



MassDOT Turnpike Air Rights Parcels #12-15
CAC Working Meeting #13
Thursday, March 27, 2014, 6:00 p.m.
Location: St. Cecilia's Parish Hall

CAC Attendees:

Brandon Beatty, Back Bay Resident
Kathleen Brill, Fenway Civic Association (FCA)
Fritz Casselman, Neighborhood Association of the Back Bay (NABB)
Brian Doherty, Building and Construction Trades Council of the Metropolitan District
David Gamble, Boston Society of Architects
Valerie Hunt, Fenway Neighborhood Resident
David Lapin, Community Music Center
Meg Mainzer-Cohen, Back Bay Association
Barbara Simons, Berklee Task Force
Steve Wolf, Fenway Community Development Corporation (FCDC)

Ex-Officio Attendees:

Boston City Councilor Josh Zakim
Andrew Bettinelli, Office of State Senator William Brownsberger
Tim Dionesotes, Office of Representative Jay Livingstone

City of Boston Attendees:

Shaina Aubourg, Mayor's Office of Neighborhood Services
Jonathan Greeley, BRA
Lauren Shurtleff, BRA

State of Massachusetts Attendees:

John Romano, MassDOT
Jeffrey Simon, MassDOT
Bill Tuttle, MassDOT
Gretchen Von Grossmann, MBTA

Members of the Public:

Robert Burnham, Kleinfelder
Ken Comia, FCDC
Else Ege, Realtor
Michael Epp, Kleinfelder
Mark Fortune, Boston Building Trades
Mike George, Resident of Back Bay
Tim Horn, Resident of Fenway
Zack Huffman, Boston Courant
Walter Hunt, Resident of Fenway
Christopher Janes, Resident of 360 Newbury
Mark Junghans, VHB
Jim Keefe, Trinity Financial

George Kickham, Auditorium Garage
Donny Levine, Samuels & Associates
Teri Malo, Fenway Studios
Vesna Maneva, Halvorson Design Partnership
Shaun O'Rourke, Boston Architectural College
Deirdre Rosenberg, NABB
Tina Schaefer, Resident of 360 Newbury
Peter Sougarides, Samuels & Associates
Adam Weiner, Weiner Ventures
Bill Whitney, Berklee College of Music

Meeting Summary

On Thursday, March 27th, 2014, the thirteenth working session of the Massachusetts Department of Transportation (MassDOT) Turnpike Air Rights Parcels 12 – 15 Citizens Advisory Committee (CAC) was called to order at approximately 6:00 p.m. in the St. Cecilia's Parish Hall by Jonathan Greeley, BRA Planner.

Jonathan then introduced Jeffrey Simon, the Assistant Secretary for Real Estate and Asset Development at MassDOT. He reminded the group that at their last meeting in April of 2013, he had pledged that MassDOT would undertake an engineering analysis for Parcel 13, and announced that the results of that study would be presented that evening. Jeffrey added that he felt confident that the study would lead to a positive result for the future of Parcel 13 and the adjacent neighborhood. He also stated that representatives from Weiner Ventures/Samuels & Associates would provide the group with an update on the status of Parcels 12 and 15.

CAC Co-Chairs Meg Mainzer-Cohen, Back Bay Association, and Fritz Casselman, Neighborhood Association of Back Bay, then led the group in a round of introductions, as it has been nearly a year since the last meeting and there were some new faces in the audience.

Next, Peter Sougarides, Samuels & Associates, provided an update on the Weiner Ventures/Samuels & Associates team's work on Parcels 12 and 15. Peter introduced Donny Levine as the project manager and noted that the team has been primarily focused on design and engineering over the course of the last year. Additionally, the team has been working with MassDOT on establishing leases for the sites, as well as meeting with Prudential Financial to discuss some type of partnership in regards to their parcel at the corner of Dalton and Boylston Streets. Peter noted that it is still too soon to announce anything on either front, but assured the CAC that his team is making progress.

CAC Questions

- Fritz Casselman stated that the CAC is concerned that both Parcels 12 and 15 be developed. Peter responded that his team is working on both parcels equally, and noted that both parcels face their own unique challenges. He added that while he cannot say right now that both parcels will be developed, his team is working diligently to deliver an affirmative answer.

Bill Tuttle then gave a PowerPoint presentation (available on the BRA's project website:

<http://www.tinyurl.com/Parcels12-15>) on the results of the Parcel 13 – Hynes Station Feasibility Study, which was done by Parsons Brinckerhoff and Kleinfelder on behalf of MassDOT. Bill started off by pointing out that the study is actually titled the Parcel 13 – Hynes Station Air Rights Feasibility Study, noting that the MBTA Hynes Convention Center Green Line Station accessibility improvements will now be bundled with any redevelopment project on Parcel 13 moving forward. He noted that MassDOT's and the MBTA's Real Estate functions are now in one shop, which will be particularly useful for this project moving forward.

Bill summarized the complexities involved, starting with the MBTA Hynes Station, which is built into the 360 Newbury structure. Because of these complexities, the team began their analysis with their focus on the MBTA Station and moved on from there. Bill noted that the MBTA is subject to a court-sanctioned agreement to make all of the stations within the system fully accessible. Previously, it was believed that in order to do so, at least six (6) elevators would be required at Hynes Station. Based on a new approach of locating station entrances at grade over the Turnpike air rights, the study performed revealed that only four (4) elevators would be required to address the required redundancies, which represents a cost savings of approximately \$4 million. New station entrances would be installed along Massachusetts Avenue and Boylston Street in different locations from their existing configuration. This could allow 360 Newbury to recapture new ground floor retail frontage on Massachusetts Avenue, as well as the possibility of a new off-street delivery entrance in the rear of the building off of the existing alley. Additionally, this strategy preserves the potential to reopen the tunnel under Massachusetts Avenue that connects the station to the opposite side of the street.

CAC Questions and Comments

- In response to a question from Steve Wolf, FCDC, Bill replied that the exit from Hynes Station onto Newbury Street would be maintained.
- Kathleen Brill, FCA, asked if the entrance to the tunnel underneath Massachusetts Avenue could also be made accessible. Bill responded that this was a possibility, and was something that they could look into.

Bill continued his presentation with an overview of the structural considerations involved with development on Parcel 13. He stated that there are limited areas of terra firma where foundations could be placed. The team looked at several options, from fully covering the parcel to only partially doing so. Each scenario involves different engineering solutions, but these scenarios are much clearer as a result of the study. Three zones of structural capacity have emerged:

- Zone 1, at the corner of Mass Ave and Boylston Street, which is the most constrained and therefore difficult zone to develop, has the potential for limited structural capacity, in the order of 4-5 stories maximum above ground level.
- Zone 2, in the center of the parcel, which is moderately constrained, could carry up to 10 stories.
- Zone 3, at the eastern end of the parcel, which is the easiest to develop, has no structural limitations that would limit the height of the building.

From here, the team came up with a range of development options, modifying the assumed footprint and massing for each zone. Note that each option incorporates the same improvements to Hynes Station. (Please view the matrix on Slide 43 of the PowerPoint Presentation for more specific details).

- Option A (Retail and Residential) provides for maximum development over air rights. It could also provide for a connection to the upper floor retail space at 360 Newbury (the former Best Buy space). No views from the residential portion of 360 would be blocked by an immediately adjacent building.
- Option B (Retail and Hotel or Dorm) had a higher hotel or dormitory wing in Zone 1, but less development over air rights in Zone 2) and mostly keeps to terra firma. Because this option does not involve Residential uses, no parking would be required, which is a bonus in terms of structural considerations. Bill noted that this option is likely unfeasible, however, due to high construction costs in Zone 1.
- Option C (Retail and Hotel or Dorm) follows the Turnpike alignment and features plazas along Boylston Street at Zones 1 and 2 that would cover the bridge structure. The plaza space at the intersection of Massachusetts Avenue and Boylston Street could positively impact the way this area operates from a pedestrian standpoint.
- Option D (Retail and Hotel or Dorm) is similar to Option C but features a reduced height in the middle section (Zone 2) that would solely be comprised of retail uses. Bill noted that this option could work very well, as it is cheaper to build than Option C but with similar anticipated revenue.
- Option E (Residential) does not feature any structure over air rights and merely represents the station improvements and the residential use over Zone 3. MassDOT does not see this as an ideal scenario but wanted to review it as a possibility for comparison and for developers to consider covering less than the full air rights.
- Option F represents only the station upgrades, with no further development on the parcel. This was included only as a comparison and is not an option that MassDOT endorses. If, however, no feasible development proposals emerge, it likely will be the basis of the MBTA's eventual station improvements.

Bill noted that overall, the team's attempt is to be sensitive to costs and therefore do what can be done with less. He noted that the Request for Proposals (RFP) that will be released for Parcel 13 and the station improvements will leave it open for developers to decide which option should be pursued. Developers will be allowed to propose any amount of coverage of the highway, although MassDOT will make it clear that full coverage is preferred. In a later comment, Bill stressed that these options were the result of a feasibility analysis, and pointed out that the proposals that ultimately emerge from the RFP process may differ.

Cost analysis was also performed. The team does not see Parcel 13 and the station improvements as a wildly successful project from a MassDOT revenue standpoint, but from a real estate perspective they do believe that some of these options are financeable and buildable. Bill added that while they also looked into office uses, the anticipated floorplates make it highly unlikely that office space would be marketable. As such, office use has not been included amongst the options.

CAC Questions and Comments

- In response to a question from Kathleen Brill regarding land taking costs and 360 Newbury, Bill elaborated by explaining that in the previous scenarios envisioned for making MBTA Hynes Station accessible, the land taking costs would have been much higher because of the necessity of having six elevators in the MBTA Station. Now, the land takings will be much less, and in all scenarios, 360 Newbury would be improved by

adding retail street frontage, creating a delivery entrance, and covering the adjacent highway without blocking residential views.

- David Gamble, Boston Society of Architects, commended the work done by the team and stated that it is now much easier to discuss the parcel since many of the variables are fixed. He also added that while he appreciates the public space that is considered at the corner of Massachusetts Avenue and Boylston Street, he sees the secondary open space further down Boylston Street as less attractive from a placemaking perspective.
- Brandon Beatty, Resident of Back Bay, also indicated his appreciation for the information shared in the presentation. He then asked if one of the options stood out against the others. Bill replied that Option D and to some extent, Option A, seemed the most likely feasible, but noted that each of the cost estimates are conceptual and based off of the concept design massing, so a developer could come up with a proposal that is different than these options. Bill added that the team is not yet sure what types of rents are needed to make development of the site feasible.
- Steve Wolf asked if the updates to the station, which would involve upgrading the substation that powers some of the Green Line, would allow for an improvement in system-wide performance. Gretchen VonGrossman, MBTA, responded that while it is unlikely that these improvements would increase capacity, they could result in reduced failures, and noted that this is something they will look into. Steve then commended the work of the study and expressed his appreciation for all of the work that was put into it.
- In response to a question from Brandon Beatty about the MBTA legal agreement with regard to system accessibility, Gretchen replied that the agreement is part of a settlement with plaintiffs, and the settlement involves tiers of stations arranged by priority. Hynes Station is considered a second tier priority. Currently, there is no deadline for the work to be performed. The biggest challenge the MBTA faces with respect to this work is finding funding, and linking the improvements to development helps a great deal.
- In response to a request from Fritz Casselman regarding the per-square foot dollar amount for decking across each option, Bill indicated that he will follow-up on this.
- In response to a question from Barbara Simons, Berklee Task Force, Bill indicated that the residential use shown in the Zone 3 building in Option A is anticipated to be rental units, because the feasibility analysis was based on current market conditions.
- In response to a question from David Lapin, Community Music Center, Bill replied that the interests of likely users, such as the area's collegiate institutions, were considered when performing the analysis, and explains why dormitory uses were considered in some of the options. Bill added that beyond meeting with the Boston Architectural College and Berklee College of Music, the team also met with a range of private developers to get feedback on the study and to encourage interest in an eventual RFP.

Questions and Comments from the Public

- Deirdre Rosenberg, NABB, asked about the projected height of the building shown in Zone 3. Bill responded that the building is approximately 15 stories, and noted that the actual height of this building would be addressed in the context of real proposals further down the line. In response to a follow-up question from Meg Mainzer-Cohen, Bill replied that he estimates the height of this building to be approximately 160' as shown in the presentation.

- In response to a question from Teri Malo, Fenway Studios, Bill responded that the loading area in the existing alley would be available to all users of the future Parcel 13 buildout.

Finally, Bill discussed the implementation process, including the future disposition, procurement, and contracting processes. He noted that this will be a combined disposition and procurement process, featuring an integrated project team. A long-term lease will be issued by MassDOT to the selected developer, who will also sign an MBTA development agreement for construction management and design. The air rights development revenue will be applied to the costs of upgrading Hynes Station. While it is understood that MassDOT and the MBTA will fund the remaining costs of improving the station, MassDOT and the MBTA are unable to subsidize the air rights development over the Turnpike.

Bill anticipates that the RFP will be released sometime in April, with proposals likely due in August of this year. Further review would likely take place through September. As in the past, all proponents will present their proposals to the CAC. MassDOT and the MBTA will seek input from both the CAC and the BRA.

CAC Questions and Comments

- Valerie Hunt expressed her appreciation for the work that has been done, and noted that she feels much more comfortable as a CAC member prepared to review the next stage of proposals.
- In response to a question from Brandon Beatty about zoning, Jonathan replied that all of the Turnpike Air Rights parcels were envisioned to undergo a process that would lead to them becoming Planned Development Areas (PDA). The PDA process would begin after designation.
- In a follow-up to his last comment, David Gamble stressed that any open space contemplated cannot be residual; it has to be as carefully designed as the buildings themselves. He asked that something of this nature be put into the RFP, and Bill agreed that he would look into doing this.

Questions and Comments from the Public

- Tim Horn, Resident of Fenway, stated that the open space that is being considered should be funded as part of the project, so that it is not left to be taken care of by volunteers alone. Bill agreed that this is an excellent point.
- Tina Schaefer, Resident of 360 Newbury, expressed that she was very impressed with the results from the study and is excited to continue to participate in the process.

The co-chairs then closed the meeting, noting that the group will reconvene once the proposals come in in response to the RFP. No date has been set for the next meeting. The meeting was adjourned at approximately 7:50 p.m.