



Mayor's Commission for Persons with Disabilities

Martin J. Walsh, Mayor

January 18th 2016

RE: 212 Stuart Street, Boston, MA 02116
Project Notification Form
Boston Planning and Development Agency

The Disability Commission has reviewed the Project Notification Form that was submitted for 212 Stuart Street in Bay Village. Since the proposed project is planned to be a vibrant destination area for housing and retail, I would like to encourage a scheme that allows full and equal participation of persons with disabilities through *ideal design which meets as well as exceeds compliance* with accessibility building code requirements. It is crucial that the site layout, buildings, open spaces, parking, and circulation routes be developed with access in mind.

Therefore, in order for my Commission to give its full support to this project, I would like to ask that the following accessibility issues be considered and/or explained:

▪ **Accessible Group 2 Units:**

- We would like to request more details on Group 2 units, including the location, type and floor plans.
- Will any accessible Group 2 units will be included in the Inclusionary Development Policy? If so, how many?

▪ **Accessible Route and Entry:**

- Renderings showing the reconstruction of the Church Street walkway promenade indicate the use of unit pavers as the main paving material for the pedestrian right-of-way. We support the use of cast-in-place concrete to ensure that the surface texture is smooth and continuous (minimize joints) and for the ease of maintenance.
- We do not support the specialty paving pattern, in the pedestrian right-of-way, along Stuart Street as it may pose a wayfinding hazard for those with low vision. Containing this pattern to the furnishing zone may be a way to include this pattern in the overall design.
- We do not support the continuation of the specialty paving pattern into the roadway, as it may pose a wayfinding hazard for those with low vision. We support a clear distinction between the pedestrian right-of-way and vehicle travel lanes.
- We ask that the reciprocal pedestrian ramp on the northeastern corner of the Stuart Street/Church Street intersection be added to the street improvements, in order to bring the proposed crosswalk into compliance with MAAB 521 CMR Section 21.2.2.

- **Accessible Route and Entry (cont.):**
 - Please confirm the use of red detectable warning surfaces on cast-in-concrete pedestrian ramps.
 - We encourage the Proponent to schedule a meeting with architectural staff, prior to Public Improvement Commission hearings.
- **Accessible Parking:**
 - Will the any accessible spaces be available as part of the proposed long-term lease of 50 parking spaces in the adjacent parking garage? If so, how many? If not, please explain.
 - Will there be an accessible drop-off area? If so, please provide details including plans, widths and paving materials.
- **Sidewalk Café Requirements:**
 - Should the installation of a Sidewalk Café be proposed, please confirm that the proposed location will meet or exceed the dimensional requirements set by the City of Boston Sidewalk Café Design Regulations and Guidelines, Boston Complete Streets (if in the public right-of-way) and MAAB 521 CMR Section 35.00.
- **Community Benefits:**
 - Is this project providing any funding or improvements to the surrounding neighborhood?
 - What inclusion elements does this development provide for persons with disabilities in common social and open spaces?
- **Wayfinding:**
 - Do you have a Wayfinding Package to better understand wayfinding strategies within the scope of the proposed project?
- **Variances:**
 - Do you anticipate filing for any variances with the Massachusetts Architectural Access Board? If so, please identify and explain.

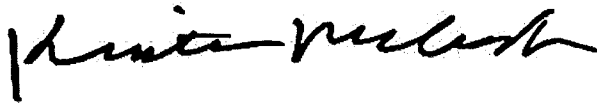
Commission's General Statement on Access:

The Mayor's Commission for Persons with Disabilities supports barrier-free design and construction in all buildings throughout Boston, including renovation projects as well as new structures. We work with City departments and developers to ensure compliance with local, state, and federal building codes including Boston Complete Streets, Massachusetts Architectural Access Board (MGL, 521 CMR) and the Americans with Disabilities Act (ADAAG, 28 CFR). Designing or constructing structures that are non-compliant with these requirements is a violation of the law unless it can be demonstrated that it would be structurally infeasible to do so.

Priorities for accessibility other than building design and construction include: ensuring maintenance and upkeep of accessibility features; posting signage for way-finding; utilizing compliant barricades throughout construction; designating appropriate location and amount of accessible parking spaces; and removing barriers in existing buildings wherever "readily achievable" (*"easily accomplishable and able to be carried out without much difficulty or expense"*).

Proponents are encouraged to meet with Commission staff who are available for technical assistance and design review to help achieve accessibility compliance and to ensure that all buildings, sidewalks, parks, and open spaces are usable and welcoming to all of Boston's diverse residents, including those with physical, sensory, intellectual, and communication disabilities.

Thank You.



Kristen McCosh, Commissioner
Mayor's Commission for Persons with Disabilities
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Reviewed by:

Patricia Mendez AIA, Architectural Access Specialist
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**Boston Water and
Sewer Commission**



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

January 23, 2017

Mr. Christopher Tracy
Senior Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201

Re: 212 Stuart Street, Bay Village
Project Notification Form

Dear Mr. Tracy:

The Boston Water and Sewer Commission (Commission) has reviewed the Project Notification Form (PNF) for the proposed 212 Stuart Street project located at 212 Stuart Street and 18-19 Shawmut Street in the Bay Village neighborhood of Boston.

The proposed project is located on an approximately 7,712 square foot (sf) site. The site currently contains a surface parking lot and a small parking lot attendant building. The proponent, Transom Real Estate LLC, proposes to construct an approximately 146,000 sf, 19-story building that will consist of approximately 131 residential units and approximately 3000 sf of ground floor retail space. No on-site parking is proposed. The site is bounded by Stuart Street to the north, a parking garage to the east, Shawmut Street to the south and the Church Street pedestrian plaza to the west.

According to the PNF, the proposed water demand is approximately 29,651 gallons per day (gpd). The Commission owns and maintains a 16-inch Southern Low water main in Church Street and an 8-inch Southern Low water main in Shawmut Street.

According to the PNF, the proposed sewage generation is 26,955 gpd, an increase of 26,505 gpd. For sewage and storm drainage service, the site is served by a 24-inch sanitary sewer and a 48-inch storm drain in Church Street, a 12-inch combined sewer in Stuart Street and a 12-inch sanitary sewer in Shawmut Street.

The Commission has the following comments regarding the PNF:



General

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



2. Transom Real Estate LLC should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In particular, Transom Real Estate LLC should consider outdoor landscaping which requires minimal use of water to maintain. If Transom Real Estate 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. Transom Real Estate 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. Transom Real Estate 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, Transom Real Estate LLC should contact the Commission's Meter Department.

Sewage / Drainage

1. In conjunction with the Site Plan and the General Service Application Transom Real Estate LLC will be required to submit a Stormwater Pollution Prevention Plan. The plan must:
 - Identify specific best management measures for controlling erosion and preventing the discharge of sediment, contaminated stormwater or construction debris to the Commission's drainage system when construction is underway.
 - Include a site map which shows, at a minimum, existing drainage patterns and areas used for storage or treatment of contaminated soils, groundwater or stormwater, and the location of major control structures or treatment structures to be utilized during the construction.
 - Specifically identify how the project will comply with the Department of Environmental Protection's Performance Standards for Stormwater Management both during construction and after construction is complete.
2. The Commission encourages Transom Real Estate LLC to explore additional opportunities for protecting stormwater quality on site by minimizing sanding and the use of deicing chemicals, pesticides, and fertilizers.



3. The discharge of dewatering drainage to a sanitary sewer is prohibited by the Commission. Transom Real Estate 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, Transom Real Estate LLC will be required to obtain a Remediation General Permit from the Environmental Protection Agency (EPA) for the discharge.
4. Transom Real Estate 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.
5. 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, Transom Real Estate LLC will be required to meet MassDEP Stormwater Management Standards.
6. 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.
7. The Commission requests that Transom Real Estate LLC install a permanent casting stating "Don't Dump: Drains to Boston Harbor" next to any catch basin created or modified as part of this project. Transom Real Estate LLC should contact the Commission's Operations Division for information regarding the purchase of the castings.
8. 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. Transom Real Estate LLC is advised to consult with the Commission's Operations Department with regards to grease traps.



Thank you for the opportunity to comment on this project.

Yours truly,

John P. Sullivan, P.E.
Chief Engineer

JPS/afh

cc: Peter Spellios, Transom Real Estate LLC
M. Connolly, MWRA via e-mail
M. Zlody, BED via e-mail
P. Larocque, BWSC via e-mail



Michael Rooney <michael.rooney@boston.gov>

Project Comment Submission: 212-222 Stuart

no-reply@boston.gov <no-reply@boston.gov>

Fri, Apr 14, 2017 at 2:22 PM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1739

Form inserted: 4/14/2017 2:21:45 PM

Form updated: 4/14/2017 2:21:45 PM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart

Origin Page Url: /projects/development-projects/212-222-stuart

First Name: John

Last Name: Shope

Organization:

Email: [REDACTED]

Street Address: 56 Fayette Street

Address Line 2:

City: Boston

State: MA

Phone: [REDACTED]

Zip: 02116

Comments: I have owned and lived in my house at 56 Fayette Street in Bay Village since 1999. During that time, I served as president of the Bay Village Neighborhood Association for two terms and on its Executive Committee for over fifteen years. I have also served on Impact Advisory Groups for the BRA and BPDA for several large development projects in downtown Boston. I write to confirm my support for the 212 Stuart Street project subject to the conditions outlined in the BVNA's letter of April 14, 2017 to the BPDA project manager, Michael Rooney. I would like to emphasize that my support --and, I believe, the support of other residents -- is highly specific to the unique circumstances of this parcel at the edge of the neighborhood on a major thoroughfare with other buildings of comparable height, the failure of prior development projects on the site approved for lower heights, the (related) small footprint of the site, the absence any shadow on Bay Village or meaningful incremental shadow on Statler Park, and the absence of any meaningful effect on wind conditions, among other considerations. Thank you for your consideration.

PMContact: michael.rooney@boston.gov



Michael Rooney <michael.rooney@boston.gov>

Project Comment Submission: 212-222 Stuart

1 message

no-reply@boston.gov <no-reply@boston.gov>

Fri, Apr 14, 2017 at 2:03 PM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1738

Form inserted: 4/14/2017 2:02:36 PM

Form updated: 4/14/2017 2:02:36 PM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart

Origin Page Url: /projects/development-projects/212-222-stuart

First Name: Grant

Last Name: Simpson

Organization: BVNA

Email: [REDACTED]

Street Address: 45 Church Street

Address Line 2: Suite 2

City: Boston

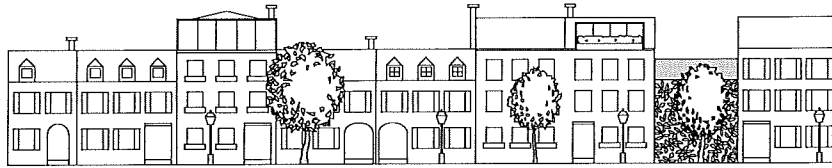
State: MA

Phone: [REDACTED]

Zip: 02116

Comments: I fully reiterate and support the views articulated in the letter from the Bay Village Neighborhood Association to Michael Rooney dated April 14, 2017.

PMContact: michael.rooney@boston.gov



BAY VILLAGE NEIGHBORHOOD ASSOCIATION, INC.

April 14, 2017

Via Electronic Mail (michael.rooney@boston.gov)

Michael Rooney
Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201

Re: 212 Stuart Street Proposal

Dear Michael:

On April 10, 2017, the Bay Village Neighborhood Association ("BVNA") held a general meeting of its membership. The meeting was called to vote on the project proposed by Transom Real Estate, LLC ("Transom") for lots at 212-222 Stuart Street and 17-19 Shawmut Street. Each of these four parcels is within Bay Village.

At the general meeting, the voting members of the BVNA voted **not to oppose** the application by Transom. It is clear from comments made during that extensive process preceding this vote that the outcome of the vote was **highly dependent** on a number of representations and commitments made by both Transom and the City, which are outlined below. The BVNA's vote comes with an expectation that these representations and commitments will be incorporated into an agreement enforceable by the BVNA.

Project Components

The BVNA's position **assumes** that the final project will include those elements presented to the community at the March 20, 2017 BVNA Planning meeting. Several of the key components are listed below, but this list is certainly not inclusive or exhaustive:

Inclusion of two "townhome" units on Shawmut Street. The inclusion of these units on the Shawmut Street façade in Transom's revised proposal garnered significant positive feedback from

neighborhood residents. These units, with separate entrances on Shawmut, should be required as part of any approved project.

Ground level setback on Church Street Plaza. The significant setback of the ground level façade on the Church Street Plaza (a 10' horizontal setback up 26' vertical) was also an improvement significant to many residents. Not only should this setback be required as part of any approved project, the BPDA should require that Transom provide an easement to ensure that this space remains open for public use and that any temporary use (e.g., an outdoor café) be permitted only with the approval of the BVNA.

Church Street Plaza improvements. Any approved project must include the improvements proposed by Transom to the Church Street Plaza, the sidewalks at the rear of the building, the crosswalk to Statler Park, and the alley between the proposed building and the garage on the adjacent lot. These improvements include, without limitation, new full-growth trees, pavers, lighting and significant year-round perennial plantings in containers attached to the building. In addition, any approved project should be required to bear the cost of relocating the trash generated by the 230 Stuart Street, which is currently placed in the Church Street Plaza for collection several times per week and creates a near-permanent unsightly condition in the Plaza. The value of Plaza improvements is significantly reduced if this trash problem is not resolved as part of the Plaza improvements.

Limits on resident parking stickers. Given the limited availability of resident parking in the neighborhood, residents of this building should not be eligible for Bay Village resident parking stickers. Such a restriction has worked well at 100 Arlington Street and should be included here.

Aesthetic changes. The revised proposal included numerous aesthetic change to the building façade, including the color of the materials, the addition of ironwork and large plantings. These changes should be required as part of any approved project.

Affordable housing on-site. This developer has committed to placing the affordable housing required by the IDP **on-site with a mix of unit sizes throughout the building.** This commitment is critical to the BVNA's support of this project.

This list is not at all exhaustive of the elements of the proposed project that were critical to achieving a "no opposition" vote of the BVNA. The BVNA and many Bay Village residents will be watching this project

closely to ensure that both the BPDA, the City, and Transom do not alter those portions of the project that were critical to obtaining a “not opposed” vote from the BVNA.

Significant Mitigation

In addition to the factors outlined above, which are part of the project itself, the BVNA vote was dependent on Transom’s promise of significant mitigation for Bay Village, both during and after construction.

Bay Village has not seen since a construction project this large in over 35 years. Significant mitigation will be needed during what is certain to be a lengthy construction to preserve quality of life for residents of Bay Village. Such mitigation includes requiring all staging to be on Stuart Street, mandating compliance with City of Boston construction hours, a ban on construction vehicles parking in Bay Village (irrespective of whether they have commercial plates), temporary fencing, adequate trash and rodent control, signage for neighborhood businesses, traffic control, and other mitigation as necessary.

Bay Village residents have struggled recently with the apparent inability of the City, and ISD in particular, to regulate damaging construction impacts on Bay Village residents. The BVNA’s vote not to oppose assumes that this project will be managed in a far more responsible and proactive manner. Should the BPDA approve this project, the developer and the City should each be required to designate construction liaisons who are responsible for responding to specific concerns regarding construction and who are held accountable for reporting to the BVNA all concerns raised and the resolution of those concerns. The BVNA would be happy to designate a liaison to work on such matters.

This project will add additional residents, traffic, noise and other impacts to Bay Village. The developer has committed to a significant mitigation to benefit **Bay Village residents**. This mitigation could be used to address the impacts of this project by, among other things, providing funds for community improvements such as improvements to neighborhood parks, historical markers, bike racks, security cameras, additional “Big Belly” cans, improved streetscape, and additional trash removal services.

Process

The proposal by Transom was the most controversial issue that the BVNA has addressed in many decades. To ensure an adequate opportunity for fact gathering and discussion, the BVNA held at least eight (8) meetings on this project, including:

January 9th BVNA EC Meeting. The project was discussed at the regularly scheduled January Executive Committee (“EC”) meeting, including a discussion of the Article 80 process.

January 23rd BVNA Planning. At this regularly scheduled meeting of the BVNA’s Planning Commission Transom presented the initial plans. This meeting was public and was attended by over 100 residents. The presentation and comments lasted for more than two hours. Any person in attendance was permitted to speak and the meeting continued until all who wished to speak had an opportunity to do so.

February 6th BVNA EC Meeting. The project and the BVNA process were discussed at this meeting.

February 16th Wind presentation. In response to questions regarding the wind impact of the proposed project, Transom provided their wind consultant for a presentation and discussion. This meeting was public and was well-attended.

March 6th BVNA EC Meeting. The project and the BVNA process were discussed at this meeting.

March 20th BVNA Planning At this regularly scheduled meeting of the BVNA’s Planning Commission Transom presented significantly revised plans. This meeting, held jointly with the BPDA as the “public” community meeting, was again open to the public and attended by over 100 individuals. The presentation and comments lasted for more than two hours. Any person in attendance was permitted to speak and the meeting continued until all who wished to speak had an opportunity to do so.

April 3rd BVNA EC Meeting. The EC spent well over an hour discussing this proposal at its regularly scheduled April meeting, with each EC member providing lengthy and thoughtful comments. A vote of the EC was taken, with 20 members voting “not to oppose,” 2 members voting “to oppose” and 2 members abstaining. Of the 4 EC members who could not attend, all ultimately indicated that they supported the project. While

comments at this meeting were limited to EC members, several dozen other residents attended.

April 10 General Meeting. The BVNA held a general meeting on this project, including a vote of the corporation's membership. Pursuant to the by-laws of the BVNA only "voting members" could vote, and discussion was limited to BVNA members. Vote was by ballot, and the final tally of voting members was 69 "not to oppose" and 33 "opposed" votes. Many other residents and non-voting members attended.

The BVNA Will Oppose A "Bait and Switch"
Or Use Of This Vote As A Precedent

The BVNA has, in the past, voted not to oppose development projects, only to have the City and developers ignore promises that were critical to garnering the BVNA's support. A recent example is the failure of the City to require the W Hotel project to fund or complete promised mitigation in and around Charles Street South. Other promised mitigation, such as the improvements to the Isabella Street garden, were only completed after aggressive efforts by the BVNA and area residents to ensure that commitments were upheld.

To address the lengthy history of the BRA's broken promises to our community, the BVNA will strongly oppose any Cooperation Agreement between Transom and the City that does not require all design (townhomes, plaza improvements, trees, setbacks, etc.) and mitigation promises to be **completed or fully funded before any Certificate of Occupancy is issued.**

In addition, the position of the BVNA on this uniquely sited grouping of parcels should not be viewed as supporting similarly sized or massed projects for other parcels or proposed developments in the Bay Village Historic District. This project would certainly have been strongly opposed if proposed for any other vacant lot in the neighborhood, including the lots on either side of Arlington Street that are currently used as open-air parking lots. As part of the process for this proposal, the BPDA has represented to many residents that it would not view a project anywhere near this height or density as appropriate for any other location in Bay Village. If the BPDA truly intends to distinguish itself from the past reputation of the BRA, it will honor these representations in the future.

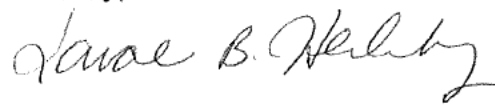
Ongoing Concerns With The Zoning Process

As you know, in 1998, Bay Village was rezoned with broad community involvement. The BVNA strongly supports enforcement of zoning that was adopted with such broad community support, absent a particular reason or hardship justifying an exception. The BVNA's vote not to oppose this particular proposal is based on the circumstances of the present proposal, including the commitments set forth above regarding the project and mitigation.

Founded over three decades ago, the Bay Village Neighborhood Association represents over 250 residents in Bay Village.

Please do not hesitate to contact us should you have any questions or concerns.

Sincerely,



Sarah Herlihy, BVNA President



cc: The Honorable Martin J. Walsh (mayor@boston.gov and samuel.chambers@boston.gov)
City Council President Michelle Wu (Michelle.Wu@boston.gov)
Councillor Bill Linehan (Bill.Linehan@boston.gov)
Councillor Ayanna Pressley (Ayanna.Pressley@boston.gov)
Councillor Anissa Essaibi-George (A.E.George@boston.gov)
Rep. Aaron Michlewitz (aaron.m.michlewitz@mahouse.gov)
Sen. Joseph Boncore (Joseph.Boncore@masenate.gov)
Mr. Peter Spellios

SARAH B. HERLIHY

April 14, 2017

Via Electronic Mail (michael.rooney@boston.gov)

Michael Rooney
Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201

Re: 212 Stuart Street Proposal

Dear Michael:

As a long-term resident of Bay Village and a committed City resident, I **support** Transom's proposal for development of the lots at 212-222 Stuart Street and 17-10 Shawmut Street. While I am currently the President of the Bay Village Neighborhood Association ("BVNA"), and served as the Planning co-chair of the BVNA for many years before taking the role of President, I submit this letter in my personal capacity.

While the significant departure from the zoning code in this instance is troubling from a civic process and transparency perspective, I support this project because of the following unique factors:

- *The unique location of the parcels adjacent to both Bay Village and Park Square.* The parcels at issue uniquely straddle two "build" environments: Bay Village with its mostly low-rise residential townhouses and Park Square with high-rise commercial properties. This building would not be appropriate in any other location in Bay Village.
- *The design presented by the developer.* The project proposed by Transom, as revised, properly addresses the fact that this building is adjacent to far shorter historic townhomes. The addition of two townhomes on Shawmut Street, the set-back of the building on the Church Street Plaza side and the addition of elements on the pedestrian level that mirror the iron-work and other elements found in Bay Village were critical to my decision to support this proposal.

- *The need to develop these parcels as the entrance to Bay Village.* These parcels have been an eyesore for decades.¹ Prior projects approved on these parcels for shorter heights have not been built, despite the prime location of these lots and an extended positive real estate cycle. While the height is a significant concern, I support the additional height proposed in this unique instance as long as this concession is in exchange for a quality project such as the one proposed by Transom.

While I will not reiterate each of them here, I share the concerns expressed in the letter from the BVNA regarding the need for mitigation and assurances that this project, on a unique parcel, will not set a precedent. I urge the BPDA to address the concerns set forth in the BVNA's letter should it approve this project.

I also want to emphasize that each of Transom's promises regarding the proposal were critical to my support. If this project is "value engineered" or "cheapened" in any respect, it is likely that I would not support it. The BRA has a long history broken promises to the communities it serves, including Bay Village. My support represents a significant "leap of faith" that the BPDA is sufficiently committed to changing is public perception that it will keep its promises and require Transom to do the same.

Sincerely,



Sarah B. Herlihy

cc: The Honorable Martin J. Walsh (mayor@boston.gov and samuel.chambers@boston.gov)
City Council President Michelle Wu (Michelle.Wu@boston.gov)
Councillor Bill Linehan (Bill.Linehan@boston.gov)
Councillor Ayanna Pressley (Ayanna.Pressley@boston.gov)
Councillor Anissa Essaibi-George (A.E.George@boston.gov)
Rep. Aaron Michlewitz (aaron.m.michlewitz@mahouse.gov)
Sen. Joseph Boncore (Joseph.Boncore@masenate.gov)
Mr. Peter Spellios

¹ This parcel has a tragic history that includes the loss of several historic buildings through malfeasance or neglect. See *Billy's Service, Inc. v. American Ins. Co.*, 37 Mass. App. Ct. 584 (1984) (referring to the two townhomes that were at 17-19 Shawmut Street (a "jury found that the plaintiff Kotzampaltiris, or someone acting in his behalf, set the fire that caused the damage"). The City certainly has some culpability in the loss of these structures, as it continued to allow a forbidden use on three of these parcels long after it was clear that this continued use would prohibit development that could have saved these historic structures. The City should ensure that any development here incorporates some of the "elements" of the lost structures, such as the current proposal's inclusion of the townhome units on Shawmut Street.



Michael Rooney <michael.rooney@boston.gov>

Project Comment Submission: 212-222 Stuart

1 message

no-reply@boston.gov <no-reply@boston.gov>

Thu, Apr 13, 2017 at 4:03 PM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1736

Form inserted: 4/13/2017 4:03:16 PM

Form updated: 4/13/2017 4:03:16 PM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart

Origin Page Url: /projects/development-projects/212-222-stuart

First Name: Daisy

Last Name: Penney

Organization: Compass

Email: [REDACTED]

Street Address: 126 Newbury Street

Address Line 2:

City: Boston

State: MA

Phone: [REDACTED]

Zip: 02116

Comments: Looking forward to the approval and construction of this project.

PMContact: michael.rooney@boston.gov

MARK SLATER

Michael Rooney, Project Manager
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201

April 12, 2017

In re: 212 STUART STREET

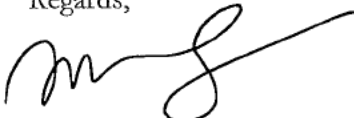
Dear Mike:

I am writing to support the project at 212 Stuart Street as presented in the most revision by Transom Real Estate, LLC, subject to the condition that a TAPA and Cooperation Agreement be executed by the BPDA, the City of Boston, the Developer and the Bay Village Neighborhood Association that substantially mitigates identified impacts.

Of particular concern is an issue identified in the IAG letter that lies outside the developer's control: piling of residential trash from 230 Stuart Street for pickup on the Church Street pedestrian plaza. While I do not believe there is anything illegal about this practice, it is imperative that BPDA and City of Boston staff identify and implement an alternate solution for household refuse from 230 Stuart Street: no amount of development and plaza re-design will mitigate mounds of household trash regularly lining the principal pedestrian entrance into Bay Village.

I would also note that historical actions taken by the BPDA on this site prior to the current administration have raised serious and profound concerns regarding BPDA intentions with regard to potential development height in other parts of Bay Village, especially at vacant lots on Arlington Street. The BPDA would be well advised to discharge its planning function with public input and clarification of what, if any, restrictions or height limitations it sees as appropriate.

Regards,



Mark Slater



Michael Rooney <michael.rooney@boston.gov>

Project Comment Submission: 212-222 Stuart2 messages

no-reply@boston.gov <no-reply@boston.gov>

Mon, Apr 10, 2017 at 12:30 PM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1729

Form inserted: 4/10/2017 12:30:40 PM

Form updated: 4/10/2017 12:30:40 PM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart

Origin Page Url: /projects/development-projects/212-222-stuart

First Name: Eric

Last Name: Cordes

Organization:

Email: [REDACTED]

Street Address: 26 Melrose Street

Address Line 2:

City: Boston

State: MA

Phone: [REDACTED]

Zip: 02116

Comments: I am writing to express my enthusiastic support in favor of the proposed development at 212 Stuart Street with revisions since the original PNF as provided by the developer. I have lived in Bay Village for approximately 25 years and have been a very active member of the community. I served as an Impact Advisory Group member on this project and have attended virtually every public meeting held thus far. The proposed development sits adjacent to the principal pedestrian entrance to the neighborhood and would occupy a site which has been blighted for decades with a parking lot and abandoned buildings. We have an architecture team who has brought us a unique, richly creative design I would be proud to have stand at the gateway to the Bay Village neighborhood, and we have an experienced developer who has been extraordinarily responsive to community input. As a result, we have a significantly better building at the street level than originally proposed in the PNF which helps to balance the transition from the Stuart Street thoroughfare on one side and the historic district on the other. The proposed renovation of the Church Street plaza area will be of tremendous benefit to the neighborhood. While I do share many of my neighbors' concern over setting precedent by allowing a height which exceeds current zoning within our historic district, this particular site on Stuart Street is unique and the proposed height is not inconsistent with other buildings at either end of this block. I encourage the BPDA to approve this development contingent on the developer reaching appropriate mitigation agreements with the City of Boston and Bay Village Neighborhood Association.

PMContact: michael.rooney@boston.gov

no-reply@boston.gov <no-reply@boston.gov>

Mon, Apr 10, 2017 at 5:41 PM



Michael Rooney <michael.rooney@boston.gov>

Project Comment Submission: 212-222 Stuart

no-reply@boston.gov <no-reply@boston.gov>

Fri, Apr 14, 2017 at 6:14 PM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1740

Form inserted: 4/14/2017 6:13:16 PM

Form updated: 4/14/2017 6:13:16 PM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart

Origin Page Url: /projects/development-projects/212-222-stuart

First Name: Allie

Last Name: Fitzgerald

Organization:

Email: [REDACTED]

Street Address: 15 Fayette Street

Address Line 2: Unit 2

City: Boston

State: MA

Phone: [REDACTED]

Zip: 02116

Comments: The 212 project will eliminate a hideous parking lot about which residents have worked tirelessly to get shut down. This and other empty lots have long been a source of crime, noise, and litter. A residential building with concierge service and security will reduce the drug and other criminal activity that historically have occurred around the location. The addition of on-site affordable housing and two townhouse's on Shawmut street add great value to the growing character of Bay Village. As a resident of Bay Village, I fully support this project and see it as a tremendous addition to the growth of the neighborhood. The project will enhance the safety, desirability, and physical attractiveness of our community.

PMContact: michael.rooney@boston.gov



Michael Rooney <michael.rooney@boston.gov>

Support for 212 Stuart Street Proposal

1 message

Brian R. Boisvert

Fri, Apr 14, 2017 at 4:23 PM

Reply-To: "Brian R. Boisvert" [REDACTED]

To: "michael.rooney@boston.gov" <michael.rooney@boston.gov>

Cc: "joseph.boncore@masenate.gov" <joseph.boncore@masenate.gov>, "aaron.m.michlewitz@mahouse.gov"

<aaron.m.michlewitz@mahouse.gov>, "mayor@boston.gov" <mayor@boston.gov>, "samuel.chambers@boston.gov"

<samuel.chambers@boston.gov>, "bill.linehan@boston.gov" <bill.linehan@boston.gov>, "a.e.george@boston.gov"

<a.e.george@boston.gov>, "michael.f.flaherty@boston.gov" <michael.f.flaherty@boston.gov>,"

"ayanna.pressley@boston.gov" <ayanna.pressley@boston.gov>, "michelle.wu@boston.gov" <michelle.wu@boston.gov>

April 14, 2017

Via Electronic Mail (michael.rooney@boston.gov)

Michael Rooney
Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201

Re: 212 Stuart Street Proposal

Dear Mr. Rooney:

As a Boston resident of nearly 20 years (and a Bay Village resident for 13 of those, including 3 years as the president of the Bay Village Neighborhood Association), I write to express my personal SUPPORT for the project proposed by Transom Real Estate, LLC ("Transom") for lots at 212-222 Stuart Street and 17-19 Shawmut Street.

While the overall height of the project at 199 feet continues to be a bit of a sticking point with neighbors (and a concern for me personally), I feel that the enhancements as presented in the most recent iteration of the project (improvements, setback, and expansion of the Church St. Plaza, inclusion of 2 'townhomes' on Shawmut, warmer materials, ironwork, and significant greenery incorporated into the building) represent not only an improvement over the initial PNF, but also a major upgrade to the Boston streetscape and entry into our special, treasured, and historic neighborhood.

I support this with the understanding, as stated in public meetings, that the BPDA does not consider the significant zoning and height variances required for this project to be any sort of 'precedent' for the Bay Village Historic District, and my support should certainly not be read as anything more than support for this specific project. The promised improvements to this long-neglected entryway to Bay Village outweigh any concerns I would have with the height at this particular location.

The developers have been very open and available to residents so far, and I have every reason to expect that relationship to continue amicably during mitigation discussions with the BVNA and during construction itself. We have unfortunately had several recent construction projects in Bay Village that did not go as smoothly as promised, and I look forward to looking back at this construction as an exception to that trend.

I hope Transom, Bay Village, and the City of Boston soon have a building and a neighborhood gateway that we can all be proud of.

Sincerely,
Brian R. Boisvert
54 Piedmont St.
[REDACTED]

Cc:
Senator Boncore, joseph.boncore@masenate.gov
Representative Michlewitz, aaron.m.michlewitz@mahouse.gov
Mayor Walsh, mayor@boston.gov

4/19/2017

City of Boston Mail - Support for 212 Stuart Street Proposal

Office of Neighborhood Services Rep. Chambers, samuel.chambers@boston.gov
Councillor Linehan, bill.linehan@boston.gov
Councillor Essaibi George, a.e.george@boston.gov
Councillor Flaherty, michael.f.flaherty@boston.gov
Councillor Pressley, ayanna.pressley@boston.gov
Councillor Wu, michelle.wu@boston.gov

Origin Page Url: /projects/development-projects/212-222-stuart

First Name: David Wright

Last Name: & Rocque Dion

Organization: Bay Village Neighborhood

Email: [REDACTED]

Street Address: 45 Church Street

Address Line 2: PH #3

City: Boston

State: MA

Phone: [REDACTED]

Zip: 02116

Comments: We are writing in support of the proposed project at 212 Stuart Street. We have been residents of the Bay Village Neighborhood for almost fifteen years and actively support and contribute to the Bay Village Neighborhood Association and its committees, as well as the various neighborhood projects and activities. Bay Village and the preservation of its history and character are the reason we choose to live here. Nevertheless, we recognize that reasonable and respectful development is vital to urban living and the fabric of the Bay Village neighborhood. Before commenting on the several reasons we have for supporting this project, we would note that the development of the 212 Stuart Street property has been a controversial subject within the Bay Village neighborhood; however, at the recent meeting of the Executive Committee of the Bay Village Neighborhood Association, each Committee member offered thoughtful comments, following which the Committee voted overwhelming to support the project. While a subsequent meeting of the entire Neighborhood Association has been called by those in opposition, and may result in a different outcome, the well-considered vote of the Executive Committee should not be overlooked or dismissed. 1. Current Use and Development of 212 Stuart Street. To provide some context, a portion of the property is currently used as a parking lot, but has been an "eyesore" and significant neighborhood nuisance for years with countless complaints to city officials. The remaining portion of the property remains vacant and fenced following the deterioration and eventual demolition of what had originally been a church. While some neighbors would like the property to remain "as is" or possibly returned to the "two townhouses and church" structures that existed on this site many years ago, we believe this is neither desirable nor feasible in view of the economic realities of urban development and much-needed housing, and in particular, affordable housing. The reality is that the property should be developed and will likely be developed in some significant way. 2. Building Height and Design. Much of the controversy stems from the "hybrid" nature of the location of 212 Stuart Street, which sits at the edge of Bay Village on Stuart Street, a commercially active thoroughfare, between the Revere Hotel and 100 Arlington Street. The proposed height is consistent with these two other buildings on the "Stuart Street spine" although technically within the Bay Village neighborhood and its smaller-scale buildings. To the extent a smaller building has been suggested for this property, it is worth noting that other approved projects at lesser heights, including the most recently approved twelve-story proposal, have failed because of the economics. What is financially feasible will likely be a building similar in size to the existing Revere Hotel and 100 Arlington Street properties. (We would also suggest that even if there were a reduction in size of a few floors, thereby squeezing the financial viability of the project, the difference in street-level perception or purported wind, shadow or sunlight issues is likely immaterial.) 3. Wind, Shadows, and Sunlight. The information from the developer's experts confirms that wind and shadows should not be a significant factor and may be further minimized through mitigation. Moreover, excepting buildings to the west, the location of the building on the northern boundary of Bay Village would seem to minimally interfere with sunlight into the neighborhood given the east/west movement of the sun. 4. Building Redesign. Although fronting on the "Stuart Street spine", which supports a similarly sized building, the property backs onto the Shawmut Street extension with its small-scale federalist-style townhouses. While the original building design failed to reflect anything of the Bay Village architecture, the most recent design revisions have incorporated the architectural concepts of Bay Village by creating two townhouse apartments fronting on the Shawmut Street extension, as well as trees and plantings enhancing the streetscape. In addition, a newly proposed street-level setback of ten feet on the Church Street entrance to Bay Village provides much improved access to the neighborhood both visually and functionally. 5. Affordable Housing. The developer has repeatedly represented that affordable housing will be provided within the proposed building and not at an off-site location. From our perspective, this significantly enhances the diversity and texture of our Bay Village neighborhood. That being the case, however, the simple reality is that this commitment affects the economics of the project making any sought-after reduction in height and available units even less economically feasible for the developer. 6. Parking. The developer of the 212 Stuart Street project has agreed that tenants will not be allowed Bay Village resident parking. This restriction will be agreed to in writing with both the city and those renting in the building and

should prevent further eroding of the available resident parking within Bay Village. 7. Mitigation. In providing support to this project, it is with the understanding that the developer will work with the Bay Village Neighborhood Association on appropriate mitigation, and given the level of cooperation and attentiveness shown by the developer, we have every expectation these discussions will be completed to the satisfaction of all parties. We genuinely appreciate the opportunity to provide our comments and offer our support for the proposed project. David B Wright and Rocque Dion

PMContact: michael.rooney@boston.gov



Michael Rooney <michael.rooney@boston.gov>

Project Comment Submission: 212-222 Stuart2 messages

no-reply@boston.gov <no-reply@boston.gov>

Thu, Apr 6, 2017 at 4:01 PM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1727

Form inserted: 4/6/2017 4:01:20 PM

Form updated: 4/6/2017 4:01:20 PM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart

Origin Page Url: /projects/development-projects/212-222-stuart

First Name: Jeffrey

Last Name: Goodstein

Organization:

Email: [REDACTED]

Street Address: 15 Melrose Street

Address Line 2: Unit 2

City: Boston

State: MA

Phone: [REDACTED]

Zip: 02116

Comments: I write in general support for the project... I'm confident that it will have an overall positive impact on the neighborhood in the long term. I would definitely prefer to see the height of the structure REDUCED. Regards, -Jeffrey Goodstein 15 Melrose Street Bay Village

PMContact: michael.rooney@boston.gov

no-reply@boston.gov <no-reply@boston.gov>

Thu, Apr 6, 2017 at 4:44 PM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1728

Form inserted: 4/6/2017 4:43:45 PM

Form updated: 4/6/2017 4:43:45 PM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart



Michael Rooney <michael.rooney@boston.gov>

Project Comment Submission: 212-222 Stuart

no-reply@boston.gov <no-reply@boston.gov>

Wed, Apr 5, 2017 at 1:34 PM

To: BRAWebContent@cityofboston.gov, michael.rooney@boston.gov

CommentsSubmissionFormID: 1726

Form inserted: 4/5/2017 1:34:58 PM

Form updated: 4/5/2017 1:34:58 PM

Document Name: 212-222 Stuart

Document Name Path: /Development/Development Projects/212-222 Stuart

Origin Page Url: /projects/development-projects/212-222-stuart

First Name: Erika

Last Name: Carlson

Organization: Bay Village resident

Email: [REDACTED]

Street Address: 40 Isabella Street, #1E

Address Line 2:

City: Boston

State: MA

Phone: [REDACTED]

Zip: 02116

Comments: I have been a Bay Village resident for 6 years and I am strongly in favor of this development project. I think the positives strongly outweigh any negatives and I hope this project gets approved. I hope my neighbors agree that adding a new building like the one proposed will help strengthen our community and will speak up in favor of this project. Thank you, Erika Carlson

PMContact: michael.rooney@boston.gov

Boston Groundwater Trust

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

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William Moy

Executive Director

Christian Simonelli

January 23rd, 2017

Christopher Tracy, Senior Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201-1007

Subject: 212 Stuart Street Project Notification Form

Dear Mr. Tracy:

Thank you for the opportunity to comment on the 212 Stuart Street project notification form (PNF) located in the Bay Village Neighborhood. The Boston Groundwater Trust was established by the Boston City Council to monitor groundwater levels in sections of Boston where the integrity of building foundations is threatened by low groundwater levels and to make recommendations for solving the problem. Therefore my comments are limited to groundwater related issues.

The project is located in the Groundwater Conservation Overlay District (GCOD) established under Article 32 of the Zoning Code. As stated in the PNF and confirmed at the scoping session the project is proposed to be designed and constructed to comply with the requirements of Article 32.

Also stated in the PNF and confirmed at the scoping session compliance with the GCOD requires both the installation of a recharge system and a demonstration that the project cannot cause a reduction in groundwater levels on site or on adjoining lots. The PNF states that the proposed new building is anticipated to be supported on reinforced concrete footings or mat foundation bearing on the natural, inorganic soils. The PNF also states that construction of the foundations and below-grade basement will require an excavation generally extending to the limits of the property and to depths of up to 15 to 20 feet below ground surface (ranging approximately El. 3' to El. -2' BCB). The proponent confirmed at the scoping session, no parking will be available onsite and the below-grade basement will be used for storage and a bike room.



Mayor's Commission for Persons with Disabilities

Martin J. Walsh, Mayor

January 31st 2017

RE: 212 Stuart Street, Boston, MA 02116
Project Notification Form
Boston Planning and Development Agency

The Disability Commission has reviewed the Project Notification Form that was submitted for 212 Stuart Street in Bay Village. Since the proposed project is planned to be a vibrant destination area for housing and retail, I would like to encourage a scheme that allows full and equal participation of persons with disabilities through *ideal design which meets as well as exceeds compliance* with accessibility building code requirements. It is crucial that the site layout, buildings, open spaces, parking, and circulation routes be developed with access in mind.

Therefore, in order for my Commission to give its full support to this project, I would like to ask that the following accessibility issues be considered and/or explained:

▪ **Accessible Group 2 Units:**

- We would like to request more details on Group 2 units, including the location, type and floor plans.
- Will any accessible Group 2 units will be included in the Inclusionary Development Policy? If so, how many?

▪ **Accessible Route and Entry:**

- Renderings showing the reconstruction of the Church Street walkway promenade indicate the use of unit pavers as the main paving material for the pedestrian right-of-way. We support the use of cast-in-place concrete to ensure that the surface texture is smooth and continuous (minimize joints) and for the ease of maintenance.
- We do not support the specialty paving pattern, in the pedestrian right-of-way, along Stuart Street as it may pose a wayfinding hazard for those with low vision. Containing this pattern to the furnishing zone may be a way to include this pattern in the overall design.
- We do not support the continuation of the specialty paving pattern into the roadway, as it may pose a wayfinding hazard for those with low vision. We support a clear distinction between the pedestrian right-of-way and vehicle travel lanes.
- We ask that the reciprocal pedestrian ramp on the northeastern corner of the Stuart Street/Church Street intersection be added to the street improvements, in order to bring the proposed crosswalk into compliance with MAAB 521 CMR Section 21.2.2.

12:42

Mr. Brian Golden, Director
Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

Re: 212 Stuart Street Project

Dear Mr. Golden,

I am writing as a Boston resident in support in support of the 212 Stuart Street project in Bay Village.

I feel that the thoughtful, creative and forward thinking design and concept will be a great addition to the high spine and future growth of Boston. As our city continues to grow and flourish, it is vitally important that affordable housing is available to the working professionals and families in the area. This project will provide that and so much more added community benefits to the neighborhood.

I have been impressed with the developers and design team and look forward to constructing a building that the neighborhood and city as a whole will be proud of.

Thank you.

Orlando Stallworth
Carpenters Local 33
New England Regional Council of Carpenters

12:42

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Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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Thank you.

Andrew Ray
Carpenters Local 33
New England Regional Council of Carpenters

12:42

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Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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Thank you.

Harry Minucci
Carpenters Local 33
New England Regional Council of Carpenters

12:42

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Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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Thank you.

John Russell
Carpenters Local 33
New England Regional Council of Carpenters

12:42

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Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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Thank you.

Donald Milley
Carpenters Local 33
New England Regional Council of Carpenters

12:42

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Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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Thank you.

Thomas Petersen
Carpenters Local 33
New England Regional Council of Carpenters

12:42

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Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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Thank you.

Angel DeJesus
Carpenters Local 33
New England Regional Council of Carpenters

12:42

Mr. Brian Golden, Director
Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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Thank you.

Andy Durity
Carpenters Local 33
New England Regional Council of Carpenters

12:42

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Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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Thank you.

Edward Bonsu
Carpenters Local 33
New England Regional Council of Carpenters

12:42

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Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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Thank you.

Alphonse Beasley
Carpenters Local 33
New England Regional Council of Carpenters

12:42

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Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

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I feel that the thoughtful, creative and forward thinking design and concept will be a great addition to the high spine and future growth of Boston. As our city continues to grow and flourish, it is vitally important that affordable housing is available to the working professionals and families in the area. This project will provide that and so much more added community benefits to the neighborhood.

I have been impressed with the developers and design team and look forward to constructing a building that the neighborhood and city as a whole will be proud of.

Thank you.

Andrick Wilkins
Carpenters Local 33
New England Regional Council of Carpenters

12:42

Mr. Brian Golden, Director
Boston Planning & Development Agency
City Hall, 9th Floor
One City Hall Square
Boston, Massachusetts 02201

Re: 212 Stuart Street Project

Dear Mr. Golden,

I am writing as a Boston resident in support in support of the 212 Stuart Street project in Bay Village.

I feel that the thoughtful, creative and forward thinking design and concept will be a great addition to the high spine and future growth of Boston. As our city continues to grow and flourish, it is vitally important that affordable housing is available to the working professionals and families in the area. This project will provide that and so much more added community benefits to the neighborhood.

I have been impressed with the developers and design team and look forward to constructing a building that the neighborhood and city as a whole will be proud of.

Thank you.

Desmond Roach
Carpenters Local 33
New England Regional Council of Carpenters

**William Bernarduci, Esq.
136 Arlington Street, Apt. PH
Boston, MA 02116**

April 9, 2017

Michael Rooney, Project Manager
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201

Cc: (via email):

Senator Boncore, joseph.boncore@masenate.gov
Representative Michlewitz, aaron.m.michlewitz@mahouse.gov
Mayor Walsh, mayor@boston.gov
Office of Neighborhood Services Rep. Chambers, samuel.chambers@boston.gov
Councillor Linehan, bill.linehan@boston.gov
Councillor Essaibi George, a.e.george@boston.gov
Councillor Flaherty, michael.f.flaherty@boston.gov
Councillor Pressley, ayanna.pressley@boston.gov
Councillor Wu, michelle.wu@boston.gov

Re: Opposition to 212 Stuart Street Project

Dear Mr. Rooney,

I am a voter, taxpayer and resident of the Bay Village Historic District in Boston, Massachusetts.

I write to express my strong opposition and concerns regarding the proposed 212 Stuart Street Project (the "Stuart Street Project" or "Project").

As proposed, the 212 Stuart Street Project is entirely incompatible with the Bay Village Historic District and, if approved, would detrimentally impact the neighborhood and public realm. At a sweeping **199 feet**, the Project would represent the tallest non-conforming building in the history of Bay Village -- a tiny neighborhood of historic row-houses, apartments, and single family homes. The project should be disapproved on the following grounds:

- (1) The Project violates Bay Village's Historic District Zoning Regulations (Article 63);
- (2) The Project detracts from design and scale of the Bay Village Historic District;
- (3) The Project causes detrimental wind, shadow, daylight, traffic, parking and blue-sky impacts;

(4) The Project ignores the Stuart Street Planning Study, and rises above the 155 foot maximum height restrictions set for Stuart Street properties abutting Bay Village;

(5) The Project threatens 34-years of Bay Village and Boston historic preservation.

For these reasons and as set forth below, I respectfully request that the Boston Planning and Development Agency (“BPDA”) issue a determination that disapproves the project or requires a reduction of the Project’s height and scale to mitigate detrimental impacts to the Bay Village Historic District and the public realm.

I also respectfully request that the Office of the Mayor and members of the City Council take appropriate action to oppose the Project or take meaningful steps to reduce the Project’s height and scale.

I. The 212 Stuart Street Project Would Cause A Detrimental Impact to the Bay Village Historic District and to the Public Realm

As proposed, the height of the 212 Stuart Street Project is completely out-of-scale with the Bay Village Historic District. The Project is over 4 times higher than the current allowable zoning within the Historic District and 65% higher the previous project approved by BPDA for that site. The Project is more than 7.5 times higher than its immediate Bay Village neighbor, Erbaluce. It’s higher than the 155 foot zoning allowance for abutting properties in the Stuart Street District. Finally, it’s higher than any building currently approved on Harrison Street, commonly referred to as the “Ink Block.” It is simply beyond comprehension, how Boston’s tiniest historic district has attracted such an unprecedented and audacious building proposal. It should be rejected.

Far from creating a “gateway” to Bay Village, the 212 Stuart Street Project would create a “Stuart-Street Wall” separating Bay Village from the larger community. While certain street-level changes have been proposed to the original design, the building will tower above historic row-houses, providing an incongruous modern backdrop to the village, blocking a material amount of blue sky, reducing daylight levels and detracting from the historic character of the area.

Some of the numerous detrimental impacts are listed below:

A. Increased Wind

The Stuart Street Project will cause a detrimental wind impact to the village. The wind study, conducted by Dr. Wu, an expert retained by Transom (the Project's developer), concluded that the Project will cause an increased wind-impact in certain areas of the Bay Village Historic District. For example, winter wind conditions on Church Street will increase. This area is a location that neighbors frequently gather by the street and sidewalks. As a consequence, a truly unique benefit to village living will be compromised.

B. Loss of Daylight and Blue Sky

The Project will result in a considerable loss of daylight and blue sky throughout the neighborhood. The proposed tower will rise above Bay Village row-houses eliminating sunlight and blue sky, particularly for residences on Shawmut Street, Piedmont Street and Church Street. Some of Bay Village's most vulnerable, elderly neighbors in the South Cove Residences will be severely impacted.

C. Increased Shadow

The Stuart Street Project will result in increased shadow on Statler Park, a beautiful park recently renovated. The issue of shadow-creep is a significant city-wide concern for Boston's public parks. Indeed, the BPDA's Stuart Street Planning Study, which was adopted into zoning regulations, expressly prohibited projects that would cast undue shadows onto Copley Square Park. See Article 48. The same principles should apply to Statler Park. As Elizabeth Vizza observed in her recent editorial, "no amount of fertilizer and water can correct for loss of sunlight – an asset that is important not just for horticulture, but also for the thousands of people who use these parks daily as they commute to work, relax and recreate. . . ." Vizza, *Don't drape our iconic public parks in shadows.* See <https://patch.com/massachusetts/beaconhill/don-t-drape-our-iconic-public-parks-shadows>. Shadows on Statler Park will have a significant negative impact to Bay Village residents and the public realm and at a minimum should be mitigated if not avoided all together.

D. Increased Traffic and Parking Congestion

While the 212 Stuart Street Project proposes approximately 131 units, it offers no on-site residential parking, creating an increased parking burden in the area. Specifically, the Project places a greater strain on local garages and lots, particularly during snow emergencies. Also, the Project will likely result in increased traffic congestion on Stuart Street and Arlington Street, an area that is already burdened by a six-way intersection, residences at 100 Arlington, the Park Plaza Hotel, along with Flemings and Maggiano's restaurant valet services.

E. Increased Disruption and Risk of Damage

The 212 Stuart Street project would cause undue and prolonged disruption to the Bay Village Historic District. The Project calls for the construction of a 199 ft. (19 stories) building to be built in an historic district limited to a maximum height of 45 ft. The construction of this non-compliant building would result in undue disruption, traffic, noise, and dust. Also, the project could subject the abutting fragile and historic homes to damage, particularly to their foundations. The burdens to the community simply do not outweigh the benefits.

II. 212 Stuart Street Violates the Zoning Requirements of the Bay Village Historic District, the Stuart Street District, and BPDA's Stuart Street Planning Study

Not only does the proposed project violate the Article 63 height restrictions in Bay Village, at a colossal **199 feet**, the Project disregards the height restrictions proposed in the BPDA's "Stuart Street Planning Study" (the "Study"), adopted into the Stuart Street District's zoning regulations (Article 48) in 2016. For these reasons alone, the 212 Stuart Street Project should be rejected.

The Stuart Street Planning Study was an objective, independent, multi-year planning and impact study conducted to review the Stuart Street District, including Bay Village. With respect to the study, the BPDA, independent consultants, and the Stuart Street Planning Study Advisory Group "spent over 3 years examining potential development opportunities, identifying and defining height, density, and use recommendations, and developing scenarios for future development in the area. This work included an

assessment of the impacts of density and height on the surrounding neighborhoods, including the impacts on the transportation infrastructure, transit system, parking supply, and the environmental impacts such as wind, shadow, and groundwater. Provisions for and protection of open space, pedestrian access, historically significant buildings, and view corridors were also considered.” See Stuart Street Planning Study FINAL Development Review Guidelines 10-15-15,

<http://www.bostonplans.org/getattachment/f785b033-65f7-4f70-a1ee-418fa6d0f03c>.

In addition to a zoning review of Stuart Street, the Study also reviewed zoning allowances in Bay Village. In pertinent part, the Study’s goals and objectives were to:

improve the district’s quality of character and environmental sustainability; minimize negative impacts any new development may have on shadow, wind, traffic, groundwater and public infrastructure; use existing transportation and urban infrastructure to reduce energy consumption and to improve air quality; ***preserve and protect both the immediate area and adjacent neighborhoods; and respect the historic context and the scale of abutting neighborhoods.***

Article 48 Stuart Street District - Draft for Boston Zoning Commission - 3-4-16. See link,

<http://www.bostonplans.org/getattachment/0e7d901d-b586-4b13-9df1-6953a3a609c1> (emphasis added).

While the Study allowed some increased height within the Stuart Street District, it expressly determined that “existing zoning continue[d] to apply” in Bay Village. See Proposed Development Review Guidelines link <http://www.bostonplans.org/getattachment/9bc76e9f-cb2e-4f48-aa01-3bd5cd27e72c>. Put simply, Bay Village Historic District historic zoning was preserved and protected.

But the Study didn’t stop there. It also protected Bay Village by limiting the height of abutting buildings within Area 1 of the Stuart Street District to **155 feet**. See Article 48, codifying the Study’s findings of a maximum 155 ft. height in “Area 1” of the Stuart Street District, abutting Bay Village.

https://www.municode.com/library/ma/boston/codes/redevelopment_authority?nodeId=ART48STSTDI

At 199 feet, the 212 Stuart Street Project even violates the 155 ft. maximum height requirements for Stuart Street District abutters. Accordingly, there is no justifiable reason to approve this project within the Bay Village Historic District.

III. The 212 Stuart Street Project Would Threaten the Bay Village Historic District and the Other Historic Districts in City of Boston

If approved at its current scale and height, the 212 Stuart Street Project would create a dangerous precedent for both Bay Village and the other eight historical districts in the city of Boston. These “Historic Districts” were created (1) to preserve and protect the distinctive characteristics of buildings and places significant in the history of the Commonwealth and its cities and towns; (2) to maintain and improve the settings of those buildings and places; and (3) to encourage new designs compatible with existing buildings in the district.

Approval of this project would threaten Boston historic districts and could open a pandora’s box of non-conforming development projects in historic districts throughout the City of Boston. Indeed, after some online research, I have not encountered a single non-conforming project of this scale and scope that was approved by the BPDA/BRA in a Boston historic district. The BPDA is charged with a responsibility to “create an appropriate context for new development while respecting the City of Boston's historic character and its future aspirations.” It should not place historic districts at risk, or render a historic district designation meaningless.

IV. The Mitigation Proposed by the IAG Is Insufficient

The proposed mitigation is insufficient to remedy height-related impacts. As I understand it, the Impact Advisory Group (IAG) for the 212 Stuart Street Project has proposed a mitigation plan which, in part, calls for the 212 Stuart Street developer to fund a vest-pocket park on the corner of Arlington and Cortes Street. Of course, any added greenery would be a welcome addition to Bay Village; unfortunately, this mitigation would not remedy the impact and concerns caused by a **199 ft.** building in our historic community. A small park by the Massachusetts Turnpike (I-90), simply would not restore blue sky, replace sunlight, reduce wind in Bay Village or eliminate shadow-creep in Statler Park. Nor does it decrease traffic, increase parking or protect our historic Bay Village from over-reaching development. A more meaningful mitigation plan would require this developer simply to reduce the height and scale of its current Project.

Conclusion

I am certainly in favor of reasonable development within Bay Village. In fact there have been numerous developments (even with modern design elements) that have an appropriate height and scale for our Historic District. However, at its proposed 199 foot height, the 212 Stuart Street Project would materially detract from our district and the public realm. For that reason, I respectfully request that the BPDA, the Mayor, and members of the City Council take action to oppose or reject the 212 Stuart Street Project, as proposed, or take meaningful steps to reduce its height and scale prior to approval.

Thank you for your time and consideration. Please add my opposition into the public record.

Respectfully submitted,

s/ William Bernarduci, Esq.

Additional cc:

BCDC

David Carlson: david.carlson@boston.gov 617-918-4284, Director

Michael Davis: mdavis@bergmeyer.com

Daniel St. Clair: Daniel.StClair@SSIInvests.com

David Manfredi: dmanfredi@elkus-manfredi.com

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Boston Landmarks Commission

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City Council

Frank Baker, frank.baker@boston.gov

Andrea Campbell, andrea.campbell@boston.gov

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Matt O'Malley, matthew.omalley@boston.gov

Josh Zakim, josh.zakim@boston.gov



Michael Rooney <michael.rooney@boston.gov>

Fwd: 212 Stuart St - IAG Meeting Tomorrow

Lora Shea [REDACTED]
To: Michael Rooney <michael.rooney@boston.gov>

Thu, Mar 30, 2017 at 9:47 PM

From: Dominic Barakat [REDACTED]
Sent: Wednesday, March 29, 2017 10:00 PM
Subject: 212 Stuart St - IAG Meeting Tomorrow
To: [REDACTED]
[REDACTED]

Dear IAG,

I'm a BV resident (45 Church Street) and have attended many of the meetings on the proposed project. I understand that time is running out to discuss the project and that the meeting tomorrow is more geared away from public comment. I have two questions/points that remain outstanding and feel they both constitute significant impacts to our neighborhood:

1. South Cove Residents (230 Stuart St) Engagement. The point was initially raised at the first developer/community meeting held at the Revere months ago and again at the more recent one a couple of weeks ago. Transom still hasn't made an effort to connect with the 150+ frail and disabled residents to inform them of the project - they will be the most affected! At a minimum, I feel that Transom should be held accountable for notifying them/soliciting input about the scope project and negative implications to the South Cove residents, regardless of the language and physical barriers. I also kindly request that the IAG explore the impact to this community, and potential mitigants, in addition to those of the Bay Village Neighborhood more generally.

2. I remain concerned about the building height and related impacts, including fit with the neighborhood, shadows, wind, precedent, etc. While reducing the height seems like an obvious mitigant, the developer has stated that he will not reduce the building height due to economic viability. I look at a project such as Piedmont Park Square, which is on a similar sized lot and question the validity of this argument. The developer has not responded to my request for more tangible information to this point, which further concerns me. Please consider raising the issue of lowering the height of the building to reduce the negative impacts of the proposed project.

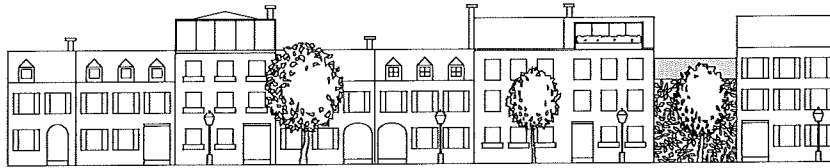
I support development and want to ensure that the property built on 212-222 Stuart / 17-19 Shawmut lots is a positive and productive addition to the neighborhood, as it will be a permanent addition.

I've also expressed this same opinion to Mr. Rooney at the BPDA.

I wasn't able to find the contact information for all of the IAG members so it would be great if you could forward it to those I missed.

Thanks in advance,

Dominic Barakat
[REDACTED]



BAY VILLAGE NEIGHBORHOOD ASSOCIATION, INC.

April 14, 2017

Via Electronic Mail (michael.rooney@boston.gov)

Michael Rooney
Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201

Re: 212 Stuart Street Proposal

Dear Michael:

On April 10, 2017, the Bay Village Neighborhood Association ("BVNA") held a general meeting of its membership. The meeting was called to vote on the project proposed by Transom Real Estate, LLC ("Transom") for lots at 212-222 Stuart Street and 17-19 Shawmut Street. Each of these four parcels is within Bay Village.

At the general meeting, the voting members of the BVNA voted **not to oppose** the application by Transom. It is clear from comments made during that extensive process preceding this vote that the outcome of the vote was **highly dependent** on a number of representations and commitments made by both Transom and the City, which are outlined below. The BVNA's vote comes with an expectation that these representations and commitments will be incorporated into an agreement enforceable by the BVNA.

Project Components

The BVNA's position **assumes** that the final project will include those elements presented to the community at the March 20, 2017 BVNA Planning meeting. Several of the key components are listed below, but this list is certainly not inclusive or exhaustive:

Inclusion of two "townhome" units on Shawmut Street. The inclusion of these units on the Shawmut Street façade in Transom's revised proposal garnered significant positive feedback from

neighborhood residents. These units, with separate entrances on Shawmut, should be required as part of any approved project.

Ground level setback on Church Street Plaza. The significant setback of the ground level façade on the Church Street Plaza (a 10' horizontal setback up 26' vertical) was also an improvement significant to many residents. Not only should this setback be required as part of any approved project, the BPDA should require that Transom provide an easement to ensure that this space remains open for public use and that any temporary use (e.g., an outdoor café) be permitted only with the approval of the BVNA.

Church Street Plaza improvements. Any approved project must include the improvements proposed by Transom to the Church Street Plaza, the sidewalks at the rear of the building, the crosswalk to Statler Park, and the alley between the proposed building and the garage on the adjacent lot. These improvements include, without limitation, new full-growth trees, pavers, lighting and significant year-round perennial plantings in containers attached to the building. In addition, any approved project should be required to bear the cost of relocating the trash generated by the 230 Stuart Street, which is currently placed in the Church Street Plaza for collection several times per week and creates a near-permanent unsightly condition in the Plaza. The value of Plaza improvements is significantly reduced if this trash problem is not resolved as part of the Plaza improvements.

Limits on resident parking stickers. Given the limited availability of resident parking in the neighborhood, residents of this building should not be eligible for Bay Village resident parking stickers. Such a restriction has worked well at 100 Arlington Street and should be included here.

Aesthetic changes. The revised proposal included numerous aesthetic change to the building façade, including the color of the materials, the addition of ironwork and large plantings. These changes should be required as part of any approved project.

Affordable housing on-site. This developer has committed to placing the affordable housing required by the IDP **on-site with a mix of unit sizes throughout the building.** This commitment is critical to the BVNA's support of this project.

This list is not at all exhaustive of the elements of the proposed project that were critical to achieving a "no opposition" vote of the BVNA. The BVNA and many Bay Village residents will be watching this project

closely to ensure that both the BPDA, the City, and Transom do not alter those portions of the project that were critical to obtaining a “not opposed” vote from the BVNA.

Significant Mitigation

In addition to the factors outlined above, which are part of the project itself, the BVNA vote was dependent on Transom’s promise of significant mitigation for Bay Village, both during and after construction.

Bay Village has not seen since a construction project this large in over 35 years. Significant mitigation will be needed during what is certain to be a lengthy construction to preserve quality of life for residents of Bay Village. Such mitigation includes requiring all staging to be on Stuart Street, mandating compliance with City of Boston construction hours, a ban on construction vehicles parking in Bay Village (irrespective of whether they have commercial plates), temporary fencing, adequate trash and rodent control, signage for neighborhood businesses, traffic control, and other mitigation as necessary.

Bay Village residents have struggled recently with the apparent inability of the City, and ISD in particular, to regulate damaging construction impacts on Bay Village residents. The BVNA’s vote not to oppose assumes that this project will be managed in a far more responsible and proactive manner. Should the BPDA approve this project, the developer and the City should each be required to designate construction liaisons who are responsible for responding to specific concerns regarding construction and who are held accountable for reporting to the BVNA all concerns raised and the resolution of those concerns. The BVNA would be happy to designate a liaison to work on such matters.

This project will add additional residents, traffic, noise and other impacts to Bay Village. The developer has committed to a significant mitigation to benefit **Bay Village residents**. This mitigation could be used to address the impacts of this project by, among other things, providing funds for community improvements such as improvements to neighborhood parks, historical markers, bike racks, security cameras, additional “Big Belly” cans, improved streetscape, and additional trash removal services.

Process

The proposal by Transom was the most controversial issue that the BVNA has addressed in many decades. To ensure an adequate opportunity for fact gathering and discussion, the BVNA held at least eight (8) meetings on this project, including:

January 9th BVNA EC Meeting. The project was discussed at the regularly scheduled January Executive Committee ("EC") meeting, including a discussion of the Article 80 process.

January 23rd BVNA Planning. At this regularly scheduled meeting of the BVNA's Planning Commission Transom presented the initial plans. This meeting was public and was attended by over 100 residents. The presentation and comments lasted for more than two hours. Any person in attendance was permitted to speak and the meeting continued until all who wished to speak had an opportunity to do so.

February 6th BVNA EC Meeting. The project and the BVNA process were discussed at this meeting.

February 16th Wind presentation. In response to questions regarding the wind impact of the proposed project, Transom provided their wind consultant for a presentation and discussion. This meeting was public and was well-attended.

March 6th BVNA EC Meeting. The project and the BVNA process were discussed at this meeting.

March 20th BVNA Planning At this regularly scheduled meeting of the BVNA's Planning Commission Transom presented significantly revised plans. This meeting, held jointly with the BPDA as the "public" community meeting, was again open to the public and attended by over 100 individuals. The presentation and comments lasted for more than two hours. Any person in attendance was permitted to speak and the meeting continued until all who wished to speak had an opportunity to do so.

April 3rd BVNA EC Meeting. The EC spent well over an hour discussing this proposal at its regularly scheduled April meeting, with each EC member providing lengthy and thoughtful comments. A vote of the EC was taken, with 20 members voting "not to oppose," 2 members voting "to oppose" and 2 members abstaining. Of the 4 EC members who could not attend, all ultimately indicated that they supported the project. While

comments at this meeting were limited to EC members, several dozen other residents attended.

April 10 General Meeting. The BVNA held a general meeting on this project, including a vote of the corporation's membership. Pursuant to the by-laws of the BVNA only "voting members" could vote, and discussion was limited to BVNA members. Vote was by ballot, and the final tally of voting members was 69 "not to oppose" and 33 "opposed" votes. Many other residents and non-voting members attended.

The BVNA Will Oppose A "Bait and Switch"
Or Use Of This Vote As A Precedent

The BVNA has, in the past, voted not to oppose development projects, only to have the City and developers ignore promises that were critical to garnering the BVNA's support. A recent example is the failure of the City to require the W Hotel project to fund or complete promised mitigation in and around Charles Street South. Other promised mitigation, such as the improvements to the Isabella Street garden, were only completed after aggressive efforts by the BVNA and area residents to ensure that commitments were upheld.

To address the lengthy history of the BRA's broken promises to our community, the BVNA will strongly oppose any Cooperation Agreement between Transom and the City that does not require all design (townhomes, plaza improvements, trees, setbacks, etc.) and mitigation promises to be **completed or fully funded before any Certificate of Occupancy is issued.**

In addition, the position of the BVNA on this uniquely sited grouping of parcels should not be viewed as supporting similarly sized or massed projects for other parcels or proposed developments in the Bay Village Historic District. This project would certainly have been strongly opposed if proposed for any other vacant lot in the neighborhood, including the lots on either side of Arlington Street that are currently used as open-air parking lots. As part of the process for this proposal, the BPDA has represented to many residents that it would not view a project anywhere near this height or density as appropriate for any other location in Bay Village. If the BPDA truly intends to distinguish itself from the past reputation of the BRA, it will honor these representations in the future.

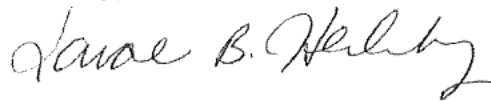
Ongoing Concerns With The Zoning Process

As you know, in 1998, Bay Village was rezoned with broad community involvement. The BVNA strongly supports enforcement of zoning that was adopted with such broad community support, absent a particular reason or hardship justifying an exception. The BVNA's vote not to oppose this particular proposal is based on the circumstances of the present proposal, including the commitments set forth above regarding the project and mitigation.

Founded over three decades ago, the Bay Village Neighborhood Association represents over 250 residents in Bay Village.

Please do not hesitate to contact us should you have any questions or concerns.

Sincerely,



Sarah Herlihy, BVNA President



cc: The Honorable Martin J. Walsh (mayor@boston.gov and samuel.chambers@boston.gov)
City Council President Michelle Wu (Michelle.Wu@boston.gov)
Councillor Bill Linehan (Bill.Linehan@boston.gov)
Councillor Ayanna Pressley (Ayanna.Pressley@boston.gov)
Councillor Anissa Essaibi-George (A.E.George@boston.gov)
Rep. Aaron Michlewitz (aaron.m.michlewitz@mahouse.gov)
Sen. Joseph Boncore (Joseph.Boncore@masenate.gov)
Mr. Peter Spellios



Michael Rooney <michael.rooney@boston.gov>

212 Stuart Street - Request for Comment Period Extension and Questions

1 message

Thu, Apr 13, 2017 at 9:36 PM

To: Samuel Chambers <samuel.chambers@boston.gov>, "david.carlson@boston.gov" <david.carlson@boston.gov>,
 [REDACTED]

[REDACTED] "michelle.wu@boston.gov" <michelle.wu@boston.gov>
 Cc: "jonathan.greeley@boston.gov" <jonathan.greeley@boston.gov>, "michael.rooney@boston.gov"
 <michael.rooney@boston.gov>

Dear City Officials,

Thank you for your responsiveness to my prior questions. Michael Rooney, in particular has done an excellent job being available to address my concerns.

As the comment deadline for the proposed project approaches, I wanted to highlight some critical topics that remain unanswered. There are likely other topics that other concerned residents have raised.

1. **Height** – as confirmed by the pictures taken from the drone, has it been verified that there was appropriate adherence to the State Shadow Law to ensure that no net new shadows are created on the Public Garden/Common? It would be helpful to get additional information supporting the analysis performed, including the protocol.
2. **Relevance of Stuart Street Planning Project** - My understanding is that the multi-year study, that was recently completed, concluded that the Bay Village zoning was viewed as appropriate (45/65 feet for the parcels). Additionally, the maximum permissible height is 155 feet in the immediate vicinity to the proposed property, whether governed by the Midtown Cultural District or Area One of the Stuart Street Planning Project. Given that background, I look forward to hearing why this proposal is INCONSISTENT with documented planning policy and isn't subject to ANY of these requirements.
3. **Historical District Preservation** – please provide precedents on whether such a gross variance request to current zoning has been previously granted. Also, as stated in the Guidelines for Establishing Local Historic Districts, published by the Secretary of the Commonwealth, Massachusetts Historical Commission, the purpose of an historic district is: (1) To preserve and protect the distinctive characteristics of buildings and places significant in the history of the Commonwealth and its cities and towns; (2) to maintain and improve the settings of those buildings and places; and (3) to encourage new designs compatible with existing buildings in the district. I do not feel that these guidelines are being respected and this materially detracts from the purpose of the Historic District. I also believe it is possible to create new modern developments that are of the appropriate scale and style to meet these guidelines.
4. **South Cove Engagement** – Transom's last-second effort to notify the 200+ South Cove residents, who are the most vulnerable and impacted, has been perfunctory at best without any real desire/attempt to solicit feedback in a timely manner. Contact was encouraged for months and was only initiated after multiple public requests. While the BV neighborhood has supported the project, I wanted to highlight that NO South Cove residents voted or were consulted by either the EC or IAG. The residents physical and language barriers shouldn't prevent serious consideration of how a project of such scale will negatively affect their everyday life.

Given the significant amount of uncertainty, I would like to request that the comment period be EXTENDED until there is satisfactory resolution to the points above. Please include this in public record.

Finally, I will reiterate my support for responsible development, however, believe that the height of the building needs to be reduced. My preference is to comply with the current zoning, practically I don't expect that so would be supportive of a building at the most recently approved height of 120 feet.

Respectfully,

Dominic Barakat

45 Church St.



Michael Rooney <michael.rooney@boston.gov>

212 Stuart St

1 message

Gene & Fay Hale [REDACTED]
To: Michael.rooney@boston.gov

Wed, Apr 12, 2017 at 2:41 PM

To: Michael Rooney, Project Manager

Dear Michael:

We remain hopeful that a reasonable compromise can be reached regarding the Transom development at 212/222 Stuart St., 17-19 Shawmut St. and we thank you for making possible the continued discussion of this proposal. We look forward to the meeting on May 3rd.

We do appreciate Transom's immediate response to our concerns about the treatment of Shawmut St. in their original design. In their revised plan, the venting system, the five service doors, and the mechanicals were relocated and replaced with carefully designed planters, thoughtful landscaping, and two townhouse where two historic homes once stood. But the height remains an issue that will not go away.

The singular issue dividing the community is the height. To date Transom has held firmly to the position that 199 ft is essential for economic feasibility. That position is debatable. Perhaps a careful professional analysis would shed light on this divisive issue.

At our meeting on May 3rd, scholarly research and impressive data will be presented regarding this complex issue. Meanwhile, we continue to ask "How would you like to have a 199 x 119 ft wall built within 40 ft of your front door." Even the developer responded "I wouldn't like it."

Many thanks for the opportunity to continue this discussion. Sincerely, Fay and Gene Hale.

Michael Rooney, Project Manager
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201

April 12th, 2017

Re: 212 Stuart Street

Dear Mike,

I am writing to “not oppose” the proposed project at 212 Stuart Street as presented in the most recent revision by Transom Real Estate, LLC, subject to execution between the BPDA, the City of Boston and the Bay Village Neighborhood Association (BVNA) of both a TAPA and Cooperation agreement substantially satisfying mitigation requirements identified by the BVNA and the IAG.

I would also note that historical actions take by the BPDA on this site prior to the current administration have raised serious concerns regarding BPDA intentions with regard to potential development height in other parts of Bay Village, particularly at vacant lots along Arlington Street. The BPDA would be well advised to discharge it's planning function with public input and clarification of what, if any, restrictions or height limitations it sees as appropriate. To be clear, this non-opposition to the height of 212 Stuart Street is not a blanket “support” of unrestricted heights in historic neighborhoods and as such does not apply to said lots on Arlington Street.

Regards,

Nancy Morrisroe
24 Melrose Street
Bay Village, Boston



Michael Rooney <michael.rooney@boston.gov>

212 Stuart Street Comment Letter

1 message

Sara Heaney [REDACTED]

Fri, Apr 14, 2017 at 3:45 PM

To: Michael Rooney <michael.rooney@boston.gov>, david.carlson@boston.gov, [REDACTED]

[REDACTED], dmanfredi@elkus-manfredi.com, [REDACTED]

Cc: samuel.chambers@boston.gov, bill.linehan@cityofboston.gov, michelle.wu@boston.gov

Dear Mr. Rooney, Director and Commissioners the BCDC:

I am writing to express my concerns and feedback related to the proposed project at 212-222 Stuart Street / 17-19 Shawmut Street.

First, I would like to state that I am pro development and would welcome an appropriate project on these parcels along with others throughout the city of Boston. I have attended many public meetings, provided feedback and asked questions of the developer and expressed my concerns.

I appreciate the developer's modifications to the proposed project, particularly the street level changes on Shawmut as well as the setback on the Church Street Plaza. However, I do not believe that these modifications fully address the inappropriate fit and transition with the Bay Village neighborhood, particularly within the context of the Bay Village Historic District. I also believe that the building, as proposed, has significant negative impacts on the public realm that have not been adequately mitigated by the developer. I have detailed some of my concerns below:

Egregious zoning relief requested: At 199 feet tall, the developer is requesting an approximate 3x zoning relief of the current maximum zoning requirement of 65 feet (ignoring that some of the parcels are zoned for lower heights). While the parcel does border Stuart Street, it unequivocally falls within the Bay Village Historic District. Providing zoning relief of this magnitude sets an extremely concerning precedent, particularly for the nine Historic Districts across the City of Boston.

Inappropriate Fit and Transition: The building design appears to be maximally suited for the Stuart Street façade. The building design remains unchanged above the street level and does not speak to the historic nature and scale within Bay Village. As the building will be 7.5x the height of its southern Bay Village neighbor, it will literally tower above the primarily 2-4 story neighborhood row-house homes, providing an incongruous modern backdrop, blocking much of the blue sky, reducing daylight levels and detracting from the historic character of the area. Please note that other new residential developments have been of the appropriate scale and style so as not to detract from the historic neighborhood while still maintaining a modern appearance, this building, as currently proposed, does not.

Bay Village Historic District Designation: All four of the parcels involved in the project fall within the Bay Village Historic District as established in 1983. As stated in the Guidelines for Establishing Local Historic Districts, published by the Secretary of the Commonwealth, Massachusetts Historical Commission, the purpose of an historic district is: (1) To preserve and protect the distinctive characteristics of buildings and places significant in the history of the Commonwealth and its cities and towns; (2) to maintain and improve the settings of those buildings and places; and (3) to encourage new designs compatible with existing buildings in the district. I am most deeply concerned that both the size and appearance of the building are in direct conflict with these stated goals and commitment to historic preservation of the Bay Village neighborhood, the city of Boston and the state of Massachusetts.

High Spine: The project architect presented the "High Spine" theory as the architectural basis for the project. However, he failed to incorporate the original intention of the High Spine to avoid both Copley and Park Squares and the fact that the justification for the High Spine is that it is a transportation corridor and large-scale development would not infringe on the historic Back Bay and South End neighborhoods. The infringement and preservation of Bay Village should be no less important than those of historic Back Bay and South End neighborhoods and as such, I do not believe the High Spine concept should be the basis for waiving the current zoning requirements.

Stuart Street Planning Study: My understanding of this multi-year project that involved significant public, neighborhood and business feedback is that while at least a portion of Bay Village was initially included in the study, after much discussion it was deemed that the existing zoning should continue to govern the BV area. Based on this reaffirmation, which was approximately one year ago, it seems to me that Bay Village zoning was viewed as currently appropriate. In the event that the city is unwilling to hold the current zoning for these parcels at their current heights, I feel strongly that the Stuart Street Planning guidelines, which were approved by the BPDA, should be applicable to this project as well given the immediate proximity as well as the inclusion of this parcel in the "transportation corridor" of the "high spine". Based on Area 1, the building should be no taller than 155". Based on Areas 2-4, if over 155" the building should be subject to the same progressive guidelines around shadows, wind, affordable housing units, and mitigation.

Increased Winds: Per the PNF, the project is anticipated to have significant material impacts to wind at the street level. The meaningful increase in wind levels will have a real negative impact on the public realm as families, neighbors and tourists will not be able to pleasantly stroll through parts of Bay Village or Statler Park. Sitting, standing and strolling are all likely to become uncomfortable and unmanageable in certain situations (particularly for our disabled neighbors, children and families). Bay Village is a neighborhood with families, elderly and disabled neighbors and is not simply a "commuting corridor". The developer has yet to propose adequate wind mitigation to ensure that neighbors and visitors of Boston will continue to be able to enjoy Statler Park and walk comfortably and safely in and around Bay Village and Park Square.

Protection for Boston City Parks: In addition to wind, loss of blue sky and shadows placed on Statler Park are of significant concern. Elizabeth Vizza was most articulate in her editorial "Don't drape our iconic public parks in shadows". While her editorial was focused on the Boston Common and Public Garden, the issue of shadow creep is a city-wide concern, materially changing how the public enjoys these open spaces. As Ms. Vizza notes "No amount of fertilizer and water can correct for loss of sunlight – as asset that is important not just for horticulture, but also for the thousands of people who use these parks daily as they commute to work, relax and recreate..." The project will cast new shadows over the historic Statler Park, creating further negative impact to the public realm. I firmly believe that our Boston Parks should be protected.

Adequate Shadow Study for Boston Common: The Boston Common is visible from a height of 199 ft based on recent photographs previously shared with the BPDA. It is critical that a full shadow study be undertaken to confirm that this project will not violate the Massachusetts state law regarding shadows on the Public Garden and Boston Common.

Traffic Impact on Shawmut Street: It is reasonable to expect that residents of the proposed building may exit via the alley or rear of the building (Shawmut Street) and use this address for personal pick-ups / drop-offs, taxi and other ride-sharing services. Personal pick-ups/drop-offs are likely to have a significant impact on the traffic in Bay Village that was not addressed in the developers Project Notification Form and has not been subsequently addressed.

Diversity of Neighbors: One thing that attracted us to Bay Village and has kept us in the city (vs. relocating to the suburbs) is the family-friendly nature of the neighborhood. I believe that diversity of neighbors is key to maintaining the unique and wonderful Bay Village community and city of Boston. In addition to onsite affordable housing, I would like to see Transom consider having a variety of floorplans to include two and three bedroom units to expand the types of tenants that might be attracted to the property.

I kindly request that the BPDA consider material height reduction to the building.

Thank you very much for your time and consideration.

Sincerely,
Sara Barakat

45 Church St #4, Bay Village



Michael Rooney <michael.rooney@boston.gov>

212-222 Stuart Street / 17-19 Shawmut Street

1 message

Sara Heaney

Sat, Feb 4, 2017 at 10:29 PM

To: michael.rooney@boston.gov

Dear Michael,

I am writing as a concerned citizen of Boston, a taxpayer and voter and also as a Bay Village neighborhood resident.

I would like to express my concern about the proposed project at 212-222 Stuart Street. As I have learned through recent neighborhood postings and meetings, this building far exceeds the scale of both zoning laws as well as previously approved projects for the site. At the proposed height of 199 ft, the building meaningfully detracts from the treasured historic neighborhood of Bay Village, the treasured historic Statler Park and will create hugely disruptive (and potentially dangerous) wind patterns for local residents and pedestrians, including those at the South Cove residence and local families and children. An appendix in the developer's Project Notification Form indicates that during the winter wind levels will increase substantially such creating legitimate concern. In addition, light pollution, environmental impact, blocking of open sky and the darkening of Statler Park are among the negative immediate impacts that a building of this scale will have on the surrounding area and public realm.

I am most deeply concerned that both the size and appearance of the building are in direct conflict with the commitment to historic preservation of the city and neighborhood. All four of the parcels involved in the project fall within the Bay Village Historic District as established in 1983. A review of the Bay Village neighborhoods show primarily historically preserved row house style buildings. New residential developments have been of the appropriate scale and style so as not to detract from the neighborhood, while still maintaining a modern appearance. It saddens me that zoning, shadow and historic requirements all seem to be waived for a project that has few apparent benefits for the neighborhood and contributes to the loss of history, culture and enjoyment for Boston citizens and visitors alike.

I recently articulated some of my concerns regarding the proposed project at 212-222 Stuart / 17-19 Shawmut Street at the Bay Village Neighborhood Association Planning Meeting on 1/23/17. Please see below for written summaries of these specific points and I kindly request that you add these to the public record.

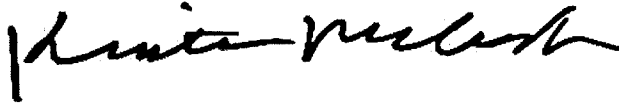
Traffic Impact on Shawmut Street: It is reasonable to expect that residents of the proposed building may exit the rear of the building (17-19 Shawmut Street) and use this address for personal pick-ups / drop-offs, taxi and other ride-sharing services. **Personal pick-ups/drop-offs are likely to have a significant impact on the traffic in Bay Village that was not addressed in the developers Project Notification Form.**

Bike Traffic Impact: The developer has proposed dedicated parking for 131 bicycles. The city of Boston currently allows cyclists to ride (with appropriate caution) on city sidewalks. The Park Square area is particularly busy with both pedestrian and car traffic. **The PNF does not adequately address the impact of a significant increase in cyclist traffic, future requirements for bike lanes and measures that will be taken to ensure the safety of pedestrians and cyclists on these very busy streets filled with commuters, tourists, families, and elderly and disabled neighbors.**

Emergency Parking Impact: The Bay Village neighborhood has a current arrangement with the Revere Hotel whereby neighborhood residents are able to use the hotel's parking facilities in the event of emergency. As you can recall, during

Proponents are encouraged to meet with Commission staff who are available for technical assistance and design review to help achieve accessibility compliance and to ensure that all buildings, sidewalks, parks, and open spaces are usable and welcoming to all of Boston's diverse residents, including those with physical, sensory, intellectual, and communication disabilities.

Thank You.



Kristen McCosh, Commissioner
Mayor's Commission for Persons with Disabilities
kristen.mccosh@boston.gov
617-635-3682

Reviewed by:

Patricia Mendez AIA, Architectural Access Specialist
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Michael Rooney <michael.rooney@boston.gov>

212-222 Stuart Street/17-19 Shawmut Street

1 message

Prilla Brackett [REDACTED]

Mon, Feb 13, 2017 at 8:23 PM

To: michael.rooney@boston.gov

Dear Mr. Rooney,

I am writing as a resident of Bay Village, a taxpayer and voter, and as a concerned citizen.

I have been to two neighborhood meetings about the proposed project at 212-222 Stuart street and am worried about its impact on our small historic neighborhood. At 199 feet the building exceeds the scale of Bay Village and is inconsistent with urban guidelines established by the Bay Village Historic District AND by Midtown Cultural District, regarding scale, zoning, and height. It will loom over the neighborhood, blocking the view of the sky for those of us on Shawmut, Piedmont, and Church Street who face north. It will create high wind in the immediate vicinity, making life difficult for the elderly residents of South Cove and local families with children, especially in winter. It will cast long shadows in the morning hours on lovely Statler Park.

It is worrisome that the size and appearance of 212-222 Stuart Street conflicts with the commitment to historic preservation of the city and this neighborhood. I urge you, as BPDP Project Manager, to significantly bring down the height of this building.

Sincerely,

Prilla Smith Brackett,

Bay Village resident and concerned citizen
[REDACTED]



Fw: IAG Letter: 212 Stuart Street

Fri, Mar 31, 2017 at 2:06 PM

To the Members of the IAG:

Wind continues to be a principal concern. I did not take comfort in the presentation shared by Dr. Wu and Transom. In addition to the areas of concern raised in the IAG meeting (Church / Shawmut corner and Arlington Street Intersection), there will be meaningful wind impacts to the neighborhood. For example, the Southern corner of Statler Park (#59) will be significantly less comfortable particularly in the Spring and Winter. Also, winter wind conditions on Church between