



NORTH END/WATERFRONT RESIDENTS' ASSOCIATION

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October 24, 2013

Peter Meade
Director and Chief Economic Development Officer
Boston Redevelopment Authority
Attn: John Fitzgerald, Senior Project Manager
One City Hall Square, 9th Floor
Boston MA 02201

Subject: The Boston Garden Project/80 Causeway Street
Expanded Project Notification Form

Dear Mr. Meade:

This letter is intended to serve two purposes. It includes the North End/Waterfront Residents' Association's ("NEWRA") comments on the Expanded Project Notification Form for The Boston Garden Project (the "EPNF") filed by Boston Properties Limited Partnership and Boston Garden Development Corporation (together, the "Proponent"). Our primary goal with these comments is to inform the scope for the additional investigations and evaluations that we believe must be presented in a Project Impact Report to ensure that the project will not have serious impacts during construction or in the long-term. We also include questions regarding the City's and BRA's reviews of this project, the cumulative impacts of the full scope of planned development in the Government Center, Haymarket and North Station areas, and the studies and improvements we believe are critical to determining the level of development that can be supported by existing and planned infrastructure, including but not limited to transportation infrastructure. We ask that these questions be answered by the BRA and addressed in its ongoing planning.

As described in the EPNF, the project includes 235,000 square feet of new retail space and 142,000 square feet of "flex" office space from the basement level to the fourth floor on the west side of the site and the sixth floor on the east side of the site, along with a 40,000 square-foot expansion of the TD Garden. The project additionally includes a residential tower of 600-foot height with 497 residential units, a hotel tower of 350-foot height with 306 rooms, an office tower of 420-foot height with 668,000 square feet of office space, and a four-level below grade parking facility "to sufficiently service the variety of uses in the Project," proposed at 800 spaces. Phase I of the project includes the retail and flex office platform, the hotel tower, the TD Garden expansion and the below grade parking.

NEWRA welcomes redevelopment, historical building rehabilitation and both a reconfiguration and revitalization of Causeway Street, which were long promised with the projects to place the Central Artery and the MBTA Green Line below ground. Several years have passed since completion of these projects, and little of the promise has been realized. Phase I of The Boston Garden Project will go far toward reaching the goals along the Causeway Street corridor. Phase I should move forward through public review and eventual approval, but only with the infrastructure improvements and mitigation measures necessary to avoid serious impacts. These necessary improvements and mitigation measures will be no small thing. The EPNF raises serious concerns for us that warrant further evaluation and public review through a Project Impact Report.

Traffic

From the traffic analyses presented in the EPNF and in the project's Draft Environmental Impact Report currently undergoing public review, NEWRA joins with the West End Civic Association in expecting that The Boston Garden Project by itself will cause serious additional traffic impacts and certainly more so with the other major projects already in construction or planned in the immediate area. Worsening conditions will be experienced not only in the immediate project vicinity, along Causeway Street, Nashua Street, Martha Road and North Washington Street, but also on more regional roads that already experience serious traffic problems, including Cambridge Street, Surface Artery, Purchase Street, Cross Street, the Charlestown (North Washington Street) Bridge, Rutherford Avenue and Route 93.

While we are told that the proximity of the project to I-93 will mitigate additional burdens on local streets, we know from living in the area that these local streets are congested in part due to through-city drivers avoiding the congestion on I-93. Add to this the hazardous cargo trucks traveling along North Washington and Cross streets, Atlantic Avenue and the Charlestown/North Washington Bridge, the many tourist buses on Commercial Street, and, of course, the Garden events. We know the cumulative effects – we live here. Furthermore, there is reason to believe that planned improvements to Causeway Street and Rutherford Avenue, intended in part to calm traffic, will reduce their capacities, placing more burdens on other area roads.

There are no alternative routes that are not already overburdened. There are also no plans that we are aware of to grow roadway capacities, yet the project proposes to add 800 spaces to the existing 1,275 spaces in the North Station/TD Garden Garage. Is that transit-oriented? And there are no MBTA plans to expand public transportation capacity, only plans to increase ridership with transit line extension (i.e. the Green Line Extension Project). Comprehensive, updated analyses of traffic conditions today and with the traffic generated by all of the projects in construction or planned must be performed and fully evaluated in the Project Impact Report and related public process. Not doing so, and not implementing changes to the project or major capacity improvements recommended from

those evaluations, will invite the same serious problems that now exist in the South Boston Seaport (Innovation) District and South Station/Fort Point Channel area from the partial implementation of development plans in those areas.

In addition to roadway capacity, the traffic capacity and pedestrian and bicycle convenience and safety through the major area intersections at Merrimac/Causeway and Causeway/North Washington ("Keaney Square") must be improved. Dangerous conditions in Keaney Square must be addressed and resolved in the short term, and certainly before any major development projects in the area are allowed to be constructed.

In response to the public's concern with traffic impacts, including concern raised at a project community meeting in the North End on September 16, 2013, the BRA stated that it would immediately commence a comprehensive traffic planning study to assess area-wide conditions and cumulative impacts from all of the various development projects. While we have heard nothing about the study since then and have concern that it may not be underway, it is imperative that the findings and conclusions of the study be incorporated into the Project Impact Report after full public presentation and review. We await this presentation.

Public Transportation

Similarly, The Boston Garden Project and other area projects will worsen already difficult conditions getting onto MBTA Orange Line and Green Line cars, as publicly voiced by North End/Waterfront residents and others during this Article 80 process. The existing capacity problems are at a tipping point, and any further difficulties will have a further negative impact on ridership, especially during commuting times and times of TD Garden or Fenway Park events. The effect could be the forcing of more commuters to take to their cars, which we believe is already happening. It is a shame that the new, much expanded and well-designed North Station and its platforms are underutilized, while the subway cars are a serious limiting factor, with the only expectation being worsening conditions with planned system extension and area-wide development. The project may be a "transit-oriented development," but the existing transit system and transit plans are not "development-oriented." Much of the Green Line, in particular, was constructed more than 100 years ago and cannot support the Boston of today, let alone tomorrow.

The EPNF is silent on these problems, and, so far, so is the MBTA in its reviews of this project and others. The EPNF instead considers only the total capacity of the entire MBTA system, including lines not providing direct service to the Haymarket and North Station areas, and concludes that the system as a whole has the capacity to accommodate the expected increase in ridership from the project. The Project Impact Report must evaluate the existing Orange and Green line and bus service conditions at Haymarket and North stations and the cumulative impacts from the various area development plans. The Project Impact Report should also include the findings and conclusions from the MBTA's review.

Urban Context

Like the proposed Government Center Garage Project, The Boston Garden Project sets the goal and makes the promise of reconnecting the historical neighborhoods of Beacon Hill, West End and North End. (Even Charlestown has an enormous stake in the area-wide benefits and will take on the risks with the area-wide impacts of the project.) We support the goal and look forward to realizing the promise, and we believe reconnecting these neighbors and creating a more complete and connected downtown Boston, without the barriers that have existed (e.g. elevated Central Artery and elevated Green Line) and the barriers and obstacles that still exist (e.g. Government Center Garage and difficult roadway conditions), must be a threshold design and programming objective for this or any other project to be approved.

For the project to meet this goal, it must respect, complement and support the surrounding neighborhoods and be a bridge between them and between them and the rest of downtown Boston. With a clear goal of increasing the residential resources and improving livability, the project benefits must focus on enhancing the sustainability of neighborhoods as places to live, most especially the West End, but also the North End and Beacon Hill. To these ends, height and massing must be to a scale that does not create barriers, and the size and configuration of residences must reflect and accommodate the surrounding populations and any populations that are presently unable to be accommodated in the area. In the North End, accommodations for families, the elderly and lower and middle income populations have become greatly restricted. Retail must support these populations, as well as create destination places to realize broader commercial and economic goals.

Phase I of the project and its retail component carry the greatest promise to this end, but Phase I must include retail establishments that are necessary attributes of modern urban neighborhoods, most especially a full-service, reasonably priced supermarket. The Proponent has stated that it is pursuing the inclusion of a large (approx. 45,000 square feet) supermarket. A supermarket must be made a necessary component for approval of the project and a necessary part of the public benefit determination that must separately be made by the Massachusetts Secretary of Environmental Affairs pursuant to Chapter 91. The Project Impact Report should confirm the inclusion of a supermarket in the project, describe layout and access, and discuss progress towards a lease agreement. More broadly, the Project Impact Report should describe how the project's retail components support the tens of thousands of existing and proposed residents in the area.

NEWRA is pleased that the subsequent phases of the project (following Phase I) include substantial new housing and an office space component. This will bring 24-hour vitality, a sense of neighborhood, and economic activity (including jobs) to what is now a relatively desolate area except during Garden events. The proposed residential and office towers, however, are totally out of character with the urban setting of this part of downtown

Boston and will be an interruption, at best, and most likely an effective barrier imposed on the adjoining neighborhoods.

Much planning went into redeveloping the Bulfinch Triangle and improving Causeway Street in ways that would embrace and celebrate their historical layouts and urban contexts. The proposed residential and office towers, both significantly higher than the 400-foot height limit in Zoning, will overwhelm and overshadow (though not necessarily shadow) these historical areas and amenities. The towers may also compromise the aesthetic and iconic benefits of the Zakim/Bunker Hill Bridge. NEWRA joins with the West End Civic Association in opposing heights exceeding the limit in Zoning, notwithstanding compliance with allowed Floor Area Ratio.

Affordable Housing

The Proponent has stated in public meetings that it will comply with City affordable housing requirements by creating off-site affordable housing units or making a required in-lieu financial payment to the City. Both are unacceptable in an area where housing is progressively beyond the financial reach of much of the existing population. As mentioned above, this is especially the case for families, the elderly and lower income residents. The in-lieu financial payment is particularly discomfiting and inappropriate. While the City policy typically requires that 15 percent of the number of new housing units be affordable units, we understand that the in-lieu payment by the developer of the Battery Wharf Project was less than \$1 million, while the average selling price of the 100 residential units there far exceeded \$1 million. At Battery Wharf, the affordability percentage amounted to less than 1 percent.

NEWRA supports only on-site compliance with the affordable housing requirement. We must add that while a certain small number of affordable housing units are typically included in large development projects, our entire neighborhood of greater than 10,000 population has become unaffordable for many over the last two decades. New city development policies that protect the sustainability of downtown neighborhoods and foster their inclusivity are sorely needed.

Open Space

The Boston Garden Project as proposed in the EPNF includes no additional open space and no open space enhancements beyond the widening of Causeway Street sidewalks to accommodate the thousands of additional residents, office workers, hotel guests and retail customers. We do not understand how a major development project that proposes a significant increase in residential and daytime populations can be approved without a public open space or open space improvement component. Furthermore, no unrestricted open space is proposed as part of the Nashua Street Residences, the several Bulfinch

Triangle projects, or the Government Center Garage Project (unless one considers Congress Street as "public open space").

The Project Impact Report should describe the open space and recreational resource needs and demand of the Project's populations (residential, office and hotel), and how these demands will be met. At a minimum, enhancements should be considered for existing open spaces. Limited existing parks and recreation areas in the North End will undoubtedly be used by some of the new population (the two tennis courts in the North End will experience longer wait lines), and most of these open spaces are in dire need of repair and improvement.

Of particular consideration is the avoidance of impacts to the Charles River and the new Charles River Basin Park system, the latter still being created at great public cost. Access to and from this park system, as well as the comfort and enjoyment of its recreational users, must be protected and should be enhanced by any major abutting project, such as The Boston Garden Project. Shadow and wind impacts must be demonstrated to be completely avoided.

Phasing Article 80 Review and Approvals

NEWRA believes there is no reason or rationale for the BRA's consideration to continue the Article 80 review towards an approval of the full-build proposal. While Phase I contributes to completing the streetscape along Causeway Street and ultimately should be approved in a form that addresses the concerns described above, review and approval of remaining phases should be separately considered, in the future. It is significant, and disconcerting, that the Proponent has not set a schedule or even made a commitment to build the later phases (the residential and office towers).

The impacts on traffic of Phase I, along with the impacts of other projects already in construction or approved, should be measured to validate the traffic predictions and the efficacy of mitigation measures before making decisions about future phases. Putting off the approvals of future phases will also allow the potential impacts to be evaluated with the benefit of knowing so much more about the urban condition of the area as the many projects already in the works are completed.

Construction Impacts and Sequencing

The Proponent optimistically plans to build Phase I of the project in the same near-term period (2014 to 2017) that construction is planned for the later work on the Nashua Street Residences, the remaining two Bulfinch Triangle redevelopment projects (The Merano and One Canal), the Haymarket Hotel at Parcel 9, and the first phase or phases of the Government Center Garage project. In addition, we understand that reconstruction of the

Charlestown/North Washington Street Bridge is planned to commence in 2015, and it is unknown when construction of improvements to Keaney Square will occur.

The Project Impact Report should determine whether it is feasible to construct Phase I on this schedule without serious cumulative impacts, including noise, air quality degradation and traffic. It should describe in detail the evaluation of cumulative construction impacts and how the impacts will be mitigated with construction sequencing, environmental monitoring and responsive traffic management.

It is also imperative that current air quality be monitored and evaluated in the surrounding area and neighborhoods and that any increase in harmful pollutant conditions is avoided. Testing should continue through and beyond construction.

Critical Public Infrastructure Needs

Critical public infrastructure needs have gone unattended for decades. These include the reconstruction of the Charlestown/North Washington Street Bridge and Keaney Square, as well as what we believe to be critically needed replacement or repair of gas lines in Keaney Square and other areas of the North End, which have noticeably been leaking for decades. The bridge must be returned to a long-term safe structural condition and full traffic capacity before construction of The Boston Garden Project is allowed to begin. The bridge's capacity has been reduced by at least 33 percent for many years.

The age and condition of utilities (water, sewer, electric, etc.) surrounding The Boston Garden Project area should be determined and evaluated for long-term service capacity, reliability and public safety. The EPNF reports that the sewer system has adequate capacity, but we understand that the systems serving the North Station/TD Garden area also serve portions of the North End and Beacon Hill, the West End and Back Bay and do back up and overflow their untreated waste to the Charles River and Boston Harbor during large storms. Additional flows will worsen the wet weather conditions.

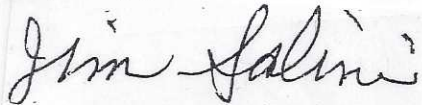
Development without Planning Invites Disaster

In closing, we must once again raise our concern that the BRA has never brought to the North End/Waterfront community or, apparently, any other community, its overall plan to transform the Government Center, Haymarket and North Station areas. We are allowed to consider the projects only individually and only in a development, not planning, context. We ourselves have had to piece together the projects recently, by extracting information from project reports and media reports to help our community to begin to understand all that is proposed at our doorstep, but without the means to truly understand the cumulative impacts.

Parts of this area warrant redevelopment on a major scale, but the overall result must support and enhance, not overwhelm, the adjoining historical neighborhoods. NEWRA is opposed to the concept of building out the Government Center, Haymarket and North Station areas with towers hundreds of feet high. Bigger is not necessarily better for Boston. It is the neighborhoods that make this city great. We are especially concerned that the public infrastructure serving the area is insufficient to support this type of development, and that resulting impacts will cause great harm to our quality of life. No master planning has been conducted by the BRA either to know the type and density of development that can support the sustainability of our neighborhoods, be supported by the area's infrastructure, and not cause serious impact.

When we expressed this concern during the previous Article 80 review of the Raymond proposal to redevelop the Government Center Garage several years ago, the BRA stated that it was commencing a master planning study of the Government Center area called the "Green Growth District Study." Several years then passed during which developments were on-hold and BRA resources could have and should have been put into planning. Now, with a new but similarly large project proposed at Government Center Garage, we are still waiting for that study. The BRA has recently stated that such planning, generally, is unnecessary because the BRA knows how to develop. That is no assurance, and we disagree. Planning creates development opportunities and public expectations. Development without planning risks disaster. We remain concerned.

Very truly yours,



Jim Salini
President

cc: Mayor Thomas M. Menino
State Senator Anthony W. Petrucci
State Representative Aaron M. Michlewitz
State Representative Jay Livingstone
Richard Davey, Massachusetts Secretary of Transportation
Councilor Salvatore LaMattina
Councilor Michael P. Ross
At-Large City Councilors Felix G. Arroyo, John R. Connolly, Stephen J. Murphy and
Ayanna Pressley
Thomas J. Tinlin, Commissioner, Boston Transportation Department
Bryan Glascock, Director, Boston Environment Department
Stephen Passacantilli, President, North End/Waterfront Neighborhood Council
North End Chamber of Commerce
Members of the Impact Advisory Group