

Citizens Advisory Committee and Impact Advisory Group for Air Rights Parcels 12, 13 & 15

February 22, 2019

Aisling Kerr, Assistant Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201

Re: Parcel 12 Expanded Project Notification Form
CAC Comments & Recommendations for Scope of Further Review

Dear Ms. Kerr:

This letter contains the recommendations of the MassDOT Turnpike Air Rights Citizens Advisory Committee (CAC) / Impact Advisory Group in response to the Expanded Project Notification Form (PNF) submitted for Parcel 12 by Samuels & Associates (the “proponent”) on November 1, 2018. The PNF describes a mixed-use project built partially on terra firma and partially above air rights on the west side of Massachusetts Avenue between Boylston and Newbury streets (the “project”). This letter reflects the consensus of the CAC, feedback from the CAC’s constituent organizations, and comments made by members of the public during public meetings held on this matter. We hope and expect that the Boston Planning and Development Agency (BPDA) will take these comments into consideration and require an additional round of review of project impacts (including, as needed, any relevant additional studies and data generation).

Overall, we see much to like in the most recent version of the proposal, beginning with the creation of a pedestrian-friendly streetscape along a derelict stretch of Massachusetts Avenue; activation of ground-floor levels with retail; massing; potential improvements in transportation mix and flow around the site; a significant reduction of the gap in pedestrian and bike connectivity on the west side of Mass Ave; and relocation of the Turnpike on-ramp farther west on Newbury Street.

Discussion among the CAC and the proponent at the February 5 meeting, however, made clear that many issues remain unresolved, including a decision on the use housed in the project’s north tower; questions about power supply and carbon footprint; questions about façade design; and many uncertainties about managing every mode of transportation to, from, and past the building. The CAC commends the progress the proponent and its consulting team have made in some areas, but they clearly need more time before they can provide clarity on these and other issues.

For that reason, we begin by strongly recommending that the BPDA scope the project for further review and require additional filings by the proponent and a second round of review by the agency and the CAC. This will assure that the proponent and its consultants will have enough time to consider the questions we’ve listed here and then return to the public with more complete answers.

The CAC membership believes these issues will need further study before the BPDA can approve the project. The following sections summarize our concerns and recommendations. Where appropriate, the CAC has identified specific aspects of the project that it recommends the BPDA scope for further review.

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ARCHITECTURE & DESIGN

Members of the CAC and the public expressed concerns about several design issues:

- The façade design in the context of the historic Back Bay worried many people—in particular, the amount of glass used in the current design (in the context of a predominantly masonry building fabric) and a desire to see more horizontal elements to tie the buildings more strongly to the scale of nearby buildings. We would like to see the results of the architectural consultant’s promised re-examination of the ratio of opaque materials to glass. Note that some members of the CAC did endorse the current design, although the predominant opinion was that it needs further work.
- There is extremely strong support for making the third-floor open space publicly accessible. The idea of a viewing deck on the west side that would extend the green roof above the second level drew widespread support as a feature that would add a significant benefit to the public realm.
 - Re-envisioning this as a public space presents exciting possibilities. It opens the possibility of incorporating a third-floor cafe in the hotel with outdoor seating, or a multi-level restaurant like Legal Harborside that could take advantage of the outdoor space and views. It could also serve as a great spot for a beer garden.
 - CAC members mentioned the spectacular sunset view across the Turnpike the project site currently offers. Creating this publicly accessible viewing deck would preserve that view and could create a spectacular evening destination.
 - The proponent expressed concerns about the logistics of making such a space publicly accessible while maintaining security. The CAC suggested many models that have successfully addressed these issues, including:
 - Tokyo’s rebuilt Shinjuku Station, which includes a similar viewing deck.
 - The rooftop garden in the Kendall Center building in Kendall Square, designed for building tenants but also open to the public and accessible from a public sidewalk.
 - The third-story park between the Seaport Hotel and Seaport West, which could serve as a model for access and placement of a park primarily for hotel and office building users but also accessible to public.
 - Post Office Square Park, which presents a model for security.
- Height and density raised some concerns, but overall, the project’s massing garnered majority but not unanimous support among CAC members and members of the public at public meetings over the past two months. However, the termination of Newbury Street received some criticism, with some members calling the proposed designs too large, too blocky, or too close to the street. The CAC believes the proponent has heard these concerns and expects that the next iteration of the design will make the termination of the vista from the street as welcoming and attractive as possible.
- Some members asked that the proponent pay close attention to the way the design looks on the western elevation (the view that inbound Mass Pike traffic would see). Members like the design of the sculptural steel strut supporting the western end of the north building.

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TRANSPORTATION

CAC members expressed enthusiasm about the potential for the project to bring significant improvement of dangerous pedestrian and cyclist conditions in the vicinity, improve access to transit, and calm vehicular traffic. Particular aspects of the transportation plan that received strong support include:

- Moving the turnpike onramp farther down Newbury Street and narrowing the width of the Newbury Street intersection.
- Widening the sidewalks, creating more space for pedestrians, and reducing the width of pedestrian crossings.
- Reopening the pedestrian tunnel beneath Mass. Ave. between the project site and Hynes Station.

However, the project will also add trips to and from Parcel 12, making significant changes in flows for all travel modes. The CAC believes the pedestrian/ transit user/ cyclist experience must receive first priority when planning for the thousands of people who travel to or past the site every day. The CAC feels that the design of traffic flow of all types in and around the project requires further study. We have organized further transportation comments by topic.

Incorporation of Fenway Park Events Into Impact Analysis & Project Design

As the CAC has previously recommended, the BPDA should require the proponent to evaluate transportation flows and the project's impacts on those flows for days on which Fenway Park hosts events. During a typical year, Fenway Park hosts close to 37,000 fans for each of 81 regular home games. In recent years the team has routinely participated in post-season play, which can entail up to 8 additional home games. Fenway Park also hosts on the order of a dozen large concerts each year, and Fenway Sports Group has sought to host additional large events in the off-season (e.g., the 2018 Harvard-Yale game and the 2019 "Crashed Ice" competition). Given these activities, traffic in the area could exhibit "event" conditions for 100-plus days of each calendar year. It's not unreasonable to require the proponent to evaluate *and design for* a condition that occurs one out of every four days of the year.

The proponent should not only analyze the event condition for each mode share, but it should also incorporate typical event-day conditions into the overall project design. How will Fenway Park-bound pedestrians exiting the #1 bus and Hynes Station travel in and around the project site? What could be done to encourage a smooth flow and avoid pedestrian "pinch points"? What could be done to improve sidewalk widths and minimize street-furniture conflicts along Boylston Street for people who park in Back Bay garages and walk to Fenway Park along Boylston? Could anything be done to improve flow of pedicabs along this popular route to Fenway Park? Members of the public noted that Fenway Sports Group has proposed building a 5,000-seat performance venue adjacent to Fenway Park, which would create additional impacts.

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Vehicles Entering / Exiting the Project

Understanding the logistical and physical constraints of the site, and the surrounding roadway network, the CAC remains concerned about the impact of all traffic entering and exiting the project on Boylston Street between Massachusetts Ave and Ipswich/Hemenway. Specific concerns and suggestions:

- Members of the public and some CAC members expressed strong opposition to permitting left turns into and out of the project's garage without the benefit of a signal. Traffic at Ipswich/ Hemenway/ Boylston already routinely backs up; left turns into the garage seem likely to exacerbate this problem. Other than occasional left turns into and out of the surface parking lot currently on the southeast corner of the site, no other left turns take place along this stretch of Boylston.
- The CAC encourages the proponent to work with the Boston Transportation Department to determine what structural changes could reinforce a prohibition on left turns. Is there an opportunity for roadway improvements, including creation of a median?
- The two other properties on the north side of this stretch of Boylston have vehicular access from the rear, along Ipswich Street. In fact, paved access behind these buildings extends right to the property line of Parcel 12. The CAC recommends that the BPDA direct the proponent to evaluate whether an access agreement with the neighboring property owners could allow project traffic to travel from/to Ipswich rather than Boylston. This would give all vehicles entering the project the benefit of a signalized intersection at Ipswich and Boylston. Perhaps some MassDOT-owned land or an easement adjacent to the MBTA right-of-way could facilitate such a solution.

Streetscape Changes

The CAC feels that the design calls for further refinement and community consultation on the flow of pedestrians, transit users, bicycles, buses, and passengers using ride-hailing services to leave or arrive at the site. In addition, the CAC feels the City and proponent should undertake comprehensive planning for the immediately adjacent area as a whole, rather than addressing problems piecemeal.

- The plan for pick-ups and drop-offs—including ride-hailing, taxi, and pedicab users—appears to need further work. The volume of people arriving by these modes to patronize the stores, restaurants, hotel (or condominium) and the potential viewing deck could be significant. The streetscape plans (Figures 3.2.4 & 3.2.5) show only a single drop-off spot on Massachusetts Avenue and a zone labeled “drop off” on Boylston (but lacking a dedicated space). We can't tell from the diagrams how these features are intended to work. The popularity of these modes has grown steadily, and we believe the plan should give them more attention. We have encouraged the proponent to request Uber or Lyft analytics to help more accurately predict patterns of use for the residential or hotel uses, and we repeat that recommendation.
- The streetscape plans do not clearly identify the remainder of the streetscape features planned for Boylston and Massachusetts Avenue. Are the additional marked spaces along Mass. Ave. intended as standard parking spaces? Does the project need spaces, or could they be put to better use?

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- Has any thought been given to a holistic reworking of the Boylston Street frontage? Would the existing BlueBikes station remain or be replaced by the bicycle racks shown on the diagram? Has any thought been given to traffic calming in this stretch with neckdowns or bumpouts? These would shorten the pedestrian crossing length on Boylston. The sidewalks along both the south and north sides of Boylston face serious capacity issues during event days at Fenway Park. Is there an opportunity to widen the sidewalk on the southern side as part of a comprehensive solution for the street?
- The CAC raised concerns about the pedestrian/cyclist/drop-off flows in front of Parcel 15 and recommended that the BPDA facilitate a comprehensive plan for streetscapes in the area that involves consistent approaches, where possible. The proponent shares a traffic consultant with Parcel 15, and we'd like to see the proponent capitalize on shared knowledge from that site's analysis.

Cyclist Flow and Proposed Cycle Track

While the CAC commends the proponent's effort to improve safety for cyclists in this critical block of Mass. Ave., the proposed cycle track met with mixed reviews.

- The proposed streetscape plan separates the cycle track from the roadway but locates it between the bus shelter and the bus lane. Transit users waiting in bus shelters will have to cross the cycle track to reach buses. Bus passengers exiting onto the sidewalk (and passengers leaving the drop-off zone) will have to cross the cycle track to reach the main sidewalk and the project. This configuration has the potential to create significant conflicts, especially for elderly or mobility-impaired users. A similar streetscape design along Mass. Ave. in front of Church Park has created similar conflicts. Some community members say they have witnessed collisions, injuries, and shouting as a result of these conflicts. It is important to note that many patients travelling to Boston Medical Center switch from the Green Line to the #1 bus southbound at this location. Safety issues for these travelers should be taken into account.
- CAC members recommend the proponent's team study the reorganization of travel lanes on Commonwealth Avenue near Boston University from the BU Bridge to Packard's Corner. The cycle track passes behind bus shelters to minimize these conflicts.
- Is there an opportunity to signalize the cycle track? This has been done in other cities and along Causeway Street at North Station. Is there an opportunity to add signage, flashing lights, or other features both to alert pedestrians to the existence of cycle traffic and to alert cyclists to the presence of pedestrians?
- No cycle track or other cycling improvements are shown for Boylston Street westbound along the project. The CAC would like to see the proponent, working with the City, adopt measures to improve cyclist safety and minimize pedestrian / vehicular conflicts.

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Mass. Ave. Bus Shelter

In addition to the concerns about bus-passenger safety posed by the cycle track placement, CAC members also questioned whether the standard-size bus shelter shown in Figure 3.24 represents the best size for the volume of passengers waiting for the #1 bus. The heavily used shelter at the project site at present is much larger and has significantly greater capacity than that depicted in the project renderings.

- The CAC recommends the proponent consider increasing the capacity of the bus shelter.
- The CAC recommends that the proponent evaluate whether it could provide a “signature” shelter here, either with an artistic component or elements that reflect project design.

CONSTRUCTION IMPACTS

Members of the CAC would like a better explanation of the construction-management plan and what construction-period mitigation the proponent will provide.

SUSTAINABILITY

The CAC and members of the public were pleased to hear that the project design allows for a relatively straightforward and nondisruptive switch of energy supply from natural gas to electricity, once upgrading of the grid and power sources give such a switch a clear decarbonization advantage. As part of further scoping, the CAC recommends that the BPDA require an assurance from the proponent that, as far as feasible, the project’s final design will minimize any economic and logistical impediments to making such a switch and a commitment to making that switch as soon as possible.

As part of further scoping, the CAC recommends that the BPDA urge the proponent to reexamine the project design in search of steps it can take to pursue and secure a higher level of LEED certification than it has set as a “target.”

As part of further scoping, the CAC recommends that the BPDA require a review of the proposal against the 2019 *Carbon Free Boston* report and incorporate additional measures that advance the City’s decarbonization goals (or document how the proposal already does this). The CAC encourages the proponent to read the *Carbon Free Boston* report and consider additional ways the project can help the City achieve the goals identified in the report. The report suggests that a substantial amount of retrofitting of existing buildings will be required in order to help the City achieve its goals. Are there ways the proponent can anticipate retrofitting requirements and plan for or around them?

The CAC encourages the proponent to explore the use of solar technologies to reduce the buildings’ demand for energy generated offsite.

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ENVIRONMENTAL PROTECTION

Wind

CAC members expressed concern about the impact of wind speeds on ground-level comfort, particularly some spots identified in wind-tunnel modeling that would be uncomfortable even for walking according to the Mean Speed Build Condition data shown in Figure 6.1b.

- In particular, the wind study shows very bad results for the sidewalk cafes along the south side of Boylston facing the project. While all modeled spots along this stretch are comfortable for sitting or standing under current conditions, none is comfortable for standing or sitting under the build conditions.
- Each modeled spot is either comfortable only for walking or “uncomfortable” under the build condition, which the CAC considers unacceptable. The CAC expressed strong concern about the impact the new conditions would have on the outdoor cafes and notes the significant amount of work in recent years that has gone into transforming this stretch of Boylston into a hospitable, welcoming environment.
- Again, we’d like to see the results of the architect’s refining of the office building’s shape on upper levels in an effort to address this issue—another argument for assuring that the project comes back for a second round of review.

Bird-Safe Design

CAC members would like to be sure the proponent takes into account bird-safe building design recommendations. The project sits close to the Back Bay Fens, an important migratory bird pathway. Given the significant amount of glass in the current design, the proponent should choose types of glass and lighting schemes that minimize the potential for bird strikes. The CAC recommends the proponent consider pursuing the LEED pilot credit for bird-safe design.

Solar Glare

The CAC recommends that the proponent do everything possible to minimize solar glare from the project, given the significant amount of glass in the current design. We would like to see careful evaluation and mitigation of glare for drivers headed inbound (late afternoon) on the Massachusetts Turnpike and on Fenway Studios.

PROJECT MITIGATION

The CAC would like more detail on how the proponent intends to comply with City’s Inclusionary Development Policy.

The CAC looks forward to working with the proponent as project design advances to identify appropriate mitigation measures, which could include:

- Contributions to the parks of the East Fens, including Edgerly Playground and Symphony Park.

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- Contributions to the efforts of the Charlesgate Alliance to revitalize the parklands in and around the Bowker Overpass.
- Traffic calming along nearby Hemenway Street. Residents have expressed concern about traffic speeds, lack of posted speed limits and few pedestrian crossings. This could be completed as part of improvements at the Boylston/ Ipswich/ Hemenway intersection. This intersection frequently backs up and could benefit from “Do Not Block the Box” signs or traffic cameras.
- The south side of Boylston across from the project could benefit from pedestrian improvements and should be addressed holistically. Conflicts between parked bicycles, street furniture and pedestrians make the block very hard to traverse under ordinary conditions, particularly for the mobility impaired. These difficulties are exacerbated during Fenway Park events. The project’s mitigation program could include widening of these sidewalks.

The CAC remains enthusiastic about the potential for this project to transform this critical and neglected block into a vibrant, pedestrian-friendly destination. We encourage the BPDA to scope the proposal for further impact review on the items identified above, so that we may continue to provide community feedback as the design progresses.

Finally, members of the CAC wish to recognize the dedication of our longtime colleague Barbara Simons, representative of Symphony United Neighbors, who died in January. We’ll miss her thoughtful comments on all the proposals we’ve reviewed over the last eight years, her ability to find middle ground on contentious issues, and the many other ways she worked to improve the quality of our deliberations. She was the model of an engaged citizen volunteer, and the city at large will be the poorer for her loss.

Thank you for your consideration of these comments.

Sincerely,

Fritz Casselman

Meg Mainzer-Cohen

Kathleen Brill

Steve Wolf

Gil Strickler

David Gamble

Brian Doherty

David Lapin

Brandon Beatty

Mia Jean-Sicard

Teri Malo

**Citizens Advisory Committee and Impact Advisory Group for
Air Rights Parcels 12, 13 & 15**

Cc: Boston City Councilor Josh Zakim
State Senator William Brownsberger
State Representative Jay Livingstone
State Representative Jon Santiago



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Martin J. Walsh, Mayor

To: Aisling Kerr, BPDA
From: Zachary Wassmouth, PWD
Date: January 25, 2019
Subject: Parcel 12 EPNF - Boston Public Works Department Comments

Included here are Boston Public Works Department comments for Parcel 12 EPNF.

Comments below shall apply specifically to the Public Right of Way (ROW) owned by the City of Boston. The developer shall also be required to coordinate and meet all the requirements of the Massachusetts Department of Transportation (MassDOT) and other agencies as applicable in relation to the ROW owned by others (i.e. I-90, onramp to I-90, and the bridge over I-90).

Site Plan:

The developer must provide an engineer's site plan at an appropriate engineering scale that shows curb functionality on both sides of all streets that abut the property.

Construction Within The Public ROW:

All proposed design and construction within the Public ROW shall conform to Boston Public Works Department (PWD) Design Standards. Any non-standard materials (i.e. pavers, landscaping, bike racks, etc.) proposed within the Public ROW will require approval through the Public Improvement Commission (PIC) process and a fully executed License, Maintenance and Indemnification (LM&I) Agreement with the PIC.

Sidewalks:

The developer is responsible for the reconstruction of the sidewalks abutting the project and, wherever possible, to extend the limits to the nearest intersection to encourage and compliment pedestrian improvements and travel along all sidewalks within the ROW within and beyond the project limits. The reconstruction effort also must meet current American's with Disabilities Act (ADA)/ Massachusetts Architectural Access Board (AAB) guidelines, including the installation of new or reconstruction of existing pedestrian ramps at all corners of all intersections. Plans showing the extents of the proposed sidewalk improvements associated with this project must be submitted to the Public Works Department (PWD) Engineering Division for review and approval.

The developer is encouraged to contact the City's Disabilities Commission to confirm compliant accessibility within the Public ROW.

Specific Scope Considerations:

The developer should consider the following improvements to the Public ROW (both City and MassDOT) to be included in the scope for this project:

- Improvements to the intersection of Massachusetts Avenue, Newbury Street, and the I-90 on ramp, including, but not limited to, traffic signal upgrades, geometric changes, pedestrian safety upgrades, and bicycle safety enhancements.
- Improvements to the intersection of Massachusetts Avenue and Boylston Street including, but not limited to, traffic signal upgrades, geometric changes, pedestrian safety upgrades, and bicycle safety improvements.



PUBLIC WORKS DEPARTMENT

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CHRIS OSGOOD • Chief of Streets, Transportation, and Sanitation

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- Improvements to Massachusetts Avenue between Newbury Street and Boylston Street to accommodate bicycles and bus prioritization.

The developer shall work closely with PWD, the Boston Transportation Department (BTD), the Boston Planning and Development Agency (BPDA), MassDOT, and other agencies as required in regards to any improvements within the Public ROW associated with this project.

Driveway Curb Cuts:

Any proposed driveway curb cuts will need to be reviewed and approved by the PIC.

Discontinuances:

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

Easements:

Any and all easements associated with this project must be processed through the PIC.

Landscaping:

Developer must seek approval from the Chief Landscape Architect with the Parks and Recreation Department for all landscape elements within the Public ROW. Program must accompany a LM&I with the PIC.

Street Lighting:

Developer must seek approval from the PWD Street Lighting Division, where needed, for all proposed street lighting to be installed by the developer, and must be consistent with the area lighting to provide a consistent urban design. The developer should coordinate with the PWD Street Lighting Division for an assessment of any street lighting upgrades that can be considered in conjunction with this project. All existing metal street light pull box covers within the limits of sidewalk construction to remain shall be replaced with new composite covers per PWD Street Lighting standards. Metal covers should remain for pull box covers in the roadway.

Roadway:

Based on the extent of construction activity, including utility connections and taps, the developer will be responsible for the full restoration of the roadway sections that immediately abut the property and, in some cases, to extend the limits of roadway restoration to the nearest intersection. A plan showing the extents and methods for roadway restoration shall be submitted to the PWD Engineering Division for review and approval.

Project Coordination:

All projects must be entered into the City of Boston Utility Coordination Software (COBUCS) to review for any conflicts with other proposed projects within the Public ROW. The Developer must coordinate with any existing projects within the same limits and receive clearance from PWD before commencing work.

Green Infrastructure:

The Developer shall work with PWD and the Boston Water and Sewer Commission (BWSC) to determine appropriate methods of green infrastructure and/or stormwater management systems within the Public ROW. The ongoing maintenance of such systems shall require an LM&I Agreement with the PIC.



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Please note that these are the general standard and somewhat specific PWD requirements applicable to every project, more detailed comments may follow and will be addressed during the PIC review process.

If you have any questions, please feel free to contact me at zachary.wassmouth@boston.gov or at 617-635-4953.

Sincerely,

Zachary Wassmouth
Chief Design Engineer
Boston Public Works Department
Engineering Division

CC: Para Jayasinghe, PWD



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**Boston Water and
Sewer Commission**



980 Harrison Avenue
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617-989-7000

January 25, 2019

Ms. Aisling Kerr
Assistant Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201

Re: Parcel 12, Back Bay
Project Notification Form

Dear Ms. Kerr:

The Boston Water and Sewer Commission (Commission) has reviewed the Project Notification Form (PNF) for the proposed Parcel 12 project in the Back Bay neighborhood of Boston.

The proposed project is located on an approximately 1.81 acre site. The majority of the project site is an undeveloped air rights corridor over the Boston Extension of the Massachusetts Turnpike (I-90) and the Amtrak/MBTA railroad right-of-way. The proponent, S&A P-12 Property, LLC, proposes to construct a mixed-use project consisting of one new office building and one new building that could be either residential or hotel use rising from a podium base with two floors of retail and restaurant space fronting Massachusetts Avenue. The project will contain approximately 325,000 square feet of commercial office use, 150,000 square feet of residential or hotel use, and 70,000 square feet of retail use. There will be garage parking for approximately 150 vehicles. The site is bounded by Newbury Street to the north, Massachusetts Avenue to the east, Boylston Street to the south and the Turnpike to the west.

According to the PNF, the proposed water demand is approximately 137,918 gallons per day (gpd). The Commission owns and maintains a 12-inch Southern Low PCI water main installed in 1921 and lined in 2006 in Newbury Street, a 12-inch Southern Low DICL water main installed in 1997, a 24-inch Southern Low PCI water main installed in 1883 and lined in 1982, and a 20-inch Southern Low WS water main installed in 1908 and lined in 1982 in Massachusetts Avenue and a 12-inch Southern Low PCI water main installed in 1886 and lined in 1993 in Boylston Street.

According to the PNF, the proposed sewage generation is 125,380 gpd. For sewage and storm drainage service, the site is served by two (2) 10-inch sanitary sewers and two (2) 12-



inch storm drains in Newbury Street and a 15-inch storm drain in Boylston Street. There are multiple MassDOT storm drains within the project site.

The Commission has the following comments regarding the PNF:

General

1. Prior to the initial phase of the site plan development, S&A P-12 Property, LLC, should meet with the Commission's Design and Engineering Customer Services to review water main, sewer and storm drainage system availability and potential upgrades that could impact the development.
2. All new or relocated water mains, sewers and storm drains must be designed and constructed at S&A P-12 Property, LLC's expense. They must be designed and constructed in conformance with the Commission's design standards, Water Distribution System and Sewer Use regulations, and Requirements for Site Plans. The site plan should include the locations of new, relocated and existing water mains, sewers and drains which serve the site, proposed service connections, water meter locations, as well as back flow prevention devices in the facilities that will require inspection. A General Service Application must also be submitted to the Commission with the site plan.
3. The Department of Environmental Protection (DEP), in cooperation with the Massachusetts Water Resources Authority and its member communities, is 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 April of 2014, the Massachusetts DEP promulgated new regulations regarding wastewater. The Commission has a National Pollutant Discharge Elimination System (NPDES) Permit for its combined sewer overflows and is subject to these new regulations [314 CMR 12.00, section 12.04(2)(d)]. This section requires all new sewer connections with design flows exceeding 15,000 gpd to mitigate the impacts of the development by removing four gallons of infiltration and inflow (I/I) for each new gallon of wastewater flow. In this regard, any new connection or expansion of an existing connection that exceeds 15,000 gallons per day of wastewater shall assist in the I/I reduction effort to ensure that the additional wastewater flows are offset by the removal of I/I. Currently, a minimum ratio of 4:1 for I/I removal to new wastewater flow added is used. The Commission supports the policy, and will require 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 and will be based on the estimated sewage generation provided on the project site plan.



4. The design of the project should comply with the City of Boston's Complete Streets Initiative, which requires incorporation of "green infrastructure" into street designs. Green infrastructure includes greenscapes, such as trees, shrubs, grasses and other landscape plantings, as well as rain gardens and vegetative swales, infiltration basins, and paving materials and permeable surfaces. The proponent must develop a maintenance plan for the proposed green infrastructure. For more information on the Complete Streets Initiative see the City's website at <http://bostoncompletestreets.org/>
5. S&A P-12 Property, LLC should be aware that the US Environmental Protection Agency issued the 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, S&A P-12 Property, LLC will be required to apply for a RGP to cover these discharges.
6. The project site is located within Boston's Groundwater Conservation Overlay District (GCOD). The district is intended to promote the restoration of groundwater and reduce the impact of surface runoff. Projects constructed within the GCOD are required to include provisions for retaining stormwater and directing the stormwater to the groundwater table for recharge.
7. S&A P-12 Property, LLC is advised that the Commission will not allow buildings to be constructed over any of its water lines. Also, any plans to build over Commission sewer facilities are subject to review and approval by the Commission. The project must be designed so that access, including vehicular access, to the Commission's water and sewer lines for the purpose of operation and maintenance is not inhibited.
8. It is S&A P-12 Property, LLC's responsibility to evaluate the capacity of the water, sewer and storm drain systems serving the project site to determine if the systems are adequate to meet future project demands. With the site plan, S&A P-12 Property, LLC must include a detailed capacity analysis for the water, sewer and storm drain systems serving the project site, as well as an analysis of the impacts the proposed project will have on the Commission's water, sewer and storm drainage systems.

Water

1. S&A P-12 Property, LLC must provide separate estimates of peak and continuous maximum water demand for residential, commercial, industrial, irrigation of landscaped areas, and air-conditioning make-up water for the project with the site plan. Estimates should be based on full-site build-out of the proposed project. S&A



P-12 Property, LLC should also provide the methodology used to estimate water demand for the proposed project.

2. S&A P-12 Property, LLC should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In particular, S&A P-12 Property, LLC should consider outdoor landscaping which requires minimal use of water to maintain. If S&A P-12 Property, LLC plans to install in-ground sprinkler systems, the Commission recommends that timers, soil moisture indicators and rainfall sensors be installed. The use of sensor-operated faucets and toilets in common areas of buildings should be considered.
3. S&A P-12 Property, LLC is required to obtain a Hydrant Permit for use of any hydrant during the construction phase of this project. The water used from the hydrant must be metered. S&A P-12 Property, LLC should contact the Commission's Meter Department for information on and to obtain a Hydrant Permit.
4. The Commission is utilizing a Fixed Radio Meter Reading System to obtain water meter readings. For new water meters, the Commission will provide a Meter Transmitter Unit (MTU) and connect the device to the meter. For information regarding the installation of MTUs, S&A P-12 Property, LLC should contact the Commission's Meter Department.

Sewage / Drainage

1. A Total Maximum Daily Load (TMDL) for Nutrients has been established for the Lower Charles River Watershed by the Massachusetts Department of Environmental Protection (MassDEP). In order to achieve the reductions in Phosphorus loading required by the TMDL, phosphorus concentrations in the lower Charles River from Boston must be reduced by 64%. To accomplish the necessary reductions in phosphorus, the Commission is requiring developers in the lower Charles River watershed to infiltrate stormwater discharging from impervious areas in compliance with MassDEP. S&A P-12 Property, LLC will be required to submit with the site plan a phosphorus reduction plan for the proposed development. S&A P-12 Property, LLC must fully investigate methods for retaining stormwater on-site before the Commission will consider a request to discharge stormwater to the Commission's system. The site plan should indicate how storm drainage from roof drains will be handled and the feasibility of retaining their stormwater discharge on-site. Under no circumstances will stormwater be allowed to discharge to a sanitary sewer.

In conjunction with the Site Plan and the General Service Application the S&A P-12 Property, LLC will be required to submit a Stormwater Pollution Prevention Plan. The plan must:



- Identify best management practices for controlling erosion and for preventing the discharge of sediment and contaminated groundwater or stormwater runoff to the Commission's drainage system when the construction is underway.
 - 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.
 - Provide a stormwater management plan in compliance with the DEP standards mentioned above. The plan should include a description of the measures to control pollutants after construction is completed.
2. Developers of projects involving disturbances of land of one acre or more will be required to obtain an NPDES General Permit for Construction from the Environmental Protection Agency and the Massachusetts Department of Environmental Protection. S&A P-12 Property, LLC is responsible for determining if such a permit is required and for obtaining the permit. If such a permit is required, it is required that a copy of the permit and any pollution prevention plan prepared pursuant to the permit be provided to the Commission's Engineering Services Department, prior to the commencement of construction. The pollution prevention plan submitted pursuant to a NPDES Permit may be submitted in place of the pollution prevention plan required by the Commission provided the Plan addresses the same components identified in item 1 above.
 3. The Commission encourages S&A P-12 Property, LLC to explore additional opportunities for protecting stormwater quality on site by minimizing sanding and the use of deicing chemicals, pesticides, and fertilizers.
 4. The discharge of dewatering drainage to a sanitary sewer is prohibited by the Commission. S&A P-12 Property, LLC is advised that the discharge of any dewatering drainage to the storm drainage system requires a Drainage Discharge Permit from the Commission. If the dewatering drainage is contaminated with petroleum products, S&A P-12 Property, LLC will be required to obtain a Remediation General Permit from the Environmental Protection Agency (EPA) for the discharge.
 5. S&A P-12 Property, LLC must fully investigate methods for retaining stormwater on-site before the Commission will consider a request to discharge stormwater to the Commission's system. The site plan should indicate how storm drainage from roof



drains will be handled and the feasibility of retaining their stormwater discharge on-site. All projects at or above 100,000 square feet of floor area are to retain, on site, a volume of runoff equal to 1.25 inches of rainfall times the impervious area. Under no circumstances will stormwater be allowed to discharge to a sanitary sewer.

6. The Massachusetts Department of Environmental Protection (MassDEP) established Stormwater Management Standards. The standards address water quality, water quantity and recharge. In addition to Commission standards, S&A P-12 Property, LLC will be required to meet MassDEP Stormwater Management Standards.
7. Sanitary sewage must be kept separate from stormwater and separate sanitary sewer and storm drain service connections must be provided. The Commission requires that existing stormwater and sanitary sewer service connections, which are to be re-used by the proposed project, be dye tested to confirm they are connected to the appropriate system.
8. The Commission requests that S&A P-12 Property, LLC install a permanent casting stating “Don’t Dump: Drains to Charles River” next to any catch basin created or modified as part of this project. S&A P-12 Property, LLC should contact the Commission’s Operations Division for information regarding the purchase of the castings.
9. If a cafeteria or food service facility is built as part of this project, grease traps will be required in accordance with the Commission’s Sewer Use Regulations. S&A P-12 Property, LLC is advised to consult with the Commission’s Operations Department with regards to grease traps.
10. The enclosed floors of a parking garage must drain through oil separators into the sewer system in accordance with the Commission’s Sewer Use Regulations. The Commission’s Requirements for Site Plans, available by contacting the Engineering Services Department, include requirements for separators.



Thank you for the opportunity to comment on this project.

Yours truly,

John P. Sullivan, P.E.
Chief Engineer

JPS/afh

cc: Abe Manzin, S&A P-12 Property, LLC
K. Ronan, MWRA via e-mail
M. Zlody, BED via e-mail
P. Larocque, BWSC via e-mail

Parcel 12 Public Comments via website form 2019-02-21

Date	First Name	Last Name	Organization	Opinion	Comments
2/15/2019	James	Michel	Boston Clean Energy Coalition	Neutral	With the recent release of the Carbon Free Boston summary report, it is clear that all buildings in the city will need to be net zero eventually. The report estimates that some 85,000 current structures will need deep retrofits so that the city can do its part to mitigate climate change, and leave a viable planet for future generations. Under these circumstances I must urge the developers of Parcel 12 to create structures that meet state-of-the-art standards for energy efficiency. Meet the Living Building Challenge. Make a super tight envelope, with excellent air exchange systems. Use ground source or air source heat pumps. Do not use 'natural' gas for anything. Be climate heroes; the public will reward you.
2/15/2019	Megan	H	Reservior Church	Neutral	Hello, I just want to remind everyone this is a chance for you to be leaders by being 100% renewable now, rather than later. Please go above and beyond housing affordability requirements, and view additional and innovative green amenities as an integral part of the planning process rather than an afterthought. Thank you!
2/13/2019	Erica	Quigley		Oppose	The street facades of the podium should be broken up like surrounding buildings. Also, kudos to the developer's renewable energy efforts, but glass facades are fundamentally NOT sustainable in terms of energy use; they must consider alternatives. Finally, the developer is currently proposing a pickup/drop-off zone on Mass Ave. This location will claim space that is currently the bus and bike lane. In order to expand bus priority along Mass Ave it is critical this bus lane remains.
2/13/2019	Kirstie	Hostetter	Resident	Support	This is a great project, but I am STRONGLY against taking away the bus lane on Mass Ave. This is an important corridor I and many others use to travel in the mornings. Instead, please consider moving the pick up/ drop off zone, which would take away the bus lane, around the corner to Newbury Street.

Parcel 12 Public Comments via website form 2019-02-21

2/12/2019	Meredith	Outterson	Greater Boston Interfaith Organization's Climate Justice group	Oppose	<p>I support parts of this plan, such as the green roof, pedestrian- and bike-friendly street level redesign, and high amounts of renewable energy use. However, I want to push the developers to do the courageous and correct thing, and to install an electric boiler from the beginning, pushing the building to 100% renewable energy right away. For the Carbon Free Boston plan, we need to only be building new all-electric buildings. With such a large and important addition to the city's building stock, 100% renewable should be a necessity, not an option to "consider." Please do it now, rather than later! I also want to push the developers to set aside more money and effort to improve the necessary local transit options, such as the CT1 bus and the Green Line. Since these options are already nearly at capacity, please do more to improve and increase these excellent transit options! I would like to see even higher numbers of residents/office workers using public transit over cars than predicted. In such a walkable/accessible neighborhood, this is fully possible! Additionally, I think it is very important to give the public full access to the rooftop green space. And I don't mean access for just two strange hours a day, when no one will be able to use it. Evening access, weekend access, lunchtime access, for example-- are all times when the public could really benefit from a beautiful new green amenity. I also agree with the comment from the January public meeting, that this and other green amenities feel like afterthoughts. Please consider what other environmental amenities you could create for residents and the public, such that this building could serve as an educational resource for the community and a resiliency center. Low-flow toilets and high-efficiency appliances in residences. Educational materials about a rain garden on the rooftop, creative re-use of rainwater in building facilities. Perhaps a green library/rotating educational installation in the lobby. Like my colleague from the meeting, I ask you to integrate as many green amenities as possible in the design, so that environmental issues and services are as integral to the entire building (and accessible to the public) as possible, rather than small afterthoughts. Finally, I want to see an increased proportion of affordable housing units in this development! Above and beyond the legal requirements is the only way to show leadership. Thank you, Meredith</p>
2/10/2019	DAVID	WARD	Energy Engineering and Design, Inc.	Neutral	<p>I have attended public meetings and /CAC meetings and met with Samuels Associates with the NABB group. I understand that the proposed development is striving for LEED silver or Gold and the design team is striving for sustainability. However, I am strongly opposed to the use of natural gas in the building. This is the wrong approach for Boston if the the carbon neutrality goals are to be met. Switching from a gas boiler to an electric boiler "when the grid is cleaner" is not enough. An electric boiler is only 100% efficient. If the development built in air source heat pumps (ASHP) the heating would become 250% to 400% efficient. Additionally it would allow for moving heat around the building from the sunny south side to the cooler north side without generating heating or cooling. The design team must forgo the old design of the past and look to the future of the building and the City.</p>
2/10/2019	DAVID	WARD	1949	Neutral	<p>This is my second comment, but it should have been my first. The first step to reducing the carbon footprint of the building by using air source heat pumps is to make the building much more energy efficient. It needs greatly reduced glazing and more exterior insulation and the capability of natural ventilation, among other passive house elements.</p>

2/7/2019	Phil	DiCarlo	Craft Beer Cellar Fenway	Neutral	<p>Hello, I am a business owner and currently rent in Samuel's Van Ness Building. I have had a lot of difficulties with Samuel's and Associates. I take no position on whether they would be suitable for this development, I only share my experience as a means to advise the process as to whether they have the capacity to handle continued developments. My wife and I put \$400k into opening our store, Craft Beer Cellar Fenway. We have been open on Van Ness street for close to 3 years, paying a premium rent. Our street 3 years later is still largely vacant. They still have not rented 3 store fronts (4 up until last month) on our street which greatly impacts foot traffic and has hurt our ability to grow to where we need to be to make back our investment. The street largely looks abandoned. We have approached them on this several times but their response to their inability to lease it is that they offered to defer our rent to compensate for our lost business. Deferring rent when those sales are lost for good doesn't adequately compensate for lost business. Secondly this past fall, in another building 100 yards away Samuels rented to our biggest neighborhood competitor, Wine Press. There is no way reasonable people could think this would not impact us negatively. While our store skews towards craft beer, theirs skews towards wine, but there is significant overlap and has hurt our business. I recently provided data to Samuels to show how in the three months since Wine Press opened our trend changed to the point of losing \$30,000 in sales and \$11,000 in profit over three months. For Samuels to take \$12,000 in rent and rent to a competing business in the neighborhood is unethical in my view. Samuels partner, General Counsel Tom Bloch visited our store and told us that we could revisit compensation down the road once understanding the impact of the opening. I recently provided the data and their response was more or less the deferred rent take it or leave it. Tom Bloch after committing to revisit this, did not respond to emails asking him directly. Lastly, though this may seem petty to bring up but given their track record with us they don't deserve the benefit of the doubt. Just before Christmas a piece of the building fell off and there were streets shut down and business impacted the 3 busiest days of the holiday season. Christmas comes once a year so to lose a lot of business over three days was a significant blow. No offers of compensation or concessions were offered to defray the lost business. Our sales despite the setback are pretty good, though without the bad business climate from Samuels would be stronger. For all that, we have notified Samuels that we are seeking a broker to sell or in absence of a sale, close our business. The current situation of working long hours only to pay rent with very little income is unsustainable. My honest opinion is that this development looks pretty exciting, I'm sure that this could be an awesome addition to that area. I would have questions about Samuels capacity to manage it. Thank you, Phil DiCarlo</p>
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Parcel 12 Public Comments via website form 2019-02-21

2/6/2019	robert	oppenheim	NAAB & Charlesgate Alliance	Oppose	I attended the Parcel 12 meeting on 1/14/19 and I am writing in support of NAAB's position, as well as offering my personal response as a 25 year resident of Marlborough St.living close to Mass. Ave. During this time, as was noted in the meeting, the traffic congestion on Boston streets, most notably on Mass. Ave has has grown to an extreme point where I, as a pedestrian have to walk between standing cars which block intersections and crosswalks. IT IS DANGEROUS and I have to do this risky trip daily. The proposal of a hotel which would exacerbate these traffic issues: is a serious safety concern. Unlike the Sheraton, there is no provision for vehicles, be it cabs or Ubers etc to drop off or pick up passengers. There will be increased congestion from other service vehicles and some of the commuters who do not choose public transportation to get tho this destination. This is a serious design flaw that would be partially rectified by eliminating storefronts to create to create some space for designated drop/pickup area. Design concerns relating to wind and energy also need to be addressed. ... but I won't focus on the NAAB report. The only aspect of this project that attracts universal kudos is the new subway access on the west side of Mass. Ave and the addition of handicap accessibility. The shorter crosswalk on the west side is also an applauded improvement, however the increase in traffic would compromise this the benefits of this change. Also, Boston needs architecture which goes beyond the generic... Thank you for the opportunity to comment.
1/31/2019	Margery	Hamlen	Mothers Out Front	Neutral	I support this project ONLY if it is NZC - net zero carbon. It is time for developers to finally take some responsibility for protecting our children from the threats of climate change. All new building MUST be carbon neutral.
1/29/2019	sean	doherty		Oppose	Sean Doherty, MD 360 Newbury Street, Unit 501 Boston, MA 02115 stdohertymd@gmail.com 1/29/2019 Aisling Kerr (aisling.kerr@boston.gov) Development Review Boston Planning & Development Agency One City Hall, Ninth Floor Boston, Massachusetts 02201 Re: Parcel 12 Neighborhood and Safety Impact Dear Aisling, I am writing to voice my concerns about the current proposed use and design of Parcel 12. As a resident of 360 Newbury Street, I don-t feel my concerns have been given proper consideration in the past few Boston Planning & Development meetings and am hopeful you can provide some much needed assistance. Here are my concerns: - The current scope of this project will only further exacerbate the problem of extreme congestion at the intersections of Massachusetts/Newbury and Massachusetts/Boylston with the potential of roughly 150 more commuter vehicles driving through these intersections each day. - The intersection of Massachusetts Ave and Newbury Street are of particular concern as a hotel lobby entrance will be located at the corner of Mass Ave. and the Mass Pike entrance. As tourists and vehicles for hire pull in and out of the lobby entrance (with no curb cutout), this often blocked intersection will become even more congested and likely more dangerous to other drivers. - The building design is glass and steel and excessively high (15 and 20 stories), neither of which aligns to Back Bay architectural aesthetics. As residents of the Back Bay, we are proud of our historical look and neighborhood feel. To insert such a tall and modern building is not representational of the Back Bay. In the interest of the residents of this neighborhood, the safety and the quality of life for those motorists forced to endure the current congestion, we ask that you help us in changing the scope and design of this project. Thank you very much for your consideration. Respectfully yours, Sean Doherty, MD cc: Mayor@Boston.gov ; josh.zakim@boston.gov; Michelle.Wu@boston.gov; Councilor Ayanna.Pressley@boston.gov; A.E.George@boston.gov; Michael.F.Flarty@boston.gov; Rep. Jay.Livingstone@mahouse.gov; yissel.guerrero@boston.gov ; matthew.fitzgerald@boston.gov; info@nabonline.com

1/28/2019	Tracy	Heibeck		Oppose	<p>After attending the 1/14/19 meeting about the proposed development of Parcel 12, we are writing to share our concerns about the impact this project may have on: (1) our residents' safety; (2) our neighborhood; and (3) our quality of life. First and foremost is safety: - The project proposal to include a hotel seems ill-conceived with respect to the traffic hazards it will likely create. The intersection of Massachusetts Avenue with Newbury Street is already quite dangerous and heavily congested and nothing in the current plans adequately addresses the increased volume of traffic a hotel would create. - Access to the proposed hotel seems non-existent and does not take into account the increased volume of taxis and Uber/Lyft cars that will add to the congestion on these two busy roads. Already, the final block or two of Newbury Street is often reduced to a one-lane obstacle course due to the large number of delivery trucks and double-parked Uber/Lyft cars occupying one of the two driving lanes. Sometimes both lanes are blocked by vehicles of this type and we already worry that emergency vehicles may not be able to get through. Placing a hotel at the end of this street will only aggravate a dangerous existing problem on Newbury Street. - The main driving route from the airport will be down Massachusetts Avenue from the other direction, thus encouraging drivers to make a U-turn at this dangerous intersection in order to reach the hotel on the opposite side. How is this safe? To avoid making this U-turn, drivers will need to navigate the already congested final block of Newbury Street. Second and third are our interlinked concerns about our neighborhood and quality of life in Boston: - We understand that the "high spine" exists in Boston and has a long history in our urban planning and development. These two proposed towers that will ground the Parcel 12 project seem like part of the high spine given their proposed height and design. The big problem, though, is that this part of the neighborhood IS NOT part of the high spine and is more characteristic of the Back Bay. This feels like a curvature of the spine, so to speak ? bending the high spine of Boston in a way it ought not to bend - and creating a prison wall of glass towers around the Back Bay. - People from around the Boston area and around the world appreciate Boston for its unique beauty. A large part of this is due to lovely neighborhoods such as Beacon Hill, the South End and the Back Bay which feature pleasing, diverse and thoughtful architecture. Boston is a beautiful and unique city and deserves beautiful and unique buildings to carry it into the 21st century. This project, as currently proposed, is neither unique nor beautiful. We deserve better for our city than another bland glass tower full of offices or hotel rooms. - During the meeting, one resident mentioned that this spot is known as one of the best spots in the city for viewing sunsets. Why not use this as an inspiration to create something that both Boston residents and tourists would actively seek out for its beauty? Consider the unexpected success of projects such as the High Line Park in NYC as a wonderful example of creative urban development. If NYC can do it, surely Boston can as well?! Thank you very much for your consideration and we look forward to receiving your help in changing the scope and design of this project. Respectfully yours, Tracy Heibeck and Alex Pentland 360 Newbury Street, Unit 710 Boston, MA 02115</p>
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Parcel 12 Public Comments via website form 2019-02-21

1/28/2019	Joyce and Keith	Schnaars	Neighborhood Association of the Back Bay	Oppose	The Proposed Parcel 12 project states that it will "utilize this parcel of land to address nearby public infrastructure needs: parking, hotel, residential". In addition, it will connect "Boston neighborhoods: the Back Bay and the Fenway, and the South End and the City of Cambridge by creating a mix of dynamic mixed use development with ground-floor uses that will activate the street, repair the discontinuity in the urban street wall left behind by the Turnpike Extension, and improve the experience for pedestrians, bicyclists and motorists, as well as those using the wide array of nearby public transit options". This statement is clearly just a marketing strategy. The development of Parcel 12 will drastically increase the carbon footprint by this massive building and parking garage. Transportation that connects the Fenway, South End and Cambridge is already in place by the City of Boston. The location of Parcel 12 will lucratively benefit developers. Giving back to the neighborhoods must include the latest in technology to ensure energy efficiency. The Passive House building standard aims for projects to achieve near net-zero energy use through qualities like effective window sealing, quality insulation and heat recovery. The cement and glass structure of Parcel 12 is not in keeping with the environmental standards that the City of Boston and the neighboring areas to this Parcel have taken. A developer can do better than this. Even a proposed park is only exclusive to residents of Parcel 12. According to Mayor Walsh, "new construction which is one of the predominant energy consuming industries in the United States." Boston's Action plan can be found: http://www.greenovateboston.org/about-us . This project requires review and a public meeting on these topics as they relate to Parcel 12. It is not in keeping with this effort to reduce greenhouse gas emissions, net carbon, and locally sourced materials.
1/21/2019	Margaret	Pokorny	NABB & Charlesgate Alliance	Support	I do support the notion of a development that would cover the Turnpike and correct the very dangerous conditions that exist regarding the entrance onramp to the Turnpike at Newbury St. I do have concerns about the scale/density/and height of the project but I know that those issues will be raised by many others. I would like to raise another issue which may have been overlooked. There is currently a very active and robust masterplanning process going on for the Charlesgate Park which is at the end of Newbury Street under and around the Bowker overpass. The design team, Landing Studio, the DCR and the residents and members of the Charlesgate Alliance have been working for over a year to develop a plan for the transformation of this area to a park. Part of this plan is to provide better access to the Park from the Newbury St. side. It is very important that this plan to narrow and change Newbury Street be coordinated with the masterplanning going on for the Charlesgate Park. They are inextricably linked. Thank you for your attention to this matter.
1/21/2019	Grace	Hall	Great Boston Interfaith Organization (Climate Group)	Neutral	Overall, it appears you are considering this project in a responsible fashion. I was pleased with what I heard and saw at the hearing on January 14, particularly that hotel rooms or condos will be 100% electric. I would strongly encourage you to consider going all-electric rather than using gas for heating water in the boilers, even though initially the cost will be somewhat greater. And have you considered going LEED Platinum? I like the roof garden concept and hope that at least some portion of it will be open to the public during daylight hours. Thank you for considering these suggestions.

1/20/2019	Michael	McCord		Oppose	<p>To whom It May Concern: Two excerpts from a New York Times article by Coral Davenport, October 7, 2018: "A landmark report from the United Nations' scientific panel on climate change paints a far more dire picture of the immediate consequences of climate change than previously thought and says that avoiding the damage requires transforming the world economy at a speed and scale that has 'no documented historic precedent.' " The authors found that if greenhouse gas emissions continue at the current rate, the atmosphere will warm up by as much as 2.7 degrees Fahrenheit (1.5 degrees Celsius) above preindustrial levels by 2040, inundating coastlines and intensifying droughts and poverty.- There will be many important issues before the BPDA in its review of Parcel 12-all worthy of consideration. However, the single issue of greatest importance to the future of our city, and the health of our planet concerns the management of global warming. If we are going to reduce GHG emissions at the 'speed and scope' required to avert catastrophe, we must, starting right now, impose the most stringent requirements on all new development in the city. And this will mean two things: First, all new buildings must meet the highest international standards for energy conversation. Second, the use of fossil fuels must be prohibited and clean energy used instead. A child who is six year old today will be 27 by 2040-the date referenced in the NYT's article. What sort of world will we have left behind for that child-then a young adult-and for all the children alive today and for generations to come? The decisions made today around the world by government agencies like the BPDA --and by developers-- will determine whether we avert the worst of climate change or make it inevitable. I encourage you to take bold and forward-thinking steps with regard to Parcel 12. Let it become a model for green development and let Boston show the way for other cities around the world on how to do major development projects that does not mortgage our future to climate change and to certain global catastrophe. It will take courage to stand against the powerful forces of 'business as usual,' and I wish you courage to spare so you will do so. Future generations will thank you. Michael McCord 70 West Cedar Street Boston, MA 02116</p>
1/18/2019	Jacquelin	Yessian	NABB (Development and Transportation Committee)	Oppose	<p>Based on the many positives Saunders Group solved for this site as presented in April 2018, NABB responded to the design with support to further develop the project. We continue to support a project on this site. However, we had a strong negative reaction to the proposed design that blocks off the end of Newbury street with a flat wall, rather than the curved simple building proposed in April. Thus "oppose" opinion box checked. The open, multi height space at the end of the Newbury does not fit. The glass one story spacer between the tower and the podium create a disjointed composition. No tower was planned at this site in the Civic Vision, In fact, the Civic Vision plan allows only a single tower over 150 feet at the Boylston and Mass Ave. 1000 Boylston would seem to be that tower. BCDC comments were enlightening for this site. They complimented the proponents on the project noting it as a gift to the City. The NABB DTC plans to continue to follow this discussion throughout. For example, one comment asked to consider a coherent composition of the three parts of the design: two towers and podium, rather than the two very different towers on a shared podium, another to bring the towers to the ground, and another to consider additional open space. This comment was made at the CAC meeting, as well. One idea from the CAC meeting was to develop a destination for viewing sunsets from the bridge, which is now 'the best place so watch sunsets in Boston'. Another worthwhile idea is to allow the public on top of the podium, due to the lac of open space in this area. Two relevant Asian projects are the Shinjuku Station in Tokyo, which uses a space similar to the top of the podium for public outdoor seating and viewing and the Taipei Super Theater built over a public market place and designed to allow the public too move around it without crossing into private spaces. This is an important site and deserves additional exploration of design and uses. I expect to submit additional comments. Thank you.</p>

1/15/2019	Susan	Prindle	NABB	Oppose	<p>Below are the comments I submitted at last night's public meeting, which I hope will be helpful as the design process moves forward: While the Civic Vision refers to completing Newbury Street, it also refers to preserving view corridors. The lack of attention to this criterion is, to me and many Back Bay residents, the most disturbing design aspect of the proposal. Connecting visually to both the east and west is critical to the project's success. I would like to emphasize four aspects of the design that I feel work against this connection: 1. As the Boston Civic Design Commission recently pointed out, the current massing isolates the development from its neighbors. The project does not read as part of the city as a whole, but as a structure built in relation to the Turnpike. One promising solution that was suggested was to bring the tower buildings to the ground so that they integrate better with the surrounding buildings and possibly to increase the massing on the podium as well. 2. For the same reason, the street façades of the podium need to be more broken up to better reflect the rhythm of the surrounding buildings. A 250' undifferentiated glass wall does not relate to the scale of the adjacent to the Historic District. 3. The top of the podium would provide the most appropriate public open space. Integrating public use into the program will go a long way towards making the project a more desirable neighbor. The current greenspaces are afterthoughts. Unless they are fenced off or designed for active use, it seems unlikely that they will be successful. 4. Finally, I believe more attention should be paid to the effects of the project on Newbury Street. Newbury Street is going through a difficult period, and this project further threatens its viability. The street's success depends on providing a pleasant venue for lively street life, outdoor cafes, and sunny corners. This proposal blocks 84 percent of the sky in the last block of the street, throwing that block into shadow in the afternoons and eliminating any view of the sky and the sunset. The design should continue Newbury Street, linking it visually with the Kenmore and Fenway areas, not closing it off. Increasing the setback from Newbury Street, at least for the upper floors, would be one way to accomplish this. This project is an opportunity to transform what is now an unpleasant, windblown area into an asset for the entire city. I am glad that the developer is willing to take the time to get it right.</p>
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1/15/2019	Dwight	Wyatt		Oppose	<p>Name <u>Dwight Wyatt</u> Address <u>360 Newbury Street, Unit 705 Z</u> Email <u>dwightwyatt@outlook.com</u> Date: <u>Jan 15th, 2019</u> Michael Rooney Development Review Boston Planning & Development Agency One City Hall, Ninth Floor Boston, Massachusetts 02201 Re: Parcel 12 Neighborhood and Safety Impact Dear Michael, I am writing to voice my concerns about the current proposed use and design of Parcel 12. As a resident of 360 Newbury Street, I don't feel my concerns have been given proper consideration in the past few Boston Planning & Development meetings and am hopeful you can provide some much needed assistance. Here are my concerns: ? The current scope of this project will only further exacerbate the problem of extreme congestion at the intersections of Massachusetts/Newbury and Massachusetts/Boylston with the potential of roughly 175 more commuter vehicles driving through these intersections each day. ? The intersection of Massachusetts Ave and Newbury Street are of particular concern as a hotel lobby entrance will be located at the corner of Mass Ave. and the Mass Pike entrance. As tourists and vehicles for hire pull in and out of the lobby entrance (with no curb cutout), this often blocked intersection will become even more congested and likely more dangerous to other drivers. ? The building design is glass and steel and excessively high (15 and 20 stories), neither of which aligns to Back Bay architectural aesthetics. As residents of the Back Bay, we are proud of our historical look and neighborhood feel. To insert such a tall and modern building is not representational of the Back Bay. In the interest of the residents of this neighborhood, the safety and the quality of life for those motorists forced to endure the current congestion, we ask that you help us in changing the scope and design of this project. Thank you very much for your consideration. Respectfully yours, Signed: <u>Dwight Wyatt</u> cc: Mayor@Boston.gov ; josh.zakim@boston.gov; Michelle.Wu@boston.gov; Councilor Ayanna.Pressley@boston.gov; A.E.George@boston.gov; Michael.F.Flaherty@boston.gov; Rep. Jay.Livingstone@mahouse.gov; yissel.guerrero@boston.gov ; matthew.fitzgerald@boston.gov; info@nabbonline.com</p>
1/15/2019	Moustapha	El Solh	Owner of PH 808	Oppose	<p>I am writing to voice my concerns about the current proposed use and design of Parcel 12. As a resident of 360 Newbury Street, I don't feel my concerns have been given proper consideration in the past few Boston Planning & Development meetings and am hopeful you can provide some much needed assistance. Here are my concerns: ? The current scope of this project will only further exacerbate the problem of extreme congestion at the intersections of Massachusetts/Newbury and Massachusetts/Boylston with the potential of roughly 175 more commuter vehicles driving through these intersections each day. ? The intersection of Massachusetts Ave and Newbury Street are of particular concern as a hotel lobby entrance will be located at the corner of Mass Ave. and the Mass Pike entrance. As tourists and vehicles for hire pull in and out of the lobby entrance (with no curb cutout), this often blocked intersection will become even more congested and likely more dangerous to other drivers. ? The building design is glass and steel and excessively high (15 and 20 stories), neither of which aligns to Back Bay architectural aesthetics. As residents of the Back Bay, we are proud of our historical look and neighborhood feel. To insert such a tall and modern building is not representational of the Back Bay. In the interest of the residents of this neighborhood, the safety and the quality of life for those motorists forced to endure the current congestion, we ask that you help us in changing the scope and design of this project. Thank you very much for your consideration. Respectfully yours,</p>

Parcel 12 Public Comments via website form 2019-02-21

1/15/2019	susan	Thill	homeowner	Oppose	<p>Name __susan Thill Address __360 Newbury St #503 Email_dipaolo1051@hotmail.com Date: _1-15-2019 Michael Rooney Development Review Boston Planning & Development Agency One City Hall, Ninth Floor Boston, Massachusetts 02201 Re: Parcel 12 Neighborhood and Safety Impact Dear Michael, I am writing to voice my concerns about the current proposed use and design of Parcel 12. As a resident of 360 Newbury Street, I don't feel my concerns have been given proper consideration in the past few Boston Planning & Development meetings and am hopeful you can provide some much needed assistance. Here are my concerns: ? The current scope of this project will only further exacerbate the problem of extreme congestion at the intersections of Massachusetts/Newbury and Massachusetts/Boylston with the potential of roughly 175 more commuter vehicles driving through these intersections each day. ? The intersection of Massachusetts Ave and Newbury Street are of particular concern as a hotel lobby entrance will be located at the corner of Mass Ave. and the Mass Pike entrance. As tourists and vehicles for hire pull in and out of the lobby entrance (with no curb cutout), this often blocked intersection will become even more congested and likely more dangerous to other drivers. ? The building design is glass and steel and excessively high (15 and 20 stories), neither of which aligns to Back Bay architectural aesthetics. As residents of the Back Bay, we are proud of our historical look and neighborhood feel. To insert such a tall and modern building is not representational of the Back Bay. In the interest of the residents of this neighborhood, the safety and the quality of life for those motorists forced to endure the current congestion, we ask that you help us in changing the scope and design of this project. Thank you very much for your consideration. Respectfully yours, Signed: __susan thill cc: Mayor@Boston.gov ; josh.zakim@boston.gov; Michelle.Wu@boston.gov; Councilor Ayanna.Pressley@boston.gov; A.E.George@boston.gov; Michael.F.Flaherty@boston.gov; Rep. Jay. Livingstone@mahouse.gov; yissel.guerrero@boston.gov ; matthew.fitzgerald@boston.gov; info@nabbonline.com</p>
1/15/2019	Keith	Thoma		Support	<p>This is a good project for the city. The Pike is an eye sore in the Back Bay. I hope this project can spur more development to cover the Pike and better tie the city together. My only critique is do we need that much parking? The Back Bay has great transit access and the parking might not be needed.</p>
1/14/2019	Gary	Duncan		Neutral	<p>The photo appears to show what might be called AWNINGS on one floor level about midway up. It seems to me this is asking for trouble when a high wind blows, which, with climate change clearly underway, Boston & this location may well experience. Already outside attachments in Fenway buildings have been blown off the new high rises, and this building could avoid this by either cancelling the whole idea of such awnings, or assuring the public they would be so attached that they could actually withstand a termindous blow they may experience in the near future.</p>
12/21/2018	Thomas	Bagley		Support	<p>As someone who works and interacts with the city everyday, I fully support this project for Parcel 12. This is a tremendous opportunity to transform a rather barren portion of the Back Bay and help better connect the neighborhood with the Fenway. This development would also serve a tremendous civic purpose by covering up a portion of the Pike cutting through downtown and offer a safer and better designed Hynes Bus stop. This Parcel will also help easy the congestion at the small Hynes Green Line entrance by the reopening of the pedestrian tunnel, and the tunnel will help mitigate much of the danger of people crossing in the middle of the street. This a well-thought and well-designed development that will only better the city. By supporting this project, the city is showing its willingness to partner with other developers to deck project over the Mass Pike for the betterment of the public realm. Please approve this project. Thank you, Tom Bagley</p>

12/11/2018	Anne	Prendergast		Oppose	<p>Hello, I oppose the project for a few reasons. The main reason is I am very concerned with congestion! It is a very busy area. I know the plan is to remove the median strip on Mass. Ave. However, it is a very narrow strip so it will not add nearly enough space to do all that is planned. Apartments, offices, retail space, hotel will add many, many more cars and pedestrians! I also am concerned with the Mass Pike entrance being moved. It will not add much if any better visibility getting onto Mass Pike but it will add more congestion to that block of Newbury St. The parking garage, the Harvard Club and the parking spaces need less congestion not more. Plus, moving the entrance will mean fewer parking spots in that area. I also feel the buildings as big as they are getting and as modern with lots of glass does not represent the Back Bay which is a unique and beautiful area of Boston. Driving East on Mass Pike arriving into Boston I would rather see the Frank Gehry Building(my building) than a glass tower. I do realize in this is last sentence I am very biased because I live here. My opposition to the buildings is the congestion it will bring to that area of Mass Ave and Newbury St!! One last point is I cannot imagine what will occur work during construction!! Seems impossible to me. Thank you for listening</p>
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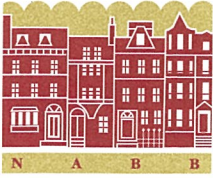
12/10/2018	Britta	Konary		Oppose	<p>To Whome it May Conceren, I would like to oppose the building of parcel 12. Reasons for this are the high traffic, congestion, parking issues, ruined views, public safety, security and historic issues that this project will bring to the Back Bay. Back Bay is the most historical area in Boston and should be protected from frivolous projects trying to make money at our Boston?s residents expense such as parcel 12. This project only puts money into the pockets of developers, not the hardworking residents of Boston. Please Find Bulleted Issues presented for Parcel 12 below: Parking Issues: -There is already a resident parking issue in the Back Bay and this will make the situation even worse. -The only parking option for residents will be in garages that cost at least \$400 per month as there is not enough room for residents to park. - Parking garages will become monopolies and will burden the tax payers of this city to be forced to park in garages. -A example of this problem is in the West End, they have no resident parking which leaves parking garages in control of high cost monthly pricing as there are no options for residents. -High cost parking garages will only add to the problem of the high cost of living which is a current problem. Adding a extra \$400-\$500 of monthly living expenses is not fair to the residents of the Back Bay. Losing History and Charm of the Back Bay: -Back Bay is one of the only few small areas in Boston left with history. -Newbury St, Com Ave, Mass Ave, Marlborough St and Beacon Street should be protected from these types of projects. -If you keep moving new buildings into the Back Bay there will be no history left in the Back Bay. -The number one reason people move to the Back Bay is because of the historic charm. -People from all over the world love Boston as it is a reminder of the history of the United States. If we lose that, we lose the charm and history Boston is loved for. -People visit Newbury Street to take in the old world charm. -Old European cities protect and keep the elegance of their history. They have pride and respect of their history, Boston should be doing the same not trying to knock down and modernize beautiful historic areas. Public Safety: - Having a ramp directly to the highway is dangerous to pedestrians. There will be no cut off and cars will start racing down Newbury Street. That?s the nature of drivers when they are in a rush to get onto the highway. - At least now we have a 4 way intersection where people are forced to stop and have options to come from each direction -Not to mention the safety issue in today?s society. The noise, congestion, traffic and safety of the residents of the Back Bay should be a concern. -Living at 360 Newbury, there will be a direct view into my personal life and apartment. -I am a single person and I am concerned for my personal safety as stalkers will have a direct view into my apartment at will -There will be no privacy and I am sure it will be strange for Hotel/retail guests to be looking into my home and I looking back. In conclusion, I would suggest moving this project to a non- historic area and respect the taxpayers of Boston rights for safety, parking, traffic and keeping the history of this city. Please do not build here it will be a big mistake and will cause more congestion that the Back Bay does not need. People choose to live in Boston and not in NYC for a reason. This will disrupt Boston?s hometown feel and charm. Why try to fix something that is not broken? This will only cost the city and people of Boston millions of dollars. There is need for other projects to help our city prosper. This will just be a public nuisance and degrade our city. Boston and Back Bay are loved for its history, not of its modernism. Thank you, Britta Konary</p>
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12/9/2018	Rickie	Harvey	Boston Clean Energy Coalition	Oppose	<p>The member groups of the Boston Clean Energy Coalition (listed below) encourage the BPDA and the developers of Parcel 12 to consider the important leadership they could provide by making this project a net-zero-carbon (NZC) development, by which we mean rejecting natural gas and using only renewable energy to heat/cool the project, while purchasing offsets as necessary to fully achieve this. While we understand that the current building code does not require this project to be net-zero carbon, it is clearly the direction in which all of our buildings and our communities must head, with all possible speed and commitment. Mayor Walsh has pledged that Boston will be carbon neutral by 2050. As part of that promise, the city is undergoing a modeling and planning process that will commit Boston to a path requiring net-zero-carbon buildings. New York City, Cambridge, and other cities across the country (and the world) have made similar commitments and are already moving forward with strategic plans and mandates that all buildings be net-zero carbon and eschew the use of fossil fuels. The recently released IPCC report indicates that we need to go net zero by 2050; projects like this one can?and should?be leading the way. It only makes sense to build net-zero-carbon buildings now; retrofitting them later will be hugely costly. As Suffolk Construction owner John Fish said on NPR: ?We can pay a little more now or pay a whole lot more later.? And as Cutler Cleveland stated recently at a WBUR program on the upcoming Carbon Free Boston (CFB) report, CFB predicates its building requirements to get Boston to carbon freedom by 2050 on the assumption that all new buildings must be NZC and that all existing buildings will have to be retrofitted to be NZC; there simply no other way to achieve our carbon-neutral goal. Boston is a hub of innovation. We ask that this project contribute to Boston?s maintaining this reputation by constructing buildings that meet the needs of the 21st century and that terminate our reliance on fossil fuels. THE BOSTON CLEAN ENERGY COALITION Member organizations: 350 Mass?Boston Node Back Bay Green Boston Climate Action Network Clean Water Action Environment Massachusetts Home Energy Efficiency Team Massachusetts Climate Action Network Mothers Out Front, Boston Resist the Pipeline Sierra Club of Massachusetts Toxics Action Center West Roxbury Saves Energy Ally organizations: Charles River Watershed Association Gas Leaks Allies (Boston) Massachusetts Environmental Justice Alliance Massachusetts Power Forward The Metropolitan Area Planning Council Passive House Massachusetts The US Green Building Council?Massachusetts chapter</p>
12/4/2018	Paul	Lewis		Oppose	<p>I don?t feel my concerns have been given proper consideration in the past few Boston Planning & Development meetings and am hopeful you can provide some much needed assistance. Here are my concerns: ? The current scope of this project will only further exacerbate the problem of extreme congestion at the intersections of Massachusetts/Newbury and Massachusetts/Boylston with the potential of roughly 175 more commuter vehicles driving through these intersections each day. ? The intersection of Massachusetts Ave and Newbury Street are of particular concern as a hotel lobby entrance will be located at the corner of Mass Ave. and the Mass Pike entrance. As tourists and vehicles for hire pull in and out of the lobby entrance (with no curb cutout), this often blocked intersection will become even more congested and likely more dangerous to other drivers. ? The building design is glass and steel and excessively high (15 and 20 stories), neither of which aligns to Back Bay architectural aesthetics. As residents of the Back Bay, we are proud of our historical look and neighborhood feel. To insert such a tall and modern building is not representational of the Back Bay. In the interest of the residents of this neighborhood, the safety and the quality of life for those motorists forced to endure the current congestion, we ask that you help us in changing the scope and design of this project. Thank you very much for your consideration.</p>

Parcel 12 Public Comments via website form 2019-02-21

12/3/2018	Ben	O'Brien	N/A	Support	We should be grateful that we have developers in this city like Samuels who are homegrown and truly care about the community and the future of the city. As a lifelong resident of the Boston area, it's truly an embarrassment how long these scars have just sat there for decades in what should be one of the most bustling and thriving parts of the City. This part of Back Bay is an eyesore and totally sucks the life out of Back Bay and Fenway. So excited to see this project move forward; it's very well thought out (I only wish it went a little taller to add to the skyline a bit!) and is going to finally help create a beautiful public realm that this City deserves. Let's get this done!!
11/29/2018	Leslie	Good		Neutral	This area needs this. Big time. Fix the blight! ~homeowner in fenway
11/28/2018	Gary	Duncan		Neutral	Once again everyone is being asked to approve a building that is simply too tall, and likely given the cost of building over the turnpike, it will hold condos and hotel rooms priced for the 2%. Boston's tax rolls may improve, but this building is right next to apartment buildings that are old and low cost, thus affordable and it appears far too tall on a Boylston Street section that asserts an entrance to the Fenway. Do we really need a John Hancock tall building way down at the lowest end of Boylston? I think NOT. And what about affordable housing for people who make \$15 an hour or less (THAT IS THE REALITY OF MANY BEING DISPLACED BY TOO MUCH OF THIS FOR THE RICH DEVELOPMENT). OK, demand, some money up front from these developers for use elsewhere, and the people working in this hotel to be commute, not all that satisfactory. Time to rethink this richer, too tall development.
11/21/2018	Daniel	Doherty		Support	Top Whom it May Concern, I am an owner / resident at 53 Hemenway St., Boston - very close to the proposed project. I am writing to give my wholehearted support to this project! The area in question is a blight in an otherwise wonderful neighborhood. This project will connect the city, drown out the Turnpike noise and make improvements in many, many aspects to the neighborhood. I look forward to the ground breaking!! Sincerely, Dan Doherty 53 Hemenway St., Boston

Neighborhood
Association of the
Back Bay



January 31, 2019

Aisling Kerr, Project Manager
Boston Planning and Development Agency
1 City Hall Square Boston, MA 02201
Re: Parcel 12

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Vice Chairman
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Roberta Orlandino
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Jason Post
Susan Prindle
Susan Richardson
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Jacqueline Royce
Steven Sayers
Charles Schuerhoff
Peter Sherin
Barry Solar
Elaine Sullivan
Anne Swanson
Lauren Thomas
Jack Wallace
Marvin Wool
Sheri Olans Wright
Jacquelin Yessian
Kathleen Young
Gerald Zukowski

Dear Ms. Kerr,

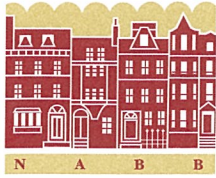
Members of NABB have attended and actively participated in multiple meetings about this project, including internal discussions of published documents as well as public meetings including the proponent and other stakeholders. These comments (below) summarize the issues and concerns we have identified to date that arise from the current Parcel 12 proposal from the perspective of NABB's mission to preserve and enhance the Back Bay neighborhood and the quality of life of its residents.

We understand that the proponent's plan is to insert a new retail/ office and residential (condo or hotel, the choice has not yet been made) destination over the Mass Pike. The project will also extend uses of Newbury Street west of Mass Avenue.

This project promises to deliver significant and welcome benefits by ameliorating two very dangerous road conditions at the complex intersection of Newbury Street and Mass Ave thanks to reduction in the width of the Newbury Street Extension on the west side of Mass Ave, and rerouting the Turnpike (I-90) access ramp. This change is essential to the success of the project, which cannot proceed otherwise. We appreciate that the proponent Samuels proposes to seek all approvals (Federal, State, and City) as well as to construct and pay for the road reconfiguration. We also applaud the plan to reopen and renovate the currently closed Hynes Convention Center Station's pedestrian tunnel under Massachusetts Avenue. This tunnel will provide a weather (and traffic)-protected connection to the Hynes Station from the west side of Massachusetts Avenue to the station on the east side, significantly improving accessibility and connectivity to the Station, as well as public safety.

The remainder of these comments focuses on several areas of concern about the impact of the project:

- **Transportation** - One major concern about locating so much vehicular and pedestrian circulation on the Mass Ave Bridge, is the inevitability of conflicts between people on foot, bicycles, automobiles, and buses, and foreseeably very soon electric scooters, who desire to occupy the same space at the same time. We realize that much additional planning will be needed to ensure that these conflicts do not cause additional serious and even fatal accidents. **We look for detailed public discussion of the transportation studies and the City's review.** Safety is a priority.

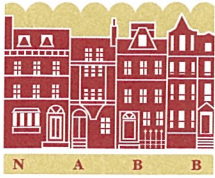


A second traffic safety condition is the garage entrance on Boylston Street. Left hand turns out of the garage could create a dangerous condition. We would like this to be discussed as well. We recommend an in depth discussion regarding all traffic, pedestrian, two wheeled, private, hired, and public vehicles, etc.

We also ask that the developer do an analysis of the relative impact on traffic around the northern building of residential use vs. a hotel, which is one factor for consideration in the choice to be made between these alternative uses.

Major issues exist in the transportation study including 1) the assumption by the proponent that a hotel use has a greater impact than residential use, but this may not be true for all aspects and 2) the position of the bike path between the #1 bus and the bus patrons waiting at the bus stop presents a potentially major safety hazard. An updated transportation safety study should be done after the use for the second tower has been finalized to address these issues as part of a **Draft Project Impact Report (DPIR)**.

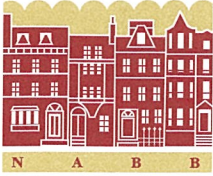
- **Urban Design** - In April, 2018, we were first presented with revised, tentative plans for the project to be built on Parcel 12. The rendering of the view of the end of Newbury Street, showed a slender, curved, relatively short tower surrounded by a substantial amount of sky. The building served almost as an exclamation point celebrating the end of this special street without enclosing it. It could be said to enhance Newbury Street. However, in the latest rendering, the slender curved tower has been replaced by a more massive block-shaped building that appears much larger in the context and more dominant than the scheme presented in April 2018. Its breadth and height have swallowed much of the visible sky, creating a forbidding wall enclosing the western end of Newbury Street. **This solution to terminate the view west on Newbury Street would radically compromise the character of this block, overshadowing and clashing with the historic building fabric.**
- **Architecture** – We are concerned that the sleek glass tower aesthetic does not respect the historic context. While we do not recommend replicating historic Back Bay with brick buildings to match the neighbors, we seek design modifications and a more creative solution, which reflects the architectural heritage of the Back Bay Historic District more harmoniously than the presented design. Both buildings as most recently presented are of a generic modern glass and steel design. They could be located anywhere, in any city. The project reflects no clear inspiration from or notable contemporary response to its historic Back Bay setting in massing, material or site design. The street facades of the podium need to be more broken up to better reflect the rhythm of the surrounding buildings, as provided in the Civic Vision. A 250’ undifferentiated glass wall is not in harmony with the adjacent storefronts of the Historic District. The developer has said that the current design is not cast in stone. We strongly recommend they present



other options for in-depth discussions. These discussions should take account of but not be rigidly bound by the contents of the Civic Vision, which is referenced in presentations.

- **Civic Vision** - This Vision dates from 2000, and is accessible at [http://www.nabbonline.com/files/Turnpike Air Rights Civic Vision.pdf](http://www.nabbonline.com/files/Turnpike_Air_Rights_Civic_Vision.pdf). This raises the question of the desirable nature and extent of the proliferation of deviations from them in the characteristics, and, hence impact of new buildings constructed in the area covered by this Vision. This question is pertinent in particular with regard to the numbers and heights of towers proposed in strategic locations near the Boylston and Mass Ave intersection that may cumulatively, through their architecture, heights, and massing, have a durable, sizable and adverse visual and architectural impact on the character and environment of the historic Back Bay. It is noted that the concept of a single tower has been replaced by proposals for three towers on these two sites, Parcels 12 and 13, plus potentially one for the Berklee College of Music at Boylston and Mass Ave, and another on the Dalton Street garage. Where is this going to end?
- **Affordable Housing** - the developer should be specific about how the affordable housing obligation would be met if or when the choice is made for residential building use to permit timely comments on this important aspect of the project. It is our preference is that the obligation be met on-site.
- **Energy Conservation** - We seek designs that meet the most stringent energy requirements in light of the City's and the Commonwealth's plans for climate action and resiliency. Net zero buildings are being made possible. This would be a desirable objective for buildings on the Air Rights Parcels. We request study of the potential elimination of the use of fossil fuels completely in this project, and we applaud this as your intention.
- **Greenhouse Gases** – We have noted our objection to the use of gas as a heating source and support for use of the latest technology in efficient electric heat sources to help the City reduce its use of fossil fuels as the electrical grid shifts to more renewable sources. This approach is in keeping with the Mayor's Climate Action Plan. Given our coastal location, our buildings are among the most vulnerable cities in the world. We recognize that it is necessary to find creative solutions and encourage the development team to look further. **We look for detailed public discussion of and access to these calculations, with arrangements to respect and safeguard commercially confidential information.**
- **Other** - As with any substantial development project, there are many details that will be worked through in CAC and public meetings, such as

Neighborhood
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environmental factors of wind, glare and shadow, in addition to the concerns about architecture, urban design, transportation, affordable housing and resilience to climate change outlined above. We look forward to discussing each of the studies in the PNF – once a basic design is adopted that is more compatible with the future of Newbury Street, prior to submission of a DPIR. The opportunity to address this end of Newbury Street will only come once. Done right, it can preserve and extend the special magic so critical to the success of this unique Boston street.

In light of the foregoing comments, we look forward to seeing revisions to the proposal from the developer that address our suggestions and comments above. We look forward to receiving the Draft Project Impact Report (DPIR), in part, to read the proponent's responses to comments made during the PNF phase of Article 80. The project, when completed, should be one we can all be proud of, one that will be celebrated for its visual impact and applauded as an innovative project setting a benchmark for the city.

Since there may be developments that take place before the end of the comment period, we may submit additional comments. Thank you for your attention.

A handwritten signature in blue ink that reads 'Martyn Roetter'.

Martyn Roetter, Chair

Cc: josh.zakim@Boston.gov, jay.livingstone@mahouse.gov,
william.brownsberger@masenate.gov, jon.santiago@mahouse.gov,
A.E.George@Boston.Gov, AltheaGarrison@Boston.Gov, Michael.Flaherty@Boston.Gov,
Michelle.Wu@Boston.gov, Ed.Flynn@Boston.Gov, Parcel 12 CAC c/o Fritz Casselman

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Executive Director

Gregory J. Galer, Ph.D.

The Otis House
141 Cambridge Street
Boston, MA 02114
617.367.2458

bostonpreservation.org

February 15, 2019

Ms. Aisling Kerr
Boston Planning and Development Agency
Boston City Hall
Boston, MA 02201
Re: Parcel 12, Back Bay

Dear Ms. Kerr,

The Boston Preservation Alliance is Boston's primary, non-profit advocacy organization that protects and promotes the use of historic buildings and landscapes in all of the city's neighborhoods. With 40 Organizational Members, 125 Corporate Members, and a reach of 35,000 friends and supporters we represent a diverse constituency advocating for the thoughtful evolution of the city and celebration of its unique character. We appreciate the opportunity to offer comments on projects that impact the historic character of the city.

The Alliance has had the opportunity to meet with project team members at Samuels & Associates to review the project and provide some direct initial feedback. Because we understand that the design of the buildings is still evolving, we will refrain from commenting in detail on the proposed designs at this time and instead focus on broader issues for the overall project. We acknowledge that this is a particularly challenging site but one that offers much opportunity to re-stitch the hole in the neighborhood created by the highway. We also see the need for significant improvements to the pedestrian realm which this proposal is working towards, including enhanced access to Hynes Station. This and the Mass Pike entrance ramp modifications will be of great benefit. Therefore, when considered in its entirety, the benefits the project offers largely offset the height of the buildings. However we do feel that when taken isolated from those benefits, the proposal is out of scale with the historic character of the surrounding neighborhood. (We feel the other tall projects in the area, such as 1000 Boylston, very much feel like they live in a different ecosystem than this site.)

Therefore, we urge the design team to consider a more contextual approach to the new construction, particularly given that the site abuts the Back Bay Architectural District and forms a dominant visual element from Newbury Street. The podium that extends across the site should be reimagined as three independent expressions; perhaps two distinct buildings with a connector rather than something so monolithic. The current approach creates an overall street-level expression that does not relate to the site's surroundings which have developed and evolved organically over time. While the podium is most prominent at the street level adjacent to and immediately

across the street, the towers as currently configured dominate the field of view from many perspectives – looking down Newbury Street, from across Newbury and Mass Ave. We believe façade treatment and enhanced shaping of the mass of the towers and continued evolution of the podium itself could make the podium be the stronger element and the towers appropriately secondary. This would be more consistent with the human scale of the neighborhood. The very strong, tall expression looking west on Newbury is troubling as currently proposed, feeling that it moves that end of Newbury to a more canyon-like arrangement. More sky visibility would be preferred.

The Alliance is intrigued by the Neighborhood Association of the Back Bay's suggestion to incorporate a dynamic public space into the project, potentially a viewing deck above the rail lines and highway. There is an opportunity here to invite the public into the space and engage residents in the development, which few projects in Boston are doing. When residents are repeatedly asked to sacrifice sky view, sunlight, historic viewsheds, and sense of place, public access to the project's open spaces should be a requirement. We encourage the proponent to think creatively about a dynamic public space that could be a place-making opportunity for this site.

We hope these comments are of benefit, particularly when we know the design is actively evolving, as admitted by the developer, and still very fluid. We will continue to engage in future opportunities to review and comment as the approval process continues, in particular with the Draft Project Impact Report (DPIR) as well as the state MEPA process, which we know will include review by the Massachusetts Historical Commission.

We look forward to continuing to work with the BPDA and the proponent toward an outcome successful for the city and this particularly sensitive historic area.

Thank you,



Greg Galer
Executive Director

CC:

Brona Simon, Massachusetts Historical Commission
Sue Prindle, Neighborhood Association of the Back Bay
Rosanne Foley, Boston Landmarks Commission
Joe Cornish, Boston Landmarks Commission

February 20, 2019

Ainsley Kerr
Boston Planning & Development Agency
One City Hall Square, Boston, MA 02201

Re: Proposed Development on Parcel 12

Dear Ms. Kerr,

Thank you for inviting public comment on the proposed development on Parcel 12. We hope that you will consider and appropriately respond to these suggestions and concerns through the project approval phase.

We are excited to see the construction of the air rights above I-90 and the many beautifying and placemaking elements of expanded sidewalks and additional greenspace, that will positively contribute to the needs of a gathering space in the community. With the high density of students, tourists, and community members who use this section of Massachusetts Ave, the addition of this project will be a benefit to many.

Concerns:

Our largest concern is with the placement of the pick-up/ drop-off zone on the North West end of the site along Massachusetts Ave. Based on the current plans, the existing full-length shared bus and bike lane will be removed to make way for three pick-up/ drop-off spots for vehicles. Given the high frequency and usage of the 1 and CT1 buses who utilize this stop, it is important that the full length of the bus only lane remains. As an estimated 30% of people getting to this development will arrive via bus ensuring adequate space is important. However, the amount of people arriving by bus may increase beyond current projections due to future planning efforts. As part of Boston's transportation plan, GoBoston 2030, there are plans to expand bus priority along the length of Massachusetts Ave as a way to improve the reliability and speed of buses and expand ridership beyond the current 14,000 daily riders. Further, in order for Boston to meet its climate goals, Boston will need to expand public transit in order to reduce the reliance on single occupancy vehicles. Therefore, we strongly urge the pick-up/ drop-off spots to be moved to the Newbury Street side of this development. This will not add any significant inconvenience to people needing to use these spots as cars can continue down Newbury Street and turn around at Charlesgate East, or more easily enter onto I-90.

As one of the fundamental goals of this project is to improve connectivity between neighborhoods, prioritizing space for buses is critically important. We hope you strongly consider making this adjustment to the plan.

Sincerely,

Kristiana Lachiusa

LivableStreets Alliance

Boston Groundwater Trust

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

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Christopher Cook

Executive Director

Christian Simonelli

February 13th, 2019

Aisling Kerr, Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201-1007

Subject: Parcel 12 Project Notification Form (PNF) Comments

Dear Ms. Kerr:

Thank you for the opportunity to comment on the Parcel 12 project notification form (PNF) which is located in the Back Bay. The Boston Groundwater Trust (BGwT) was established by the Boston City Council to monitor groundwater levels in sections of Boston where the integrity of building foundations is threatened by low groundwater levels and to make recommendations for solving the problem. Therefore my comments are limited to groundwater related issues.


The project is located in the Groundwater Conservation Overlay District (GCOD) established under Article 32 of the Zoning Code. The document states that the Project will endeavor to infiltrate not less than one (1) inch of rainfall across the portion of the Project Site to be occupied by the Project and will not have a negative effect on existing groundwater levels on the Project Site or adjacent lots.

GCOD requires both the installation of a recharge system to capture one (1) inch of rainfall across the portion of the Project Site and a demonstration that the project cannot cause a reduction in groundwater levels on site or on adjoining lots. The PNF states that the lowest parking level below the office building will be approximately at or slightly below area groundwater levels. Temporary construction dewatering will be required within the limits of watertight temporary excavation support system to conduct excavation and construction in the dry. Stormwater and groundwater within the excavation will be collected and discharged under appropriate permits.

The proponent is scheduled to meet with the Boston Water & Sewer Commission (BWSC) to review their proposed plans for GCOD compliance. Following that meeting the proponent has committed to meeting with the BGwT to discuss full compliance with both provisions of the GCOD.

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

Very truly yours,

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

Christian Simonelli
Executive Director

CC: Kathleen Pederson, BPDA
Maura Zlody, EEOS



423 Marlborough Street • Boston, MA 02115

February 15, 2019

Aisley Kerr, Project Manager
Boston Planning and Development Agency
1 City Hall Square
Boston, MA 02201

Re: Parcel 12

Dear Ms. Kerr:

We are writing to submit comments about the Parcel 12 development. The Charlesgate Alliance (CA) Board of Directors welcomes this project and we believe that, if done well, it could be truly transformative. Our organization represents over 170 neighborhood residents and businesses in the emerging Charlesgate area, and we embrace the Parcel 12 project area as part of our purview. CA board members have been interested in this project from the beginning, and we have attended CAC meetings as well as the public meeting. We have studied your planning documents carefully. On the whole, we find this project very compelling, although we do have a few suggestions that we would like to make.

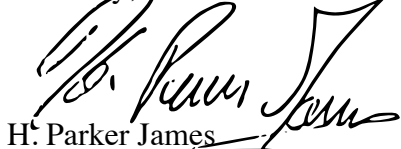
To begin with, we would like to ask you to consider Charlesgate Park as you design this project. The area west of Mass. Avenue, including the Newbury St. extension and Charlesgate, were severely impacted in the mid-1960s by the construction of the Mass. Turnpike extension and the Bowker Overpass. These wounds are still apparent, and has taken more than a half century for this area to begin to revive. It seems welcome and appropriate that the Parcel 12 project and revival of Charlesgate should take place at the same time. The Charlesgate Alliance completed a year-long Charlesgate Public Concept Plan in 2018, and we are now starting work with the Emerald Necklace Conservancy, the DCR, and the MassDOT to implement a comprehensive design plan for this 13 acres of under-utilized park land. A significant focus of our new park project will consist of developing pedestrian and bicycle connections that will revive Fredrick Law Olmsted's vision of the Charlesgate parkland as the critical link connecting the Emerald Necklace, the Commonwealth Avenue Mall, and the Charles River Esplanade. Developing

appealing and effective pedestrian and bicycle connections with the Newbury Street extension will be essential to connecting the Back Bay to this exciting project. We aim to work closely with the designers, developers, and public agencies involved in the Parcel 12 project to create seamless connections integrating Parcel 12 to the Charlesgate parkland and to the areas beyond.

Two additional comments: we would like to emphasize our hope that the external architecture of Parcel 12 will be really excellent. This includes the facades of the buildings and their interaction with the public realm. The external architecture will be the part of the project that Bostonians will experience most. Parcel 12 will create the point of connection that integrates the Back Bay with the Fenway and Charlesgate. It would be great if the architecture of this building could be something truly inspiring. The façade architecture will certainly be part of this, but the program of the building will be important, too. I urge you to look closely at the Shinjuku Station “New South Gate” development in Tokyo (see attached photographs). It is programatically similar in that it is an air rights project over a major transportation corridor that serves as an intermodal point of connection within a densely populated city. The designers there have done a remarkable job of creating intimate, welcoming spaces that enhance the quality of the public realm for the entire area. The public have responded by adopting this space as an essential part of the neighborhood, and people now pop over to the Shinjuku Station New South Gate for a leisurely cup of coffee, to enjoy a beer in the beer garden overlooking the train tracks, or to buy groceries on their way home from work. The Parcel 12 development could become a resource like this: a destination and amenity that is an integral part of the neighborhood.

Please let us know anything we can do to assist you in redeveloping this benighted overpass into an integral part of the city that will serve the interests of all. You can count on us to help you bring this sort of vision to reality.

Sincerely,



H. Parker James
Co-Founder, The Charlesgate Alliance



Shinjuku Station in the 1970s



**The Recently Completed Shinjuku Station “New South Gate,”
with public terraces in the foreground.**



Like Parcel 12, this is an “air rights” development project.



Well-designed, much-used public space overlooking the train tracks



The many shops and services available in the New South Gate make it part of the neighborhood







The Sapporo Beer Garden is especially popular, with long lines day and night







Shinjuku Station's New South Gate has become a destination: a great outdoor space which attracts people all day long.

Aisling Kerr

BPDA

1 City Hall, 9th Floor

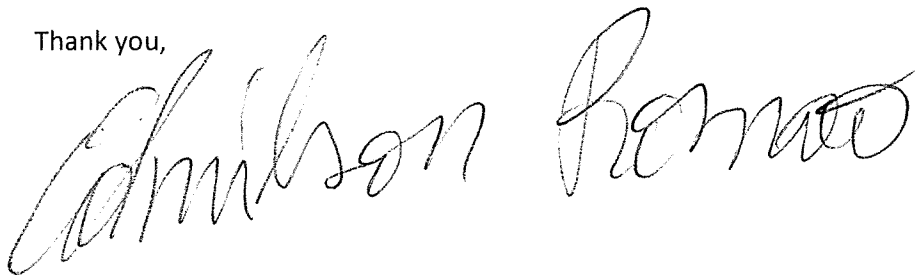
Boston, MA 02201

Re: Parcel 12 Project

Dear Project Manager Kerr,

I am writing to you today to let you know about my opposition to the Parcel 12 project. My name is Edmilson Romao and I am a doorman and Boston resident. The hotel portion of the project will have the drop off right on Mass Ave. I worry that this will be a safety hazard to doormen like me and visitors to our city. Mass Ave is a busy street, with all kind of traffic. Safety should be our number one priority and I don't see that in this project.

Thank you,

A handwritten signature in black ink that reads "Edmilson Romao". The signature is written in a cursive, flowing style.

Aisling Kerr
Boston Planning & Development Agency
One City Hall, Ninth Floor
Boston, Massachusetts 02201

Dear Aisling Kerr,


My name is Richard Aliferis and I am writing to you as a long-time Boston resident and doorman at the Omni Parker House. I want to let you know that I am opposed to the hotel portion of the Parcel 12 project over the Mass Pike.

My experience as a doorman has shown me how to stay safe while assisting visitors to our city. My hotel is at the corner of School and Tremont Streets. Though both are one-way streets, Tremont Street is a main artery for traffic in our city and School Street has only one lane for cars. Instead of having the pick-up and drop-off area on the busy street, I work on the smaller School Street. This allows our hotel guests and hotel employees like me to remain safe.

The hotel portion of the Parcel 12 project is at the corner of Mass Ave and Newbury Street. The developer wants to put the pick-up and drop-off area right on Mass Ave, an even bigger artery than Tremont Street. I can't see this working out without risk to hotel employees and hotel guests.

Thank you for taking my thoughts into consideration.

Respectfully,

A handwritten signature in black ink that reads "Richard Aliferis". The signature is written in a cursive, flowing style.

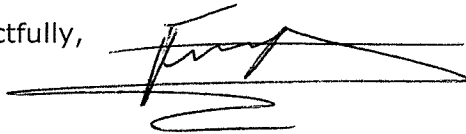
Project Manager Aisling Kerr
Boston Planning and Development Authority
1 City Hall, 9th floor
Boston, MA 02201

Dear Aisling Kerr,

My name is Frezer Nigatu and I am opposed to the Parcel 12 project. I live on Blackwood Street in the South End and I am worried about this project's impact on my neighborhood. This project will increase traffic by over 3400 vehicle trips per day, overloading our already busy streets. This project is too massive and will create uncomfortable wind conditions at Newbury Street, Massachusetts Ave, and Commonwealth Ave.

I am also concerned that the developer is proposing placing the drop-off area on Massachusetts Avenue. Given the traffic already there, I am worried about the safety of hotel employees and visitors as they try to navigate that location.

Respectfully,

A handwritten signature in black ink, appearing to read 'Frezer Nigatu', with a horizontal line underneath it.

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

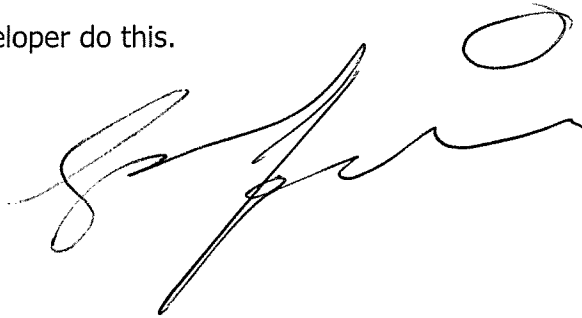
Project Manager Aisling Kerr:

My name is Steadley McQueenie and I am writing to you today about the Parcel 12 project. As a Boston resident and a hotel doorman, I want to tell you that I think that this project will be unsafe for hotel workers and visitors.

First off, this project does not have a hotel drive way. Secondly, the developer, Samuels and Associates, wants to have a pick up and drop off area right on Mass Ave. Unlike the Ritz Carlton on Avery Street, Mass Ave has a lot more going on. Mass Ave has a lot of traffic already. Adding a hotel to the mix on this overpass will be too much. You're going to have buses and cars and pedestrians and uber and hotel guests all competing. No one wins in this situation and it puts hotel workers and hotel guests in danger.

Please don't let the developer do this.

Respectfully,

A handwritten signature in black ink, appearing to read 'Steadley McQueenie'. The signature is fluid and cursive, with a large loop at the end.

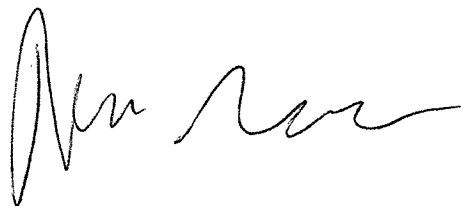
Ms. Kerr, Project Manager
Boston Planning & Development Authority
1 City Hall, Ninth Floor
Boston, Mass. 02201

Dear Ms. Kerr,

I want to let you know that I oppose the Parcel 12 project. I am Marvin Reyes and I live on St. Botolph Street in the South End. As a resident of the neighborhood, I believe that this project has a number of issues that will affect residents like me. It is going to create thousands of new car trips per day, causing traffic and pollution. It is too big and will cast more shadows and cause more wind in the neighborhood. It is also going to put hotel workers in harms way by having the hotel pick-up area right on Mass Ave where there's already too much traffic.

For these reasons and others, I am opposed to this project.

Thanks,

A handwritten signature in black ink, appearing to read "Marvin Reyes". The signature is written in a cursive style with a large initial "M" and "R".

Aisling Kerr

Project Manager

Boston Planning and Development Authority

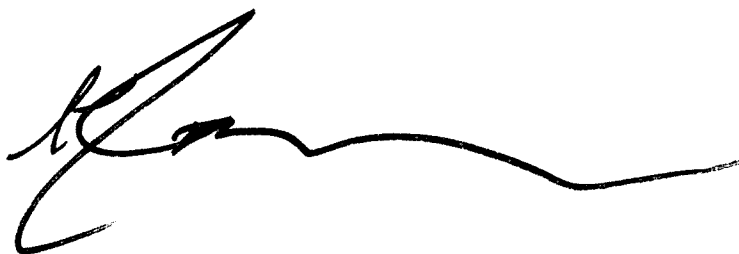
One City Hall Ninth Floor

Boston, MA 02201

Dear Aisling Kerr

My name is Kelly Jameson and I am writing to you to oppose Parcel 12. As a hotel doorman at Fairmont in the Back Bay, I know how hard it is to make sure that hotel employee and hotel guests remain safe at the end of the day. That's why I oppose the hotel placing the guest drop off directly on Mass Ave. It's about safety. At the Fairmont, we do not work on a quiet corner, but it is no where close to as busy as Mass Ave.

Respectfully,

A handwritten signature in black ink, appearing to read 'Kelly Jameson', with a long horizontal flourish extending to the right.

Aisling Kerr
Boston Planning and Development Agency
One City Hall, 9th Floor
Boston, MA 02201

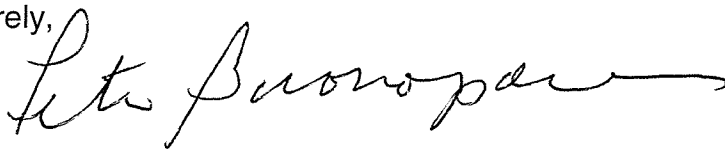
Aisling Kerr:

My name is Peter Buonopane and I am writing to you as a doorman and a Boston resident to oppose the Parcel 12 hotel. This hotel project is going to put doorman like me in dangerous situations. By having the hotel's pick up area right on Mass Ave, you're going to have hotel guests scrambling to drop off their luggage in the midst of bicycles, buses, and commuters getting off of the subway. It's a hazard and the BPDA should not approve it.

The developer is deciding between putting residences and putting a hotel there. Honestly, they should go with the residences. We need more housing because people keep moving here and at least people who live here would know how to handle the traffic.

Thanks for taking my thoughts into consideration.

Sincerely,


A handwritten signature in black ink that reads "Peter Buonopane". The signature is written in a cursive style with a long, sweeping horizontal line at the end.

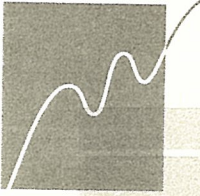
Ms. Aisling Kerr
Project Manager
BPDA
1 City Hall, 9th Floor
Boston, MA 02201

Dear Ms. Kerr,

I am writing to you in opposition to the Parcel 12 project. My name is Yue He Tan. I live on Peterborough St in the Fenway. I think that this project will have a negative impact on my neighborhood. First, it is too massive and will cast both shadow and solar glare on the streets below. Second, it will create uncomfortable wind conditions on Newbury St and Mass Ave. Third, by having the hotel pick-up area on Mass Ave it will put hotel employees at risk. Lastly, it will create too much traffic.

Thanks,


Yue He Tan



Dr. Gloria Spitalny
Consulting Psychologist

Michael Rooney Development Review
Boston Planning & Development Agency
One City Hall, Ninth Floor
Boston, Massachusetts 02201

Re: Parcel 12 Neighborhood and Safety Impact

Dear Michael Rooney ,

I am writing to voice my concerns about the current proposed use and design of Parcel 12. As a resident of The Somerset, I don't feel my concerns have been given proper consideration.

Here are my concerns:

- The current scope of this project will only further exacerbate the problem of extreme congestion at the intersections of Massachusetts/Newbury and Massachusetts/Boylston with the potential of roughly 175 more commuter vehicles driving through these intersections each day.
- The intersection of Massachusetts Ave and Newbury Street are of particular concern as a hotel lobby entrance will be located at the corner of Mass Ave. and the Mass Pike entrance. As tourists and vehicles for hire pull in and out of the lobby entrance (with no curb cutout), this often blocked intersection will become even more congested and likely more dangerous to other drivers.
- The building design is glass and steel and excessively high (15 and 20 stories), neither of which aligns to Back Bay architectural aesthetics. As residents of the Back Bay, we are proud of our historical look and neighborhood feel. To insert such a tall and modern building is not representational of the Back Bay.

In the interest of the residents of this neighborhood, the safety and the quality of life for those motorists forced to endure the current congestion, we ask that you help us in changing the scope and design of this project.

Thank you very much for your consideration.

Aisling Kerr, Project Manager
Boston Planning and Development Agency
1 City Hall Square Boston, MA 02201

Regarding: Parcel 12 Project Notification Form

February 14, 2019

Dear Ms. Kerr,

I offer the following comments regarding the Samuels proposal for Parcel 12. On the plus side, a project on the air rights site, which is a public asset, offers potential significant contributions to the neighborhood by connecting east and west MBTA tracks and improving the dangerous Mass Ave and Newbury Street intersection.

On the negative side, the project has ballooned to jumbo size (FAR and height) since the selection of firms and the design so far is lackluster and bunker-like. This public air rights site ideally provides a location for significant contribution to the neighborhood fabric, such as an elementary school, middle class housing, and open space. Such much needed uses have not been discussed or incorporated - yet.

In the spirit of thoroughly evaluating this proposal, two contemporary Asian projects are noted here as worthy of study. Both projects use public resources, the first is over a train yard. The second uses air rights over a market. Both are in locations with little available developable land. Both provide public access and both are enhanced by encouraging interaction of the community .

1. Shinjuku Station in Tokyo

<https://www.shinjukustation.com/shinjuku-station-history/>

2. Performing Arts Theater, Taipei.

<https://www.phaidon.com/agenda/architecture/articles/2015/february/09/inside-omas-super-theater/>

I am heartened that Samuels is actively listening and has a track record of responding to community input, which will be key to the success of the development. I support the NABB comment letter and I appreciate the opportunity to participate.

Jacquelin Yessian, RA, LEED AP

Cc: josh.zakim@Boston.gov, jay.livingstone@mahouse.gov,
william.brownsberger@masenate.gov, jon.santiago@mahouse.gov,
A.E.George@Boston.Gov, AltheaGarrison@Boston.Gov, Michael.Flaherty@Boston.Gov,
Michelle.Wu@Boston.gov, Ed.Flynn@Boston.Gov

February 14, 2019

TO: Aisling Kerr, Project Manager
Boston Planning and Development Agency
Aisling.Kerr@boston.gov

RE: Expanded Project Notification Form, Parcel 12
(EPNF, November 1, 2018)

Dear Ms. Kerr,

I am a resident of the Back Bay with a background in city and regional planning and medical sociology, a Board Member of the Neighborhood Association of the Back Bay and NABB's Green Committee, and an advocate for climate change resiliency, elimination of fossil fuels, public open space, safety and health of "natural" gas, environmental justice issued, and bringing neighborhoods together.

The proponent's pledge in January public meeting that they would have **NO gas fireplaces** and **No gas cooktops** was welcome news. This indicates that this project, even in the conceptual design phase, could be a critical leader in helping forward the goals of the recently released BU and Green Ribbon's Carbon Free Boston Report.

Based on my review of the Project filings of BPDA Climate Resiliency Checklist and Chapters 4 and Chapter 8 and also some specific suggestions based on my consultation with a green building expert (see end of my letter below), my general concerns are:

1. The project should consider key tenants of passive House design and aim for LEED Platinum certification – whole development.
2. The thermal envelope values proposed are not "Basic Passive House, but code-minimum requirements – as conservative as allowable. They do not align with goals of Imagine Boston 2030. The project should aim higher by, for example,
 - Reducing the amount of glazing (high percentage of window area - 60%)
 - Incorporating intensive and extensive green roof systems to minimize heat island and support stormwater management
3. A private roof garden is a missed opportunity for a beautiful amenity and lucrative tourist attraction in the public realm (e.g. Tokyo train station).
4. Serious energy/GHG reductions could be achieved by committing in part or in whole to align with design that meets Passive House standards
5. Request further inquiry into how vulnerable populations adjacent to this site (south of I-90) as identified by Boston Climate Ready Map Explorer are included within programming and design process
6. Geothermal heat pumps were rejected citing low cost of natural gas and high cost of electricity (4-14). Did you evaluate air source heat pumps now available for large buildings? Current fuel pricing should not be the determining factor for buildings that will consume fuel for 50 years. An evaluation of the long term social costs (health and safety) issues of fracked gas supply as well as GHG emissions compared with the decreasing cost of renewable electric sources should be considered.

7. Your proposal states you will consider changing natural gas systems in future – however, is this practical? You are locking costs into the future by making this choice now. There will be many ‘stranded assets’ (obsolete continually leaking pipelines). Isn’t it cheaper to plan now, in design phase rather than future expensive retrofits disruptive to operations?
8. On the topic of public realm --Have you considered that in addition to the historic area, Parcel 12 is in the cultural arena near BSO, MFA, NEC, Huntington Theater, Fenway Studios, and Emerald Necklace? Instead of retail, perhaps the first floor could house community space for art, music, theater, dance, community center, for example.

I totally concur with issues raised in NABB’s letter to BPDA and with NABB’s Development and Transportation Committee and NABB’s Green Committee.

Energy Conservation “We seek design that meets the most stringent energy requirements in light of the City and Commonwealth plans for climate action and resiliency. Net zero buildings are possible. We request study of the potential elimination of use of fossil fuels completely in this project and applaud this as your intention.”

Greenhouse Gases “We object to use of gas as heating source and support use of latest technology in efficient electric heat sources to help city reduce its use of fossil fuels as the electrical grid shifts to more renewable source.” This approach is highlighted in the recently released Carbon Free Boston report (Jan. 26, 2019).

My consultation with a green building expert, based on review of the Project filings of BPDA Climate Resiliency Checklist and Chapters 4 and Chapter 8 provides further suggestions. I would appreciate your response to the following comments/suggestions:

1. Consider more stringent irrigation potable water reduction as part of the project. You claim 50% reduction but could reduce to 100% through plant specification and using alternate sources of water - i.e. cooling tower condensate or laundry water from hotel/residence (LEED Scorecard WE credit 1)
2. Incorporate better cooling tower water conservation practices (LEED Scorecard WE credit 3).
3. Besides claiming 8 points for LEED Scorecard EA credit 2, the project can also claim it as regional priority credit in last section of scorecard.
4. Demand response is a smart energy management program where “powering-down” of systems helps support better grid management and also would be result in the owner being paid for energy not utilized during peak summer months when energy cost is at its greatest cost.
5. LEED Scorecard EA credit 5. Project should explore how to more meaningfully incorporate renewable energy technologies more innovatively: i.e. vertical as horizontal shading for glazing, and at rooftop.
6. You describe glazing as “high performance” but it is really at code/just above code performance. Passive House levels of performance, especially for glazing, should be considered.
7. Lighting power densities could be more aggressive (25-30% below code minimum) with LED technology
8. CHP was deemed unfeasible under referenced Eversource policies. Question: What are the barriers and can you encourage BPDA to work with Eversource to remove barriers if City is to

meet its goals. You have a large daytime electricity demand (office) and large nighttime heating demand (hotel) in Boston. There should be an economic case for CHP.

9. From the Resiliency and Climate Ready Boston Map Explorer tool, we should get a greater understanding of analysis and mitigation of Heat island effects and Social vulnerabilities – now and into the future

10. "High performance glazing." Performance attributes proposed not high enough to overcome fact there is 20% too much glazing over whole building which exacerbates heating and cooling demand (losing heat in winter and gaining heat in summer). Energy modeling results show the largest energy load in both buildings is heating and cooling (lighting is second). Some portion of glazing needs to be operable for resiliency and for mild seasonal use.

11. Water demand statements could be much more aggressive since water and energy systems are linked to GHG so anything done to reduce water, inevitably saves energy. Projects should look to reduce potable water demand. Large roof area could capture, filter, reuse rainwater for toilet flushing. Gray water sources (Laundry/shower water, etc. can be reused to flush toilets. This adds cost for space, filtration systems, doubles piping cost - a separate "purple" system).

12. Project states demand for natural gas is unknown; yet you've generated load profiles (Chapter 4). You are forever locking yourself into fossil fuel by designing it into the "DNA" of building today. Why not eliminate gas or reduce amount through increased envelope thermal transmittance - key aspect of Passive House, an area under-developed in Sustainability Section Chapter 4. What about considering the 40% of vertical fenestration (opaque walls), plus roof insulation and at grade insulation upgrades, which will be exposed to bridge-like conditions to provide space for I-90 beneath?

Based on the assessment above, if the project adds the following LEED credits/strategies:

- WE credit - Outdoor water use reduction = 1 point
- WE credit - Cooling Tower Water Use = 2 points
- RP credit - Optimize Energy 1 point
- EA credit - Demand Response 2 points
- Improve glazing 2 points
- LPD reduction ~ 2 points

Helps achieve 6-8 additional points to meet LEED Gold.

Additionally, potable water reduction will support further LEED points in the WE credit section and Innovation in Design Section. Therefore you could reasonably get closer to LEED Platinum as a stretch goal.

Summary of comments:

- a. Please clarify which aspects of WELL, Passive House, and the Living Building Challenge you intend to use, how will you measure this, and how will it support Article 37 compliance (i.e. "how these will show up in LEED?")
- b. Isn't it better to explore LEED Gold points now rather than later when budget and time are constrained (our recommendation)
- c. Your proposal doesn't vigorously pursue smart grid technologies and renewables to achieve larger goals (Passive House, AIA 2030 Commitment, Carbon Free Boston). Complete omission of opaque assemblies U-value and use of term "high performance glazing" for code-equivalent glazing is misleading. Various allies in environmental groups would very much like to see this project reach higher NZ-Passive House goals.

d. Water efficiency is a large missed opportunity on this project. Additionally, stating that CHP is non-feasible, without stating why, begs for further clarification/explanation.

Climate change solution time is short. The opportunity for Parcel 12 to be a leader we can be proud of is now.

Thank you for all your hard work to make our future buildings sustainable, climate ready, and the design innovative and beautiful.

Sincerely,

Jacqueline Royce, PhD

[REDACTED]

Boston, MA 02199

[REDACTED]

Cc: josh.zakim@boston.gov, jay.livingstone@mahouse.gov,
William.brrowsberger@masenate.gov, jonsantiago@mahouse.gov,
Ed.Flynn@boston.gov, matt.omalley@boston.gov, A.E.George@boston.gov,
AltheaGarrison@Boston.gove, Michael.Flaherty@boston.gov,
Michelle.Wu@boston.gov,

Jayne Enos, [REDACTED]

[REDACTED], Boston, MA 02115

January 18, 2019

Michael Rooney
Development Review
Boston Planning & Development Agency
One City Hall, Ninth Floor
Boston, Massachusetts 02201

Re: Parcel 12 Neighborhood and Safety Impact

Dear Michael,

I am writing to voice my concerns about the current proposed use and design of Parcel 12. As a resident of 360 Newbury Street, I don't feel my concerns have been given proper consideration in the past few Boston Planning & Development meetings and am hopeful you can provide some much needed assistance.

Here are my concerns:

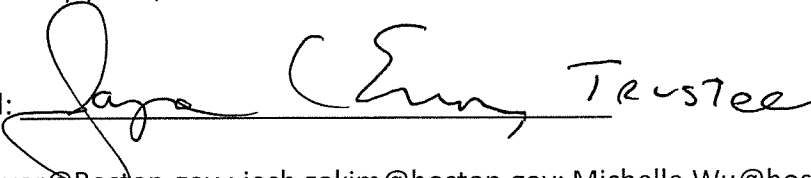
- The current scope of this project will only further exacerbate the problem of extreme congestion at the intersections of Massachusetts/Newbury and Massachusetts/Boylston with the potential of roughly 175 more commuter vehicles driving through these intersections each day.
- The intersection of Massachusetts Ave and Newbury Street are of particular concern as a hotel lobby entrance will be located at the corner of Mass Ave. and the Mass Pike entrance. As tourists and vehicles for hire pull in and out of the lobby entrance (with no curb cutout), this often blocked intersection will become even more congested and likely more dangerous to other drivers.
- The building design is glass and steel and excessively high (15 and 20 stories), neither of which aligns to Back Bay architectural aesthetics. As residents of the Back Bay, we are proud of our historical look and neighborhood feel. To insert such a tall and modern building is not representational of the Back Bay.

In the interest of the residents of this neighborhood, the safety and the quality of life for those motorists forced to endure the current congestion, we ask that you help us in changing the scope and design of this project.

Thank you very much for your consideration.

Respectfully yours,

Signed:



cc: Mayor@Boston.gov ; josh.zakim@boston.gov; Michelle.Wu@boston.gov; Councilor Ayanna.Pressley@boston.gov; A.E.George@boston.gov; Michael.F.Flaherty@boston.gov; Rep. Jay.Livingstone@mahouse.gov; yissel.guerrero@boston.gov ; matthew.fitzgerald@boston.gov; info@nabbonline.com

January 28, 2019

Ms. Aisling Kerr
Project Manager
Boston Planning and Development Agency
12 City Hall Square
Boston, MA 02201

Re: Parcel 12


Dear Ms. Kerr,

The Proposed Parcel 12 project states that it will "utilize this parcel of land to address nearby public infrastructure needs: parking, hotel, residential". In addition, it will connect "Boston neighborhoods: the Back Bay and the Fenway, and the South End and the City of Cambridge by creating a mix of dynamic mixed use development with ground-floor uses that will activate the street, repair the discontinuity in the urban street wall left behind by the Turnpike Extension, and improve the experience for pedestrians, bicyclists and motorists, as well as those using the wide array of nearby public transit options". This statement is clearly just a marketing strategy.

The development of Parcel 12 will drastically increase the carbon footprint by this massive building and parking garage. Transportation that connects the Fenway, South End and Cambridge is already in place by the City of Boston. The location of Parcel 12 will lucratively benefit developers. Giving back to the neighborhoods must include the latest in technology to ensure energy efficiency. The Passive House building standard aims for projects to achieve near net-zero energy use through qualities like effective window sealing, quality insulation and heat recovery. The cement and glass structure of Parcel 12 is not in keeping with the environmental standards that the City of Boston and the neighboring areas to this Parcel have taken. A developer can do better than this. Even a proposed park is only exclusive to residents of Parcel 12. According to Mayor Walsh, "new construction which is one of the predominant energy consuming industries in the United States." Boston's Action plan can be found: <http://www.greenovateboston.org/about-us>.

This project requires review and a public meeting on these topics as they relate to Parcel 12. It is not in keeping with the effort to reduce greenhouse gas emissions, the carbon footprint, and utilize locally sourced materials. The Developer can do better than the current plan for the sake of the City of Boston.

Sincerely,


Joyce and Keith Schnaars
City of Boston Residents

TYMANN LLC
Law & Compliance

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14th Floor
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617.933.9490

Benjamin B. Tyman
Tel.: 617.835.8850
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February 14, 2019

BY HAND
AND EMAIL (Aisling.Kerr@Boston.gov)

Aisling Kerr, Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201

**Re: MassDOT Air Rights Parcel 12 – Samuels & Associates Proposed
Development**

Dear Ms. Kerr:

My firm represents Sean Doherty and Paul Lewis, each of whom is a condominium owner and full-time resident at 360 Newbury Street, which abuts the locus of Samuels & Associates' proposed mixed-use development on "MassDOT Parcel 12" bounded by Newbury Street Extension to the North, Massachusetts Avenue to the East, and Boylston Street to the South. I appreciate this opportunity to submit this comment letter on their behalf.

A. Introduction

As direct abutters, my clients have serious concerns about the adverse effects this development will have on them, their respective homes, and their daily quality of life. While the project proposed by Samuels & Associates ("Samuels") is in many ways still at a conceptual stage, what is clear from what the developer has submitted to date is that the scale of the project is massive, out of character with the neighborhood, and will exacerbate already hazardous conditions with respect to traffic and pedestrian safety. Unless the development were to be drastically scaled back from current plans – something Samuels has unfortunately seemed unwilling, thus far, to consider – the particularized impacts on Dr. Doherty and Mr. Lewis will be severe, imperiling their safety, harming their overall quality of life, and causing the value of their properties to plummet.

Samuels filed its letter of intent with the BPDA on this project nearly nine months ago, and a series of Boston Planning & Development Agency ("BPDA") and Citizens Advisory Council ("CAC") meetings have taken place since that time. Both of my clients, as well as many other neighborhood residents and stakeholders, spoke at these meetings, expressing their concerns about traffic and pedestrian safety, wind and shadow impacts, and many other issues. My clients and these other speakers, as well as members of the CAC, raised a host of detailed

questions and suggestions concerning changes to the project they asked Samuels to consider and evaluate. At the CAC meeting held on February 5, 2019, member Brandon Beatty asked the Samuels team in attendance for feedback on these potential project revisions and associated mitigation measures.ⁱ A Samuels representative answered that the development team was still “testing the feasibility” of such measures. This was a discouraging response for my clients to hear given the amount of time Samuels has had to address these oft-stated concerns of abutters and other affected neighbors.

Dr. Doherty and Mr. Lewis urge the BPDA and the CAC, whose co-chairs are copied on this comment letter, to hold the Samuels team to its commitments on these necessary project changes and robust mitigation measures. This can be achieved by, at a minimum, insisting Samuels (a) promptly provide revised plans that markedly reduce the size and scale of the project; (b) commit to meaningful, comprehensive mitigation aligned to the revised, smaller project; and (c) share all data and analyses supporting the efficacy of such mitigation.

My clients are aware of the BPDA’s recent decision to require Samuels to undertake a Draft Project Impact Report (“DPIR”) for this project. They commend the agency for insisting the developer pursue this sensible initial step, and they thank the CAC to the extent its members advocated that a DPIR be required at this stage.

As you know, Samuels is pursuing a Planned Development Area (“PDA”) for this project,ⁱⁱ which if approved will replace existing use and dimensional requirements based on the Boston Zoning Code. Under Section 3-1.A.a of the Boston Zoning Code, PDAs may be approved by the BPDA and Boston Zoning Commission if a development plan is shown (1) to conform to the general plan for the City as a whole and (2) to not be injurious to the neighborhood. In its current form, the proposed project for Parcel 12 will not satisfy either of those criteria.

The CAC’s use of the Civic Vision process should remain a critical factor in the BPDA’s evaluation of the Samuels’ proposal. The Civic Vision was established in 2000 after an intensive, year-long effort by the Strategic Development Study Committee.ⁱⁱⁱ This committee was created following a Memorandum of Understanding between the Massachusetts Turnpike Authority and the City of Boston to create a review process for air rights.^{iv}

In short, the Civic Vision was intended to guide projects just like this one. It is also highly relevant because it states permit-granting authorities should “make every effort to minimize impacts of traffic, wind, shadow and other adverse impacts.”^v As detailed in this letter, these are the same impacts that are of acute concern to my clients.

B. Traffic and Transportation Impacts

My clients’ chief concern is traffic and pedestrian safety and the worsening of the already dangerous conditions the Samuels project is likely to create. The scale and intensity of the uses, together with more vehicles entering the development’s parking facility, will lead to increased traffic and more crashes. It will also overburden a public transit system that has reached its capacity. Moreover, Samuels has yet to demonstrate that potential infrastructure improvements that have been discussed will be adequate to remedy these new, exacerbating impacts.

Though Samuels indicates that traffic near the project will not lead to a large letter-grade declines in Levels of Service, the project will greatly increase peak traffic at my clients' homes at 360 Newbury Street. In evaluating the data underlying the guidelines, the Civic Vision states the Mass. Ave./Newbury-Boylston St. area is already over capacity.^{vi} According to Figures 5.2a and 5.2b of the EPNF, the current peak vehicle count on Newbury St arriving at Massachusetts Ave is 235 in the morning and 320 in the evening. Figures 5.10a and 5.10b show that the project-generated vehicle counts would be 25 in the morning and 65 in the evening. This is a 10% increase in morning peak hour traffic and a 20% increase in evening peak hour traffic on Newbury Street over current conditions due to this project. The total of 3,460 daily vehicle trips^{vii} that this project is estimated to generate are simply too burdensome for this neighborhood.

The data presented by Samuels on the history of crashes at nearby intersections appears to be incomplete. As noted by Samuels, after receiving additional crash data from the Boston Police Department, "it is evident that more crashes occur than the crashes contained in the MassDOT Database."^{viii} The MassDOT data for the Massachusetts Avenue / Newbury St / I-90 Ramp intersection (the "Intersection"), diagonal to my clients' building at 360 Newbury, show only two (2) crashes from 2011-2015 while the BPD data shows 34 from 2013-2017.^{ix} Furthermore, on January 23, 2019, WGBH reported that "Boston's police department does not collect and submit standardized traffic crash data to state officials."^x Indeed, my clients are aware of at least two (2) pedestrian fatalities at that treacherous Intersection within the last two (2) years.

Moreover, a February 2019 report by the traffic analytics firm INRIX has just bestowed Boston with the dubious distinction of "the most congested city in the United States" from a traffic standpoint.^{xi} "Boston," the report finds, is "the only U.S. city included in the top 10 most congested cities worldwide."^{xii} In short, the Samuels project as currently proposed would take one of the worst intersections in the city with the worst traffic congestion and make it markedly worse and more dangerous.

Adding thousands of new daily vehicle trips to streets and intersections where accidents are already high (and likely underestimated statistically) creates new crash risks that are simply unacceptable. My clients are also alarmed when the Samuels development team states that "hotel trips will be drop-off/pick-up only at the site on Massachusetts Avenue,"^{xiii} a situation that creates additional risks for pedestrians and prospective hotel workers on an already hazardous Intersection. While there was some preliminary discussion during the February 5, 2019 CAC meeting about the hotel component of the Samuels proposal being replaced with condominiums or apartments – which would purportedly reduce overall traffic counts by approximately 33% from the hotel option and thus would be a step in the right direction – *any* significant increase in traffic at the Intersection without countervailing infrastructure improvements would create grave risks to public safety.

C. Dimensional and Architectural Concerns

According to Boston Zoning Map 1 Boston Proper, the project is located within three (3) zoning subdistricts: Residential H-3 and Business B-2 and B-8-120b subdistricts. Per Map 1, the project is also located within the Restricted Parking Overlay District as established by Section 3-

1A.c. Of these three subdistricts, B-8-120b is the most permissive in terms of dimensional and use regulations.

Within the current zoning, a maximum FAR of 2 is allowed in B-2, a maximum FAR of 3 is allowed in H-3, and a maximum FAR of 8 is allowed in B-8-120b.^{xiv} Samuels cites the FAR of the project as 5.^{xv} However, within the same page where a FAR of 5 is cited, the total gross floor area of the building could be up to 545,000 sq. ft. on an approximate lot area of 79,050 sq. ft.,^{xvi} which should be calculated as a FAR of 6.9. Whether 5.0 or 6.9, this level of density is higher than two of the three zoning subdistricts for the site.

Within the current zoning, a maximum height is established only under B-8-120b, which has a maximum height of 120 feet.^{xvii} The Samuels project calls for two towers, an office tower and a residential/hotel tower. The office tower, which would be the larger of the two, has a proposed height of fourteen (14) stories above the podium (itself is two stories) for a combined height of sixteen (16) stories and 237 feet.^{xviii} The residential or hotel tower has a proposed height of eleven (11) stories above the podium for a combined height of thirteen (13) stories and 154 feet.^{xix} Both towers are higher than the 120 feet as limited by B-8-120b.

Additionally, the Civic Vision grouped Parcels 11-15 together for planning consideration. The guidelines state that there should be no more than one building over fifteen (15) stories among these parcels.^{xx} In March 2018, the BPDA Board approved Parcel 15, a/k/a the 1000 Boylston Street project, that includes a residential building of 27 stories.^{xxi} Accordingly, 1000 Boylston Street precludes any other building, such as Samuels' proposed 16-story office tower, from exceeding 15 stories in the Parcel 11-15 area.^{xxii}

Both the height and the density of the project are simply too great for this neighborhood. As is well documented, the Back Bay is composed of much smaller structures. With the exception of abutters to Boylston St and Massachusetts Ave, the rest of the Back Bay is limited by zoning to heights of 65 feet. Though the project is located just adjacent to and not within the Back Bay Historic District,^{xxiii} the Civic Vision's guidelines for Parcels 11-15 encourage respect for the Back Bay Architectural District.^{xxiv} The Back Bay Architectural Commission Guidelines state that new construction building heights should reflect the "dominant cornice heights of surrounding buildings."^{xxv} This project does not accord with these surrounding Back Bay building heights.

D. Shadow Impacts on Dr. Doherty's Residence

As proposed, the project's height and massing will decrease sunlight and increase shadow impacts on abutters to a dramatic degree. It appears from preliminary analysis that new shadows from the project will affect 360 Newbury Street at multiple times per year. This impact will be especially acute for Dr. Doherty, whose fifth floor, corner-unit residence fronts both Mass. Ave. and Newbury Street. In short, his currently unobstructed view from his Mass. Ave. windows will be blocked by a looming 150-foot-high edifice which, in turn, will block out sunlight to his home at levels that have yet to professionally measured, but are sure to be severe.

Aisling Kerr, BPDA
February 14, 2019

Multi-Family Dwellings (Use Item 7) are allowed. What this demonstrates is that previous zoning practices prudently employed a cautious approach to large-scale, non-residential development at this site. Furthermore, preference for residential uses is noted by the Civic Vision, which states that housing is the most appropriate use for the parcels.^{xxxix} The reason the Civic Vision gives for this preference is the relatively low traffic-generation characteristics of housing.^{xi}

H. Parking

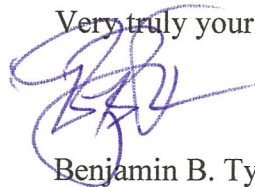
As noted above, the project is located within the Restricted Parking District. According to Section 3-1A.c, this means that off-street parking is a conditional use (for the non-residential and non-hotel uses), which may be approved in accordance with Section 6-3. The 150 spaces of parking to be provided will be “allocated only for office uses” according to the EPNF.^{xli} The limiting of parking to non-hotel/non-residential uses would require a conditional use permit per the underlying zoning.

I. Conclusion

The Samuels project as currently proposed fails to comply with the general plan as outlined in either the City’s underling zoning or the Civic Vision document. Accordingly, my clients respectfully request that the PDA not be recommended for approval by the BPDA, at least not before Samuels has committed to substantially scaling back the project and implementing meaningful and effective mitigation measures that ameliorate the myriad adverse impacts detailed in this letter.

Thank you for your consideration.

Very truly yours,



Benjamin B. Tymann

cc: Fritz Casselman, Co-Chair, CAC (Parcels 12-15)
Meg Mainzer-Cohen, Co-Chair, CAC (Parcels 12-15)
Sean T. Doherty, M.D.
Paul Lewis

ⁱ According to attendees at the January 14, 2019 public meeting of the BPDA, an agency official announced there would be a follow-on public meeting of that body in order to accommodate members of the public who showed up but could not participate due to the small size of the meeting room in the Hynes Convention Center. That follow-on public meeting of the BPDA has not happened. While the CAC allowed public comments at the conclusion of its February 5, 2019 meeting, it was primarily a forum for the CAC members to provide their feedback to the developer. Fewer members of the public likely attended the CAC meeting for that reason. More citizens and

stakeholders would likely have attended and given input at a follow-on BPDA public meeting had one been posted after January 14. My clients hope that will still happen.

ⁱⁱ Page 39, Parcel 12 Expanded Project Notification Form (“EPNF”) November 2018

ⁱⁱⁱ Page 7, A Civic Vision for Turnpike Air Rights in Boston, June 2000

^{iv} See M.G.L. c. 6C, § 46

^v Page 77, A Civic Vision for Turnpike Air Rights in Boston, June 2000

^{vi} Page 51, A Civic Vision for Turnpike Air Rights in Boston, June 2000

^{vii} Page 147, Parcel 12 EPNF November 2018

^{viii} Page 140, Parcel 12 EPNF November 2018

^{ix} Pages 141-142, Parcel 12 EPNF November 2018

^x <https://www.wgbh.org/news/local-news/2019/01/23/why-doesnt-the-boston-police-report-traffic-crash-data>

^{xi} <http://inrix.com/press-releases/scorecard-2018-us>; see <https://www.wbur.org/bostonmix/2019/02/12/boston-gridlock-congestion-rank>

^{xii} <http://inrix.com/press-releases/scorecard-2018-us>

^{xiii} Page 147, Parcel 12 EPNF November 2018

^{xiv} Boston Zoning Article 13 Table B

^{xv} Page 26, Parcel 12 EPNF November 2018

^{xvi} Page 26, Parcel 12 EPNF November 2018

^{xvii} Boston Zoning Article 13 Table B

^{xviii} Page 26, Parcel 12 EPNF November 2018

^{xix} Page 26, Parcel 12 EPNF November 2018

^{xx} Page 78, A Civic Vision for Turnpike Air Rights in Boston, June 2000

^{xxi} Page 11, Parcel 15 aka 1000 Boylston Supplemental Information Document January 2018

^{xxii} Page 26, Parcel 12 EPNF November 2018

^{xxiii} Page 249, Parcel 12 EPNF November 2018

^{xxiv} Page 15, A Civic Vision for Turnpike Air Rights in Boston, June 2000

^{xxv} Page 2,

https://www.cityofboston.gov/images_documents/Back%20Bay%20Guidelines%20for%20the%20Residential%20District_tcm3-13458.pdf

^{xxvi} Page 211, Parcel 12 EPNF November 2018

^{xxvii} Page 51, Parcel 12 EPNF November 2018

^{xxviii} Page 77, A Civic Vision for Turnpike Air Rights in Boston, June 2000

^{xxix} Pages 210 and Figure 6.3d, Parcel 12 EPNF November 2018

^{xxx} Page 5, BPDA Meeting Notes to Parcel 12-15 CAC Meeting #25, April 4, 2018

^{xxxi} Page 78, A Civic Vision for Turnpike Air Rights in Boston, June 2000

^{xxxii} Page 206, Parcel 12 EPNF November 2018 (emphasis added)

^{xxxiii} Page 213, Parcel 12 EPNF November 2018

^{xxxiv} Page 213, Parcel 12 EPNF November 2018

^{xxxv} Page 213, Parcel 12 EPNF November 2018

^{xxxvi} Page 213, Parcel 12 EPNF November 2018

^{xxxvii} Boston Zoning 8-7 Table A

^{xxxviii} Boston Zoning 8-7 Table A

^{xxxix} Page 11, A Civic Vision for Turnpike Air Rights in Boston, June 2000

^{xl} Page 74, A Civic Vision for Turnpike Air Rights in Boston, June 2000

^{xli} Page 132, Parcel 12 EPNF November 2018



March 8, 2019

By Email

Aisling Kerry, Assistant Project Manager
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201

Re: MassDOT Turnpike Air Rights Parcel 12

Dear Aisling:

Fenway Civic Association (“FCA”), the Fenway's oldest volunteer organization that accepts no public or developer funds, would like to make the following comments regarding the Expanded Project Notification Form (“PNF”) filed by Samuels & Associates (the “Proponent”) for the project located on the MassDOT Turnpike Air Rights Parcel 12 (the “Project”).

FCA is represented on the CAC for this project and its board members have attended several meetings. We have weighed comments from public meetings and from the members of the CAC and wish to provide the following comments:

Scoping Determination

Because of the number of issues that we see as unresolved on design, transportation/traffic, construction impacts, environmental impact, and use, we agree with the CACs desire to request further scoping of this Project and additional reviews by the BPDA, CAC, and community. We offer additional comments, with the understanding that further discussion and review would accompany the decision for the Project’s hotel vs. residential use, and our overall observation that this development places the majority of its massing and transportation impacts towards the East Fenway neighborhood.

Urban Design

Architecture and Design

Our organization has been increasingly concerned about the overuse of reflective materials in recent buildings in and near the Fenway. We would like to echo the CACs recommendation to revisit the ratio of opaque materials to glass, and to reiterate the sensitivity of reflective materials and association with bird strikes, especially given the

position of the building along a migratory flyway. The clear glazing promoted for the north façade, when combined with open space and lower level plantings create high risk for bird collision. These materials also contribute to solar glare, an issue we would like to see more attention to within the impact assessment.

We fully support the concept of having the Project's third-floor open space as a publicly accessible space, which would add significant benefit to residents and visitors alike.

Height and Massing

We understand the complexity of developing above the turnpike, and that the terra firma afforded on Boylston Street necessitates the greater density on the south tower, however, the impacts of that massing on the relatively modest streetscape along south Boylston Street is significant, creating a David and Goliath-like juxtaposition. To the degree possible, we ask that height be pushed back to minimize the visual impacts of this tower, whether potentially rotating the upper 'hat' of the south building to step back towards the center, stepping back height directly along Boylston Street at the 3rd floor level, or both. We hope the next iteration of design brings improvements to this side of the Project.

Sustainability

We greatly appreciate the Project's prioritization of sustainability in its design goals, and a minimum of LEED Silver Certification. We encourage the Project to also incorporate Pilot Credit 55: Bird Collision Deterrence, into its design. We encourage the project maximize internal bike storage, given the lack of amenities in nearby spaces for bicycle parking, and existing issues with illegal parking on other public amenities (trees, traffic posts, private fences, etc.). In reading the description of ratios provided for offices, we are unable to understand whether these numbers are sufficient yet point out that the Bike Boston report's recommendation of parking ratios for commercial buildings at the .3 spaces per 1,000 s.f., as well as outdoor parking and ride share ratios were written as the suggested *minimum* and recommend that this project encourage an increase. A model may exist with other projects with high cyclist transit, such as recent developments in the Longwood Medical Area, which combine high cyclist work commutes and visitor travel. With the understanding that there are no proposed bicycle parking spaces associated with the hotel, we ask that residential conversion include spaces at the 1:1 expected resident level.

Streetscape

We believe that the Project would benefit from further planning and discussion on how development and use impacts streetscape needs. We agree with the CACs view that pick up/drop off planning is potentially insufficient and needs further analysis given high usage of ride share services in the city. We are very concerned with the level of planning on Boylston Street. Existing conditions have proven the lack of sidewalk width on the south side of the street to be problematic. A broader discussion of Boylston Street that includes potential changes to both sides of the street and analysis of street parking needs should be undertaken to evaluate ways to increase pedestrian experience, flow, and capacity. Neighborhood discussions with the City to implement on-street bike corrals to

decrease congestion on south Boylston Street walkways have yet to be realized, yet such potential examples could present a benefit to a development that anticipates a steady flow of foot traffic.

Bicycle Planning

FCA has noted numerous issues with the Massachusetts Avenue implementation of on-sidewalk bike lanes that pass in between the bus shelter and the #1 bus. Vulnerable passengers have been injured when attempting to board buses, while no speed calming measures for cyclists who increase speed traveling downhill exist. For this reason, we do not support pedestrian separation between the curbside drop off or the #1 bus stop. If a signalized stop or a traffic calming slow zone cannot be implemented for cyclists at the Project bus station, we recommend a solution that eliminates cyclist travel lanes between the Project and any pedestrian activity.

Transportation

FCA greatly appreciates the attention paid to the turnpike onramp, the narrowing of pedestrian crossings in its vicinity, the widening of sidewalks, and the reopening of the pedestrian tunnel beneath Massachusetts Avenue. We have other concerns and suggestions as follows:

- Worcester-Framingham Commuter Line: As a project that will bring more use to an already attractive area hosting Berklee College of Music, the Boston Symphony Orchestra, Back Bay's Newbury Street shopping district, and more, we believe this Project has great potential to benefit mass transit through promoting public transit use and providing a vehicle to deliver connectivity. Given the Project's proximity to the Green Line B, C, and D lines as well as the #1 and #55 bus, we believe that exploration of a commuter rail station as part of the Project could potentially benefit not only this Project, but the surrounding community and the City. We ask that the feasibility of an added commuter rail station between Back Bay and Yawkey Stations be explored as a potential community benefit associated with the Project, and that discussions with the state, city, and other air rights developers and developers for nearby projects be held to discuss partnership and support. We understand proximity to Back Bay and Yawkey stations may make the current placement a challenge, however, believe that the city and state's mass transportation goals would benefit from incorporation of future vehicles to develop such modes of transit. Should this possibility not be feasible within the Project's timeline, we ask that its plans address potential for future implementation.
- We have examined the Project reports on traffic flows, and as stated to the BPDA in other area developments, believe that the interpretation of usual conditions as not including Fenway Park events is ill-advised. Not only does the Park host 81 home games and in 2019, a planned twelve concerts, it also has held additional post-season events and hosts other activities such as college football and soccer, endurance sporting events, winter games, and more. When coupled with the evening traffic that arises from events at Symphony Hall, the traffic study's evening studies are unrealistic and potentially dangerous. We would like to point

out the added importance of Boylston Street in conveying emergency vehicles to the Longwood Medical Area. For these reasons, we ask that a traffic study that includes game day conditions be added to existing reports, **and that these studies also include projected build conditions for Fenway Theatre.**

- As with the massing of the project, we note that most of the burden will be placed on the East Fenway community, with all vehicular exit and entry onto Boylston Street. We understand that the project purports increased pedestrian experiences and safety, yet with increased car trips exiting and entering along the heavily traveled sections of Boylston Street, have difficulty understanding how experiences will be enhanced as a result. We believe other solutions must be provided to prevent vehicular congestion and pedestrian conflicts along the Project's Boylston Street access and that further conversations to better understand this issue should be held with the CAC and the community. Certainly, left turns must be prohibited, and we encourage the exploration of access agreements with neighbors bounding the Boylston Street/Ipswich Street parcels, including residential property owners, MassDOT, and the MBTA.

Environmental Protection

Wind

FCA agrees with the CACs assessment that numerous areas, especially those opposite the project on the south side of Boylston Street, become unsuitable for sitting or standing, with one measurement reading as 'uncomfortable'. Given the block-long use of the south side of Boylston Street by cafes, offices, and residences, we ask that further design work be performed to mitigate this negative impact.

Bird-Safe Design

We echo the CAC and recommend the use of the American Bird Conservancy's *Bird Safe Building Guide* to explore both design and materials treatments that limit bird strikes, and to adhere to the voluntary Lights Out program that helps decrease night time collisions caused by tall, lighted buildings.

Solar Glare

We ask that additional studies be performed to evaluate the impact of solar glare on the Fenway Studios, a historically landmarked artist live/work space at 30 Ipswich Street.

Exhaust/Venting

We appreciate that preliminary design of the garage ventilation system proposes to divert emissions in a manner to avoid pedestrian impacts but are concerned with the proposal to divert exhaust emissions through underground vents facing the MBTA and the Turnpike. Given existing issues with smog at grade, we would prefer the Project design bring venting up through the roof. We ask that other operational venting similarly be placed so as not to adversely impact air quality for those traveling by the Project.

Noise

We appreciate the Project's strategic location of mechanicals to minimize noise impacts, and ask that the siting and use of low-noise mechanicals as well as emergency generators also employ both acoustical enclosures and silencers. This standard could set important noise standards for future area projects in a bustling, yet residential neighborhood like the East Fenway. We also request the exploration of noise reduction to surrounding areas, and include this request in our mitigation comments below.

Construction Impacts

Given residential concern over limited on-street parking in the East Fenway, we ask whether the construction plan might allow for coordination of off-site parking at numerous nearby garages.

Sewage/Stormwater/Gas/Electrical Impact

We ask that changes associated with underground work to accommodate increased capacity needs or utility upgrades plan for and accompany comprehensive resurfacing of roadways. Both East and West Fenway have experienced a high volume of recent repairs without comprehensive resurfacing; Haviland and Hemenway Streets are some examples. We additionally ask that all associated metering be placed in areas that do not negatively impact the Boylston Street streetscape.

Project Mitigation

Without full understanding of the final use of the residential tower or the final design, an evaluation of impacts and mitigation is premature. FCA believes the Proponent recognizes the value of public spaces for the Project and its future visitors and occupants as well as the Project's impact to its surroundings and that they support proposals for mitigation that enhance and support the community and its open space. Mitigation that addresses the projected increase in transportation and circulation needs, whether associated with transit, travel, or quality of the public realm, should be discussed and where appropriate, shared between developers of air rights and nearby projects. We believe public benefit could be afforded through:

- Support for development of associated or future commuter rail connection at the Project site
- Further development of plans for Boylston Street (both south and north) between Massachusetts Avenue and Hemenway Streets
- Open space contributions to Edgerly Road Playground and Symphony Community Park
- A contribution to the Fund for Parks and Restoration to apply to numerous capital projects, including Mother's Rest Improvements, future Back Bay Fens improvements, and the restoration of parkland near the Bowker Overpass
- Potential partnership with the Boston Red Sox to explore highway sound barriers along Ipswich Street to reduce highway noise, designed in consultation with abutters

Fenway Civic Association – P.O. Box 230435 – Astor Station – Boston, MA 02123

Should the proposed north tower of the Project be determined for residential use, we ask that affordability be placed on-site. Because of the lack of realized opportunities for housing at the AMI 80-120% range, as requested in Article 66 (consensus zoning specifically developed to reflect the needs of the Fenway community), we ask that housing at this level be included in its calculation. We specifically request that no mitigation funds be appropriated or dispensed without prior discussion with the public and the CAC.

Thank you for this opportunity to comment.

Sincerely,

A handwritten signature in black ink that reads "Tim Horn". The signature is fluid and cursive, with a large, sweeping initial "T" and "H".

Tim Horn, President
Fenway Civic Association

CC:

Josh Zakim, Boston City Council
Jay Livingstone, Massachusetts House of Representatives
Will Brownsberger, Massachusetts Senate
Yissel Guerrero, Mayor's Office of Neighborhood Services