March 7, 2017

Phil Cohen, Project Manager

Boston Planning and Development Agency

1 City Hall Square

Boston, MA  02201

Re: 1000 Boylston St. Project Notification Form

Dear Mr. Cohen:

Members of NABB have attended several meetings about this project and have reviewed key project documents. While we are sympathetic to the need to rebuild the corner of Massachusetts Avenue and Boylston Street, we have grave misgivings about the appropriateness of this new proposal for 1000 Boylston St.

We are concerned that the serious and irrevocable harm resulting from this project as currently configured may be far too high compared to the potential benefits. We hope that through the Article 80 process a solution that is compatible with the Boylston Street environment and the abutting Architectural District can be achieved. As part of this process, we would like to raise several questions on critical topics that we feel need considerable further study and explanation. This letter identifies several key questions for the developer to address. It outlines the contents of the studies and analyses whose results will contribute to the necessary understanding of the relative benefits and potential harmful consequences of this project, as well as of alternative builds that should be considered, which might be better suited to daily life and commercial, social and personal activities on Boylston Streetand in the neighborhood.

A.      Urban Design and Consistency with the Civic Vision[[1]](https://mail.google.com/mail/u/0/" \l "m_6953755652395514191__ftn1" \o ")

Currently the BPDA is contemplating four towers, a tower for Berklee, two on Parcel 15 and one on Parcel 12. This idea ignores the stipulations of the Civic Vision, which was the outcome of a long (two years) and inclusive process that intended to define development opportunities (and limitations) along the length of the Boston section of the Turnpike. Among other stipulations, the Civic Vision called for one tower – not two or four – atBoylston Street and Massachusetts Avenue.

Please provide an objective table comparing the project with each point in the Civic Vision for Parcel 15 regarding urban design, at a minimum.

Moreover, a building of the size proposed at 1000 Boylston with no significant setback from the street will set the stage for future growing “canyonization” of this major thoroughfare. In contrast, the larger buildings that have been constructed on Boylston Street (500 Boylston, 888 Boylston) have been set back in the Back Bay from the sidewalk edge to reduce the “canyonization” of the street, as well as the shadow impact on Newbury Street and the residential neighborhood. We would like to see contextual setbacks for the proposed project.

The developer has not shown that a building of this size is “necessary” to cover the Turnpike in this area. The developer implies in some statements that he is only filling the site at the request of the community, which is inaccurate. In the ENF the developer states that the proposed project is “consistent with the vision established in the Civic Vision for Turnpike Air Rights in Boston”, which in several key respects is not the case by a long shot. In any case, a financial argument does make the project acceptable, erasing all the thinking and planning embedded in the Civic Vision and the Boston zoning code for the site.

The key question related to these aspects of the current design for1000 Boylston Street is:

-       What is the justification for not respecting the conditions agreed to in the Civic Vision, and what can be done to mitigate the creeping “canyonization” of Boylston Street?

[1] "A Civic Vision For Turnpike Air Rights in Boston," - [http://www.nabbonline.com/files/Turnpike\_Air\_Rights\_Civic\_Vision.pdf.](http://www.nabbonline.com/files/Turnpike_Air_Rights_Civic_Vision.pdf)

B.      Environmental Impact

To date no wind studies have been conducted. They are an essential element of the environmental impact of this project, given the already uncomfortable wind conditions that are experienced at times alongBoylston Street and major cross streets.

Shadow studies already available indicate significant impact on the Commonwealth Mall and the surrounding residences. The original project proposed for this air rights site in 2013 was about half the size of the current proposal in height and area. A code compliant building, at 120 feet high would not shadow the Mall. The current project design shows significant additional shadow on the Commonwealth Avenue Mall and the neighborhood compared with the earlier designated project.

Section 7.4.2 in the PNF states: “All shadow impacts have been minimized to the maximum extent practicable to avoid any noticeable effect on pedestrian use patterns and historic resources. Most new shadows will be concentrated to the north; therefore, proposed shadow impacts to historic properties are limited to the Back Bay National Register and Architectural Districts. Generally, the contributing buildings located directly across Boylston Streetfrom the project site would receive approximately 3-4 hours daily of new shadows throughout the year. The majority of shadow impacts to the district would be limited to one additional hour of new shadows daily, with some buildings on Newbury Street andMassachusetts Avenue projected to have two additional hours. The extent of the one-hour shadow impacts increases northward as the year progresses.”

We request evidence supporting these statements. Elevations showing the shadow impacts on the facades of Boylston and Newbury Streets should be included in the DPIR. **In particular additional shadows on the Commonwealth Avenue Mall are a source of serious concern, given the major year round role this precious public space, supported by private donations, plays in the daily lives of neighborhood residents and the enjoyment of visitors to Boston’s historic districts.**

More details on the information we seek regarding the wind and shadow studies that the developer should provide are given in Annex 1 to this letter. Annex 2 presents the zoning regulations regarding wind and shadow impacts as well as parking capacity that apply at the 1000 Boylston Street site.

The basic question the shadow studies should answer is:

-       Will this project comply with the shadow zoning standard at all locations?

Questions the required wind studies should answer include:

-       Will the project comply with the zoning standards?

-       Will the developer commit to a follow-up verification study that will be shared with the City and the neighborhood?

-       Does the twisting design of the tower have an effect on pedestrian level winds? How much?

C.     Review of Alternative Reduced-Build Structures

The ENF Certificate (February 10 2017) submitted by the Massachusetts Executive Office of Energy and Environmental Affairs, which determines that the project requires an EIR, states that the DEIR should provide a comparative analysis that clearly identifies differences between the environmental impacts associated with a minimum of three alternatives:

(a) The current design, referred to in the ENF as the “Preferred Alternative,” which requires modifications to the existing zoning for the project site;

(b) A Zoning Compliant Alternative that meets all existing zoning conditions including dimensions, design, parking, and loading requirements, and

(c) A Reduced-Build Alternative as originally proposed in 2013.

These alternatives should be assessed and compared in terms of their respective building massings (height, length, width, placement on the site) and all environmental impacts, including the results for wind, shadow, and traffic (private vehicles, deliveries and refuse, pedestrian, buses, trains). As noted above Annex 2 to this letter provides more details on the conditions that must be met for zoning compliance.

The developer should provide evidence that its Preferred Alternative avoids, minimizes and mitigates damage to the environment (sunlight, wind, vehicular and pedestrian traffic, public transportation, City Utilities, air quality, etc.)

D.     Transportation and Parking

The Civic Vision specifically prohibits parking on Boylston Street (at any level). What alternatives have been considered? The developer should study an alternative to placing the four floors of parking alongBoylston Street as the Civic Vision recommends while retaining the retail or other uses on the first two floors. A night-time elevation should be prepared to assess the impact of lighting from the garage and the retail establishments on the Boylston streetscape.

The traffic counts and mode splits should include trips to the proposed 160 seat restaurant, which may impact evening peak hour traffic.  The days with Red Sox Games should be studied separately.

The developer assumes that 18-26% of the new vehicle trips will utilize Storrow Drive. As the Berkeley Street entrance to Storrow is already highly congested (and the Berkeley/Beacon Street intersection frequently blocked by vehicles who enter it before there is space available in the line of traffic on the river side of the intersection) at some times of day, a study should be made of the Berkeley/Beacon and Charlesgate/Beacon access points to see if additional cars can be accommodated and whether additional traffic will exceed EPA standards.

An even greater traffic-related concern is that this project may cause a severe back up of traffic on the Turnpike.  According to the data in the traffic study for the Back Bay/ South End Gateway Project reported in its DPIR, 2023 traffic without the project will have led to a drastic increase in delays at the exit from the Turnpike to Stuart St, the only direct access from the Turnpike to Back Bay.  In the AM peak hour, already an F, delays at the intersection increase from 84.9 seconds to 264.5 seconds, while those in the PM peak deteriorate from D to F increasing from 31.7 to 154 seconds.  The AM queue length rises from 530 to 1020 feet (i.e. 1/5 mile!) and in the PM peak hour from 202 to 533 feet[[2]](https://mail.google.com/mail/u/0/" \l "m_6953755652395514191__ftn2" \o ").  While there is language indicating that this does not act like a normal intersection because of the traffic weave, it appears the exit will fail, dumping traffic back up the barrel of the Turnpike. The Mass Turnpike Authority was concerned about this outcome, i.e. specifically this type of backup which led it to rule out a light at the exit when Copley Place was first built.  If there is a dysfunctional exit then the serious question must be addressed of the route for commuter traffic from the west to reach the Back Bay.  Will it move onto Storrow Drive at the Allston exit, and if so what repercussions will this extra traffic have for this major urban thoroughfare?

The developer should also be asked to explain the impact on air quality of covering the Turnpike in this area. Will additional fans or vent stacks be required and if so, where will they be located?

In addition the developer should explain why exceeding the zoning recommendations for parking capacity is necessary.

2 These data are found in Tables 4-39C and D of Volume 1, DPIR, The Back Bay/South End Gateway Project -  [http://www.bostonplans.org/getattachment/81985ac5-b24c-47cc-90af-da07b744a897](http://www.bostonplans.org/getattachment/81985ac5-b24c-47cc-90af-da07b744a897" \t "_blank)

E.      Affordable Housing Options

To the best of our knowledge as of this writing the response of the proponent to questions about the required affordable housing component of this project has been limited to statements that the project will comply with this obligation. This response is insufficient to enable the neighborhood to comment meaningfully. The options available to the developer range from, (i) including all affordable housing on site, to (ii) providing some, or all, affordable housing off site either within the neighborhood or elsewhere, or (iii) Paying some sum to the city for affordable housing in lieu of the developer’s providing such housing directly. In practice the neighborhood would have no or very little influence over the fate or destination of these housing funds.

The developer should be specific about how the affordable housing obligation of this project will be met so that the neighborhood can comment about this important aspect of the project.

Thank you for the opportunity to comment.

Sincerely,

Vicki C. Smith

Vicki C. Smith, Chair

Cc: [Mayor@boston.gov](mailto:Mayor@boston.gov)

elected officials in the City Council:

[Michelle.Wu@boston.gov](mailto:Michelle.Wu@boston.gov), [Bill.Linehan@boston.gov](mailto:Bill.Linehan@boston.gov),[Josh.Zakim@boston.gov](mailto:Josh.Zakim@boston.gov), [Ayanna.Pressley@boston.gov](mailto:Ayanna.Pressley@boston.gov),[A.E.George@boston.gov](mailto:A.E.George@boston.gov), [Tito.Jackson@boston.gov](mailto:Tito.Jackson@boston.gov),[Salvatore.Lamattina@boston.gov](mailto:Salvatore.Lamattina@boston.gov), [Michael.F.Flaherty@boston.gov](mailto:Michael.F.Flaherty@boston.gov),[Andrea.Campbell@boston.gov](mailto:Andrea.Campbell@boston.gov), [Frank.Baker@boston.gov](mailto:Frank.Baker@boston.gov),[Timothy.McCarthy@boston.gov](mailto:Timothy.McCarthy@boston.gov), [Matthew.OMalley@boston.gov](mailto:Matthew.OMalley@boston.gov),[Mark.Ciommo@boston.gov](mailto:Mark.Ciommo@boston.gov),

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ANNEX 1 – Wind and Shadow Studies

SHADOW STUDIES: The developer has acknowledged that the majority of the shadow impact will be concentrated to the north of the building on Boylston and Newbury and in the Back Bay residential district. Current predictions are for 3-4 hours of new shadow on Boylston, 2 hours on Newbury and Massachusetts Avenue, and 1 hour in the residential district.

Shadow impacts on the Commonwealth Avenue Mall are of special concern A more detailed analysis of shadows on the Mall should be required, including the number of days and the number of hours each day it will be shadowed. Quantify the area of shadow and the time the any part of the Commonwealth Avenue Mall is in new shadow. Several points should be studied – the eastern and western ends of the shadow area, as well as the center point. The shadows for projects not yet approved should not be included in the study, and it should be clearly explained (graphically or verbally) which tower is causing which shadow.

In addition analyses of the shadow impacts on the courtyard of the Boston Public Library (BPL) should be required.

WIND STUDIES: Experience of neighborhood residents has been that increased building heights increase pedestrian level wind speeds on the north-south streets of the residential district. The required wind impacts should be studied for all intersections from the site to theCharles River to the north, to Symphony Hall to the south, toGloucester Street to the ease and to include the Fenway Studios to the west. We request the results to be presented in lay language, so any resident can correlate the date to his/her own experience. We request a “margin of error” factor in the projected wind speeds.

ANNEX 2 – Zoning Regulations for the 1000 Boylston Site

Please provide a detailed code analysis in the DPIR comparing the proposals with the underlying zoning. Address the assumptions below.

WIND: The Huntington Avenue/Prudential zoning (Article 41.16) establishes standards for pedestrian safety and comfort in Table A: “Buildings shall be designed to avoid excessive and uncomfortable downdrafts on pedestrians. Each Proposed Project shall be shaped, or other wind-baffling measures shall be adopted, so that the Proposed Project will not cause ground-level ambient wind speeds to exceed the standards in Table A of this section.”

SHADOW: The zoning shadow criteria in Article 41-16 state that “Each Proposed Project shall be arranged and designed in a way to assure that it does not cast shadows for more than two hours from 8:00 a.m. through 2:30 p.m., on any day from March 21 through September 21, in any calendar year, on any portion of dedicated public parkland that either (a) is not cast in shadow during such period on such days by structures existing as of the effective date of this article or (b) would not be cast in shadow during such period on such days by structures built to the as-of-right limits allowed by this article, whichever structures cast the greater shadow. In addition, shadow studies shall be conducted in connection with any Proposed Project demonstrating that shadows will be minimized to the extent practicable in public open spaces created as part of the Proposed Project.”

TRANSPORTATION AND PARKING: The garage capacity exceeds the recommendations of the Huntington Avenue/Prudential zoning, which recommends .7 parking spaces per unit. The Fenway Urban renewal plan recommends .75 parking spaces per unit.

Underlying Zoning Height and Area

Parcel 15 and the Prudential Parcel are B-8-120c (Use-FAR-Height).

St. Cecilia site is 100-7 (Height-FAR)

Please explain the rationale for requesting additional height and density.

***Neighborhood Association of the Back Bay***

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[[1]](https://mail.google.com/mail/u/0/" \l "m_6953755652395514191__ftnref1" \o ") "A Civic Vision For Turnpike Air Rights in Boston," - [http://www.nabbonline.com/files/Turnpike\_Air\_Rights\_Civic\_Vision.pdf.](http://www.nabbonline.com/files/Turnpike_Air_Rights_Civic_Vision.pdf)

[[2]](https://mail.google.com/mail/u/0/" \l "m_6953755652395514191__ftnref2" \o ") These data are found in Tables 4-39C and D of Volume 1, DPIR, The Back Bay/South End Gateway Project -  <http://www.bostonplans.org/getattachment/81985ac5-b24c-47cc-90af-da07b744a897>