mr. William Ashmore

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

The Notice and the PNF were sent to the City's public agencies pursuant to Section 80A-2 of the Code. Pursuant to Section 80B-5.3 of the Code, a scoping session was held on November 17, 2009 with the City's public agencies and BRA review staff where the proposed project was reviewed and discussed. Members of the IAG were also invited to attend the scoping session.

The Proponent conducted two (2) public meetings, the first at Boston City Hall which was held on November 17, 2008, and the second at the Omni Parker House, which was held on January 14, 2009. The community will continue to have an opportunity for input during the Article 80 review process.

Written comments in response to the PNF received by the BRA from agencies of the City of Boston are included in **Appendix A** and must be answered in their entirety. Public comments on the PNF received by the BRA prior to the issuance date of this Scoping Determination have been included in **Appendix B.** The DPIR should include complete responses to all comments included in **Appendix A** and **B** and within the framework of the criteria outlined in the Scoping Determination.

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

II. PROJECT DESCRIPTION

The Proposed Project includes the demolition of the four (4) existing buildings on the site and the construction of a new building. The Proposed Project will include a six (6) story larger base, with a twenty-two (22) story tower above it. The mixed-use program includes a total of approximately 407,000 sf of gross total floor, including approximately 49,000 sf of retail space in the basement and first two floors; One hundred and ninety two (192) parking spaces on the next three floors; primarily residential amenities and lobby area on the sixth floor; and approximately 276 residential units on floors 7 through 28 totaling approximately 281,000 sf.

III. ARTICLE 80 PROCESS REQUIREMENTS

The Proposed Project is being reviewed pursuant to Article 80, Development Review and Approval, which sets forth a comprehensive procedure for project review of the following components: transportation, environmental protection, urban design, historic resources, infrastructure systems, site plan, and Development Impact Project, if any. The Proponent is required to prepare and submit to the BRA a Draft Project Impact Report ("DPIR") that meets the requirements of the Scoping Determination by detailing the Proposed Project's impacts and proposed measures to mitigate, limit or minimize such impacts. The DPIR shall contain the information necessary to meet the specifications of Section 80B-3 (Scope of Large Project Review; Content of Reports) and Section 80B-4 (Standards for Large Project Review Approval), as required by the Scoping Determination. After submitting the DPIR, the Proponent shall publish notice of such submittal as required by Section 80A-2. Pursuant to Section 80B-4(c)(i)(3), the BRA shall issue a written Preliminary Adequacy Determination ("PAD") within sixty (60) days. Public comments, including the comments of public agencies, shall be transmitted in writing to the BRA no later than fifteen (15) days prior to the date by which the BRA must issue its PAD. The PAD shall indicate the additional steps, if any, necessary for the Proponent to satisfy the requirements of the Scoping Determination. If the BRA determines that the DPIR adequately describes the Proposed Project's impacts and, if appropriate, proposed measures to mitigate, limit or minimize such impacts, the PAD will announce such a determination and that the requirements of further review are waived pursuant to Section 80B-5.4(c)(iv). Section 80B-6 requires the Director of the BRA to issue a Certification of Compliance indicating the successful completion of the Article 80 development review requirements before the Commissioner of Inspectional Services can issue any building permit for the Proposed Project.

IV. REVIEW/SUBMISSION REQUIREMENTS

In addition to full-size scale drawings, 35 copies of a bound booklet containing all submission materials reduced to size 8-1/2" x 11", except where otherwise specified, are required. The booklet should be printed on both sides of the page. In addition, an adequate number of copies must be available for community review. A copy of this scoping determination should be included in the booklet for review.

A. General Information

1. Applicant/Proponent Information

   a. Development team

      (1) Names

         (a) Developer (including description of development entity and type of corporation)
         (b) Attorney
         (c) Project consultants and architects

      (2) Business address, telephone number, FAX number and e-mail, where available for each

      (3) Designated contact for each

   b. Legal Information

      (1) Legal judgements or actions pending concerning the Proposed Project

      (2) History of tax arrears on property owned in Boston by Applicant

      (3) Evidence of site control over project area, including current ownership, 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.

B. Regulatory Controls and Permits

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

C. Project Site

The DPIR shall include a complete description of the Project Site. The description should include, at minimum, square footage of the site, a map indicating the boundaries, and a legal description including meets and bounds. The DPIR shall include for each Alternative, a calculation of FAR utilizing the definition for calculation as provided for in the Boston Zoning Code. Only property under the control of the Proponent should be considered in the Project Site and subsequent Project Descriptions.

D. Project Alternatives

The DPIR must include the following three (3) alternatives. The analyses as provided for in the Environmental Protection Component, Urban Design Component, and Transportation Component sections of this Scoping Determination shall be required for each of the alternatives. The Proponent is permitted to provide any additional alternative(s) in addition to those provided below.

Alternative 1 - No build as a means of measuring the baseline;

Alternative 2 – Full build of Proposed One Bromfield Project as proposed by proponent for the DPIR;

Alternative 3 – Full build of an "As-of-Right" or Zoning Compliant Proposal.

E. Affordable Housing

More details with respect to the affordable housing component should be provided. The Proposed Project is expected to comply with the Mayor's Executive Order relative to the Inclusionary Development Policy. There are currently three (3) options offered under the Inclusionary Development Policy: (1) the construction of affordable units on-site; (2) the construction/provision of affordable units off-site; and/or (3) payment in lieu of providing on-site affordable units. If the developer is proposing to locate some or all of the affordable units off-site, this location should be identified. Furthermore, any units provided off-site

must be ready for occupancy on or before the date that the units within the Proposed Project are ready for occupancy.

F. Project Description

The DPIR shall contain a full description of the Proposed Project and Scoping Alternatives and its elements, including size, physical characteristics, and proposed uses. This section of the DPIR shall present the development context of the Project (description of the surrounding environment), existing site conditions, project purpose and objectives, approximate project cost and development schedule, and other project proposals in the vicinity of the Proposed Project. Only projects that have completed or are currently undergoing Article 80 review should be included. The projects should be included as proposed in their filings at the Boston Redevelopment Authority.

G. Transportation Component

The DPIR shall include a detailed traffic and transportation analysis that examines the Proposed Project's impact on the transportation network and proposes measures intended to mitigate, limit, or minimize any adverse impact reasonably attributable to the Proposed Project. The analysis must utilize as its framework the scope as outlined in the Boston Transportation Department ("BTD") Transportation Access Plan Scope dated November 28, 2008 included in **Appendix A.** Written comments of the City of Boston Transportation Department dated November 28, 2008 are included in **Appendix A** and are incorporated herein by reference and made a part hereof.

The DPIR will outline the mitigation program proposed for the Proposed Project, including costs, schedules and responsibilities. In carrying out the analysis of transportation impacts and mitigation measures, the Proponent shall continue working with the BTD.

H. Environmental Protection Component

The DPIR shall contain an Environmental Protection Component as outlined. Opportunities for sustainable design as well as other issues are described in the written comments by the City of Boston Environment Department dated December 16, 2008, David Carlson dated "end of January '09 and as amended", and by Katie Pederson dated January 2, 2009 are included in **Appendix A** and are incorporated herein by reference and made a part hereof. The analyses as provided for in the Environmental Protection Component section of this Scoping Determination shall be required for each of the alternatives.

Wind

The DPIR shall include a quantitative wind analysis of the potential pedestrian level wind impacts. This analysis shall determine potential pedestrian level winds adjacent to and in the vicinity of the Proposed Project and shall identify areas where wind velocities are expected to exceed acceptable levels, including the Authorities guideline of an effective gust velocity of 31 mph not to be exceeded more than 1% of the time.

The wind impact analysis shall evaluate the following conditions:

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

2. Future Build Condition – Full build of proposed One Bromfield Street Project as proposed by the proponent for the DPIR.

3. Alternative conditions – Full build of an "As-of-Right" or Zoning Compliant Proposal.

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.

Shadow

A shadow analysis shall be required 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 time differences (daylight savings vs. 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 must include net new 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 (i.e., at the winter

solstice). The build condition(s) shall include all buildings under construction and any proposed buildings anticipated to be completed prior to 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.

Particular attention shall be given to existing or proposed public open spaces and pedestrian areas, including, but not limited to, the sidewalks and pedestrian walkways within, adjacent to, and in the vicinity of the proposed project and existing and proposed plazas, park areas, and other open space areas within and in the vicinity of the proposed development addition, the shadow diagrams also shall indicate rooftop shadow impacts as well as any additional shading of the façades of any identified historic property.

Design or other mitigation measures to minimize or avoid any adverse shadow impact shall be identified.

Daylight

The Proposed Project is significantly higher than the zoning allows, and prior submissions of the same Project. It also tilts over the observable right-of-way. Although comparisons to prior submissions are not provided, the impacts are doubtless greater than heretofore, and unacceptable on Province Street. Chapman Place is expected, as a service alley between tall structures, to have high values. A even higher value of 98% (Province Street point C) is nearly unheard-of on any downtown street. Mitigation of this impact by substantially eliminating the right-of-way overhang and reducing the height is strongly recommended. Additionally, the build condition value of point B (Figure 5.3-5) reported (75.9%) is probably lower than the actual obstruction due to a possible glitch in the BRADA program which failed to connect the building segments shown in the diagram.

Solar Glare

Due to the glass façade of the Proposed Project, solar glare will be a concern, the impact dependent on the specific quality (reflectivity) and nature of the glass ultimately chosen. The solar glare analysis shall measure potential reflective glare from the building(s) onto potentially-affected streets, public open spaces, and sidewalk areas to determine the potential for visual impairment or discomfort due to reflective spot glare. Further review of the potential impact will be required. Mitigation measures to eliminate any adverse reflective glare shall be identified. The technical data used for the analyses shall be included.

Air Quality

The DPIR shall describe the existing and projected future air quality in the project vicinity and shall evaluate ambient levels to determine conformance with the

National Ambient Air Quality Standards and U.S. Department of Housing and Urban Development (HUD) requirements for residential and other sensitive receptors. Particular attention 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 the garage entrances/exits) where 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 of LOS. Notwithstanding this limitation, the proponent shall consult with the BRA and the Massachusetts Department of Environmental Protection (DEP) to determine whether air quality analyses should be performed at any other intersections in the vicinity of the project site, based on traffic projections. The methodology and parameters of the traffic-related air quality analysis shall be approved in advance by the Boston Redevelopment Authority and the Massachusetts Department of Environmental Protection. The results of the air quality analysis shall be compared to the Massachusetts State Implementation Plan to determine project compliance with the Plan. Mitigation measures to eliminate or avoid any violation of air quality standards shall be described.

An indirect source air quality analysis of the operation of the parking garage shall be prepared to determine potential air quality impacts on nearby sensitive receptors and compliance with air quality standards. Garage emissions should be estimated using appropriate U.S. EPA guidance (Guidelines for Air Quality Maintenance Planning and Analysis, Volume 9 (Revised): Evaluating Indirect Sources, EPA-450/4-78-001). The EPA SCREEN3 model should be used to calculate maximum CO impacts from the garage at the various sensitive receptors. Particulate emissions shall be derived from the EPA PART5 emission model and ground level impacts from the exhaust vents shall be estimated by use of the SCREEN3 model. Maximum one-hour concentrations at the closest sensitive receptors and the maximum 24-hour concentration shall be estimated and compared to applicable EPA standards.

A description of the project's heating system and of the parking garage ventilation system, including location of 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 and exhaust systems shall be required. Measures to prevent the release of any contaminants and to avoid any violation of air quality standards shall be described.

Solid and Hazardous Wastes

The project site has been used for parking. Therefore, it is possible that the site would have been impacted by spills of oil or hazardous materials, including

metals. Underground storage tanks also may be present on the site. The presence of any contaminated soil or groundwater and any underground storage tanks at the project site shall be evaluated and remediation measures to ensure their safe removal and disposal shall be described. Any assessment of site conditions pursuant to the requirements of M.G.L. Chapter 21E that has been or will be prepared for the site shall be included in the DPIR (reports may be included in an Appendix but shall be summarized in detail, with appropriate tables and figures, within the main text).

The DPIR shall quantify and describe the generation, storage, and disposal of all solid wastes from the construction and operation of the proposed project. The DPIR shall identify the specific nature of any hazardous wastes that may be generated and their quantities and shall describe the management and disposal of these wastes. In addition, measures to promote the reduction of waste generation and recycling, particularly for paper, glass, plastics, metals, and other recyclable products, and compliance with the City's recycling program, shall be described in the DPIR.

Noise

The DPIR shall establish the existing noise levels at the project site and vicinity based upon a noise-monitoring program and shall calculate future noise levels after 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.

An analysis of the potential noise impacts from project-generated traffic and from the project's mechanical and exhaust systems and compliance with applicable regulations of the City of Boston shall be required. A description of the project's mechanical and exhaust systems and their location shall be included. Measures to minimize and eliminate adverse noise impacts on nearby sensitive receptors from traffic noise and mechanical systems shall be described.

Stormwater Management/Water Quality

The DPIR shall contain an evaluation of the project site's existing and future stormwater drainage and stormwater management practices. The DPIR shall illustrate existing and future drainage patterns from the project site and shall describe and quantify existing and future stormwater runoff from the site and the proposed project's impacts on site drainage. The proposed project's stormwater

management system, including best management practices to be implemented, measures proposed to control and treat stormwater runoff and to maximize on-site retention of stormwater, measures to prevent groundwater contamination, and compliance with the Commonwealth's Stormwater Management Policies, also shall be described. The DPIR shall describe the project area's stormwater drainage system to which the project will connect, including the location of stormwater drainage facilities and ultimate points of discharge.

Geotechnical Impact/Groundwater

A description and evaluation analysis of existing sub-soil conditions at the project site, groundwater levels, potential for ground movement and settlement during excavation and foundation construction, and potential impact on adjacent buildings, utility lines, and the roadways shall be required. This analysis shall also include a description of the foundation construction methodology, the amount and method of excavation, and measures to prevent any adverse effects on adjacent buildings, utility lines, and roadways. Measures to ensure that groundwater levels will be maintained and will not be lowered during or after construction also shall be described. In addition, the geotechnical analysis shall evaluate the earthquake potential in the project area and shall describe measures to be implemented to mitigate any adverse impacts from an earthquake event.

Construction Impacts

A construction impact analysis shall include a description and evaluation of the following:

(a) potential dust and pollutant emissions and mitigation measures control these emissions.

(b) potential noise generation and mitigation measures to minimize increase in noise levels.

(c) location of construction staging areas and construction worker parking; measures to encourage carpooling and/or public transportation use by construction workers.

(d) construction schedule, including hours of construction activity.

(e) access routes for construction trucks and anticipated volume of construction truck traffic.

(f) construction methodology (including foundation construction), amount and method of excavation required, disposal of the excavate, description of foundation support, maintenance of groundwater levels, and measures to prevent any adverse effects or damage to adjacent structures and infrastructure.

(g) method of demolition of existing buildings on the project site and disposal of the demolition debris.

(h) potential for the recycling of construction and demolition debris, including asphalt from the existing parking lots.

(i) identification of best management practices to control erosion and to prevent the discharge of sediments and contaminated groundwater or stormwater runoff into the City's drainage system during the construction period.

(j) coordination of project construction activities with other major construction projects being undertaken in the project vicinity at the same time including scheduling and phasing of individual construction activities.

(k) impact of project construction on rodent populations and description of the proposed rodent control program, including frequency of application and compliance with applicable City and State regulatory requirements.

(l) measures to protect the public safety.

Sustainable Design

A new development of the size and complexity of the proposed One Bromfield Street project presents a host of opportunities for sustainable design and construction to prevent damage to the environment, consistent with the goals of Executive Order 385 and recent initiatives of the Mayor and the BRA. The DPIR shall describe appropriate environmentally protective technologies and practices that can be incorporated into the design and operation of the proposed One Bromfield Street project development and the project proponent's commitment to include such measures into the proposed project. Measures shall include, but not be limited to, the following:

- Optimize natural day lighting, passive solar gain, and natural cooling; specify energy efficient HVAC and lighting systems, appliances, and other equipment, and solar preheating of makeup air.

- Favor building materials and purchases of supplies that are non-toxic, made from recycled materials, and made with low embodied energy.

- Build easily accessible recycling system infrastructure into the project's design.

- Incorporate additional opportunities to conserve water beyond water-saving technologies required by law.

- Make the building design adaptable for the future inclusion of innovative energy and environmental technologies as they develop over time.

- Conduct annual audits of energy consumption, waste streams, and the use of renewable technologies.

Additional opportunities for sustainable design are described in the written comments of the City of Boston Environment Department, included in **Appendix A** and are incorporated herein by reference and made a part hereof.

Article 85

As indicated in the PNF, the proposed project would require demolition of existing structures, The proposed demolition requires Article 85 Demolition Delay review by the Boston Landmarks Commission (the "BLC") and can be referenced within the written comments of the City of Boston Environment Department, included in **Appendix A** and are incorporated herein by reference and made a part hereof

I. Urban Design Component

A complete discussion of the Proposed Project as relates to the Urban Design Component and other Article 80 review topics are described in a memorandum from David Carlson dated "end of January '09 and as amended" included in **Appendix A** and are incorporated herein by reference and made a part hereof and will be addressed in their entirety in the DPIR.

Boston Civic Design Commission ("BCDC") review is ongoing; the Project is currently under review in Design sub-committee.

The following urban design materials for the Proposed Project must be submitted for the DPIR.

1. Written description of program elements and space allocation for each element

2. Plan for the surrounding area and district and sections at an appropriate scale (1" = 100' or larger) showing relationships of the Proposed Project to the surrounding area and district:

a. massing
b. building height
c. scaling elements
d. open space
e. major topographical features
f. pedestrian and vehicular circulation
g. land use

3. Black and white or color 8"x10" photographs of the site and neighborhood

4. Eye-level perspectives (reproducible line drawings) showing the proposal (including main entries and public passages/areas) in the context of the surrounding area. Views should include long-, mid-, and close-range viewpoints for different purposes. Long-ranged (distanced) views of the proposed project should also be studied to assess the impact on the neighborhood, skyline or other view lines. At least one bird's-eye perspective should also be included. All perspectives should show (in separate comparative sketches) both the build and no-build conditions. The view locations should be approved by the BRA before analysis is begun. View studies should be cognizant of light and shadow, massing and bulk.

5. Site sections at 1" = 20' or larger showing relationships to adjacent buildings and spaces. Please note that it is not within the purview of the Proponent to reconfigure adjacent proposals or area plan interpretations to suit their own proposed goals, and this should be avoided in the DPIR. It is also critical to reach an understanding of the relationship of the public domain spaces and access points both to outside public ways and to lobby spaces in the Project as proposed.

6. Site plan at an appropriate scale (1" = 20' or larger) showing:

   a. General relationships of proposed and existing adjacent buildings and open space

   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 extending elevations, benchmarks, and utilities

7. Study model at 1" = 16' or 1" = 20' showing preliminary concept of setbacks, cornice lines, fenestration, facade composition, etc.

8. Massing model at 1" = 40' in basswood or equivalent agreed-upon material suitable for placement in the Downtown model at the BRA. Please contact the Director of the Model Shop (David Carlson). Models shall be provided for all alternatives studied. Any 'future context' models should, however, accurately depict massings which conform absolutely to plan and zoning restrictions. Photographs of the massing model(s) which do not adhere to this stricture will not be accepted.

9. Drawings at an appropriate scale (e.g., 1" =8', 1"-16', or 1"-20') to describe the facade design and proposed materials including:

   a. Building and site improvement plans

   b. Elevations in the context of the surrounding area

   c. Sections showing organization of functions and spaces

   d. Preliminary building plans showing ground floor and typical upper floors

   e. Phasing of the proposed project

10. A written and/or graphic description of the building materials and its texture, color, and general fenestration patterns is required for the proposed development.

11. Proposed schedule for submittal of all design or development related materials.

The Proposed Project made a formal presentation before the Boston Civic Design Commission ("BCDC") on December 2, 2008 and is presently still in BCDC Design sub-committee.

J. Infrastructure Impact Component

An infrastructure impact analysis should be performed. The written comments of David Carlson, included in **Appendix A**, are incorporated herein by reference and made a part hereof. 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. One Franklin, 45 Province, any others in 'tributary range' or contributing to demand or capacity needs) 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

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

    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 35 by providing additional recharge opportunities

    h. Detail methods of protection proposed for infrastructure conduits and other artifacts, including BSWC sewer lines and water mains and subway lines, 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 or other alternative energy provisions or other on-site energy provisions.

Additional constraints or information required are described below. Any other system (emergency systems, gas, steam, optic fiber, cable, MBTA, etc.) impacted by this development should also be described in brief.
It is noted that the PNF contains initial information for the most part organized as suggested; in addition to the information proposed, more information is requested to clarify sewage tributary flows and constraints as well as energy choices, which are not specifically addressed. 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.

APPENDIX A

MEMORANDUM

TO: John Fitzgerald
FROM: David Carlson
DATE: end of January 2009 and as amended
SUBJECT: One Bromfield Street
PNF Scoping Comments

The Proposed Project consists of approximately 407,000 SF of residential (276 units), retail, and support uses in a massing and height configuration that is comparable in scale to the adjacent 45 Province Street Project currently under construction. It took several attempts over nearly a decade for that Project to get the right mix of use and configuration, and considerable study was given to potential view and historic resource impacts - as well as lower floor programming -as part of the process leading to the final (approved) design change. The One Bromfield Proponent has made a preliminary presentation to the BCDC and has been referred to Design Committee. The comments of the Commissioners as recorded in the minutes from December of 2008 are attached. It is anticipated that the Proponent will respond to the Commissioners' comments as well as those of the public and BRA staff.

For a Project which is proposed to exceed the underlying zoning, prudent urban design and environmental analyses would suggest comparing the existing conditions to an 'as-of-right' or zoning-compliant alternative, and this comparison is requested for the DPIR. Note some of the studies requested below as well. The preferred Project presented in the DPIR does not have to have the same massing as that presented in the PNF.

URBAN DESIGN COMPONENT

The Proposed Project as described in the PNF will replace four existing buildings; the Proponent must check with the Boston Landmarks Commission and initiate the Article 85 Demolition Delay review. It is good that the building at the corner of Province and Bromfield streets will be retained (it is outside the Project area) as that has the most historic merit.

In replacing four existing buildings, the Proponent also replaces a good number of entries on the streets. The small businesses emblematic of Boston's character, such as the Bromfield Pen shop, that remain on the site today should be relocated or otherwise provided for during and after construction of the Proposed Project. We appreciate and encourage the effort by the Proponent to animate the property with a retail base. Although complexity is being added to the site via the internal drop-off lane and pass-through, we ask that the residential entry and multiple retail entries enliven the street edges to the maximum extent possible, and that the retail mix include provision for smaller entities as well. Coordination with the BRA's Downtown Crossing team is recommended.

The Province Court alley, in the past known as Hatter's Row due to a concentration of such uses, must be greatly improved as a part of the Proposed Project and meshed with the improvements to Province Street initiated by the 45 Province Street Project. Although functionally it is planned to handle loading and parking access, the overall environment of the alley must be improved and the management of its waste pick-up must be consolidated in conjunction with the local businesses and building owners. The parking and loading access must be treated as an attractive amenity and not as an infrastructure afterthought. Lighting and a maintenance plan should be developed.

The design proposes potentially rich materials (precast, metal and glass) in a composition that creates two

slim, differentiated slabs (one with a secondary slab mass) above a site-filling podium. This likely addresses some potential wind concerns, and the height of the podium responds to some datum lines, but the connection between the two elements is weak. The components have strong, simple designs which add to their composition, yet the scale seems out of place among its neighbors on Washington Street. Several aspects of the design *require further study*:

1. Study the vertical proportions of the building and its façade treatments in light of the rich texture of buildings in the Midtown Cultural District. Relate the upper and podium elements either by related hierarchy of architectural elements and materials or by possible (but not continuous along the streetwall) direct massing connection(s).

2. Work on the proportions of the upper elements of the building in particular as it is viewed from various vantage points, potentially modifying the proportional ratio of the two major elements in plan, or varying the vertical proportions. Use this strategy, or one similar, to help give the building a more defined and differentiated ending at its skyline, particularly in relationship to nearby towers such as 33 Arch, One Franklin, and 45 Province. The arc of the Tontine Crescent arguably should not inform the tower's orientation as much as Bromfield Street itself.

3. Study the expression of the lower floors along both Bromfield and Washington; maximize transparency and active uses. At the same time, consider the treatment of the garage openings. But also consider the relationship of the two facades to the area's rich architectural context. Of some note were the neighborhood elevations shown as contextual arguments – but arguing, we feel, for the modification of your approach and underscoring the anomalous nature of your preliminary proposal. Include the elements of the approved but not yet built or just built nearby One Franklin and 45 Province Street projects in this study.

4. The height of the podium does not have to relate directly to nearby datum lines, but has some flexibility in that it represents an older height zone. Within that zone, consider the retail, parking expression, and possibly the first floor or the residential program (which has a mix of program elements that can be deeper in plan) as contemporary expressions of the tripartite base, middle, top.

5. Provide a series of views, at immediate, midrange, and long view distances. We suggest the array of views generated in the study of 45 Province, since the sensitive criteria should be in the same range. Views, given the corner location, from up Bromfield and down Franklin, and from both directions along Washington Street should additionally be provided at a minimum. See the standard requirements below.

6. This Project is one that could catalyze the reconstruction of this corner block of Bromfield and Washington to realize certain aspects of the Downtown Crossing studies; this should be coordinated with both the retail strategy and the street improvements planned for the vicinity at the intersection and possibly along Bromfield, and this should be demonstrated in the DPIR. At a minimum, the sidewalks should be reconstructed to conform to this as a possible future condition. Any granite or bluestone sidewalk slabs that exist should be preserved *in situ* as they are collectively considered landmarks for the City.

The following (standard list of) urban design materials should be submitted for the DPIR for the Proposed Project (or, if no DPIR is requested, should be submitted as a record 'schematic design' submission) pursuant to the BRA's Development Review Procedures:

1. Written description of program elements and space allocation for each element

2. Plan for the surrounding area and district and sections at an appropriate scale (1" = 40' or larger) showing relationships of the Proposed Project to the surrounding area and district:

    a. massing
    b. building height
    c. scaling elements
    d. open space
    e. major topographical features
    f. pedestrian and vehicular circulation
    g. land use

3. Black and white or color 8"x10" photographs of the site and neighborhood

4. Eye-level perspective (reproducible line drawings) showing the proposal (including main entries and public passages/areas) in the context of the surrounding area. Views from the area streets (Washington, Bromfield, Province, Franklin, i.e.) are required, showing the surrounding context, with particular emphasis on important viewing areas such as key approaches from nearby neighborhoods or the Public Garden, City Hall Plaza, and Boston Common. Long-ranged (distanced) views of the proposed project should also be studied to assess the impact on the skyline or other view lines. Photomontages are encouraged as a technique to fully understand the contextual setting. Context and the massing of other approved Projects (including 45 Province Street and One Franklin). At least one bird's-eye perspective should also be included. All perspectives should show (in separate comparative sketches) both the build and no-build conditions. The view locations should be approved by the BRA before analysis is begun. View studies should be cognizant of light and shadow, massing and bulk.

5. Site sections at 1" = 20' or larger showing relationships to adjacent buildings and spaces.

6. Site plan at an appropriate scale (1" = 20' or larger) showing:
    a. General relationships of proposed and existing adjacent buildings and open space
    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 extending elevations, benchmarks, and utilities
    f. Construction limits

7. Study building/site model at 1" = 16' or 1" = 20' showing preliminary concept of setbacks, cornice lines, fenestration (window treatment), facade composition, etc.

8. Massing model at 1" = 40' in basswood suitable for placement in the Downtown Model at the BRA.

9. Drawings at an appropriate scales (e.g., 1" =8', 1"-16', or 1"-20') to describe the facade design and proposed materials including:
    a. Building and site improvement plans

b. Elevations in the context of the surrounding area
c. Sections showing organization of functions and spaces
d. Preliminary building plans showing ground floor and typical upper floors
e. Phasing of the proposed project

10. A written and/or graphic description of the building materials and its texture, color, and general fenestration patterns is required for the proposed development.

11. Proposed schedule for submittal of all design or development related materials.

12. Proposed LEED certification plans and point rating goal assessment.

13. Electronic model of the Proposed Project in format suitable for use in the BRA's digital 3-D model of Boston. Format should be approved by Urban Design's Technology manager

WIND AND SHADOW COMMENT

The wind and shadow analyses must conform to all the requirements imposed by the underlying zoning of Article 38, including an analysis of any shadows on shadow impact areas as defined therein. The shadow analysis for the Proponent's preferred Project, as amended for the DPIR submission, must demonstrate by analysis what is only claimed in the PNF, that it meets the criteria in both the Acts and in Article 38 regarding shadow on the Common. Because of its adjacency, a detailed shadow analysis should also be performed regarding the potential of any new shadows cast on the Old South Meeting House facade, similar to that required for 33 Arch and One Franklin. The Proposed Project should attain the performance standard of meeting or exceeding in positive benefits any impacts derived from the 'as-of-right' alternative. Proposed Projects either approved or in the Article 80 pipeline should be included, as is standard, in any such comparisons as background.

INFRASTRUCTURE SYSTEMS COMPONENT

An infrastructure impact analysis should 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. One Franklin, 45 Province, any others in 'tributary range' or contributing to demand or capacity needs) 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

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

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 35 by providing additional recharge opportunities

h. Detail methods of protection proposed for infrastructure conduits and other artifacts, including BSWC sewer lines and water mains and subway lines, 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 or other alternative energy provisions or other on-site energy provisions.

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

It is noted that the PNF contains initial information for the most part organized as suggested; in addition to the information proposed, more information is requested to clarify sewage tributary flows and constraints as well as energy choices, which are not specifically addressed. 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 Boston Civic Design Commission Minutes of December 2, 2008:

The next item was a presentation of the **One Bromfield Street** project. Sam Norod (SN) of Elkus/Manfredi introduced Paul Davis (PD), of the ownership team (Midwood Management). SN then presented the design, noting its locus and circulation patterns in the area. The proposal was for 276 rental units (just over 400,000 SF, 330' high) with 3 stories of retail, and parking. We looked at the area, the crescent coming around, and the curve of 33 Arch - this led us to tip the building away from Bromfield. That moved the shadow away from the Granary Burial Ground...a lot of things happened. SN noted the slope on the site, and the retail program locations - showing the ground floor, and access to parking and loading off the Province Court alley. The residential lobby faces into the drop-off drive, but also comes to (Bromfield) Street. AL: What is the elevation difference? SN: It's 7' along Bromfield, a total of 11'. The idea of splitting the retail comes from an experienced retail developer. There are actually 3 levels of parking, a ratio of about 0.7 spaces per unit. There is no retail parking. The 7th (sic) floor is an amenity for the residents, then there are units above. SN carefully noted the BRA staff discussion focus on the podium level, and showed the relationships along both sides of Washington Street. SN: The scale is similar to that of Woolworth's, etc. along Franklin and Bromfield; along Washington, there are Millennium, Filene's, and Borders. We are working on the pedestrian scale. The design is more staccato along Bromfield. We have tried to give the impression of two simple planes; we're trying to find something simple.

DS: So, the reason it's twisted...? SN: The memory of the Tontine Crescent sweep of Franklin. DH: I like the rotation, the way it relates to the other buildings - I would like to discuss scale. Not so much the glass, but the masonry frame. In isolation, it's an elegant composition. But in the context, I worry about the masonry being overwhelming. Literally, the breadth of it. You guys have done a great job across the street at Filene's with the historic buildings. And on your curtain wall here, the surface becomes really, really important. I can imagine the other side (north) more successful, because of the bump. The tower seems broad - compared to the other buildings across the street - broad, and undifferentiated. You want it to feel like a residential building - it looks like an office building now. SN: We are in the same place. We are looking for something compositional, we share your sense. AL: Is it south-facing? DH: Shading could be a cool thing.
AL: Some observations. Clearly you're a building above a base related to the City around it. The cant above, separating the geometry of the upper and lower components, works but could be bolder. On the podium, you've tried to make it look like a 3-story building. The amenity floor is neither fish nor fowl. It needs definition at the base - two stories of pedestrian life, and then there's the stuff above. I would look for its definition below, and treat the whole thing. Go up more continuously, give it richness at the base. SN: We started looking at this from the point of view of zoning, so it's set back. We could treat the amenity space as an attic story. AL: Why are you so deferential to what used to be the Boston Five? You can find more definition along the street - and the parking could be open. DS: Why not parking below grade? SN: The subway, and adjacency to historic buildings.

LW: Your analysis is all based on retail. But Washington has a series of open spaces. The Bromfield sidewalks in particular are very tight. The whole building could be canted. Look at open spaces along Washington, not just retail. DH: There are elegant forms above, and we've talked about raising the podium. Maybe - some relief in the podium which allows a volume to come down...that might also offer relief along the base. SN: We had looked at the glass coming down there. MD: I agree with the

issue. That might suggest looking at the sidewalk. SN: The difficulty of site access....KS: Transparency, the way the buildings relate (45 Province)....I agree with the ground floor concerns. Projections, balconies, open spaces - how do we differentiate, animate the face of these buildings? The 3rd and 4th levels feel like the Ritz podium. There's a divergence, where you bring a use up and animate a floor above, as Marshall's, Filene's did. DH: Or even the amenity floor could participate in the street. AL: Make the base taller and narrower. The bottom would be better, and you would regain the footprint (SF) lost in the narrowing. DS: It doesn't have to be the full block width at that height. SN: Like a village? AL: Not sure I would do that, but I *would* raise the height. DS: Maybe the back of the site (tower) could shift. DH: the two 'pieces' are now equal; maybe they could be less so, so one dominates. MD: Questions? Shirley Kressel (SK): What is the zoning? Mel Shuman: 110'. SK: So you're 330'. That's close. What is the status of the buildings you're replacing? PD: They are all (BLC) category 4 or 5, not designated.

With that, the One Bromfield Street project was sent to Design Committee.

Fitzgerald, John BRA

From: Giers, Bob

Sent: Thursday, December 18, 2008 1:47 PM

To: Fitzgerald, John BRA

Cc: Jayasinghe, Para; Leo, Vincent; Banks, Joseph; Spinetto, Stephen; Crasco, Ken - Parks Dept.; McCarthy, Timothy (Public Works)

Subject: One Bromfield Street

Hi John,

Here are PWD comments for the subject project located at One Bromfield Street bounded by Washington, Bromfield and Province Streets in Downtown Boston, where the developer is estimating the cost of the project to be approximately $200,000,000:

Site Plan:
Developer must provide an engineer's site plan at an appropriate engineering scale, that shows curb functionality on both sides of all streets that abuts the property.

Sidewalks:
Developer is responsible for the reconstruction of the sidewalks abutting the project, and where appropriate, extend the limits to the nearest intersection. This effort may constitute a License, Maintenance and Indemnification (LM&I) agreement with the Public Improvement Commission (PIC). The reconstruction effort must meet current ADA/AAB guidelines, including the installation of new or reconstruction of existing compliant pedestrian ramps at all corners of all intersections, to encourage and compliment pedestrian improvements and travel along Bromfield, Province and Washington Streets.

Note: the Developer should be aware of the possible existence of areaways, (open space) building extensions under the sidewalk that are the responsibility of the abutting property owner.

Note: due to the limited street layout of Province Place, pedestrian safety and to provide adequate accessibility and meet current AAB guidelines it is requested the Developer look into the possibility of a coordinated effort with abutting property owners to consider mixed shared pedestrian and vehicular space.

Discontinuances:
Any and all discontinuances (sub-surface, surface or above surface) within the Public Right-of-Way (ROW) must be processed through the PIC.

Landscaping:
Developer must seek approval from Ken Crasco, Chief Landscape Architect with the Parks and Recreation Department for all landscape elements. Program must accompany a LM&I with the PIC.

Street Lighting:
Street lighting needs must be consulted with Mr.. Joe Banks of the Street Lighting Division with the PWD, and where needed, be installed by the developer, and must be consistent with the area lighting, to provide a consistent urban design.

Roadway:
Based on the extent of construction activity, including utility connections and taps, the Developer will be responsible for the reconstruction of the roadway sections that immediately abuts the property, and where appropriate, extend the limits on re-construction to the nearest intersection and to insure compliance to ADA/AAB guidelines.

Public Trash Receptacles:
Developer to consult with Tim McCarthy of BPWD, and is responsible for purchasing solar powered trash compactors to be used in Public space consistent with City of Boston's plan.

Public Art:
Developer is encouraged to contact the Boston Arts Commission to participate with the City's public arts program, creating notable art pieces in public spaces.

Groundwater:
Developer should install groundwater-monitoring wells in accordance to ISD standards, to monitor groundwater levels during construction, and convey the wells to the Groundwater Trust through the PIC after the completion of the project.

Note: these are the general standard BPWD requirements applicable to every project, more detailed comments will be addressed during the PIC review process;

Any questions please give me a call at 617-635-4966

Thank you, Bob Giers

Boston Water and Sewer Commission

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

December 2, 2008

Mr. John FitzGerald
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201-1007

Re: One Bromfield Street, PNF

Dear Mr. FitzGerald:

The Boston Water and Sewer Commission (Commission, BWSC) has reviewed the Project Notification Form (PNF) for the proposed Bromfield Street Project (the project). The proposed project site is located at the corner of Washington and Bromfield Streets in the Downtown Crossing area of Boston. The proposed project consists of the replacement of the four existing buildings on the site with a new, 28-story building, and a 22-story tower rising above. The mixed-use program includes a total of approximately 407,000 square feet (sf) of gross floor area, including approximately 276 residential units and residential amenities, 49,000 sf of retail space, and 192 parking spaces.

The project site is served by 12-inch water mains on Bromfield Street, Province Street and Province Court. There is also a 16-inch water main on Washington Street constructed in 1980. All of these water mains are owned by the BWSC. There are four 4-inch fire services and one 3-inch fire service that enter the site and feed the existing buildings. A fire flow test performed by the BWSC will confirm the ability of the water distribution system to service the proposed development. Proposed domestic water service will connect to one of the water mains on the adjacent streets.

Peak water demand for the proposed project is currently estimated at 42,515 gallons per day (gpd), based on estimated sewage generation with an added factor of 10 percent for consumption, system losses and other usage.

The project site is served by a BWSC owned 24"x27" combined sewer on Bromfield Street and a 12-inch combined sewer on Province Street. The PNF states that the MBTA owns, operates and maintains a 15-inch combined sewer on Washington. However, the combined sewer on Washington Street is owned by the BWSC. For sewer service the proponent proposes to connect to the BWSC's combined sewers on Bromfield, Province and Washington Streets.

Estimates for sewage generation from the proposed project are based on DEP's State Environmental Code, Title V, 310 CMR 15.00. Sewage generation from the proposed project is estimated at 40,876 (gpd).

Currently, stormwater from the site is discharged to the BWSC's combined sewers on Bromfield, Washington and Province Street, and a storm drain on Ordway Place. The project site is currently 100 percent impervious; therefore the proposed project will not increase the amount of impervious area on the site, and consequently there will be no increase in the amount of stormwater runoff flowing to the combined sewer system. The project plans include construction of new roof drain connections to the adjacent BWSC system.

The Commission has the following comments regarding the proposed project:

General

1. Prior to demolition of the existing buildings and construction of the new buildings, the proponent must submit a site plan and a General Service Application to the BWSC for the project. The site plan must show the location of existing and proposed water mains, sewers and storm drains serving the project site, as well as the location of proposed service connections.

2. Before the proponent demolishes the existing structure, existing water and sewer connections to the structure must be cut and capped in accordance with Commission standards. The proponent must complete a Termination Verification Approval Form for a Demolition Permit, available from the Commission. The completed form must be submitted to the City of Boston's Inspectional Services Department before a Demolition Permit will be issued.

3. With the site plan, the proponent must provide detailed updated estimates for water demand, sanitary sewer flows and stormwater runoff generation for the proposed project. The amount of potable water required for landscape irrigation, if any, must be quantified and provided separately.

4. It is the proponent's responsibility to evaluate the water, sewer and storm drainage systems serving the project site to determine if capacity is sufficient to meet project demands. The capacity analyses must be provided with the site plan for the proposed project.

5. The proponent is advised that any new or reconstructed water, sanitary sewer and drain pipes required to accommodate the proposed project must be designed and constructed at the proponent's expense and in conformance with the Commission's Sewer Use and Water Distribution System regulations.

6. To assure compliance with BWSC requirements, the proponent should submit the site plan and General Service Application to the Commission for review when project design is 50 percent complete.

Sewage/Drainage

7. The proponent must fully investigate methods for retaining stormwater on site before the Commission will consider a request to discharge stormwater to the Commission's system. A feasibility assessment for retaining stormwater on site must be submitted with the site plan.

8. The site plan must show in detail how drainage from building roofs and from other impervious areas will be managed. Within the new buildings, roof runoff and other stormwater runoff must be conveyed separately from sanitary waste at all times. The Commission will require the proponent to establish and maintain separate building sewers and building storm drains in accordance with Article III, Section I of the Boston Water and Sewer Commission's Regulations Governing the Use of Sanitary and Combined Sewers and Storm Drains.

9. The proponent is advised that the discharge of any dewatering drainage to the combined sewer system, whether temporary or on a permanent basis, requires a Drainage Discharge Permit from the Commission.

10. The EPA has issued a 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, the proponent will be required to apply for a RGP to cover these discharges.

11. In conjunction with the General Service Application submitted, the proponent will be required to submit a Stormwater Pollution Prevention Plan. Each plan must:

    - Identify specific best management measures for controlling erosion and preventing the discharge of sediment, contaminated stormwater or construction debris to the Commission's drainage system when construction is underway.

    - Include a site map which shows, at a minimum, existing drainage patterns and areas used for storage or treatment of contaminated soils, groundwater or stormwater, and the location of major control or treatment structures to be utilized during construction.

    - Specifically identify how the project will comply with the Department of Environmental Protection's Performance Standards for Stormwater Management both during construction and after construction is complete.

12. The Commission requests that the proponent install a permanent casting stating: "Don't Dump: Drains to Boston Harbor" next to any new catch basin installed as part of this project. The proponent may contact the Commission's Operations Division for information regarding the purchase of the castings.

13. Grease traps are required in all cafeteria or kitchen facilities, if any are included in the project, in accordance with the BWSC Sewer Use Regulations. The proponent is advised to consult with the BWSC prior to preparing plans for grease traps.

14. 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 pro-ponents 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 the proponent to develop a consistent inflow reduction plan. The 4:1 requirement should be addressed at least 90 days prior to activation of water service.

Water

15. The Commission utilizes 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, the Proponents should contact the Commission's Meter installation Department.

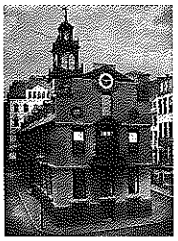
16. The proponent should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In particular the proponent should consider outdoor landscaping which requires minimal use of water to maintain.

Thank you for the opportunity to comment on this project.

Yours truly,

John P. Sullivan, P.E.
Chief Engineer

JPS/as
cc: P. Davis, Midwood Management Corporation
M. Zlody, Boston Env. Dept.
P. Laroque, BWSC



The Bostonian Society
BOSTON HISTORICAL
206 Washington Street
Boston, Massachusetts
02109
617.720.1713
bostonhistory.org

December 2, 2008

John Fitzgerald
Project Manager
Boston Redevelopment Authority
City Hall, 9th floor
Boston, MA 02201

Dear Mr. Fitzgerald,

I am writing after reviewing the Project Notification Form for the proposed One Bromfield development. The project is located in relatively close proximity to the Old State House, built in 1713 as the seat of British government in the colonies during the pre-revolutionary period. It subsequently served as Massachusetts' first state house, and then as Boston's first City Hall. Today the Old State House alone attracts over 100,000 visitors each year, bringing pedestrian vitality and substantial economic benefits to Downtown Crossing. As the stewards of one of the country's most significant colonial-era historic sites, the Bostonian Society is pleased that Washington Street continues to attract new private investment, which we hope will enhance the quality of the streetscape for both residents and visitors alike.

The Old State House presently finds itself in an improving, but still tenuous financial position. We have recently completed several important repairs that have stabilized the structure of the old landmark, but there are a number of other badly needed repairs and areas requiring restorations that we have had to place on hold, due to lack of funding. The day-to-day wear-and-tear on one of Boston's few early eighteenth-century structures is significant, and we believe that the positive new developments along Washington Street, which we support, will nonetheless continue to place stress on the historic fabric and integrity of the Old State House.

With the fragility of the Old State House in mind, I am writing to inquire whether the proposed One Bromfield project might provide some assistance in our ongoing, costly work to preserve one of the city's most historic treasures. We here at the Bostonian Society, as well as over 100,000 annual visitors to the city who enjoy the Old State House, would certainly be grateful if the proposed project could help us in our mission to restore and protect this nationally significant icon of American colonial history.

Very truly yours,

Brian W. J. LeMay
Executive Director

Boston

John FitzGerald
Project Manager
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201-1007

November 5, 2008

Dear Mr. FitzGerald:

Regarding the Project Notification Form for the One Bromfield Street project submitted to the BRA on October 27, 2008 the Boston Fire Department requires the following issues addressed by a qualified individual.

1. Emergency vehicle site access to the new buildings as well as existing buildings that might be affected.
2. Impact on availability and accessibility of hydrant locations for new buildings as well as for any existing buildings that might be impacted.
3. Impact on availability and accessibility to siamese connection locations for new buildings as well as for any existing buildings that might be impacted.
4. Impact that a transformer vault fire or explosion will have on the fire safety of the building. Particularly as it relates to the location of the vault.
5. Need for Boston Fire Department permit requirements as outlined in the Boston Fire Prevention Code, the Massachusetts Fire Prevention Regulations (527 CMR), and the Massachusetts Fire Prevention Laws (MGL CH148).
6. For projects involving air-supported structures, it is critical that the impact of the design has on fire safety relative to the interaction of the area underneath the structure to the structure as well as to the interaction of the structure to the area underneath the structure.

These items should be analyzed for all phases of the construction as well as the final design stage. This project will need permits from the Boston Fire Department as well as the Inspectional Services Department.

Respectfully,

Frank M. Kodzis
Fire Marshal

Cc: Paul Donga, FPE, Plans Unit, BFD

BOSTON
TRANSPORTATION
DEPARTMENT

ONE CITY HALL PLAZA/ROOM 721
BOSTON, MASSACHUSETTS 02201
(617) 635-4680/FAX (617) 635-4295

John FitzGerald
Project Manager
Boston Redevelopment Authority
One City Hall Square, 9th Floor
Boston, MA 02201

November 28, 2008

RE: One Bromfield Street – PNF

Dear Mr. FitzGerald:

Thank you for the opportunity to comment on the Project Notification Form (PNF) for One Bromfield Street. The mixed-use project will include 407,000 square feet (sf) of gross floor area, with approximately 49,000sf of retail space, adding 281,000sf of residential space (276 units), and 192 of new, above-ground parking spaces. Four existing buildings on the proposed site, at the corner of Bromfield and Washington Streets in the heart of Downtown Crossing, will be demolished and replaced by six base floors with a 22-story tower rising above.

The Boston Transportation Department (BTD) has reviewed the PNF and notes that existing transit and pedestrian accessibility, coupled with close proximity to other like-type, mixed-use residential buildings (such as 45 Province and One Franklin) make this project site an ideal location for a mixed-use residential development. The project's downtown location and access to the Orange, Red, Blue, Silver and Green Lines as well as multiple local and express bus route services make public transit an attractive mode choice for building tenants.

While this development seemingly poses no critical transportation impacts, as a next step the proponent will be required to execute a Transportation Access Plan Agreement (TAPA) which will codify the project's transportation-related elements including mitigation items. To further the discussion that will lead to the TAPA, the following comments identify issues needing clarification, additional submissions and proposed mitigation items.

Parking Spaces and Access

This project will add 192 above-ground parking spaces for residential units only, with up to five spaces designated for retail employees. The parking ratio for the completed project will be 0.70 adhering to the BTD parking ratio guidelines for the Downtown Crossing area of 0.5-1.0 spaces per residential unit. Since the primary use of the building is residential, a detailed parking management plan is not required. However, the proponent should think about how to most efficiently use parking spaces. For example,

could some spaces within the structure be candidates for shared-use spaces to house Zipcars? Or will there be some spaces designated for electrical vehicles and Scooters (Vespas)? It is important to take these parking types into account given the steady increase of alternative vehicles. Additional information, given the garage is valet managed and private, will be needed to determine how Zipcars would be accessible to users.

BTD commends the proponent for thoughtful design of ingress and egress for parking and commercial loading areas. Due to the limited roadway capacity of Province Street and Province Court, more information regarding queuing during peak hours is needed to ensure that a bottleneck will not occur with a valet parking/ car elevator system. It is important to understand the waiting time associated with this type of a parking strategy. In particular, with the addition of 184 new public spaces at 45 Province Street with a similar elevator system and ingress and egress onto Province Street, traffic impacts during peak hours may be more serious than anticipated. It is likely that 45 Province will be a popular destination for people seeking public parking, since there are stringent parking restrictions within a quarter mile of the site and a limited number of on-street public parking spaces within the immediate area.

Service and Loading

We commend the proponents for providing off-street facilities for loading activity as part of BTD's effort to reduce traffic congestion caused by on-street truck maneuvering and loading activity. The proponent needs to be in compliance with BTD's "Off-Street Loading Guidelines' which can be accessed at: http://www.cityofboston.gov/transportation/off_street.asp. Additionally, the proponent is required to respond to the questions in the website's attached pdf.

The report designates a loading program of two loading bays - one for smaller vehicles such as vans, and one to accommodate larger vehicles like SU-35 trucks. This project is a 28-story, 320,000sf mixed-use deployment. According to our guidelines for buildings of this size, at a minimum the site should have three loading bays that can accommodate larger delivery trucks (WB-50 to a WB-35), including a separate trash facility bay. Given the point of access at Province Court, this will not be achievable based on the current building design and width of the street. Additionally, truck turning templates must be submitted for the above truck-size requirements and should be consistent with the new streetscape design being built by 45 Province.

BTD is also concerned that loading bays for trucks encroach on the public right-of-way. Although these vehicles will be parked here temporarily, this could pose a pedestrian hazard. One potential solution could be to make Province Court a shared space, eliminating curbs and varying the street material to make a more pedestrian-friendly environment. BTD looks forward to working with the proponent to mitigate any potential issues associated with service and loading in regards to traffic impact and pedestrian safety.

Finally, because car elevators will be used for loading vehicles for 192 parking spaces, how does the queuing occur? What is the operation plan for parking these vehicles? Will there be curbside valet for future restaurants programmed into this building? If so, how will this be done given the general traffic restriction at Franklin and Hawley Streets and Bromfield and Washington Streets?

Public Transportation

The project site is within a quarter mile from the Red, Green, Orange, Blue, and Silver lines as well as express and local buses. Overall, transit will increase by 688 trips with AM peak hour trips increasing by

38, PM peak hour trips increasing by 57, and Saturday mid-day peak hour trips increasing by 43. Given the multiple transit lines/routes within close proximity to the project site, BTD does not anticipate major impact to any one line/route.

Project Mitigation: Traffic Mitigation

While recognizing that direct access to public transportation will mitigate project generated traffic impacts, BTD looks forward to working with the proponent to develop a comprehensive analysis of transportation impacts that will include automobile traffic. The proponent has identified a primary vehicular route to on-site parking and loading facilities. Vehicles will enter the site via Tremont or Beacon Streets, proceeding onto School Street and then onto Province Street, accessing the covered vehicular drive via Province Court. Given new traffic demand generated by this project as well as 45 Province, BTD will work with the proponent to evaluate key intersections to determine impacts and resulting mitigation measures. We commend the proponent for committing to new traffic counts at these key intersections. In addition to intersection studies outlined by the proponent in the PNF, the intersection of Province Street and Province Court needs to be evaluated to determine vehicular/truck queuing during peak hours with loading and parking facilities next to each other. Also, the intersection of Bromfield and Washington Streets should be studied since this will become a key intersection once the One Franklin project is completed, in the case that Bromfield does not become part of the "Pedestrian Zone".

Due to calibration issues and user inputs in the capacity software program (Synchro), the proponent will be required to meet with BTD to come to consensus regarding acceptable input standards. After approval and acceptance of the Synchro capacity analysis, the proponent will provide BTD with a record copy of all associated capacity analysis data on a labeled CD.

The proponent may also be encouraged to provide and install Pan Tilt Zoom (PTZ) cameras at specific locations within the project vicinity to be determined with BTD, and upgrade pedestrian equipment (ie: countdown pedestrian signals) at locations with antiquated equipment.

Project Mitigation: Pedestrian Access

BTD will work with the proponent to develop a pedestrian study as part of the comprehensive transportation analysis previously mentioned, which will focus primarily on pedestrian access and safety. Although the proponent is focused on activating the streetscape on Bromfield and Washington Streets, attention must be paid to the sidewalk experience on Province Street since the addition of retail at 45 Province, existing retail and thru access will continue to draw pedestrians down the street. Due to the scale of the buildings relative to the street width, sidewalk widening is recommended to promote pedestrian comfort. The width of proposed sidewalks along Province Street needs to be clarified moving forward.

BTD commends the proponent for taking into account ongoing discussion about making Bromfield Street pedestrian access only. One possible alternative to mitigate both pedestrian and traffic access would be to make Province Street more pedestrian friendly by removing curbs and varying street and sidewalk materials to encourage only residents, service vehicles, delivery vehicles, and those using public parking at 45 Province Street to travel down Province Street. This type of intervention coupled with making the lower half of Bromfield St. pedestrian access only could discourage thru traffic and create a vibrant, pedestrian-dominant environment. This would not necessarily adhere to the existing "Pedestrian Zone"

guidelines of Washington Street, but rather would be an urban design intervention and possibly a new type of street experience that could serve as a model for the future.

Project Mitigation: Transportation Demand Management

BTD applauds the proponent for proposing a Transportation Demand Management (TDM) program in the PNF. Using the PNF's proposed TDM program as a foundation, BTD will continue working with the proponent to determine the specifics to be codified in the TAPA.

We note that the proponent will provide one free monthly MBTA subway pass per residential unit for the first six months of each lease, and make available information on bus and subway routes/schedules. Additionally, we are pleased the proponent will encourage tenants to use public transit by including language in tenant leases that promotes transit, and will consider subsidizing employee use of transit. The proponent also will promote transit to commercial tenants, making them aware of tax incentives by offering subsidized public transit. These types of programs will be essential for improving traffic in Downtown Crossing as it rapidly becomes denser and includes more residents, businesses, and offices.

BTD is pleased the proponent intends to encourage bicycle trips by proving on-site bicycle racks and secure bicycle storage for residents. The proponent may want to consider other means of encouraging bicycle trips such as providing free shared bicycles for residents. More clarity is required regarding where on-site bicycle racks will be located. Reasonable options could be bike racks at the loading dock and public entrances for short-term messenger deliveries and visitors, as well as longer-term bicycle racks at designated locations within the parking structure.

BTD commends the proponent for including plans to promote ridesharing/carsharing in the PNF. The creation of almost exclusively residential parking, with only five employee spaces, encourages employees to use other modes of transportation. We note that the proponent plans to join the Transportation Management Association (TMA) in order to provide online registration for a ride-matching program, access to information on area carpool, and to organize an internal ridesharing program amongst employees.

Site Plan

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

-Vehicular Circulation	-Service and Loading*
-Parking Layout and Circulation	-Roadways and Sidewalks
-Pedestrian Access and Circulation	-Building Layout
-Bus Terminal Access	-Bicycle Rack Locations

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

Construction Management Plan

BTD notes that the proponent has addressed construction impacts in general terms within the PNF and will subsequently be required to develop and submit a detailed Construction Management Plan (CMP). The CMP will address TDM measures for construction workers, proposed street occupancies, equipment

staging, sidewalk relocations and hours of construction work. BTD will work with the proponent to execute the CMP to mitigate construction impacts.

The issues raised above, should be addressed as part of the transportation analysis to be provided in the Draft Project Impact Report (DPIR) for the One Bromfield Street project. BTD looks forward to working collaboratively with the proponent and the community in review of this project and to address any outstanding concerns in the permitting process.

Sincerely,

Rachel Mercier

Rachel Mercier
Transportation Planner
Boston Transportation Department
Policy and Planning Division

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

BOSTON TRANSPORTATION DEPARTMENT

TRANSPORTATION ACCESS PLAN GUIDELINES

And

SCOPE OF WORK

For

ONE BROMFIELD STREET

Boston is a dense city, with high levels of vehicular congestion, pedestrian traffic, and parking demand. New development of all types increases travel demand, and will have transportation impacts that require analysis, review, and mitigation. Through the City of Boston's Article 80 development review process, the Boston Transportation Department (BTD) works with development team (the "project proponent") to ensure that they thoroughly evaluate the transportation impacts associated with the proposed project; propose and analyze ways to mitigate these transportation impacts, and implement appropriate mitigation measures.

The project proponent is responsible for assessing and mitigating the short-term and long-term impacts of the proposed project. submitting the following documentation to BTD:

1. Transportation Access Plan. The Transportation Access Plan shall fully describe all transportation-related issues surrounding the proposed project. It should include the following principal components:
   - Description of Existing Transportation Conditions. A summary of existing traffic, public transit, pedestrian, bicycle, and parking conditions in the study area.
   - Evaluation of the Proposed Project's Long-Term Transportation Impacts. A detailed description of the proposed project and a detailed analysis of the project's long-term impacts on traffic, public transit, pedestrian, bicycle, and parking conditions.
   - Mitigation of the Project's Long-Term Transportation Impacts. Identification of appropriate measures to mitigate project impacts, including physical and operational improvements, travel demand management (TDM), and long-term project impact monitoring.
   - Description of the Project's Short-Term Construction Impacts and Proposed Mitigation. General overview of the project's construction impacts, construction schedule and phasing, and measures to mitigate the short-term impacts. This is a summary of the more detailed Construction Management Plan (CMP) to be submitted to BTD under separate cover.

   The Access Plan typically comprises the transportation component(s) of the proposed project's various environment filings, such as the Draft Project Impact Report (DPIR) or the Final Project Impact Report (FPIR); in special cases, the Access Plan may be a separate document. In any case, the Access Plan should adhere to the guidelines and scope of work set forth below. The analysis and reporting guidelines below are designed to be general enough that they will apply to most or all major development projects; they are also designed to be specific enough to ensure adequate information and equitable review of all development projects. These guidelines shall be followed as closely as possible. If the project proponent believes that certain provisions are not

applicable to the development in question, the proponent shall obtain BTD's explicit approval to forego those provisions.

2. Construction Management Plan. The Construction Management Plan (CMP) shall include a detailed proposal for the proposed project's construction: schedule, phasing, occupancy of the public right-of-way, access and delivery requirements, transportation impacts, and mitigation. The proponent shall submit the CMP to BTD, under separate cover from the Access Plan. The project's general contractor typically prepares the CMP. Guidelines for preparation of the CMP are available from BTD. The CMP shall be completed prior to the issuance of a Building Permit from the City of Boston's Inspectional Services Department (ISD).

3. Transportation Access Plan Agreement. The Transportation Access Plan Agreement (TAPA) is a formal legal agreement between the project developer and BTD. The TAPA formalizes the findings of the Access Plan, the mitigation commitments, elements of access and physical design, and any other responsibilities of the developer and BTD. Since the TAPA must incorporate the results of the technical analysis, physical design, and assessment of mitigation requirements, it must be executed after these processes have been completed. However, the TAPA must be executed prior to approval of the project's design through the City of Boston's Public Improvements Commissioner (PIC). An electronic copy of the basic TAPA form is available from BTD. It is the proponent's responsibility to complete the TAPA so that it reflects the specific findings and commitments for the project, and to get BTD review and approval of the document.

STUDY AREA

The Access Plan shall consist of a thorough analysis of the proposed project's transportation impacts throughout the relevant study area. The study area shall comprise the public right-of-way and important transportation elements of the area described by the following list of intersections:

a. Tremont St./School St./Beacon St.
b. Province St./School St.
c. Washington St./School St.
d. Province St./Bromfield St.
e. Tremont St./Bromfield St.
f. Tremont St./Park St.
g. Franklin St./Washington St.
h. Washington St./Bromfield St.
i. Province St./Province Ct.

The proponent shall review all relevant project proposals and planning studies that would affect the study area, and incorporate these into the transportation analysis, as appropriate. These include at minimum the following projects:

- 45 Province Street
- One Franklin/Filene's Redevelopment

DEFINITION OF TASKS

Task 1. Description of Existing Transportation Conditions

The Existing Conditions component shall summarize the current status of the transportation system within the study area. It shall focus on the issues listed below, and shall identify any existing problems or deficiencies in the transportation system. The Existing Conditions analysis will form the basis for projecting future conditions, and enable comprehensive assessment of the proposed project's transportation impacts.

1.1 Project Site Conditions. Describe general conditions in the vicinity of the project site, including:
- Existing land use, including existing site square footage, building square footage, number of employees or residents, zoning provisions, and other applicable information
- Physical condition of the site, existing access and egress
- Major streets and intersections in the vicinity of the site
- On-street regulations

Include a survey of existing conditions.

1.2 Traffic. The Access Plan shall include traffic volume counts at the study area intersections for weekday morning and evening peak periods under existing conditions. These shall be classification counts in areas with high volumes of heavy vehicles. The morning and evening peak volumes represent a minimum for traffic impact analysis.

Depending upon the nature of the proposed project or local conditions, BTD may require traffic analysis for additional conditions, such as the Saturday afternoon peak.

Existing capacity analyses shall be performed to determine level of service at all study area intersections. Analyses shall reflect realistic peak period characteristics, including pedestrian volumes, requirements for pedestrian phases, curb operations (bus stops, pick-up / drop-off), usable lanes, grade, and percentage of heavy vehicles. Appropriate traffic models will be discussed below.

1.3 Parking. The Access Plan shall summarize the parking supply within ¼ mile of the project site. The parking inventory shall focus on publicly-available spaces, but shall also include private resident or employee spaces as well, if the information is available. The parking inventory shall include:

a. Location (block face for on-street spaces, facility for off-street spaces). Include a graphic representation of the parking supply locations with respect to the project.
b. Type of Space
   - On-street (metered, resident parking, unregulated, etc.)
   - Off-street (surface lot or garage, user type: resident, employee, commercially-available, customer, etc.)
c. Parking Fees, by Type of Space
d. Percentage Utilization During Parking Peak (assume 12 noon)

This inventory can be supplemented with data from published sources such as the BTD's 1987 Downtown Parking Inventory Study, updated as necessary with survey data.

If there is currently parking associated with the project site, the Access Plan shall summarize the parking use and management. The description of existing on-site parking use shall include: number of spaces; occupation of spaces by user type, hour of peak occupancy, turnover rate, parking fees, and any high-occupancy vehicle spaces.

1.4 Transit. The Access Plan shall describe the study area's mass transit system:

a. Transit Supply
   - Massachusetts Bay Transportation Authority (MBTA) services, proximity to site
     - Service (mode of transit, line, closest station stop)
     - Service characteristics (frequency during peak periods, geographic connections)
     - Physical characteristics (station conditions, rolling stock)
   - Private transit services (summarize characteristics above)
   - Other transit and high-occupancy vehicle (HOV) services

b. System Utilization
   - Capacity by line during peak periods
   - Current ridership and percentage capacity utilization by line during peak periods

1.5 Pedestrians. The Access Plan shall include a description of pedestrian conditions on sidewalks and intersections adjacent to the site, including major pedestrian routes and desire lines in and around the site, volumes of pedestrians on these routes, and the conditions of these corridors, including any deficiencies or barriers.

Pedestrian volumes shall be counted and pedestrian level of service shall be calculated at the following intersection crossings and sidewalk locations:

a. Bromfield St./Province St.
b. Province St./Province Ct.
c. Bromfield St./Washington St./Franklin St.
d. Province St./School St.

Describe pedestrian accommodation at signalized intersections in the study area (i.e. exclusive vs. concurrent, crossing time provided).

1.6 Bicycles. The Access Plan shall describe existing bicycle usage, primary bicycle routes, accommodation of bicycles in the public right-of-way, and the current supply and location of any existing bicycle racks on or adjacent to the project site. On a day with good weather (record date and weather conditions), survey bicycle rack utilization by location. Document storage of bicycles in locations without bicycle racks. Include bicycle volume counts at the following intersections and bike routes:

a. Bromfield St./Province St.
b. Bromfield St./Washington St./Franklin St.
c. Province St./School St.
d. Tremont St./Beacon St./School St.

1.7 Loading and Service. The Access Plan shall describe any existing loading and service uses on the site, as well as any special conditions relative to loading and service in the surrounding area.

Task 2. Evaluation of Proposed Project's Long-Term Transportation Impacts

The central component of the Access Plan is the evaluation of the proposed project's long-term transportation impacts. The Access Plan must evaluate these impacts in detail, for all the transportation modes and aspects that will be affected, including traffic, parking, public transit, pedestrians, bicycles, and service and loading. These impacts must be compared to the appropriate baseline condition, the Future No-Build Condition. The following are the principal issues, modes, and conditions that must be analyzed.

2.1 Project Description. The Access Plan shall include a summary of the key project characteristics that are relevant to the project's transportation impacts. These include:

- Project name and street address
- Study area, including critical intersections
- Anticipated construction start and completion dates
- Relevant zoning regulations with respect to use, parking and other characteristics
- Required permits, variances, and licenses
- Site area
- Project's gross square footage and floor-area ratio (FAR)
- Gross square footage by use
- Other relevant variables (e.g. number of dwelling units, number of hotel rooms, number of employees)
- Number of parking spaces, specified by use type
- Number of loading bays, dimensions of bays, design loading vehicle

2.2 Trip Generation Analysis. The Access Plan shall include a clear and detailed trip generation analysis for the proposed uses of the site. This analysis shall include:

a. Person-Trip Generation. The Access Plan shall summarize the proposed project's person-trip generation, for daily, AM peak, and PM peak trips. For certain uses, person-trips shall also be calculated for other time periods, such as Saturday afternoon peak hour (e.g. cultural or entertainment use in an area with significant weekend congestion).

The person-trip calculations shall be based on appropriate trip generation rates, typically the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 6th Edition.* The ITE manual includes comprehensive vehicle-trip generation rates based on surveys in suburban locations throughout the United States. Because Boston benefits from an excellent public transit system and pedestrian access, ITE vehicle-trip generation rates are not directly applicable to resulting vehicle trips. ITE rates shall be used to generate total person-trips by correcting for vehicle occupancy rate (VOR). Appendix xx includes a compilation of the most common ITE trip generation rates and corresponding VOR. The proponent shall use these trip generation rates whenever possible. Where necessary, these trip generation rates may be supplemented by survey data or information from other sources (subject to BTD requirement and/or approval). The person-trip generation analysis shall be summarized in a clear table, in the body of the Access Plan, including all of the following information:

- Land use type
- Square footage, by land use type

- Vehicle-occupancy rate (VOR) assumption, by land use type (for translation of vehicle-trip rates to person-trip rates)
- Daily person-trip generation (by land use and overall)
  - Daily person-trip generation rate (per 1,000 square feet, or per unit)
  - Resulting daily person-trip ends
- AM peak hour person-trip generation (by land use and overall)
  - AM peak hour person-trip generation rate
  - AM peak hour person-trips, entering
  - AM peak hour person-trips, exiting
- PM Peak Hour person-trip generation (by land use and overall)
  - PM peak hour person-trip generation rate
  - PM peak hour person-trips, entering
  - PM peak hour person-trips, exiting
- Source for trip generation rates

b. Mode Split and Vehicle Occupancy Rate. Person-trips shall be apportioned among the various principal modes (automobile, public transit, walking, bicycling) using an appropriate mode split. The mode split shall be presented as percentages of automobile, public transit, and walk / bicycle travel. Working with BTD, the Central Transportation Planning Staff (CTPS) has compiled appropriate mode split assumptions for various sections of Boston, according to trip type. These mode splits, along with VOR for automobile trips, are included in Appendix xx. The mode split calculation shall be based upon these assumptions. If the proponent wishes to adjust these mode splits based upon specific project characteristics, the adjustment must be supported by accepted evidence and by appropriate mitigation commitments (e.g. enhanced travel demand management to justify a higher public transit mode share). BTD must approve any adjustments to the mode split and VOR assumptions in Appendix xx. The Access Plan shall include a clear, easily understood table that summarizes the assumptions and the resulting trips by land use type, by trip purpose, and by mode.

c. Trip Distribution. The trip distribution shall identify the directional split (i.e. north, south, west) of person-trips and vehicle-trips for the specific location and trip types of the proposed project. Detailed trip distribution information for trips to and from all areas of Boston is included in Appendix xx. The trip distribution is allocated by individual mode, and should be applied to the resulting trip totals by mode. The Access Plan shall use this information for trip distribution assumptions, unless BTD recommends or approves other trip distribution assumptions.

d. Trip Assignment. The distributed trips shall be assigned to the appropriate means of accessing the project: highway routes, surface streets, surface intersections, sidewalks, crosswalks, site access / egress points, and public transit lines. If the project expects to rely upon an off-site parking supply, trips shall be assigned appropriately to these locations. Drop-off, pick-up, and valet trips shall also be assigned appropriately, i.e. both entering and exiting the site access, and entering or exiting an off-site parking area.

Attached appendices include the base assumptions that the project proponent shall use for trip generation rates, mode splits, trip distribution, and vehicle occupancy rate for specified areas of Boston. The proponent may believe that other assumptions should

be used due to specific circumstances, such as proximity to public transit (not relevant for downtown zones) or exceptional travel demand management commitments. Where such special circumstances warrant, the proponent may propose alternative assumptions, which are subject to explicit BTD approval.

2.3 Future No-Build Condition. The analysis of the proposed project's transportation impacts must be based on a comparison with an appropriate baseline condition. The proposed project's impacts would be felt fully during some future "horizon year" when the project is expected to be complete, occupied, and operating. The effects of the proposed project (under the "Future Build Condition") are most appropriately demonstrated in comparison to projected transportation conditions during the horizon year without the effects of the proposed project.

- The horizon year shall be five years in the future, unless specific circumstances require that a different time frame be used.
- The Future No-Build Condition shall be based on the Existing Conditions assessment, with the addition of development and infrastructure projects that have been proposed and are expected to be complete and operational by the horizon year (per BTD and BRA instructions).
- The Future No-Build Condition traffic, transit, and pedestrian volumes shall also include a background growth rate of 1 – 1 ½ % per year (depending upon local conditions) added to existing traffic volume counts, transit ridership, and pedestrian counts, unless otherwise specified by BTD.

2.4 Future Build Condition. The central component of the Access Plan is the assessment of the proposed project's long-term impacts. This shall include evaluations of the project's effects on all transportation modes and aspects, throughout the study area.

a. Traffic Impacts.

i) Traffic Volumes. The traffic analysis shall include diagrams of turning movement volumes generated by the proposed project at all study area intersections, and total turning movement volumes for the Future Build Condition. Therefore, the Access Plan shall include turning movement volume diagrams for AM peak volumes, PM peak volumes, and any other required period, of each of the following:

a) Existing Conditions (based on current traffic counts)
b) Future No-Build Conditions (Existing Conditions, plus appropriate future changes and growth factor)
c) Project-Generated Traffic Volumes (based on trip generation)
d) Future Build Conditions (Future No-Build Conditions, plus Project-Generated Traffic Volumes)
e) Future Build Conditions with Mitigation (if the proponent plans to undertake any roadway or signalization changes in order to mitigate traffic impacts of the proposed project)

ii) Traffic Capacity Analysis Software. The Access Plan shall include traffic capacity analyses for Existing Conditions, Future No-Build Conditions, and Future Build Conditions. The capacity analysis shall be performed using an approved and appropriate capacity analysis software program.

- For intersections that are widely spaced and will operate in isolation, the proponent shall use software based upon the *Highway Capacity Manual* (HCS), 1997 edition.
- For closely-spaced intersections with long queues that create interaction between intersections, the proponent shall use a computer model, such as Transyt-7F (version 8) or Synchro, that can accurately model these effects. In such cases, the proponent shall model all of the intersections that would interact.

The computer model output shall be attached to the Access Plan as an appendix.

iii) Traffic Capacity Analysis Results Summary. The Access Plan shall include a tabular summary of the traffic capacity analysis, for all conditions (Existing, No-Build, Build) for each intersection as a whole and for each approach of every intersection. The summary shall include the volume-to-capacity ratio (v/c), level of service (LOS), delay, and estimated queue lengths for each study intersection, and for each approach of every intersection. The summary table shall also highlight changes to intersection and individual approach LOS that result from site-generated traffic.

iv) Traffic Counts. The proponent shall submit, under separate cover, turning movement count summary sheets for each intersection in the study area.

b. Parking Impacts. The Access Plan shall include an analysis of projected parking demand and proposed parking supply.

i) Parking Demand Analysis. The Access Plan shall include an analysis of total parking demand in the horizon year, broken down by land use and user type (e.g. office employee vs. visitor, hotel employee vs. guest, retail employee vs. patron). The parking demand analysis shall include
- Daily vehicle-trip generation by land use and user type (consistent with mode split and VOR)
- Parking turnover by land use and user type (cite source)
- Parking demand peaks by land use and user type
- Overall parking demand and peak parking demand, based on shared parking among all land uses and user types included in the proposed projectd

ii) Proposed Parking Supply. The Access Plan shall include a summary of the project's proposed off-street parking supply. Parking supply, and parking costs, play a central role in determining mode split and vehicular traffic impact. In general, parking shall be limited to minimum supply that is appropriate to the neighborhood, the project's transit access, and the project's mode split. Appendix xx includes a map of parking ratio guidelines by land use and area of the city. The project's parking ratio shall remain within these guidelines. If the parking supply exceeds these guidelines, the proponent must justify the excess parking based on circumstances specific to the project. Higher parking ratios may increase transportation impacts, and necessitate enhanced mitigation measures. The information below shall be summarized in a clear table.
- Total Spaces
  - Existing

- Future No-Build (if applicable)
- Future Build Parking Conditions

- Parking Allocation
  - Space allocation among various land uses
  - Parking ratios: spaces per thousand square feet or per unit, by land use
  - Specially-designated parking spaces, e.g. vanpools, livery vehicles, rental cars, car-sharing
  - Treatment of existing parking spaces, including displacement of existing parking spaces and how the parking demand for these spaces would be met in the Future Build Condition
- Comparison of Parking Supply and Demand
  - Projected shortfall or surplus of parking spaces, by land use
  - Proposed management of shortfall or surplus
- Provide a plan of all parking facilities, including layout, access, and size of spaces.

iii) Off-Site Parking Supply. Describe any anticipated utilization of off-site parking supply (as described in the Existing Conditions section, amended to reflect Future No-Build Conditions) required to satisfy project-generated parking demand.
- On-Street Parking Supply
- Off-Street Parking Supply
  - Number and type of spaces required (i.e. publicly-available, employee, residential)
  - Resulting parking utilization at 12 noon on a weekday (additional parking survey times may be required, depending upon the nature of the project)

iv) Proposed Parking Management Plan
- Description of Proposed Parking Operations
  - Access control
  - Valet operations
  - Pass or payment medium
  - Management of operations to prevent illegal parking, violation of 5-minute idling law
- Parking Fees
- Management of Specially-Designated Parking Spaces (e.g. vanpool, carpools, rental cars, car-sharing)
  - Location
  - Parking fees
  - Accommodation of increased supply if demand warrants

c. Transit Impacts. Describe the anticipated impacts of the project on the mass transit system, based on the information about Existing Conditions and the projected transit person-trips (based on trip generation – trip distribution – mode split calculations). Future transit conditions shall be based on transit supply and capacity that is expected to be available in the horizon year; if there is some doubt, the proponent shall consult with BTD and/or the MBTA. The proponent may use generally available MBTA ridership data as a basis for this analysis. The Access Plan shall include the following information:

i) Transit Trip Distribution
- Distribution of project-generated transit trips by zone
- Distribution of project-generated transit trips by transit line / route

ii) System Utilization
- Existing Conditions: Capacity and utilization by line
- No-Build Conditions: Capacity and utilization by line
- Build Conditions: Capacity and utilization by line

d. Pedestrian Impacts. Describe future pedestrian conditions in the study area:
- Pedestrian access to and from the project, pedestrian circulation routes
- Pedestrian accommodation in the project's public spaces (e.g. sidewalk, adjacent intersections, plaza spaces, benches, etc.)
- Pedestrian level of service (LOS) at all surveyed crosswalks, sidewalks and other locations
  - Existing Conditions
  - Future No-Build Conditions
  - Future Build Conditions

NOTE: The traffic capacity analyses must also assume appropriate accommodation of pedestrians in all signalization assumptions. The pedestrian impacts analysis shall describe the assumptions regarding accommodation of pedestrians in the traffic analysis, i.e. pedestrian walk rate and percentage of cycles in which pedestrian phase is called (verify with BTD).

e. Bicycles. Describe bicycle access to, from, and within the project site. Describe bicycle storage and other amenities (e.g. shower and changing facilities) to be provided. BTD will provide guidelines on bicycle storage requirements based on project type and size.

f. Loading and Service. The project must accommodate loading and service facilities in an off-street location. The loading and service plan shall not rely upon loading facilities and truck back-up maneuvers in the public right-of-way. Describe service and loading requirements:
- Number of loading bays
- Services to be provided (e.g. garbage compactor, garbage collection, restaurant service, move-in / move-out, etc.)
- Level of loading and service activity (number of trucks per day or per week)
- Loading and service schedule, schedule restrictions (proponent shall prohibit or strictly limit loading and service activities during peak periods)
- Design vehicle(s)
- Required truck turning movements (show design vehicle turning movements on site plan)
- Major loading and service vehicle routes for site access and egress
- Access for emergency vehicles

2.5 Site Plan. Provide an engineered site plan showing Build Conditions (contrast with existing conditions):
- Public right-of-way layout

    - Roadways
    - Sidewalks
- Vehicular access and circulation
- Service and loading
- Parking
- Bicycle storage
- Proposed on-street regulations

Task 3. Mitigation of the Project's Long-Term Transportation Impacts

Major development projects offer benefits, but they also consume public services and create impacts on public resources. Chief among these impacts is a development's effect on the transportation system. The project proponent is required to quantify and analyze these impacts through the Access Plan. It is then the responsibility of the project proponent, working with BTD, to develop strategies for reducing and mitigating these impacts. These strategies will typically include travel demand management (TDM) measures and improvements to Boston's transportation system.

These transportation system improvements and mitigation measures have associated costs. The proponent should view these costs as an integral component of the overall project cost, necessary to enable the transportation system to accommodate the project's impacts. The mitigation measures benefit the users of the transportation system, in particular the new users associated with the proposed project. Project proponents shall allocate appropriate funding for the mitigation. The mitigation measures associated with a development project will be specified in the project's Transportation Access Plan Agreement (TAPA) between the proponent and BTD.

3.1 Travel Demand Management (TDM). Travel demand management comprises a variety of strategies designed to reduce single-occupancy vehicle (SOV) travel and encourage "alternate modes" of transportation (public transit, walking, bicycling). TDM programs are critical due to the disproportionate impacts of SOV travel on congestion, parking demand, air quality, and quality of life. TDM programs are especially important for projects that generate higher trip volumes, create concentrated peaks of demand, and create more impacts related to roadway congestion, parking demand, and vehicle emissions. TDM programs are required even when proponent uses the default analysis assumptions for mode split and VOR, since these default assumptions reflect long-standing TDM efforts and Transportation Management Association programs.

Appropriate TDM measures and requirements will vary depending upon the type of development, the neighborhood, the impact analysis assumptions, and other circumstances. For example, many of the measures below would not apply to a residential development. In the case of commercial office development, some (but not all) of the measures below would be the responsibility of the tenants, rather than the proponent. The proponent will be required to implement those TDM measures that are within its control, and should at least encourage and facilitate such measures. However, if the proponent seeks to base its impact analysis on aggressive assumptions (e.g. a high transit mode share), the proponent must require appropriate TDM measures in its lease agreements with tenants.

In the TAPA, the proponent will be required to implement the following TDM measures (as appropriate to the specific project):

a. Transportation Coordinator. Designate a full-time, on-site employee as the development's transportation coordinator. The transportation coordinator shall oversee all transportation issues. This includes managing vehicular operations, service and loading, parking, and TDM programs. In addition, the transportation coordinator will be responsible for the monitoring program and will serve as the contact and liaison for BTD and the Transportation Management Association (TMA).

b. Ridesharing / Carpooling. Facilitate ridesharing through geographic matching, parking fee discounts, and preferential parking for carpools / vanpools. May be accomplished through membership in a TMA, participation in CARAVAN for Commuters, and/or use of computerized ridesharing software.
c. Guaranteed Ride Home Program. Offer a "guaranteed ride home" in order to remove an obstacle to transit use and ridesharing
d. Transit Pass Programs. Encourage employees to use transit through the following measures:
   - Offer on-site transit pass sales or participate in the MBTA Corporate T-Pass Program
   - Offer federal "Commuter Choice" programs, including pre-tax deductions for transit passes and subsidized transit passes
e. Information and Promotion of Travel Alternatives
   - Provide employees and visitors with public transit system maps and other system information
   - Provide an annual (or more frequent) newsletter or bulletin summarizing transit, ridesharing, bicycling, alternative work schedules, and other travel options
   - Sponsor an annual (or more frequent) "Transportation Day" at which employees may obtain information on travel alternatives and register to participate in ridesharing programs
   - Provide information on travel alternatives for employees and visitors via the Internet
   - Provide information on travel alternatives to new employees
f. Transportation Management Association (TMA) Membership. Investigate joining a Transportation Management Association. Encourage tenants to join the TMA as well. If no TMA is established in the project area, investigate starting a new TMA or becoming affiliated with an existing TMA. A TMA can provide many of these TDM measures, including ridematching, guaranteed ride home, and transit information and promotional materials.
g. Bicycle Facilities and Promotion
   - Provide secure bicycle storage (number of spaces will be specified depending upon size of development and type of land use)
   - Provide additional publicly-accessible bicycle storage (number of spaces will be specified)
   - Provide shower and changing facilities for bicycle commuters
   - Promote bicycles as an alternative to SOV travel, provide promotional material on bicycle commuting and bicycle safety, and provide incentives for bicycle use
h. Parking Management
   - Charge market-rate parking fees
   - Offer preferential parking to carpools and vanpools
   - Offer reduced parking rates to carpools and vanpools
   - Offer parking "cash-out" option
   - Offer garage space for car rentals
   - Offer parking space for car-sharing
   - Offer parking space, charging facilities for electric vehicles
   - Offer parking / layover space for livery vehicles (hotel development)
   - Enforce a 5-minute limit on vehicle idling for all users of the Development, in accordance with Massachusetts state law

i. Trip Reduction Strategies. To the degree possible, the Developer shall implement the following strategies for its own on-site employees. The Developer shall also encourage tenants to implement these strategies as well.
   - Telecommuting. Reduce overall trip demand by enabling employees to telecommute.
   - Flexible Work Schedules. Reduce peak hour and overall trip demand by enabling employees to telecommute, work a compressed work week, or work hours that enable off-peak commuting.
   - Local Hiring. Recruit and hire employees from the local area. Such local employees can more easily use alternatives to SOV travel, including walking, bicycling, and transit.

j. Transportation Monitoring and Annual Reporting. Monitor transportation conditions, conduct employee transportation surveys, and provide BTD with an annual report on findings. This information will be useful to BTD in identifying and addressing issues with travel and access, including transit service, pedestrian and bicycle access, parking, and traffic. This information will enable BTD to pursue improved access for the project, and provide benefits to the proponent. BTD will provide employee survey forms and transportation monitoring forms to ensure uniformity of data.

3.2 Transportation System Improvements. In order to meet Boston's mobility needs as its population, density, and land development increase, Boston's transportation system requires improvements. These improvements offset the transportation impacts of new development. In addition, these improvements can make the traveling experience easier in the vicinity of the project, which accrues to the benefit of the proponent and the development's users.

a. Geometric Changes and Improvements to the Public Right-of-Way. The proponent may be required to make geometric changes and improvements to roadways, sidewalks, and other elements in the vicinity of the proposed project. These changes and improvements may be necessary in order to enable new circulation patterns resulting from the project and mitigate impacts of new vehicle or pedestrian trips. Changes and improvements shall be designed by the proponent's consultant in consultation with BTD. The project proponent will be required to directly fund and implement all changes and improvements to the public right-of-way, and to obtain any required permits. The proponent shall obtain the approval of the City of Boston's Public Improvements Commission (PIC) for any changes to the public right-of-way. These improvements shall be made with input from BTD, per specifications provided by BTD, by a contractor approved by BTD, and subject to final BTD inspection and approval.

b. Traffic Signal Improvements. BTD operates most of the traffic signals in Boston. Improvements to traffic signals in the vicinity of the proposed project may be necessary to manage the increased travel demands placed on the intersection. Improving the operations of these signals can reduce congestion and improve conditions for pedestrians, bicycles, transit vehicles, and general traffic. Typical traffic signal improvements that BTD may require include:
   i) Traffic signal equipment
      - Signal controller
      - Signal heads and pedestrian heads
      - Signal poles and mastarms
   ii) Traffic monitoring equipment

- System detectors
- Video monitoring cameras

iii) Traffic signal communications equipment
- Communications conduit (4" PVC)
- Signal interconnect cable

The project proponent will be required to directly fund and implement all traffic signal improvements, and to obtain any required permits. These improvements shall be made with input from BTD, per specifications provided by BTD, by a contractor approved by BTD, and subject to final BTD inspection and approval.

c. Public Transit System Improvements. New development can add significantly to public transit demand and have other impacts on the transit system. In order to manage this demand and mitigate the impacts, the proponent may be required to make or contribute to transit system improvements. These improvements shall be determined in consultation with BTD and the MBTA. Improvements may include:
- Physical improvements to MBTA system stations and stops
- Water transportation
  - Dock and/or landside infrastructure improvements
  - Operating subsidy for water transportation services
- Supplemental transit services. Public transit is the most desirable means of achieving transit access, and the proponent shall make every effort to facilitate transit access to the proposed project via public services. However, there may be some situations in which private supplemental transit services, such as shuttle buses, are necessary.
  - Overall transit demand in the area is too low to justify public transit service, but the proposed project requires transit access
  - The proposed project generates a concentration of trips to and from certain locations, such that a shuttle is feasible and useful in reducing auto trips (e.g. a hotel with airport and/or convention shuttles)

Task 4. Description of the Project's Short-Term Construction Impacts and Proposed Mitigation

The Access Plan shall include an overview of construction period transportation impacts and proposed short-term mitigation. This shall be a summary of the more detailed Construction Management Plan (CMP) that must be submitted to BTD under separate cover. The construction management summary in the Access Plan shall provide an appropriate level of information regarding the analysis and proposed management of the impacts of the project during the construction period, including:

- The need for full or partial street closures, street occupancy, sidewalk closures, and/or sidewalk occupancy during construction
- Frequency and schedule for truck movements and construction materials deliveries, including designated and prohibited delivery times
- Designated truck routes
- Plans for maintaining pedestrian and vehicle access during each phase of construction
- Parking provisions for construction workers
- Mode of transportation for construction workers, initiatives for reducing driving and parking demands
- Coordination with other construction projects in the area
- Distribution of information regarding construction conditions and impact mitigation to abutters

BRA MEMORANDUM

TO: John Fitzgerald

FROM: Katie Pedersen

DATE: January 2, 2009

RE: One Bromfield Street
Boston, Massachusetts
Comments on Project Notification Form

I have reviewed the Project Notification Form (PNF) dated October 27, 2008 and submit the following comments for the Environmental Protection Component. The proposed One Bromfield Street development (consisting of 23,700 square feet of land area) will be located at the corner of Washington and Bromfield Streets in Boston's Downtown Crossing area (the Site). The Midwood Management Corporation (the Proponent) proposes the demolition of the four existing buildings on the site and the construction of a new building (the Proposed Project). The Proposed Project will include a base of six floors, with a 22-story tower rising above. The Proposed Project consists of approximately 407,000 square feet of gross floor area, including both retail and residential uses.

Wind

The Proponent shall be required to perform a quantitative (wind tunnel) analysis of the potential pedestrian level wind impacts. The analysis shall determine potential pedestrian level winds adjacent to and in the vicinity of the Proposed Project site and shall identify areas where wind velocities are expected to exceed acceptable levels, including the Authority's guideline of an effective gust velocity of 31 mph not be exceeded more than 1% of the time.

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

The wind impact analysis shall evaluate the following conditions:

1. No-Build- the existing condition of the site and environment to establish the baseline condition.

2. Future Preferred Build Condition- the proposed development as described in the Project Notification Form.

3. Alternative Build Condition(s)- any alternative development concept(s) to the Preferred Build Condition required to be studied.

Shadow

The shadow impact analysis included the PNF sufficiently demonstrates that the Proposed Project is not anticipated to create significant new shadow on existing and proposed public open spaces, major pedestrian areas and the sidewalks adjacent to and in the vicinity of the Proposed Project. The Proposed Project has also demonstrated compliance with Section 2 (c) of Chapter 362 of the Acts and Resolves passed by the General Court of Massachusetts in 1990 (An Act Protecting Certain Public Commons) and the requirements of the Article 38 of the Boston Zoning Code.

Solar Glare

The Proponent has stated that the Proposed Project design does not include large areas of reflective glass or other materials that would contribute to solar glare. Therefore, a solar glare analysis shall not be required. However, should the Proposed Project design change and include substantial glass-facades, a solar glare analysis shall be required.

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) and U.S. Department of Housing and Urban Development (HUD) requirements for residential and other sensitive receptors. Particular attention shall be given to mitigation measures to ensure compliance with air quality standards.

A description of the Proposed Project's heating and mechanical systems, including the location of the buildings intake and exhaust vents and specifications, as well as any potential impacts of the Proposed Project on the attainment or maintenance of the NAAQS at the buildings and other nearby locations. Mitigation measures deemed necessary to minimize or avoid violations of state or federal ambient air quality standards shall be described.

Construction of the Proposed Project will create fugitive dust and air emissions from construction-related traffic and additional wind-blown dust as a result of ground disturbance. The Proponent shall be required to employ the mitigation measures as necessary to minimize the potential impact of air pollution emissions from Proposed Project construction operations.

Noise

The Proponent shall establish the existing noise levels at the Proposed Project site and vicinity and shall calculate future noise levels after the Proposed Project is completed and

demonstrate compliance with applicable Federal, State and City of Boston noise criteria and regulations. The noise evaluation shall include the noise generated by the area's traffic and other noise sources. Future noise levels shall include the noise generated by the Proposed Project's mechanical equipment. Measures to minimize and eliminate adverse noise impacts on nearby sensitive receptors, including the Proposed Project itself, from traffic noise and mechanical systems shall be described.

Solid and Hazardous Waste

The Proponent shall be required to quantify and describe the generation, storage, and disposal of all solid wastes from the construction and operation of the Proposed Project. In addition, measures to promote the reduction of waste generation and recycling, in compliance with the City's recycling program, shall be described.

Stormwater Management

The Proponent shall provide an evaluation of the Proposed Project site's existing and future stormwater drainage and stormwater management practices. In addition, an illustration of existing and future drainage patterns from the Proposed Project site as well as a description and quantification of existing and future stormwater runoff from the site and the Proposed Project's impacts on site drainage have been provided in the PNF.

The Proposed Project's stormwater management system, including best management practices to be implemented, measures proposed to control and treat stormwater runoff and to maximize on-site retention of stromwater, measures to prevent groundwater contamination, and compliance with the Massachusetts Department of Environmental Protection's (DEP) Stormwater Management Standards shall be provided. The Proponent shall also provide a description of the Proposed Project's stormwater drainage facilities and ultimate point of discharge.

Sustainable Design/Green Buildings

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.

The Proponent has provided a completed LEED for New Construction v 2.2 checklist for which the Proposed Project purports to achieve 27 points. The Proponent shall provide an explanatory narrative demonstrating compliance with specific points. The Proponent is encouraged to strive to attain the 4 points indicated as ***maybes***, as points are often lost between the submission of the PNF and construction.

December 16, 2008

John Palmieri, Director
Boston Redevelopment Authority
Boston City Hall, Room 925
Boston, MA 02201
Attention: John FitzGerald, Project Manager

Re: One Bromfield Street - Project Notification Form

Dear Director Palmieri:

The City of Boston Environment Department has reviewed the Project Notification Form (PNF) and offers the following comments.

The project proposed by Millwood Management Corporation, is a 28 story, 353-foot tall (to the top of the mechanicals structure) to be occupied by about 49,000 square feet (sf) of basement, first floor and second floor retail, 192 parking spaces on three, four and five, a lobby area, health club and residential amenities on six, and 276 rental apartments on floors seven through 28. The screened parking facility will be accessed from Province Court with egress onto Bromfield Street. Five spaces may be used by employees with the remainder dedicated to resident use. It appears that there are at least 11 tandems spaces per level. All parking will be managed by a valet service. Loading/service/trash bay access will be inside of the building and accessed from Province Court. The Downtown Crossing site, currently occupied by four buildings which will be demolished, is bounded by Washington Street, Bromfield Street, Province Court and Ordway Court. The property is subject to the Downtown Parking Freeze.

The PNF indicates that the Draft Project Impact Report (DPIR) will include:

- a noise study
- a quantitative wind study
- the description of a recycling plan

A preliminary LEED-NC v 2.2 checklist shows that the Proponent has identified 27 credits for inclusion in the project with two Boston Green Building Credits (Modern Mobility and Groundwater Recharge) and an additional 15 standard LEED credits under consideration. Twenty-six (26) credits will not be sought.

We look forward to an updated checklist in the DPIR accompanied by a narrative describing implementation plans for each credit. Sample documentation can be found on the BRA Web site – on the main page left menu, click on 'Documents' then on 'Planning and Zoning' and then on '12.10.07 179 Lincoln – LEED (Part-1)' and on '12.10.07 179 Lincoln – LEED (Part-2)'.

This department suggests that the Proponent evaluate two energy-saving elevator systems for the project – the Kone EcoSystem MR Mid-to High-Rise www.kone.come/countries/en_us/Elevators/EcoSystem) and Otis Elevator's Company's Elevonic High Rise Gearless elevator (Otis.com/site/us).

We request the Proponent install permanent castings stating, "Don't Dump: Drains to Boston Harbor," on the sidewalk next to any catch basin existing, created or modified during project construction and alongside any catch basins located in areas to be used by vehicles. Castings can be obtained from the Operations Division at

the Boston Water and Sewer Commission (BWSC) at 617-617-989-7000.

The shadow study diagrams in the PNF do not provide the level of detail necessary for review of the project. There is no narrative description of shadow impacts and only a passing reference to the shadow bank. Shadow diagrams should include:

- a north arrow
- street names
- the identification of doorways, bus stops, open space and areas where pedestrians are likely to congregate (in front of historic resources or other tourist destinations, for example)
- clear delineation of shadow on both rooftops and facades and
- clear distinctions between existing shadow and new shadow

Diagrams should be oriented and scaled consistent with diagrams that will show wind monitoring locations and levels, for both the Build and No Build conditions.

A plan should be developed to ensure that there is no idling in violation of the Commonwealth's anti-idling law (MGL 90 s16A and 310 CMR 7.11) at loading and drop-off/pick-up/waiting areas; it should be included in the DPIR.

Exterior lighting should meet safety needs while not contributing to light pollution. Fixtures should be shielded and downward directed. We recommend as a resource, the Campaign for Dark Skies which can be accessed at 'http://www.britastro.org/dark-skies/' – click 'Lighting' and then 'Good & bad lighting/. Please describe in the DPIR the exterior lighting plan for the project.

Save That Stuff (617-241-9998), a Charlestown company, has recently initiated a composting program, one of the few available in the Boston area. We suggest that any restaurant or food service tenants consider participating in this program which will turn their organic waste into a useful product while helping to control waste removal costs and, when properly managed, assist with pest control.

The staff of the Boston Landmarks Commission (BLC) has reviewed the PNF. The project site includes four existing buildings listed in the Inventory of Historic and Archaeological Assets of the Commonwealth and nearby to multiple historic resources. The "significance" of each building and its contribution to historic context and/or streetscape varies. The six story building at the prominent corner of Washington and Bromfield appears to be the least altered of the four, retains historic presence and reinforces the scale of the streetscape.

The BLC staff notes that preservation and rehabilitation of historic buildings is recognized as a sustainable building practice by the U.S. Green Building Council and the City of Boston. BLC staff strongly encourages a thorough study of alternatives that rehabilitate, or incorporate historic buildings into proposed development plans, rather than demolition. Demolition would constitute not only a loss of historic fabric, but also represents a loss of the building's embodied energy, fuel expenditure and air pollution during the demolition and removal of the building, as well as a large deposit of material to landfills.

Proposed demolition of buildings over 50 years of age or within Downtown or the Harborpark requires Article 85 Demolition Delay review by the Boston Landmarks Commission. Please note that "significance" described in the PNF and attributed to the 1980 BLC Survey forms may no longer be relevant, as these survey forms are over 20 years old and are in the process of being reevaluated. The buildings proposed for demolition may be considered "significant" under the terms of Article 85.

In the absence of preservation or rehabilitation of the existing historic buildings, BLC staff has some comments on the proposed new construction. The overall massing of the proposed construction does attempt to relate to the existing streetscape in scale, but the proposed tower raises concerns. The obvious issue regarding the proposed development is the height of the tower. While there are other towers nearby and the design intends to minimize visual impact, the proposed tower needs to be carefully evaluated for its physical and visual impacts on adjacent and nearby historic context. A new tower at this prominent location may have negative impacts on nearby historic resources. BLC staff looks forward to detailed shadow and wind analysis diagrams, as well as

nearby historic resources. BLC staff looks forward to detailed shadow and wind analysis diagrams, as well as various renderings showing the proposed construction in context, from various vantage points, near and far.

The proposed "base" of the building does generally attempt to relate to the scale of surrounding context, but it appears that the proposed design may require refinement to provide appropriately scaled elements at the pedestrian level. BLC staff supports a modern aesthetic for new construction, but suggests refined details are essential for the success of such a proposal. The proposed tower concept for two vertical slabs is interesting, but difficult to evaluate without further refined elevations and renderings that clearly illustrate proposed materials and details. There is some concern that the proposed design concept may actually increase the visual intrusion of the tower, rather than minimize it. It is recognized that the Washington Street and Bromfield Street elevations will have the most impact, but the north and west elevations are also important to evaluate for visual impact on context. The elevations included in the PNF are not developed enough for BLC staff to provide further specific detailed design comments; BLC staff looks forward to the opportunity to review the proposal again as the design develops.

BLC staff agrees with BRA Urban Design staff that new construction projects in the City should be constructed with traditional building materials and techniques rather than synthetic composite materials. Simulated materials such as exterior insulated finish systems (EIFS), and glass fiber reinforced concrete (GFRC) are inconsistent with Boston architecture and are unlikely to withstand decades of the City's freeze-and-thaw climate.

The BLC requests that dated cornerstones be incorporated into all new construction. This element will allow those who are attentive to and value the architecture of the City to appreciate the historical context in which structures were conceived.

Current weekday auto trips for the retail and office uses are 174. Daily vehicle trips for the proposed project are expected to be 426. Residential mode splits are expected to be 42 percent walk, 30 percent transit and 28 percent auto. Projected retail mode splits are 59 percent walk, 20 percent transit and 21 percent auto.

A Transportation Demand Management (TDM) program is to be described in the Draft Project Impact Report (DPIR) and codified in a Transportation Access Plan Agreement (TAPA). TDM measures may include:

- language in commercial leases encouraging retail tenants to promote ridesharing, carpooling, transit use and to consider offering transit pass subsidies for employees
- encouraging commercial tenant participation in the A Better City Transportation Management Association (ABCTMA)
- providing secure bicycle parking
- distributing or making available transit maps and schedules to employees, residents and guests
- providing one transit pass for six months for the first occupancy of each unit

We urge the Proponent to:

- require in commercial leases the implementation of TDM measures most likely to discourage vehicular commuting
- provide secure, covered bicycle parking for residents and commercial tenants and a bike rack for tenant customers
- provide changing rooms/lockers for commuters who bike or walk to work on site or by arrangement with a neighboring business that provides these amenities
- devoting one or more parking spaces for a car-sharing service such as Zipcar.

Valet parking can result in air quality degradation due to idling. Management of parking at the project will determine the level of effect that the system will have on air quality, pedestrian flows and vehicular circulation. The following elements when reviewing the application for the project:

- Expected arrival and departure numbers, particularly at peak times for various uses.
- Available queuing space.
- The potential for queuing that intrudes upon sidewalks and interferes with pedestrian movements.

The PNF does not indicate how parking spaces not leased by residential tenants, if any, will be used. We ask that the DPIR discuss the disposition of any extra spaces.

Some excess building materials may be suitable for donation to the Building Materials Resource Center (100 Terrace Street, Roxbury, 02120, 617-442-8917). This non-profit center offers, for only a handling fee, new and used materials for low and middle income homeowners.

This department receives frequent complaints about noise generated at construction sites before 7:00 a.m. Complaints show that contractors often allow workers on site before that time. Noise is often related to the run-up of diesel equipment and the preparation and movement of tools and materials. No sound-generating activity is allowed to occur at the site prior to 7:00 a.m.

Regular vacuum cleaning of streets and sidewalks in the project area should be employed to ensure that they remain free streets of dust and debris. The use of a vacuum cleaner is an important measure for preventing construction-related dust and debris from clogging storm drains.

According to the Massachusetts Department of Environmental Protection (DEP), about 33 percent of mobile source particulate matter (PM) and ten percent of all nitrogen oxide (NO_x) pollution in the northeast is caused by construction vehicles. More than 90 percent of diesel engine particulate emissions are highly respirable and carry toxins deep into the lung, exacerbating human respiratory ailments. The U. S. Environmental Protection Agency (EPA) has proposed classification of diesel exhaust as "highly likely to be carcinogenic in humans." It estimates that diesel engines currently on the road can run for 1,000,000 miles and remain in operation for as long as 20 to 30 years. This amounts to 160 to 240 tons of pollution over the life of each engine.

The use of flow-through filters and, diesel particulate filters on pre-2007 diesel vehicles can reduce air quality degradation caused by emissions of carbon monoxide (CO), volatile organic compounds (VOC), NO_x and air toxins generated by heavy-duty equipment. Oxidation catalysts and catalyzed particulate filters reduce toxic emissions of formaldehyde, benzene, acrolein and 1-3 butadiene by as much as 70 percent, decrease localized adverse impacts and reduce dust and odor complaints from project abutters and regulatory agencies. Experience with a pilot project that retrofitted 83 pieces of equipment working on the Central Artery/Tunnel (CA/T) project showed that:

- Vehicles did not experience significant power loss.
- There are no additional operation and maintenance (O & M) or fuel costs.
- Engine manufacturers continue to honor vehicle warranties.

We ask that all pre-2007 diesel construction vehicles working on the project be retrofitted using retrofit technologies approved by the United States Environmental Protection Agency (EPA).

Thank you for the opportunity to offer comment. We look forward to the DPIR.

Sincerely,

Bryan Glascock
Director

BOSTON PRESERVATION ALLIANCE

January 30, 2009

Mr. John Palmieri, Director
Boston Redevelopment Authority
Boston City Hall, Room 925
Boston, MA 02201
ATTN: John Fitzgerald

RE: One Bromfield Street

Dear Mr. Palmieri:

The Boston Preservation Alliance is very concerned about the proposed One Bromfield Street project. We look forward to the opportunity to work with the Boston Redevelopment Authority to address the matters outlined below.

Shadow and Wind Impacts

It has come to the attention of the Alliance that substantial new shadows will be created by the proposed project at One Bromfield Street. These shadows would have significant negative impacts on one of Boston's most important historic resources, the Old South Meeting House. Built in 1729, the Old South Meeting House is a National Historic Landmark, one of fewer than 2,300 such properties with this highest distinction for historic significance from the United States Department of Interior. Old South is a symbol of our nation's commitment to freedom and free speech, and it is a surviving architectural icon from a period of great importance to the city. The museum at Old South serves more than 75,000 children and adults annually and is open to the public 361 days each year.

New permanent shadows created by this project will have a substantial impact to the operations and preservation of the nearly 300 year old historic structure of Old South Meeting House. These shadows will affect the primary façade of the Meeting House on Washington Street. The impact of permanent new shadows to the historic masonry of the building, which is anticipated throughout the afternoon for many months of the year, is likely to cause costly, and potentially irreparable, damage to the structure. Old South already faces significant challenges to ongoing maintenance due to ice dams that have formed as a result of new shadow caused by the 33 Arch Street tower. The new shadows from One Bromfield Street will also create a visual impact that will be detrimental to the experience of visitors. In addition, the operations of the flower stand on the corner of Washington and Milk Streets, which is a significant source of revenue for the upkeep and operations of the building, would be hindered by the new shadow.

The Alliance believes that a comprehensive analysis of the shadow and wind impacts on historic properties identified in Section 3.4 of the Project Notification Form (PNF) must be conducted as part of the review of the One Bromfield Street proposal. In addition to Old South Meeting House, a number of other historic buildings of note in the vicinity of the project may also be placed in new shadow and experience new wind impacts, including the Old Corner Bookstore and other properties along the Freedom Trail. The shadow diagrams in the PNF must be expanded and a narrative explaining the anticipated impacts must be included. It is difficult to tell which of the buildings listed in Section 3.4 will be placed in new shadow. Buildings impacted should be more clearly identified in future documentation. The shadow impacts should be fully examined by a qualified preservation consultant and the results of this study should be made public.

Consultation with Historic Property Owners
Based on conversations over the past several days with historic property representatives, it does not appear that historic properties that would be impacted by shadows created by this development received a copy of the PNF. As a result, some have missed the deadline for comment on it. The Alliance did not hear the extent of the serious concerns about shadow impacts on these properties in advance of the public meeting or the end of the comment period.

The Alliance believes it is critically important that the owners, managers and stewards of all historic properties that are listed in Section 3.4 of the PNF and are adversely impacted by new shadow from the proposed project are added to the notification list for public meetings relating to One Bromfield Street. Representatives from these historic properties should also receive permitting documentation (including the Draft Project Impact Report) filed by the proponent.

Existing Buildings on the Project Site
The Alliance understands that the proposed project will involve the demolition of four existing buildings with varied levels of historic significance and integrity. The Alliance will actively participate in the Boston Landmarks Commission's Article 85 Demolition Delay process and the Massachusetts Historical Commission's review of the proposal, if required. The Alliance concurs with the statement by the Boston Landmarks Commission in their December 16, 2008 letter on the PNF that "the six story building at the prominent corner of Washington and Bromfield Streets appears to be the least altered of the four buildings proposed for demolition and retains historic presence and reinforces the scale of the streetscape." The Alliance requests that the project proponent to consider preservation issues and options before demolition is permitted.

The Alliance appreciates your attention to these matters. We look forward to participating in the ongoing review of the One Bromfield Street proposal.

Sincerely,

Sarah D. Kelly
Executive Director

Susan Park
President

cc: At-Large City Councilor Michael Flaherty
At-Large City Councilor John R. Connolly
At-Large City Councilor Stephen J. Murphy
At-Large City Councilor Sam Yoon
City Councilor Salvatore LaMattina
Heather Campisano, Boston Redevelopment Authority
David Carlson, Boston Redevelopment Authority
Brona Simon, Massachusetts Historical Commission
Ellen Lipsey, Boston Landmarks Commission
Emily Curran, Old South Meeting House
Kathy Kottaridis, Historic Boston Incorporated
Mimi LaCamera, Freedom Trail Foundation
Rosemarie Sansone, Downtown Crossing Partnership

APPENDIX B

January 23, 2009

Mr. John Fitzgerald
Project Manager
Boston Redevelopment Authority
City Hall, 9th floor
Boston, MA 02201

Dear Mr. Fitzgerald:

The Impact Advisory Group (IAG) for the One Bromfield project (the "Project") proposed by Midwood Management Corporation (the "Proponent") has prepared the following summary of our comments about the proposed project. These comments are based on our own evaluation of the Project Notification Form (PNF), the content of the Scoping Session and Community Meeting on 11/17, as well as on our conversations with various community groups in the impacted areas.

In general, the IAG believes that the development proposal has significant merit and has the potential to add much-needed residential activity and additional retail vitality to Downtown Crossing. The IAG further believes that the Proponent could significantly improve the proposed Project and effectively mitigate its impacts by carefully considering the following comments:

I. Comments on the scope of PNF Studies

In general, the scope of studies performed and included in the PNF represents an appropriate first step. The IAG suggests that the following additional studies and scope be incorporated into the Project's Draft Project Impact Report (DPIR), which should be required of the proponent.

1. Traffic: The intersections of Beacon/Somerset, Beacon/Bowdoin, and Beacon/Park should be included due to empirical evidence suggesting that failure of the Beacon/Tremont intersection frequently backs traffic up over the top of Beacon Hill and into the residential areas of the Beacon Hill community. A figure should be included showing access to/from I-93N, I-93S, and I-90E/W from the Project site, along with a clear diagram showing planned vehicular circulation in the immediate vicinity of the Project site. The DPIR should also include turning radius analyses demonstrating that delivery trucks up to SU35 length are able to easily navigate the geometry in Province Court, and should include a discussion of how move-ins/move-outs will be managed given the transient nature of the Project's rental residential use.

2. Parking: The DPIR should include a study evaluating the number of valet staging spaces in light of the proposed valet/elevator-operated parking arrangement. The IAG is concerned that there is an insufficient number of vehicle staging spaces for arriving resident vehicles, assuming the porte-cochere must be kept clear to

through-travel at all times. The DPIR should also include an estimate of vehicle delivery time at peak periods and compare that estimate to the estimated vehicular trip generation rates to ensure that backups onto Province Street (and by extension, School Street and/or circling movements) do not occur.

3. Shadow Impacts: The DPIR should include a more thorough analysis of shadow impacts on the Old South Meeting House and Old State House (if any), which the Proponent would likely need to prepare for MHC in any case. The DPIR should confirm that no net new shadow is cast on the Boston Common at any time during the year.

4. Daylight Impacts: The DPIR should include a comprehensive daylight analysis demonstrating the impacts that the Project would have on Bromfield and Washington Streets. The DPIR should also identify the horizontal distance between the Project's residential tower elements and the existing 45 Province Street tower.

5. Waste Management: The DPIR should include a discussion of how residential domestic waste and recycling will be handled within the Project. The PNF plans do not show the location of a trash compactor or recycling room, as is customary for a building of this size.

6. Noise: The DPIR should include a detailed noise analysis of the Project's rooftop and other above-grade mechanical equipment (garage fans, etc.) to ensure that the Project's mechanical equipment will not create a noise impact on the Project's residential neighbors at 45 Province Street. Any potential noise impacts should be thoroughly mitigated by screening, enclosure, or relocation of mechanical equipment to avoid impacts to the new homeowners at 45 Province.

7. Wind: The DPIR should include sufficient wind analyses to confirm that no extraordinary wind impacts will be created that affect the integrity and usability of the envelope and exterior residential spaces of the 45 Province residential building. The DPIR should further include sufficient wind analysis to demonstrate that the Project will mitigate the existing wind conditions on Bromfield Street, which are often uncomfortable to pedestrians.

8. Historic Resources: The Project is located in close proximity to the Freedom Trail and several historically significant destinations. The Proponent should assess impacts on Freedom Trail destinations located in Downtown Crossing (King's Chapel, the Old South Meeting House, and the Old State House) to determine how the Project could help to strengthen these national treasures and enhance their visitors' experiences. The Project should assist in ongoing preservation/capital maintenance efforts at these sites.

9. Construction Impacts: While we expect that the Project will take the customary series of construction impact mitigation measures associated with Large Projects

in the city, special care should be taken to avoid impacting the occupants of the Jeweler's Building (333 Washington Street). The jewelry and watch-making businesses in this building are a unique part of Downtown Crossing's business community and are likely to be especially sensitive to construction vibrations etc. The Project's proponent should examine the application of drilled caisson foundations instead of driven/vibrated piles in order to thoroughly mitigate construction vibration impacts to surrounding historic structures and sensitive occupancies.

II. Comments on Project Design

1. West Elevation: The DPIR should include greater design detail showing the proposed composition and appearance of the west elevation of all components of the Project, i.e. those facing the residential Beacon Hill community and the scenic Boston Common and Public Garden.

2. Garage Envelope Composition: The DPIR should include greater design detail showing the proposed materiality and appearance of the exterior envelope of the proposed above-grade parking garage. The IAG is especially concerned with the appearance of this programmatic element of the Project and believes that it should not be possible to tell that it is a garage from street-level.

3. Interior Corner Composition: The DPIR should include greater detail showing the proposed materials and composition of the "armpit" condition at the northeast interior corner on floors 7-24. The IAG is concerned that this partially blank elevation will detract from the Project's overall aesthetic.

4. Loading/Parking Sequence: The IAG is concerned that the location of the Project's loading bays may cause conflicts with the Project's valet operation during peak loading and parking periods, causing backups onto Province Street in cases where resident vehicles will be delayed by truck movements into and out of the Project's loading docks. The Proponent should investigate whether swapping the location of the loading bays and vehicular elevators would alleviate this condition and reduce the likelihood of residential vehicles backing up onto Province Street, by locating the resident vehicle elevators first in the queuing sequence along Province Court instead of behind the truck service as it is shown currently.

III. Other Comments

1. Boston Common Impacts: The IAG notes that the Project will be creating little or no new open space for the use and enjoyment of the residents and surrounding community. As a result, it is assumed that the Boston Common and Public Garden will become the *de facto* open space for the use and enjoyment of the Project's residents. The Boston Common has an extensive backlog of capital maintenance programs and an annual operating shortfall. The IAG suggests that the Proponent

work with the city and appropriate other groups to contribute to capital programs and ongoing upkeep of the Boston Common.

2. Retail Merchandising Plan: The IAG suggests that the Proponent coordinate with the sponsors of the Filene's project to ensure a balanced retail mix and appropriate diverse merchandising plan can be arranged between the two projects. The IAG strongly supports the significant retail component of the Project but feels that the retail mix in the Project should complement, not co-opt other existing and planned retailers in the Downtown Crossing area. Furthermore, every effort should be made to accommodate existing small businesses in the new development or assist them in identifying new spaces in Downtown Crossing into which they can locate if desired.

3. Commitment not to Demolish: In order to avoid a repeat of the Filene's scenario, the IAG believes strongly that the Proponent must commit to retaining all existing structures on the Project site and all remaining tenancies in place (so long as these tenants wish to remain in business) until such time as commitments for 100% of the Project's financing (equity, construction debt, and mezzanine debt or other capital structure as applicable) have been secured. These commitments should be evidenced by providing copies of executed commitment letters from capital sources and evidence that applicable commitment fees have been paid by the proponent.

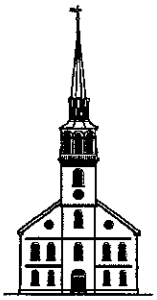
4. Affordable Housing: The IAG applauds the Proponent's commitment to complying with the Mayor's Executive Order on Inclusionary Housing but does not have any specific observations or preference relating to on-site vs. off-site creation of these units.

5. Community Development: The IAG is strongly supportive of bringing new residential uses to Downtown Crossing as a means of continuing to build the area's growing residential community. To that end, we encourage the Proponent to commit to measures designed to foster community engagement and stakeholdership among residents, and we strongly discourage short-term leases.

Overall, the IAG is generally supportive of the Project and looks forward to continuing to advise the BRA and the city on its impacts and appropriate mitigation measures. We appreciate the opportunity to comment on the Project thus far and look forward to reviewing the DPIR and any other additional information provided by the Proponent in the months ahead.

Thank you,

The One Bromfield Street IAG



OLD SOUTH
MEETING
HOUSE

Mr. John Palmieri, Director
Boston Redevelopment Authority
One City Hall Plaza
Boston MA 02201

January 28, 2009

Dear Mr. Palmieri:

We are writing on behalf of the Old South Meeting House, a non-profit museum, historic site and cultural attraction in downtown Boston, to express our grave concern with the One Bromfield Street project and its public review process. The new 28 story tower proposed by this project will clearly have negative impacts on the Old South Meeting House. We have not received a copy of the Project Notification Form and we are astonished that a project with such significant impacts on this National Historical Landmark did not cause the BRA to ensure that the affected parties were contacted.

Since it was built in 1729, the Old South Meeting House has been one of Boston's most cherished and venerable historic treasures. As the site of the meetings that led to the Boston Tea Party, the Old South Meeting House played a pivotal role in the beginning of the American Revolution. Bostonians rallied to save the building from destruction in 1876, resulting in the first successful historic preservation effort in New England. Owned and operated as a museum by the private non-profit Old South Association since 1877, today the Old South Meeting House serves over 75,000 children, teachers, visitors and citizens each year with exhibits, educational programs, debates, concerts, performances and celebrations. The Old South Meeting House is open to the public 361 days each year as a key site on The Freedom Trail. It provides millions of passersby on historic Washington and Milk Streets with an iconic reminder of Boston's history, its commitment to freedom and free speech and to the City's stewardship of its historic fabric.

The proposed One Bromfield project is located less than a block away from Old South Meeting House, and it will have substantial and material impacts to this National Historic Landmark. The project's own preliminary studies show that new shadows from the new 28 story tower will fall across the primary Washington Street façade of Old South Meeting House during the afternoon most of the year, casting the colonial era structure into darkness. After nearly 300 years in sunlight, the impact of permanent new shadows on the original brick masonry historic structure is of substantial concern to the

overall preservation and maintenance of the Meeting House. The results of these kinds of irreversible impacts cannot adequately be foreseen; for example an area of Old South affected by new shadows from 33 Arch Street developed an ice dam where none had previously been experienced. In addition, the shadows will negatively affect visitors' experiences of the primary façade of the Old South Meeting House on Washington Street, which is how visitors using the Freedom Trail view and enter our building. The shadows will also impact the Flower and Fruit Stand at the corner of Washington and Milk Streets. Insidethe meeting house, Old South will lose the daylight that has been the primary means of lighting the interior since it was constructed in 1729. The cumulative impact of these additional new shadows will place the Old South Meeting House substantially in shadow most of the time.

In addition to shadow impacts, we are also concerned about wind impacts as well as vibration during construction.

As the stewards of this historic building, we must take all steps necessary to protect the Old South Meeting House and its colonial era historic interior from shadows and other negative impacts. We look forward to participating in the review of the One Bromfield Street project and thank you for your assistance in this important matter.

Sincerely,

Emily Curran
Executive Director
Old South Meeting House
310 Washington Street
Boston MA 02108
Tel 617-482-6439
Email: ecurran@osmh.org
Website: www.oldsouthmeetinghouse.org

cc: Mr. John Fitzgerald, Boston Redevelopment Authority
Ms. Brona Simon, Massachusetts Historic Commission
Ms. Ellen Lipsey, Boston Landmarks Commission
Ms. Sarah Kelly, Boston Preservation Alliance
Mr. Buzz Constable, A.W. Perry
Mr. Paul Davis, Midwood Management Corporation
Mr. Kevin Cornell, Midwood Management Corporation
Mr. Mel Shulman, Wilmer Cutler Pickering Hale and Dorr LLP

RUBIN AND RUDMAN LLP
Attorneys at Law

T: 617.330.7000 F: 617.330.7550
50 Rowes Wharf, Boston, MA 02110

Paula M. Devereaux
Direct Dial: (617) 330-7035
E-mail: pdev@rubinrudman.com

December 1, 2008

VIA HAND DELIVERY

John F. Palmieri, Director
Boston Redevelopment Authority
City Hall, 9th Floor
Boston, MA 02210

Re: One Bromfield Street, Project Notification Form

Dear Director Palmieri:

This office is counsel to Province Development Partnership and the Abbey Group ("Abbey Group"), the developer of the 45 Province Street Residences.

This letter is submitted on behalf of the Abbey Group to provide written comments on the Project Notification Form ("PNF") filed with the Authority by Midwood Management Corporation dated October 27, 2008 for the One Bromfield Street Project (the "Project"). As the developer of the 45 Province Street Residences, the Abbey Group has a sizable investment in the Downtown Crossing area and is now fulfilling a commitment made to the City to redevelop a mechanical garage into a first class residential project. The Abbey Group is pleased that construction is scheduled to be completed in May, 2009.

The Abbey Group was surprised to learn of the filing of the PNF for the Project. The Abbey Group has not been contacted by the developer of the Project or its representatives. As the BRA is aware, the planning for the 45 Province Street Residences involved extensive community, neighborhood and abutter outreach to address potential development issues as well as real day-to-day construction issues which impact any development in the city. As a result of those early and continuous outreach efforts and meetings with the neighborhood and abutters, the Abbey Group was able to undertake a project with the full support of the neighbors and its abutters as well as the BRA and the City agencies.

It is therefore a concern to the Abbey Group that a major proposal as outlined in the PNF has not had any early neighborhood outreach or abutter consultations. Perhaps some of the comments that are expressed below could have been averted had a more thorough planning and

community outreach been undertaken with respect to the Project. The following are our initial concerns after reviewing the PNF:

1. Increased Use of Province Court. The orientation and programming of the Project requires that Province Court serve as the only vehicular access point for parking and for service/delivery traffic generated by the new large retail operations. Province Court is a short, narrow alley. The Abbey Group is concerned with its ability to function as the only access point for a development of this size with multiple uses. The Abbey Group is also concerned that the operations for the Project will cause traffic congestion on Province Street and adversely impact the entrance and access for 45 Province Street. None of the renderings included in the PNF take into account the traffic patterns of Province Street and the development of the 45 Province Street Residences. Further, my client has been working with the City for several months to improve Province Court, which has been neglected by the property owner for years and has become a blighting influence on the surrounding area. The developer must have an obligation to significantly improve the aesthetics and cleanliness of the alley.

2. Traffic on Province Street. Our main concern regarding Province Street is the added traffic generated by the development both with respect to operations and construction. The Abbey Group is making a significant investment for the length of Province Street to create an attractive residential and pedestrian environment, including sidewalk bump-outs and new trees. The current proposal makes no effort to evaluate how these improvements to the street may be affected by their service operations and construction phase operations.

3. Development Densely/Proximity. The Abbey Group is concerned that the 407,000 square foot program which includes 50,000 square feet of retail and 276 apartments is more than the site and its Province Court access can handle. Also, given the very close proximity of the Project to the 45 Province Street Residences, there needs to be some form of massing and height reduction to provide visual relief within the sky plane of this neighborhood.

4. Shadow Impacts. Due to the massive structure of the tower and its height, the shadow impacts as stated in the PNF appear to seriously impact adjoining buildings. Further shadow studies of a sequential nature should be provided to the BRA and a redesign of the massing or alternatives to the tower element should be encouraged.

5. Historical and Design Elements. Downtown Crossing is home to a beautiful patchwork of historic buildings. There is no effort by this developer to demonstrate how the new tower shows sensitivity of scale and materials and how it would relate to neighboring historic buildings at street level. In fact, the street level facades of the Project do not take into account any of the neighboring historic structures or the scale of the existing buildings along Province Street and Bromfield Street. While the Abbey Group understands that the developer would like to make a visual impact at the corner of Bromfield Street and Washington Street, there is no effort to match the size or the scale of the Project's retail spaces to the adjacent retail spaces on this block. Furthermore, the design of the tower also does not appear to further any design guidelines for the Downtown Crossing area. There is no attempt to honor the historic buildings and historic streetscapes on Province Street, Bromfield Street and Washington Street and there is

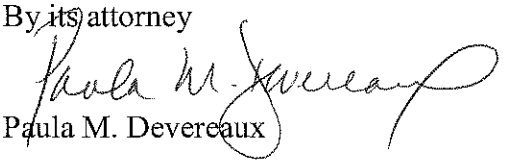
no attempt to activate the pedestrian environment – all key principles of the City's vision for Downtown Crossing.

If the developer of the Project had seriously considered improving this block on Bromfield Street, the development team would have met with the Downtown Crossing Association, other interested parties and abutters and participated in a real design dialogue through meetings and conversations to solicit input concerning improvement to the block and appropriate height additions which would not adversely impact surrounding buildings. Based upon the present design and submission in the PNF, the Project appears to be merely a project to "enhance" the property value potential of the site and not a serious effort to redevelop the site in concert with good urban planning or concern for its neighbors and the Downtown Crossing area.

The Abbey Group appreciates the opportunity to comment with respect to the Project and requests that the BRA require that the developer address these comments and undertake additional studies of the projected impacts of the Project on the surrounding areas. Additionally, due to the size and impacts of the Project, members of the community should be involved in the on-going review process in a meaningful way and be informed of all future meetings and potential filings for the Project.

Thank you for the opportunity to comment.

Very truly yours,
The Abbey Group
By its attorney



Paula M. Devereaux

PMD/sw
cc: Mayor Thomas M. Menino
Randi Lathrop
Heather Campisano
Rosemarie Sansone
David Epstein
Jason Epstein

The Druker Company, Ltd., Suite 1000, 50 Federal Street, Boston, Massachusetts 02110-2585

January 23, 2009

Mr. John Fitzgerald
Senior Project Manager
Boston Redevelopment Authority
One City Hall Plaza
Boston Massachusetts 02201

RE: One Bromfield Street
Comments on the Project Notification Form

Dear Mr. Fitzgerald:

I am writing to you to express our serious concern about the massing proposed for One Bromfield Street (the "Project").

The proponents met with us in November 2008 to present their building concept, massing and design depicted in their Project Notification Form submitted to the BRA on October 27, 2008. We were primarily concerned about the impact of the Project on Bromfield Street which is an important retail street in Downtown Crossing. Bromfield Street is a narrow one-way street and we were concerned that it might feel like an alley due to the height and massing of this Project. The proponents explained that Bromfield was a very important retail street for their Project, as well, and that the loading and garage access were off Province Court. They were especially excited to discuss the angle that the residential tower was set back from their Bromfield Street property line, setback 15 feet near the corner with Washington Street increasing to approximately 45 feet at the westerly property line near Province Street. This angled setback provided relief from the additional height proposed for the tower and allowed more light and air to reach Bromfield Street. We were generally pleased with the thoughtful planning that had gone into the Project and said that we would be supportive.

We were very surprised to discover that at the January 14, 2009 public meeting a new massing for the residential tower portion of the Project was presented that paralleled the Bromfield Street property line at the minimum 15 foot setback that had originally been proposed. We contacted the proponents immediately and they met with us yesterday to explain the changes to the project. We are very concerned that this minimal setback of the residential tower from Bromfield Street will create a canyonization of this integral, historic portion of Downtown Crossing. The original massing gave the building character and provided space to "breathe" on Bromfield Street. We do not want to see the Manhattaniztion of our downtown retail district.

The proponents have agreed to study their ability to increase the setback of the residential tower from Bromfield Street to address our concerns and to help insure an active retail

Telephone: (617) 357-5700 Telefax: (617) 357-6494

environment on Bromfield. The proponent said that they will get back to us early next week on their ability to increase this setback. We hope that a compromise can be reached on this issue so that Bromfield Street can become an even more vibrant retail street and we can support the Project. However, we do want to emphasize that we are very seriously concerned about the design as it is currently proposed.

Sincerely,

Ronald M Druker
President

CC: Mr. John Palmieri
Mr. Paul McCann
Mr. Kairos Shen
Mr. John Usdan
Mr. Paul Davis