



January 23, 2020

401 Congress Street, LLC  
c/o Boston Global Investors, LLC  
55 Seaport Boulevard,  
Boston, MA 02210

Attn: Mr. John Hynes, IV

Re: Scoping Determination  
401 Congress Street, Boston, MA 02210

Dear Mr. Hynes:

Please find enclosed a Scoping Determination in association with the proposed 401 Congress Street Project in the South Boston Waterfront neighborhood of Boston. This Scoping Determination describes information required by the Boston Redevelopment Authority d/b/a the Boston Planning & Development Agency ("BPDA") in response to the Project Notification Form, which was submitted under Article 80B of the Boston Zoning Code on July 24, 2019. Additional information may be required during the course of review of this proposal.

Should you have any questions regarding this Scoping Determination or the review process, please feel free to contact me at (617) 918 - 4212.

Sincerely,

A handwritten signature in black ink, appearing to read "Aisling Kerr", written in a cursive style.

Aisling Kerr  
Project Manager

CC: Jonathan Greeley, BPDA  
Michael Christopher, BPDA  
Lauren Shurtleff, BPDA  
Richard McGuinness, BPDA  
Andrew Hargens, Massachusetts Port Authority  
Juan Loveluck, Massachusetts Port Authority  
Eliza Tan, Massachusetts Port Authority

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**BOSTON PLANNING & DEVELOPMENT AGENCY**

**SCOPING DETERMINATION  
401 CONGRESS STREET,  
SOUTH BOSTON WATERFRONT**

**SUBMISSION REQUIREMENTS  
FOR DRAFT PROJECT IMPACT REPORT (DPIR)**

**PROPOSED PROJECT:** 401 CONGRESS STREET

**PROJECT SITE:** THE APPROXIMATELY 1.6-ACRE PROJECT SITE IS OWNED BY THE MASSACHUSETTS PORT AUTHORITY AND CONSISTS OF TWO DEVELOPMENT PARCELS: PARCEL A2 IS A 1.1-ACRE SURFACE PARKING LOT BOUNDED TO THE NORTH BY CONGRESS STREET, TO THE SOUTH AND WEST BY EXIT 25, I-90 OFF-RAMP, AND TO THE EAST BY THE MBTA WORLD TRADE CENTER STATION; AND THE TRIANGLE PARCEL IS A 0.48-ACRE OF ISOLATED, UNDEVELOPED LAND SPANNING A PORTION OF THE EXIT 25, I-90 OFF-RAMP AND THE I-93 ON-RAMP.

**PROPONENT:** 401 CONGRESS STREET, LLC  
c/o BOSTON GLOBAL INVESTORS, LLC  
55 SEAPORT BOULEVARD  
BOSTON, MA 02210

**DATE:** JANUARY 23, 2020

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The Boston Redevelopment Authority d/b/a Boston Planning & Development Agency (“BPDA”) is issuing this Scoping Determination pursuant to Section 80B-5 of the Boston Zoning Code (“Code”), in response to a Project Notification Form (“PNF”) which 401 Congress Street, LLC, which is a joint venture of Boston Global Investors, LLC, The Cogsville Group, LLC, Eagle Development Partners, LLC, and EDGE Technologies (collectively, the “Proponent”), filed for the 401 Congress Street Project on July 24, 2019. Notice of the receipt by the BPDA of the PNF was published in the [Boston Herald](#) on July 24, 2019, which initiated a public comment period with a closing date of August 23, 2019, which was later extended until October 1, 2019. Comments received since then have subsequently been added as well. The Proponent’s submission of a PNF was preceded by the submission of a Letter of Intent (“LOI”), which was filed with the BPDA on May 23, 2019.

Following the receipt of the LOI, and in accordance with the Mayor's Executive Order Regarding the Provision of Mitigation by Development Projects in Boston, on May 23, 2019 the BPDA sent nomination requests for the 401 Congress Street Impact Advisory Group ("IAG") to Congressman Stephen Lynch, State Senator Nick Collins, State Representative David Biele, and City Councilor Ed Flynn. Nomination requests were also sent to the At-Large City Councilors and the Mayor's Office of Neighborhood Services. These requests sought nominations or recommendations for the IAG by May 30, 2019.

The following members were subsequently appointed to the IAG for the proposed 401 Congress Street Project:

- Tom Ready
- Marina Noreck
- Rie Sugihara
- Matt Oleyer
- Marc Iannaco
- Terry McDermott
- Jim Carmody
- Brett Fodiman

Pursuant to Section 80B-5.3 of the Code, a Scoping Session was held on August 22, 2019 with the City's public agencies, where the proposal was reviewed and discussed. The PNF, upon receipt by the BPDA, was shared with the City's public agencies pursuant to Section 80A-2 of the Code. All IAG members were also notified of and invited to attend the Scoping Session.

As part of the Article 80 Large Project review of the project, the BPDA hosted an Impact Advisory Group Meeting on August 13, 2019 at the Boston Global Investors office (55 Seaport Boulevard, Boston, MA 02210), and a Public Meeting on August 20, 2019 at District Hall (75 Northern Avenue, Boston, MA 02210). Both meetings were advertised on the BPDA's website and email notification was sent to all subscribers of the BPDA's South Boston Waterfront neighborhood updates, while local elected officials and their staff also received notification via email. Further, the Public Meeting was also advertised in the local newspapers, South Boston Online and South Boston Today.

Written comments in response to the PNF received by the BPDA from agencies of the City of Boston and elected officials are included in **Appendix A**. Comments from the public are included in **Appendix B**. All comments must be answered in their entirety. The DPIR should include complete responses to all comments included in **Appendices A and B** within the framework of the criteria outlined in the Scoping Determination.

**Appendix A** includes comments from agencies of the City of Boston and elected officials, specifically:

- BPDA Planning
- BPDA Urban Design
- BPDA Transportation & Infrastructure Planning
- Boston Transportation Department
- Interagency Green Building Committee

**Appendix B** includes comments from the public.

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

## **I. PROJECT DESCRIPTION**

In accordance with the terms of a Development Agreement between the parties, the Massachusetts Port Authority (“Massport”) has granted development rights to the Project Site to 401 Congress Street, LLC (the “Proponent”) as the developer of the approximately 1.6 acres of land comprised of two development parcels, Parcel A2 and the Triangle Parcel. The Proponent anticipates entering into a long-term ground and air rights lease with Massport. The Project Site is entirely within an area of historical tidal flats, referred to as the Commonwealth Flats, which were filled during the second half of the nineteenth century as part of the South Boston Flats Project. The Project Site is not subject to Chapter 91 licensing jurisdiction, however, because it is over 700 feet from the water and is separated from the water by a public way. The Proposed Project will require a Public Benefit Determination from the Executive Office of Energy and Environmental Affairs (“EEA”).

The Proposed Project contemplates the construction of a new Class A office building with significant public and cultural uses totaling approximately 675,000 gross square feet, and approximately 30,000 square feet of surface improvements along the World Trade Center Avenue Viaduct outside of the primary parcels but on Massport property (the “Proposed Project”).

On Parcel A2, the Proponent proposes an eighteen (18)-story, Class A office space (the “Office Building”) with two floors of publicly accessible programmed space which will connect the existing elevated viaduct of World Trade Center Avenue with Congress Street with the provision of a “Great Hall”. This connection has been designed to include a sweeping staircase as well as an elevator accessible to the public 24/7. The Office Building is anticipated to include approximately 35,000 square feet of public uses, approximately 25,000 square feet of retail space, and approximately 585,000 square feet of office uses for a total of approximately 645,000 gross square feet.

On the Triangle Parcel, the Proposed Project calls for approximately 30,000 square feet of public uses in a two (2)-story, programmable building anticipated to fill an existing void in the public realm of today's South Boston Waterfront. The Great Hall and Triangle Parcel Building will be joined by a landscaped, occupied bridge structure that spans the I-90 off-ramp.

The Proposed Project will not provide on-site parking, given the proximity of the Project Site to transit access in the MBTA's World Trade Center Station, as well as the availability of bicycle and water shuttle connections. Any potential parking needs of the Proposed Project are anticipated to be met in the nearby South Boston Waterfront Transportation Center.

## **II. PREAMBLE**

The Proposed Project is being reviewed pursuant to Article 80, Development Review and Approval, which sets forth a comprehensive procedure for project review of the following components: transportation, environmental protection, urban design, historic resources, infrastructure systems, site plan, tidelands, and Development Impact Project, if any. The Proponent is required to prepare and submit to the BPDA a Draft Project Impact Report ("DPIR") that meets the requirements of the Scoping Determination by detailing the Proposed Project's impacts and proposed measures to mitigate, limit or minimize such impacts. The DPIR shall contain the information necessary to meet the specifications of Section 80B-3 (Scope of Large Project Review; Content of Reports) and Section 80B-4 (Standards for Large Project Review Approval), as required by the Scoping Determination.

After submitting the DPIR, the Proponent shall publish notice of such submittal as required by Section 80A-2. Pursuant to Section 80B-4(c) (i) (3), the BPDA shall issue a written Preliminary Adequacy Determination ("PAD") within ninety (90) days. Public comments, including the comments of public agencies, shall be transmitted in writing to the BPDA no later than fifteen (15) days prior to the date by which the BPDA must issue its PAD. The PAD shall indicate the additional steps, if any, necessary for the Proponent to satisfy the requirements of the Scoping Determination. If the BPDA determines that the DPIR adequately describes the Proposed Project's impacts and, if appropriate, proposed measures to mitigate, limit or minimize such impacts, the PAD will announce such a determination and that the requirements of further review are waived pursuant to Section 80B-5.4(c) (iv). Section 80B-6 requires the Director of the BPDA to issue a Certification of Compliance indicating the successful completion of the Article 80 development review requirements before the Commissioner of Inspectional Services can issue any building permit for the Proposed Project.

## **III. REVIEW/SUBMISSION REQUIREMENTS**

In addition to full-size scale drawings, ten (10) copies of a bound booklet and an electronic copy (PDF format) containing all submission materials reduced to size 8-1/2" x 11", except

where otherwise specified, are required. The electronic copy should be submitted to the BPDA via the following website: <https://developer.bostonplans.org/> The booklet should be printed on both sides of the page. In addition, an adequate number of copies must be available for community review. A copy of this Scoping Determination should be included in the booklet for reference.

## **A. GENERAL INFORMATION**

1. Applicant/Proponent Information
  - a. Development Team
    - a.) Names
    - b.) Proponent (including description of development entity and type of corporation, and the principals thereof)
    - c.) Attorney
    - d.) Project consultants and architects
    - e.) Business address, telephone number, facsimile number and e-mail, where available for each
    - f.) Designated contact for each
  - b. Legal Information
    - a.) Legal judgments or actions pending concerning the Proposed Project
    - b.) History of tax arrears on property owned in Boston by Applicant
    - c.) Evidence of site control over Project Site, including current ownership and purchase options, if any, for all parcels in the Proposed Project, all restrictive covenants and contractual restrictions affecting the Proponent's right or ability to accomplish the Proposed Project, and the nature of the agreements for securing parcels not owned by the Applicant.
    - d.) Nature and extent of any and all public easements into, through, or surrounding the site.
2. Project Site
  - a. An area map identifying the location of the Proposed Project
  - b. Description of metes and bounds of Project Site or certified survey of the Project Site
  - c. Current zoning
3. Project Description and Alternatives
  - a. The DPIR shall contain a full description of the Proposed Project and its components, including, its size, physical characteristics, development schedule, costs, and proposed uses. This section of the DPIR shall also present analysis of the development context of the Proposed Project.

Appropriate site and building plans to illustrate clearly the Proposed Project shall be required.

- b. A description of alternatives to the Proposed Project that were considered shall be presented and primary differences among the alternatives, particularly as they may affect environmental and traffic/transportation conditions, shall be discussed.

#### 4. Public Benefits

- a. Anticipated employment levels including the following:
  - (1) Estimated number of construction jobs
  - (2) Estimated number of permanent jobs
- b. Current and/or future activities and program which benefit adjacent neighborhoods of Boston and the city at large, such as, child care programs, scholarships, internships, elderly services, education and job training programs, etc.
- c. Other public benefits, if any, to be provided.

#### 5. Community Process

- a. A list of meetings held and proposed with interested parties, including public agencies, abutters, and business and community groups.
- b. Names and addresses of project area owners, abutters, and any community or business groups which, in the opinion of the applicant, may be substantially interested in or affected by the Proposed Project.

### **B. REGULATORY CONTROLS AND PERMITS**

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

A statement on the applicability of the Massachusetts Environmental Policy Act (MEPA) should be provided. If the Proposed Project is subject to MEPA, all required documentation should be provided to the BPDA, including, but not limited to, a copy of the Environmental Notification Form, decisions of the secretary of Environmental Affairs, and the proposed schedule for coordination with BPDA procedure.

### **C. PUBLIC NOTICE**

The Proponent will be responsible for preparing and publishing in one or more newspapers of general circulation in the City of Boston a Public Notice of the submission of the DPIR to the BPDA as required by Section 80A-2. This Public Notice shall be published within five (5) days after the receipt of the DPIR by the BPDA. Therefore, public comments

shall be transmitted to the BPDA within seventy five (75) days of the publication of this Public Notice.

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



**APPENDIX A**  
COMMENTS FROM AGENCIES OF THE CITY OF BOSTON

## **Planning & Urban Design**

*BPDA Planning, BPDA Urban Design, and Boston Civic Design Commission*

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In July 2019, 401 Congress Street, LLC and Boston Global Investors, LLC filed a PNF with the Boston Planning and Development Agency (BPDA) for a proposed office building with associated retail, public realm, and cultural uses. The project is located at Massport Parcel A2 and the nearby Triangle Parcel. The project comprises around 675,000 square feet on the 1.6-acre site. Of this, 30,000 square feet are proposed as cultural use with a rooftop open space on the Triangle Parcel. As a project on Massport property, this proposal is undergoing voluntary Article 80 review by the BPDA. These comments are offered to continue the development of the proposal particularly through the Draft Project Impact Report (DPIR).

The Project Site is currently located in the General Area zoning sub-district. We would like to note that we expect detailed design drawings for the DPIR stage in order to provide in-depth comments on site, landscape, and architectural design, as well as access and circulation. Issues listed below are grouped by topic area:

### I. Triangle Parcel

The ultimate use and design for the Triangle Parcel should feel public and welcoming to all, building on prior City of Boston and Massport efforts to activate it. Paired with pedestrian safety and public realm improvements on Congress Street, the project should consider the opportunity for access from street level as well as through the proposed building on Parcel A2. This desired connectivity is consistent with the stated project goal of promoting connectivity with the larger South Boston Waterfront. Along with the pedestrian realm improvements, wayfinding that clearly directs the public to the ultimate public use of the Triangle Parcel, especially via a public and universally accessible route through the main office building on Parcel A2 is necessary.

### II. Planning/Urban Design

The Proposed Project faces a number of difficult urban conditions: multiple levels of entry, adjacency to major highway ramps, and large areas of open space--both on World Trade Center Avenue and at the Triangle Parcel. The project is addressing many of these issues well, and the comments from the Boston Civic Design Commission (below) should also be useful in continuing the development of the design. Primary focus of the BPDA Urban Design review will continue to be the impact of the building on the public realm and the relationship to the rest of the South Boston Waterfront. Toward that end, coordination with the adjacent projects, including 399 Congress and the Echelon project will be important.

The intersection of Congress, B Street and the various highway ramps is particularly unfriendly to pedestrians and bicyclists. Understanding that the movement of truck traffic in particular is critical to the functioning of the South Boston Waterfront, this intersection needs improvement to manage the ever increasing amount and types of traffic in the area. The project needs to address these issues and should include improvements to the pedestrian realm along Congress Street to make safe and legible pedestrian connections to the larger South Boston Waterfront context. This should include plans to narrow, to the extent possible, the highway ramps that intersect with Congress Street along and to the west of the project site. The BPDA and Boston Transportation Department have offered to help facilitate this discussion. See more in the Transportation comments section.

Development of the landscape is promising and anything that can be done to continue improving World Trade Center Avenue and greening up the public realm around the project is encouraged.

The design of the building is interesting, offering divergence from the uniformity of much of the recently developed South Boston Waterfront. Much of the success of the building is pinned to the openness and connectivity proposed at the base. While this is promising, particularly the improvements in accessibility, more information on the design and program should be provided in the DPIR. The lack of certainty around the Triangle Parcel program is contributing to the uncertainty about the successfulness of the design.

We also look forward to seeing the environmental submittals for the project, particularly with regard to wind. The shape of the building suggests that it will funnel wind down the face to the ground. The fins may help with this, but other fine grain solutions will be preferred over wind mitigation structures in the public realm.

We reserve the right to add additional comments and concerns during the course of the process of combined BPDA and BCDC review, which may affect the responses detailed in DPIR.

The following urban design materials for the Proposed Project's schematic design must be submitted for the DPIR:

- Written description of program elements and space allocation for each element.
- Detailed site plan with topography, circulation both pedestrian and vehicular, existing and proposed buildings, and all open space.
- Detailed landscape plan, illustrating existing and proposed trees, (including planned tree removals), and topography.
- Elevations, sections and 3D views illustrating the relationships of the proposed structures to the neighborhood on all sides. Sections should extend at least one block past the building sites.
- Integrate systems like photovoltaics into the renderings.

- Eye-level perspectives showing the proposal from outside the campus including views from the neighborhood including:
  - The front of the BCEC
  - As far down Congress Street to the west as possible to see the building
  - Distance views showing visibility from outside the South Boston Waterfront neighborhood
- A massing model at 1"=40' that can be inserted into the BPDA city model is strongly encouraged. A final model will be required with approval of the permit documents.

### III. Boston Civic Design Commission (BCDC)

Excerpt from the approved Meeting Minutes for the November 6, 2019 monthly meeting:

*Elizabeth Stifel offered a brief overview of the BPDA review process to date. Staff's primary focus has been on the usability of triangle parcel which is proposed for public use with an upper story open space as well as the redesign of the intersection at Congress and B streets.*

*Victor Vizgaitis, Sasaki: What was once the edge of development of the Seaport, this site has now become central to the Seaport neighborhood. This project proposes 600,000 SF of office use. Every face acts as a building front as the building will be highly visible. Key design challenges include the structural support of this site, as the Silver Line runs below the parcel, as well as visibility and public access through the building. The ground level will be a 24/7 connection from Congress to the WTC Ave and T stop. The roof of triangle parcel will be greened and publicly accessible. The program itself has yet to be determined but will be focused on public, cultural amenities.*

*William Rawn: Can you walk us through the relationship of people to the roadways?*

*Victor Vizgaitis: The different grades are critical to understanding circulation. There is no singular front door and we intend for the site to be accessible from all four sides.*

*Deneen Crosby: The natural flow of people through the site will activate the public uses; I'm not sure that with all the levels of grade that this circulation will be easy and clear.*

*Victor Vizgaitis: We are exploring connections from the grade to the top of the triangle parcel to help improve connections through the site.*

*David Manfredi: Why and how do you make pedestrians feel welcome? You gave us a hint, but in subcommittee be more explicit about interior program and design that will draw public use.*

*Eric Höweler: I like the form of the building. The play between convexity and concavity is strong. The challenge of the site is that you have three levels of "ground," so the arches are terminating*

*at different levels which formally feels cut off. Can you accentuate the arch on the sides that are higher up to suggest the upper levels are just as open instead of constrained?*

*Kirk Sykes: It's critical to consider movement around the building with as much focus as the movement through the building. I'm not quite certain about the character of the interior oasis.*

*Tom Ready, IAG: The challenge is the intersection of Beacon and Congress. 1100 residential units will become active across the street from this. We're just as interested as you are in seeing how this works.*

*The project will continue in design committee.*

## **Environmental**

*BPDA Sustainability/Environmental Review and Interagency Green Building Committee*

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### I. BPDA Sustainability/Environmental Review

#### *Wind*

The Proponent shall be required to conduct a quantitative (wind tunnel) analysis of the potential pedestrian level wind impact shall be required, as the proposed project is designed to be approximately 250 feet in height. The analysis shall determine potential pedestrian level winds adjacent to and in the vicinity of the Proposed Project and shall identify wind velocities that are expected to exceed acceptable levels, including the Boston Planning and Development Agency's (the "BPDA") guideline of an effective gust velocity of 31 miles per hour (mph) not to be exceeded more than 1% of the time.

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

The wind impact analysis shall evaluate the following configurations:

- Existing – this configuration represents the current site context and existing and any in-construction buildings;
- Build Condition – this configuration includes the Proposed Project, all of the surrounding buildings and any in-construction buildings.
- Future Build – this configuration includes the Project, surrounding buildings, in-construction buildings and any BPDA approved buildings listed below.

Wind speeds shall be measured in miles per hour (mph) and for areas where wind speeds are projected to be dangerous or to exceed acceptable levels, measures to reduce wind speeds and to mitigate potential adverse impact(s) shall be identified and, if appropriate,

tested. The Proponent shall be required to provide a list of the BPDA Board Approved projects that have been included in the Future Build configuration.

#### *Shadow*

The Proponent shall be required to conduct a shadow analysis for the Existing and Future Build Conditions (as described above) for the hours of 9:00 a.m., 12:00 noon, and 3:00 p.m. for the vernal equinox, summer solstice, autumnal equinox, and winter solstice and for 6:00 p.m. in the summer and fall. The shadow impact analysis shall examine the existing shadows and the incremental effects of the Proposed Project on existing and proposed public open spaces, as well as sidewalks and pedestrian walkways adjacent to and in the vicinity of the Proposed Project site.

The shadow analysis results shall be provided in both animation and graphic representations, so as to best understand the extent to which shadows from the Proposed Project are anticipated to affect the overall shadow conditions within the surrounding area. Please provide a list of the projects that have been approved by the BPDA Board and have been included in the Future Build configuration.

#### *Solar Glare*

The Proponent shall be required to conduct a solar glare analysis. The analysis shall measure potential reflective glare from the Proposed Project onto potentially affected streets and public open spaces as well as the sidewalk areas in order to determine the likelihood of visual impairment or discomfort due to reflective spot glare. Mitigation measures to eliminate any adverse reflective glare shall be identified.

#### *Air Quality*

The Proponent shall be required to perform a microscale analysis, which shall predict localized carbon monoxide concentrations, including identification of any locations projected to exceed the National and/or Massachusetts Ambient Air Quality Standards. This analysis is required for projects for which:

- Project traffic would impact intersections or roadway links currently operating at Level of Service ("LOS") D, E, or F or would cause LOS to decline to D, E, or F;
- Project traffic would increase traffic volumes on nearby roadways by 10% or more (unless the increase in traffic volume is less than 100 vehicles per hour); or,
- The Project will generate 3,000 or more new average daily trips on roadways providing access to a single location.

Emissions from the Proposed Project's heating and mechanical systems shall be estimated. Finally, if deemed necessary, mitigation measures to minimize or avoid any violation of state or federal ambient air quality standards shall be included and a description provided.

#### *Noise*

The Proponent conducted a noise analysis of the potential noise impacts from the Proposed Project. The noise impacts were analyzed, including rooftop mechanical equipment and other noise sources (e.g., emergency generators) all of which demonstrate compliance with the City of Boston noise regulations and applicable state and federal regulations and guidelines. It is not deemed necessary at this time but, should things change, mitigation measures designed to reduce excessive noise levels to acceptable limits shall be included and a description provided.

## II. Interagency Green Building Committee

The Project Site is located within the Sea Level Rise Flood Hazard Area. The Proponent should address how site and ground floor elevations, building mechanical systems, utilities and building access will address the Sea Level Rise Base Flood Elevation. Massport's Floodproofing Design Guidelines and the BPDA's Coastal Resilient Building Design Guidelines should be referenced in the discussion of resilient building and site design strategies. The Proponent should also contribute funding to support a study that further develops the initial findings of Climate Ready South Boston that anticipate district scale coastal flood prevention measures.

### **Transportation**

#### *BPDA Transportation & Infrastructure Planning and the Boston Transportation Department*

The Proposed Project's pedestrian circulation and connectivity benefits will be a welcome improvement to the area. As mentioned above, direct connections between the Triangle Parcel and Congress Street needs to be provided. In addition, further work with the Massachusetts Department of Transportation, Massport, and the City needs to be done to determine expansion of the pedestrian areas on Congress Street to better accommodate pedestrians and improve their safety.

To improve wayfinding, the project should expand upon the existing pedestrian wayfinding signage program that was implemented by the City and its partner agencies. A focus should include nearby public transit/bikeshare options and any interior access through Parcel A2 to the Triangle Parcel.

The City and the MBTA would like to be able to provide bus priority accommodations in the eastbound direction on Congress Street to improve Silver Line operations. Due to curbside access needs from this and abutting properties, a longer term solution, including modifying the median dimension on Congress Street, is likely the preferred approach. The Proponent should help advance potential concept designs for Congress Street from the I-90 ramps/B Street to Silver Line Way.

Additional mitigation to off-set this project's transportation network impacts will also be required. Potential improvements include advancement of past planning recommendations and those being explored or re-enforced through the ongoing South Boston Seaport Strategic Transit Plan. Appropriate improvements that also will be a direct benefit for future site users include support for the "Seaport Circulator" shuttle service and advancing the design of "T Under D".

## **Infrastructure**

### *BPDA Infrastructure Planning: Smart Utilities Policy*

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The Smart Utilities Policy promotes integrated upfront infrastructure planning, which allows for better coordination with City agencies. The following items should be addressed in order to better inform the conversation and help meet Boston's strategic planning goals:

#### I. Green Infrastructure

Given the context of the site, we are excited to see the incorporation of planning for a green roof. Have you considered methods to improve the recharge rate of the green roof? For example, have you considered pairing it with rainwater reuse methods?

Please provide a diagram indicating where Green Infrastructure will be located and indicate the capacity associated with each installation (See Smart Utilities Checklist Part 4).

#### II. Smart Street Lights

Please provide a Smart Street Lights diagram (see Checklist Parts 6 and 7) which indicates the following:

- The main electricity loop that will power the lights and where the connection between this loop and the electricity in the right of way will occur.
- "Shadow" conduits running next to the main electricity loop, with capacity for the additional electricity and fiber to comply with Smart Streetlight capability; and hand holes for access to these conduits.
- Where these conduits would connect in the future to electricity and fiber in the right of way.

#### III. Utility Site Plan

To assist in strategic infrastructure planning, Smart Utilities is looking at proposed utility connections early in the planning process and coordinating with City agencies to identify potential conflicts before plans evolve too far. To enable this, please provide a diagram indicating where existing and proposed utility infrastructure laterals are located, showing



how utilities will be extended into the building from the right of way. This includes: water, sewer, electric, gas and telecom (see Checklist Part 7).

**APPENDIX B**  
PUBLIC COMMENTS

## MEMORANDUM

**TO:** Aisling Kerr, Project Manager  
**FROM:** John (Tad) Read, Senior Deputy Director for Transportation & Infrastructure Planning  
Manuel Esquivel, Senior Infrastructure & Energy Planning Fellow  
Ryan Walker, Smart Utilities Program - Associate  
**DATE:** September 17, 2019  
**SUBJECT:** 401 Congress Street- **Smart Utilities Comments - PNF**

### Comments and request for additional information:

Thank you for your Smart Utilities Checklist submission. Below are our comments and requests for additional information. Please update the Checklist using the edit link and/or send any diagrams to [manuel.esquivel@boston.gov](mailto:manuel.esquivel@boston.gov).

- Please provide a diagram indicating where Green Infrastructure will be located (see Checklist Part 4).
- Please provide a diagram indicating where existing and proposed utility infrastructure laterals are located, showing how utilities will be extended into the building from the right of way. This includes: water, sewer, electric, gas and telecom. (see Checklist Part 7).
- Please provide a Smart Street Lights diagram (see Checklist Parts 6 and 7) that indicates the following:
  - The main electricity loop that will power the lights and where the connection between this loop and the electricity in the right of way will occur.
  - "Shadow" conduits running next to the main electricity loop, with capacity for the additional electricity and fiber to comply with Smart Streetlight capability; and hand holes for access to these conduits.
  - Where these conduits would connect in the future to electricity and fiber in the right of way.

If you have any questions regarding these comments or would like to arrange a meeting to discuss the policy please feel free to contact Manuel Esquivel.

### Context:

On June 14, 2018 the BPDA Board adopted the [Smart Utilities Policy for Article 80 Development Review](#). The policy (attached) calls for the incorporation of five (5) Smart Utility Technologies (SUTs) into new Article 80 developments. Table 1 describes these five (5) SUTs. Table 2 summarizes the key provisions and requirements of the policy, including the development project size thresholds that would trigger the incorporation of each SUT.

In general, conversations about and review of the incorporation of the applicable SUTs into new Article 80 developments will be carried out by the BPDA and City staff during every stage (as applicable) of the review and permitting process, including a) prefile stage; b) initial filing; c) Article 80 development review prior to BPDA Board approval; d) prior to filing an application for a Building Permit; and e) prior to filing an application for a Certificate of Occupancy.

In conjunction with the SUTs contemplated in the *Smart Utilities Policy*, the BPDA and City staff will review the installation of SUTs and related infrastructure in right-of-ways in accordance with the *Smart Utility Standards* (“SUS”). The SUS set forth guidelines for planning and integration of SUTs with existing utility infrastructure in existing or new streets, including cross-section, lateral, and intersection diagrams. The *Smart Utility Standards* are intended to serve as guidelines for developers, architects, engineers, and utility providers for planning, designing, and locating utilities.

In order to facilitate the review of integration of the SUTs and the SUS, the BPDA and the Smart Utilities Steering Committee has put together a *Smart Utilities Checklist* that can be filled out and updated during the review process. Please fill out the parts of the *Checklist* that apply to your project. Make sure to review this *template* first, before submitting the *Smart Utilities Checklist*.

After submission, you will receive:

1. A confirmation email with a PDF of your completed checklist. Please include a copy of this document with your next filing with the BPDA.
2. A separate email with a link to update your initial submission. Please use ONLY this link for updating the Checklist associated with a specific project.

Note: Any documents submitted via email to Manuel.Esquivel@Boston.gov will not be attached to the PDF form generated after submission, but are available upon request.

The *Smart Utilities Policy for Article 80 Development Review*, the *Smart Utility Standards*, the *Smart Utilities Checklist*, and further information regarding the *Boston Smart Utilities Vision* project are available on the project’s website: <http://www.bostonplans.org/smart-utilities>.

Manuel Esquivel, BPDA Senior Infrastructure and Energy Planning Fellow, will soon follow up to schedule a meeting with the proponent to discuss the *Smart Utilities Policy*. For any questions, you can contact Manuel Esquivel at manuel.esquivel@boston.gov or 617.918.4382.

**Table 1** - Summary description of 5 Smart Utility Technologies (SUTs) included in the *Smart Utilities Policy for Article 80 Development Review*

Smart Utility Technology (SUTs)	Summary Description
<b>District Energy Microgrid</b>	Energy system for clusters of buildings. Produces electricity on development site and uses excess “heat” to serve heating/cooling needs. By combining these two energy loads, the energy efficiency of fuel consumed is increased. The system normally operates connected to main electric utility grid, but can

	disconnect (“island”) during power outages and continue providing electric/heating/cooling needs to end-users.
<b>Green Infrastructure</b>	Infrastructure that allows rainwater to percolate into the ground. Can prevent storm runoff and excessive diversion of stormwater into the water and sewer system.
<b>Adaptive Signal Technology</b>	Smart traffic signals and sensors that communicate with each other to make multimodal travel safer and more efficient.
<b>Smart Street Lights</b>	Traditional light poles that are equipped with smart sensors, wifi, cameras, etc. for health, equity, safety, traffic management, and other benefits.
<b>Telecom Utilidor</b>	An underground duct bank used to consolidate the wires and fiber optics installed for cable, internet, and other telecom services. Access to the duct bank is available through manholes. Significantly reduces the need for street openings to install telecom services.

**Table 2** - Summary of size threshold and other specifications for the 5 SUTs advanced in the *Smart Utilities Policy for Article 80 Development Review* (**Note: This table is only for informational purposes. Please refer to the complete *Smart Utilities Policy for Article 80 Development Review* to review the details.**)

	<b>Article 80 Size Threshold</b>	<b>Other specifications</b>
<b>District Energy Microgrid</b>	>1.5 million SF	Feasibility Assessment; if feasible, then Master Plan & District Energy Microgrid-Ready design
<b>Green Infrastructure</b>	>100,000 SF	Install to retain 1.25" rainfall on impervious areas (Increase from 1" currently required by BWSC)
<b>Adaptive Signal Technology</b>	All projects requiring signal installation or improvements	Install AST & related components into the traffic signal system network
<b>Smart Street Lights</b>	All Projects requiring street light installation or improvements	Install additional electrical connection & fiber optics at pole
<b>Telecom Utilidor</b>	>1.5 million SF of development, or >0.5 miles of roadway	Install Telecom Utilidor



Aisling Kerr <aisling.kerr@boston.gov>

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## Fwd: Contact Us Submission: # 4125 // Development

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Emily Wieja <emily.wieja@boston.gov>

Wed, Jul 31, 2019 at 4:32 PM

To: Aisling Kerr <aisling.kerr@boston.gov>

Cc: Michael Christopher <michael.christopher@boston.gov>, Catherine Sullivan <catherine.sullivan@boston.gov>

Hi Aisling- see inquiry that came in through the website contact form below.

Thanks,



**boston planning &  
development agency**

**Emily Wieja**

*Web Content Manager*

617.918.4443

**Boston Planning & Development Agency (BPDA)**

One City Hall Square | Boston, MA 02201

[bostonplans.org](http://bostonplans.org)

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

From: <[REDACTED]>

Date: Wed, Jul 31, 2019 at 4:19 PM

Subject: Contact Us Submission: # 4125 // Development

To: <BRAWebContent@boston.gov>, <catherine.sullivan@boston.gov>, <michael.christopher@boston.gov>

CommentsSubmissionFormID: 4125

Form inserted: 7/31/2019 4:19:12 PM

Form updated: 7/31/2019 4:19:12 PM

Document Name: Contact Us

Document Name Path: /About Us/Contact Us

Origin Page Url: /about-us/contact-us

First Name: Joshua

Last Name: Johnson

Organization:

Email: [REDACTED]

Street Address: [25 Northern Avenue](#)

Address Line 2: 1515

City: Boston

Subject: [catherine.sullivan@boston.gov](mailto:catherine.sullivan@boston.gov), [michael.christopher@boston.gov](mailto:michael.christopher@boston.gov):Development

State: MA

Phone: [REDACTED]

Zip: 02210

Comments: re: 401 Congress Street Was a transportation analysis performed for this project? There are 100+ pages relating to traffic studies and impact, but only 1 page that states that there is MBTA service in the area. The developer should be required to show what the current MBTA ridership and capacity is before development and what MBTA ridership and capacity would be after development. MBTA currently exceeds their crush capacity loads on the Silver Line and Route 7 bus service as of January 2015. I would like to know how much more bad this will make Silver Line and Route 7 service in the area. BPDA needs to start requiring detailed analysis of the impact to public transportation of these projects, especially in the South Boston Waterfront Area. In addition, the traffic study companies need to be more realistic with their ride share estimates.

Security Code:

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END OF SCOPING DETERMINATION DOCUMENT