

**BOSTON REDEVELOPMENT AUTHORITY**  
**SCOPING DETERMINATION**  
**GOVERNMENT CENTER GARAGE REDEVELOPMENT PROJECT**  
**SUBMISSION REQUIREMENTS**  
**FOR DRAFT PROJECT IMPACT REPORT**

**PROPOSED PROJECT:** GOVERNMENT CENTER GARAGE  
REDEVELOPMENT PROJECT

**PROJECT SITE:** 50 NEW SUDBURY STREET, GOVERNMENT  
CENTER, BOUNDED BY NEW CHARDON  
STREET TO THE NORTH, SURFACE ROAD  
AND RAMPS TO I-93 TO THE EAST,  
SUDBURY STREET TO THE SOUTH, AND  
BOWKER STREET TO THE WEST

**PROPONENT:** BULFINCH CONGRESS HOLDINGS, LLC  
C/O RAYMOND PROPERTY COMPANY, LLC  
306 DARTMOUTH STREET  
BOSTON, MA 02116

**DATE:** MAY 26, 2009

---

**I. PREAMBLE AND PROCESS BACKGROUND**

The Boston Redevelopment Authority ("BRA") is issuing this Scoping Determination pursuant to Section 80B-5.3 of the Boston Zoning Code (the "Code") in response to and based on the review of the Project Notification Form ("PNF") for the Government Center Garage Redevelopment project (the "Proposed Project"), which Bulfinch Congress Holdings, LLC (the "Proponent") submitted to the BRA on March 2, 2009. The National Electrical Benefit Fund ("NEBF") and UKI Boston, LLC, which is owned by the Lewis Trust Group Limited, are the two entities that comprise Bulfinch Congress Holdings, LLC. Notice of the receipt by the BRA of the PNF was published in the *Boston Herald* on March 2, 2009, which initiated a 30-day public comment period that was extended to 45-days and ended on April 17, 2009. The Scoping Determination requires the Proponent to respond to comments received from City and State agencies, elected officials, the Mayorally appointed Impact Advisory Group (the "IAG"), and the public.

On October 30, 2008, in accordance with the BRA's policy on mitigation as outlined in Mayor Thomas M. Menino's Executive Order Relative to the Provision of Mitigation by Development Projects in Boston, the Proponent submitted a

Letter of Intent for (i) the redevelopment of the Government Center Garage parcel, located at 50 New Sudbury Street in Government Center, which includes a site area of approximately 176,549 square feet (approximately 4.05 acres), which includes the area over Congress Street, and an existing 11 story, 143 foot-tall parking garage structure with 2,310 parking spaces and 313,527 square feet of office and retail; (ii) the replacement of the existing structure with an approximately 3.8 million square foot mixed use, multi-phased project, which includes residential, office, retail, transportation, hotel, civic/government uses, and approximately 2,000 on-site, below-grade and above-grade parking spaces; the air rights over Congress Street would be returned to the City of Boston; (iii) the potential acquisition and redevelopment of adjacent City of Boston owned parcels and buildings and BRA owned parcels, totaling approximately 49,977 square feet (approximately 1.15 acres), air rights development over adjacent parcels held by NStar, which include approximately 10,199 square feet (approximately .23 acres), as well as approximately 18,500 square feet (approximately .43 acres) of oversized sidewalks that were created as a result of street realignments in connection with the depression of the Central Artery.

On November 3, 2008, letters soliciting IAG nominations for the Proposed Project were delivered to City Councilor Salvatore LaMattina, former Speaker for the House Salvatore DiMasi, and Senator Anthony Petrucci. Additional letters seeking recommendations were delivered to the Office of Neighborhood Services and the City Councilors At-Large. Nominations were also sought from the BRA.

Twelve (12) individuals were appointed to the IAG and have been invited to participate in advising BRA staff on the determination and consideration of impacts and appropriate mitigation regarding the Proposed Project. The following list includes the names of the IAG members:

1. Ms. Deborah Connors
2. Ms. Jane Forrestall
3. Ms. Francine Gannon
4. Ms. Linda Jonash
5. Ms. Martha Maguire
6. Mr. Bob O'Brien
7. Ms. Kimberly Paikos
8. Mr. Mark Paul
9. Mr. Michael Ratty
10. Mr. David Roderick
11. Ms. Marie Simboli
12. Mr. Frederick (Tad) Stahl

The BRA appreciates the efforts of the IAG and the members should be applauded for their commitment to the review of the Proposed Project.

Prior to the submission of the PNF, the Proponent held a series of six (6) community meetings, all of which were held at the Government Center Garage, One Congress Street, specifically in office space located on the 10<sup>th</sup> floor. At the June 18, 2008 meeting, an overview of the Government Center Garage Redevelopment project was given. On July 9, 2008, the presentation focused on interim and future parking as well as how the project site could be divided into different development parcels. At the July 23, 2008 meeting, the presentation focused on possible options for the portion of the project located west of Congress Street. The October 23 and November 20, 2008 meetings focused on the areas of the project site that are located east of Congress Street. The December 17, 2008 meeting was an opportunity for the community to view the five different architectural teams' renderings and models, which were a result of an architectural competition that the Proponent held to select an architectural team to design the project. The Proponent also created a website, [www.demolishthegarage.com](http://www.demolishthegarage.com), on which the presentations from each of the community meetings, including the community meetings that were held by the Proponent prior to the PNF submission as well as the community meetings and IAG working session meetings that were facilitated by the BRA following the filing of the PNF, can be downloaded.

The notice of the receipt by the BRA of the PNF and the PNF were sent to the City's public agencies pursuant to Section 80A-2 of the Code, as well as to the IAG members. Pursuant to Section 80B-5.3 of the Code, a scoping session was held on March 20, 2009 with the City of Boston's public agencies at which time the Proposed Project was reviewed and discussed. Members of the IAG were also invited to attend the scoping session.

The Proponent conducted a publicly advertised public meeting on March 25, 2009 at the Government Center Garage, One Congress Street, specifically in office space located on the 10<sup>th</sup> floor. IAG working session meetings were also held on March 23, April 2, and April 22, 2009; the first IAG meeting was held at One Congress Street and both April IAG working session meetings were held at the BRA, in the Board Room. The IAG and the community will continue to have an opportunity to give input regarding the Proposed Project during the Article 80 review process.

Comments received by the BRA during the comment period are included in **Appendices A, B, and C**. The DPIR should include complete responses to all comments included in **Appendices A, B and C** within the framework of the criteria outlined in the Scoping Determination.

Written comments in response to the PNF received by the BRA from elected officials and the City's public agencies are included in **Appendix A** and must be answered in their entirety. Letters received from State agencies are also included in Appendix A.

Specifically, these letters are from:

- City Councilor At-Large, John R. Connolly
- City Councilor, Salvatore LaMattina, District One
- City Councilor At-Large, Stephen J. Murphy
- City Council President Michael Ross, District 8
- City Councilor John M. Tobin, Jr., District 6
- State Representative Martha M. Walz, 8<sup>th</sup> Suffolk District
- Deerin Babb-Brott, Director, Executive Office of Energy and Environmental Affairs, Office Coastal Zone Management
- Donald Burgess, Supervising Engineer, City of Boston Transportation Department
- David Carlson, Senior Architect, BRA, and Executive Director, Boston Civic Design Commission
- Aldo Ghirin, Senior Planner/Project Manager, Design and Construction Unit, City of Boston Parks and Recreation Department
- Bob Giers, City of Boston Public Works Department
- Bryan Glascock, Director, City of Boston Environment Department
- Ellen Lipsey, Executive Director, Boston Landmarks Commission
- Elliott Laffer, Executive Director, Boston Groundwater Trust
- Rachel Mercier, Transportation Planner, City of Boston Transportation Department
- Katie Pedersen, Senior Project Manager/Environmental Review Specialist, BRA
- Brona Simon, State Historic Preservation Officer, Executive Director, Massachusetts Historical Commission
- John Sullivan, Chief Engineer, Boston Water and Sewer Commission

Written comments in response to the PNF received by the BRA from the IAG are included in **Appendix B** and must be answered in their entirety. Several members of the IAG submitted individual letters in addition to the IAG's comment letter, which are referenced below (Comment letters submitted by an IAG member on behalf of either a neighborhood association or organization are included in **Appendix C**). Listed in chronological order of date received, specifically these letters are from:

- Kimberly Paikos – April 16, 2009
- Marie Simboli – April 16, 2009
- The IAG (Tad Stahl and Deborah Connors abstaining ) – April 17, 2009
- Jane Forrestall – April 17, 2009
- Francine Gannon – April 17, 2009
- David Roderick – April 24, 2009

Written comments in response to the PNF received by the BRA from the public, neighborhood associations, and organization are included in **Appendix C** and



must be answered in their entirety. Listed in chronological order of date received, specifically these letters are from:

- Vishal Patel – March 4, 2009
- Robert Tuchmann – March 6, 2009
- Nick Barlow – March 9, 2009
- Brian Brandt – March 21, 2009 and April 15, 2009
- Lorraine Smith – March 27 and April 18, 2009
- Greg Watchko – March 27, 2009 and April 29, 2009
- John Collins – April 8, 2009
- Nan Borod – April 14, 2009
- 31 New Chardon Street, LLC – April 14, 2009
- Ann Alger Hayward – April 15, 2009
- Jane Kelley – April 15, 2009
- Rebecca Mulzer – April 16, 2009
- Elisabeth Peterson – April 16, 2009
- Rose Fitzgerald Kennedy Conservancy – April 16, 2009
- UNITE HERE Local 26 – April 16, 2009
- A Better City – April 17, 2009
- Beacon Hill Civic Association – April 17, 2009
- Bulfinch Triangle Resident's Advocacy Committee – April 17, 2009
- Coalition for Public Education: Expanding Quality Education for Downtown– April 17, 2009
- Karen Cord Taylor – April 17, 2009
- Downtown North Association – April 17, 2009
- James Goodfield – April 17, 2009
- Deborah Hall – April 17, 2009
- Megan Hughes – April 17, 2009
- Local 103, International Brotherhood of Electrical Workers – April 17, 2009
- Peter Mitton – April 17, 2009
- Scott Nogueira– April 17, 2009
- North End/Waterfront Residents' Association – April 17, 2009
- Kathleen Ryan – April 17, 2009
- Robert Sarno – April 17, 2009
- Sandra Swaile – April 17, 2009
- Todd Thomas – April 17, 2009
- West End Civic Association – April 17, 2009
- Brian Trojan – April 19, 2009
- Robert Skole – April 20, 2009
- Justin – April 22, 2009
- JR – April 22, 2009
- Matt Ossen – April 23, 2009
- WalkBoston – April 23, 2009
- Thomas McCarthy – April 29, 2009
- Philip Boucher – April 29, 2009

- Matthew DaPrato – April 29, 2009
- Michael Rocca – April 29, 2009
- Kent Xie – April 29, 2009
- Cesare Grieci – May 8, 2009

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

In addition to the specific submission requirements outlined in the sections below, the following points are highlighted for additional emphasis and consideration:

- Throughout this initial phase of review, the Proponent has taken steps to meet with local residents, elected officials, abutters, and City and State agencies. These conversations must continue, ensuring that what is presented in the DPIR is beneficial to the adjacent neighborhoods and the City of Boston as a whole.
- It is clear in reading through the comment letters that the Proposed Project has simultaneously generated excitement and concern. While many of the letters show a desire to see redevelopment of the Government Center Garage, multiple letters request that additional studies occur in order to evaluate the potential impacts of a project of this magnitude, as well as the potential benefits, including the possible inclusion of a Boston Public Schools K-8 school, or mitigation measures. The BRA encourages the Proponent to continue to work with those parties, including the IAG and the community, who have expressed concern in order to minimize and mitigate the Proposed Project's impacts.
- The design of the Proposed Project is not fully developed in the PNF. The design of the buildings in the option that includes the expanded project site is more developed than the option that only includes the Government Center Garage parcel. Although the IAG and others support the expanded development site, the Proponent must give equal attention to the design of the Government Center Garage parcel since, at this time, it cannot be guaranteed that either the City of Boston or the BRA parcels will be included or that development over the NStar substation will occur.
- It is paramount that the Proposed Project strike a balance of uses. The DPIR must explore various uses, which in turn should create a vibrant project that will be better positioned to withstand fluctuations in the market. The Proponent must demonstrate how the Proposed Project's uses compliment and fit in with the existing neighborhoods.

- As stated in the PNF, the Proponent intends to provide approximately two-thousand (2,000) parking spaces. A better understanding of how these spaces will be allocated must be provided in the DPIR. The Proponent should promote alternative modes of transit to new occupants and visitors to the site. Furthermore, the Proponent needs to demonstrate that the Massachusetts Bay Transportation Authority's (the "MBTA") transit system can accommodate the increased ridership that will be generated by the Proposed Project.
- All development projects have construction impacts. As with any urban development there needs to be a balance of construction related inconveniences with the daily activities that will continue to occur adjacent to the project site. A detailed approach to the construction management must be included in the DPIR.
- In keeping with the Green Growth District Study, the Proponent needs to demonstrate in the DPIR how it intends to achieve a high level of Leadership in Energy and Environmental Design standards, and explain how the Proposed Project will set a new standard for sustainability.

These are just a few of the questions and areas that the Proponent must fully explore in the DPIR.

## **II. PROJECT DESCRIPTION**

The Government Center Garage Redevelopment project is located at 50 New Sudbury Street in Government Center, and includes approximately 176,549 square feet of land (approximately 4.05 acres) and an existing 11 story, approximately 143 foot-tall structure, known as the Government Center Garage, which contains approximately 2,310 parking spaces and approximately 313,527 square feet of office and retail, totaling approximately 1.3 million square feet. The Government Center Garage parcel is bound by New Chardon Street to the North, Surface Road and Ramps to I-93 to the East, New Sudbury Street to the South, and Bowker Street to the West. The project site includes the area over Congress Street; the Proponent proposes to return these air rights back to the City. The MBTA's Haymarket Station, which services 13 bus routes and provides access to both the Orange and Green Line, also is included within the project site.

In the PNF, the Proponent presents two development options: the Proponent's preferred plan, which is referred to as the "Baseline PNF Master Plan", includes an expanded development site that contains City of Boston and BRA owned parcels, and NStar air rights, and an alternative option, the "Alternative PNF Master Plan", which includes only the existing Government Center Garage

parcel. For the purposes of this Scoping Determination, the aforementioned master plans will be referred to as "Option I" and "Option II" respectively.

#### Option I

In Option I, the Proponent proposes to redevelop the Government Center Garage parcel and replace the existing structure with an approximately 3.8 million square foot mixed use, multi-phased project, which includes residential, office, retail, transportation, hotel, civic/government uses, and approximately 2,000 on-site, below-grade and above-grade parking spaces. The Proposed Project would include five buildings, which would range in height from approximately 60-710 feet. The MBTA's Haymarket Station would be replaced and incorporated into the Proposed Project's program. The total FAR of Option I is 14.9.

Option I includes the potential acquisition and redevelopment of adjacent City of Boston owned parcels and buildings, and BRA owned parcels, totaling approximately 49,977 square feet (approximately 1.15 acres), as well as approximately 18,500 square feet (approximately .43 acres) of oversized sidewalks, which were created as a result of the realignment of surface streets in connection with the Central Artery Tunnel Project. Additionally, Option I contemplates air rights development over an adjacent NStar substation, which includes approximately 10,199 square feet (approximately .23 acres).

The potential inclusion of the City of Boston and BRA owned parcels, buildings and NStar air rights are being evaluated through the Article 80 review and community processes. If through the Article 80 review and community processes it is determined that the parcels, buildings and air rights should be included in the project site, a customary and separate disposition process would need to take place in order for these parcels and buildings to be included in the project site. A process to determine the value for the City of Boston and BRA parcels would also need to occur. A separate, private agreement for the acquisition and use of the NStar parcels would need to be executed before.

The City of Boston and BRA owned parcels and the NStar substation are bound by New Chardon Street to the North, Bowker Street to the East, New Sudbury Street to the South, and Hawkins Street to the West. Specifically, the NStar substation is located between Hawkins and Bowker Streets. The District A-1 Police Station is one of the buildings located on the City of Boston owned land. Option I's project site is bound by New Chardon Street to the North, Surface Road and Ramps to I-93 to the East, New Sudbury Street to the South, and Hawkins Street to the West (the "Option I Project Site").

Option I involves razing of the City owned buildings, including the District A-1 Police Station, and building over the existing NStar substation. The District A-1 Police Station would be rebuilt and incorporated into the Proposed Project. Option I includes three parcels: Parcels 1 and 2 are generally located within the confines of the Government Center Garage parcel, and Parcel 3 is located on the

City and BRA owned land. Parcel 1 includes the area east of Congress Street and is divided into Parcel 1a and Parcel 1b. Parcel 1a is the eastern portion, and Parcel 1b is the western portion. Parcel 2 is located west of Congress Street and East of Bowker Street. Bowker Street would be extended, creating a new connection between New Chardon Street and Sudbury Street.

As described in the PNF, Parcel 1 would include two buildings ranging in height from approximately 125 to 175 feet tall. Parcel 1a would contain the 125 foot-tall structure and Parcel 1b would contain the 175 foot-tall building. Both structures, as currently proposed, primarily would be residential in use with ground-floor retail and office space. The MBTA Haymarket Station would be located within Parcel 1. A covered pedestrian arcade would separate Parcel 1a and 1b. Approximately 50 underground parking spaces would be located under Parcel 1.

Three buildings would be located on Parcel 2, including a five story podium, which would contain approximately 450 above-grade parking, and would be wrapped with a mix of uses. An approximately 240 foot-tall, 460 room hotel, and an approximately 555 foot-tall Class A office tower would rise from the podium.

Parcel 3 would include an approximately 710 foot-tall Class A office tower with ground-floor retail and approximately 700 above-ground parking spaces. Parcel 3 would contain the District A-1 Police Station.

Additionally, approximately 800 parking spaces would be provided in a two level underground parking garage located below Parcels 2 and 3.

#### Option II

In Option II, the Proponent proposes to redevelop the Government Center Garage parcel and replace the existing structure with an approximately 3.6 million square foot mixed use, multi-phased project, which includes residential, office, retail, transportation, hotel, civic/government uses, and approximately 1,640 on-site, below-grade and above-grade parking spaces. The MBTA's Haymarket Station would be replaced and incorporated into the Proposed Project's program. The total FAR is 20.3.

Option II includes two parcels, Parcel 1 and Parcel 2, and the construction of four major buildings, two of which are anticipated to be office towers, ranging in height from approximately 130 to 702 feet. Parcel 1 includes the area east of Congress Street and is divided into Parcel 1a and Parcel 1b. Parcel 1a is the eastern portion and Parcel 1b is the western portion. Parcel 2 is located west of Congress Street and east of Bowker Street. Option II's project site area is bound by New Chardon Street to the North, Surface Road and Ramps to I-93 to the East, New Sudbury Street to the South, and Bowker Street to the West (the "Option II Project Site").

Parcel 1, as described in the PNF, would include two buildings ranging in height from approximately 150 to 250 feet tall. As currently proposed, residential units would be located in Parcel 1a, the 150 foot-tall building, while a hotel would be located on Parcel 1b, in the 250 foot-tall structure. The ground-floor of both buildings would include retail. The MBTA Haymarket Station would be located within Parcel 1. A covered pedestrian arcade would separate Parcel 1a and 1b. Approximately 50 underground parking spaces would be located under Parcel 1.

A ten-story podium containing approximately 1,170 aboveground parking spaces would be located on Parcel 2. A mix of uses, including retail, hotel and office, would wrap the garage except for a portion of Sudbury Street. Two office towers would rise from the podium. The “front tower”, the approximately 611 foot-tall Class A office tower would be located at the corner of Congress and Sudbury Streets, while the “back tower”, an approximately 702 foot-tall office tower, would be located on New Chardon Street. Approximately 470 underground parking spaces would be located under Parcel 2. The PNF states that the Proponent anticipates phasing the towers while constructing the entire podium at one time. After the first tower is complete and leased, the Proponent would begin construction of the second tower.

### **III. ARTICLE 80 PROCESS REQUIREMENTS**

The Proposed Project is being reviewed pursuant to Article 80, Development Review and Approval, Section 80B, Large Project Review, of the Code, which sets forth a comprehensive procedure for project review and requires the BRA to examine the following components: transportation, environmental protection, urban design, historic resources, infrastructure systems, site plan, tidelands, and Development Impact Project, if any. The Proponent is required to prepare and submit to the BRA a Draft Project Impact Report (“DPIR”) that meets the requirements of the Scoping Determination by detailing the Proposed Project’s impacts and proposed measures to mitigate, limit or minimize such impacts. The DPIR shall contain the information necessary to meet the specifications of Section 80B-3 (Scope of Large Project Review; Content of Reports) and Section 80B-4 (Standards for Large Project Review Approval), as required by this Scoping Determination. Failure by the Proponent to include all information requested in the Scoping Determination will result in the BRA issuing a Request for Additional Materials or requiring a Final Project Impact Report, whichever the BRA deems appropriate.

After submitting the DPIR, the Proponent shall publish notice of such submittal as required by Section 80A-2. Pursuant to Section 80B-4(c)(i)(3), subsequent to the end of the seventy-five (75) day public comment period for the DPIR, the BRA shall issue a written Preliminary Adequacy Determination (“PAD”). The PAD shall indicate the additional steps, if any, necessary for the Proponent to satisfy the requirements of the Scoping Determination. If the BRA determines that the

DPIR adequately describes the Proposed Project's impacts and, if appropriate, proposed measures to mitigate, limit or minimize such impacts, the PAD will announce such a determination and that the requirements of further review and the filing of a Final Project Impact Report are waived pursuant to Section 80B-5.4(c)(iv). Section 80B-6 requires the Director of the BRA to issue a Certification of Compliance indicating the successful completion of the Article 80 development review requirements before the Commissioner of Inspectional Services can issue any building permit for the Proposed Project.

#### General Applicability of Scoping Determination Requirements

The Proponent shall be required to perform all analyses as detailed in the following sections (IV-A through IV-P) of this Scoping Determination (including, but not limited to the Environmental Protection Component, Urban Design Component, and Transportation Component sections) for all Project Alternatives including Option I and Option II, with the exception of the conceptual alternatives that were explored during the master planning process for the Proposed Project and are later referenced in the Scoping Determination, or where otherwise noted.

### **IV. REVIEW/SUBMISSION REQUIREMENTS**

In addition to full-size scale drawings, sixty-five (65) copies of the bound DPIR submission and one (1) CD containing a PDF file of the DPIR containing all submission materials reduced to size 8-1/2" x 11", except where otherwise specified, are required. The DPIR filing should be printed on both sides of the page on recycled paper. In addition, an adequate number of copies of the DPIR must be available for community review. A copy of this Scoping Determination and a specific list of required information should be included in the DPIR submission for review.

All of the information requested below in sections IV-A through IV-P must be provided in the DPIR. Additionally, throughout the review process of the DPIR, the BRA and other City agencies may require additional information to assist in the review of the Proposed Project.

#### **A. GENERAL INFORMATION**

1. Proponent Information
  - a. Development Team
    - (1) Names
      - (a) Developer (including description of development entity and type of corporation)
      - (b) Financial partner(s) (including partnership percentage interests for each member)
      - (c) Attorney

- (d) Project consultants and architect
  - (2) Business address and telephone number for each
  - (3) Designated contact for each
- b. Legal Information
  - (1) Legal judgments or actions pending concerning the Proposed Project.
  - (2) History of tax arrears on property owned in Boston by the Applicant.
  - (3) Evidence of site control over the project area, including current ownership and existing purchase options of any parcels in the Proposed Project, as well as a list of all restrictive covenants, applicable agreements, contractual restrictions, and/or other encumbrances affecting the Proponent's right or ability to construct the Proposed Project, and identify any parcels of interest that must be acquired by the Proponent to complete the Proposed Project.
  - (4) Nature and extent of any and all public and private easements into, through, or surrounding the Proposed Project site.
- 2. Design Development Information (See **Appendix D** for required design development and contract document submissions).
- 3. Project Area
  - a. An area map identifying the location of the Proposed Project.
  - b. Description of metes and bounds of project area or certified survey of project area owned by the Proponent.
  - c. Description of metes and bounds of property not owned by the Proponent whose acquisition would be necessary to construct the Proposed Project.
  - d. A list of all property owners with addresses located within five hundred (500) feet of the boundaries of the Proposed Project site.
- 4. Regulatory Controls and Permits
  - a. An updated listing of all anticipated permits or approvals required from other municipal, State or Federal agencies, including a proposed application schedule shall be included in the DPIR.
  - b. A statement on the applicability of the Massachusetts Environmental Policy Act ("MEPA") should be provided. The Proposed Project is subject to MEPA. The Proponent has stated that the DPIR and the Draft Environmental Impact Report ("DEIR") will be submitted as a joint filing in order to



help facilitate a coordinated BRA and MEPA review process. All required MEPA documentation should be provided to the BRA as well as a proposed schedule for the joint MEPA and BRA procedures and review.

- c. A statement of existing requirements and provisions under all applicable agreements including but not limited to the Land Disposition Agreement, the Sale and Construction Agreement and the Government Center Urban Renewal Plan (i.e. maximum height, maximum FAR, allowed uses, and accessory uses permitted, etc.).
- d. A statement of requested amendments to all applicable agreements including but not limited to the Land Disposition Agreement and the Government Center Urban Renewal Plan.
- e. Existing zoning requirements, zoning computation forms, and any anticipated requests for zoning relief should be detailed in the DPIR.

5. Community Outreach

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

**B. PROJECT DESCRIPTION**

1. Project Description

- a. The DPIR shall contain a full description of the Proposed Project and its elements, including size, physical characteristics, and proposed uses. This section of the DPIR shall also present the development context of the Proposed Project (description of the surrounding environment), existing site conditions, project purpose and objectives, and approximate project cost and development schedule.
- b. The Proponent must submit a parcel by parcel description of each parcel to be included in Option I as well as a site plan, which identifies and outlines each parcel. This information must include the following and be provided in the same section of the DPIR:
  - (i) Assessing Parcel identification number
  - (ii) Address
  - (iii) Ownership

- (iv) Lot size
- (v) Gross building area
- (vi) Occupancies/tenancies in each building

2. Affordable Housing

The Proponent must provide more details with respect to the affordable housing component of the Proposed Project. The Proposed Project is expected to comply with the Mayor's Executive Order relative to the Inclusionary Development Policy. There are currently three (3) options offered under the Inclusionary Development Policy: (1) the construction of affordable units on-site; (2) the construction/provision of affordable units off-site; and/or (3) a payment in lieu of providing on-site affordable units. If the Developer is proposing to locate some or all of the affordable units off-site, this location should be identified. Furthermore, any units provided off-site must be ready for occupancy on or before the date that the units within the Proposed Project are ready for occupancy.

## C. PROJECT ALTERNATIVES

The DPIR must include complete analysis of the following Project Alternatives in addition to similar analysis of the Proposed Project as proposed in the PNF. All analyses required under Sections IV-A through IV-P of this Scoping Determination must be performed by the Proponent for all Project Alternatives, unless otherwise noted, and the results provided in the DPIR.

1. A description of alternatives to the Proposed Project that were considered shall be presented and the primary differences among the alternatives, particularly as they may affect environmental conditions, shall be discussed.
2. The DPIR must include the following alternatives. The analyses as provided for in the Environmental Protection Component, Urban Design Component, and Transportation Component sections of this Scoping Determination shall be required for all Project Alternative, unless otherwise noted.
  - (i) Alternative 1 – No build/Government Center Urban Renewal Plan Compliant Scenario/Land Disposition Agreement Complaint Scenario as a means of measuring the baseline.

*Because the existing Government Center Garage was constructed pursuant to a Land Disposition Agreement and the Government Center Urban*

*Renewal Plan, a Land Disposition Agreement and Government Center Urban Renewal Plan-compliant Project Alternative can be considered to be the existing condition and the “No-Build” Project Alternative.*

- (ii) Alternative 2 – Option I, Preferred Development Scenario.

This alternative should be updated to reflect comments in the Urban Design and Uses Component of this Scoping Determination.

Option I Background and DPIR Submission Requirements

The potential inclusion of the aforementioned City of Boston and BRA owned parcels, buildings and NStar air rights in Option I are being evaluated through the Article 80 review and community processes. If through the Article 80 review and community processes it is determined that the parcels, buildings and air rights should be included in the project site, a customary and separate disposition process would need to take place in order for these parcels and buildings to be included in the project site. A process to determine the value for the City of Boston and BRA parcels would also need to occur. A separate, private agreement for the acquisition and use of the NStar parcels would need to be executed before.

If the Proposed Project ultimately includes City owned property, the existing tenants, including the District A-1 Police Station, social service agencies, City departments and the Economic Development and Industrial Corporation, must be temporarily relocated during construction and must either be accommodated in the Proposed Project or permanently relocated.

The potential inclusion of the above-referenced City and/or BRA owned properties in the project site would require the Proponent to provide exceptional community benefits, including, but not limited to, the construction of a new District A-1 Police Station to replace the existing station, and potentially a new Boston Public Schools (“BPS”) K-8 school (the “school”).

#### Background Information Regarding the Potential Inclusion of a School

By way of background, Mayor Thomas M. Menino has asked the City of Boston and the BRA to collaborate and evaluate the demand for a new school that would serve the neighborhoods adjacent to the Project Site. The BRA and the City of Boston are analyzing projected population growth and trends to better understand and determine the demand and need for a new school in this area of downtown. It is anticipated that at a later date a specific program for the school will be determined based on analysis and input from BPS and the findings from the demographics and demand for a downtown school. In the interim, the Proponent shall analyze the feasibility of including a generic building program for a K-8 school in the Proposed Project. The BRA reserves the right to incorporate the aforementioned findings at any point during the Article 80 process.

#### DPIR Submission Requirements

The Proponent should allocate approximately 81,000-97,000 square feet as a generic program for the school, which includes, but is not limited to, classroom space, office space, and physical education space. The school would need to follow adjacency requirements and durability standards and also respond to the Massachusetts School Building Authority requirements. More detailed school information will be provided with future coordination with the City.

Special attention should be paid to the operational and programmatic needs of a school in a dense urban environment, which includes identifying where the drop-off, pick-up of the buses and loading area would be located and where the entrances would be.

Careful planning for security is necessary, especially because of the project site's close proximity to governmental buildings, including federal buildings. The BRA will consult with the Proponent as more information becomes available and as programmatic and operation needs are further defined.

If it is ultimately decided that the project site should include the above-referenced City and/or BRA owned properties, but after careful consideration it is determined that the project site is not the most appropriate location for a school, the BRA reserves the right to request that the Proponent make a monetary contribution towards the creation of a school at an alternative location.

Reconstruction of the District A-1 Police Station would have to result in a facility that either meets or exceeds the Boston Police Department's current performance standards or facilities.

- (iii) Alternative 3 – Option II, Government Center Garage parcel.

This alternative should be updated to reflect comments in the Urban Design and Uses Component of this Scoping Determination.

#### Option II DPIR Submission Requirements

As part of the potential community benefits of the Proposed Project on the Garage Parcel site, Option II, for analytical purposes the Proponent must include a school (see aforementioned information about the school in Alternative 2) in the Proposed Project's program until a final determination with respect to the demand and appropriateness for a school on this site can be made. The BRA will consult with the Proponent as more information becomes available and as programmatic and operation needs are further defined.

- (iv) The Proposed Project is located within the Government Center/Markets District, as established by Article 45 of the Code. Specifically, the Proposed Project is located within the Sudbury Street Restricted Growth Area.

Since the underlying zoning provisions of the Sudbury Street Restricted Growth Area allow for a building height of 100 feet and FAR 7, a baseline model should reflect existing conditions as opposed to a zoning compliant scheme, with the exception of Parcel 3, which is part of the Option I Project Site. A

zoning compliant scheme for Parcel 3 should be included.

3. The Greenway District Planning Study is an initiative of the BRA's Planning department, which began in early 2009. There is development potential within and adjacent to the Rose Kennedy Greenway park system and this study is intended to develop development guidelines that will protect the multi-billion dollar public investment in the Rose Kennedy Greenway park system. The study is examining uses and programming, urban design and form, environmental conditions (solar exposure, shadow, wind, transportation, etc.), and economic analysis in the area adjacent to the Rose Kennedy Greenway. The BRA anticipates that the Greenway District Planning Study will develop additional massing alternatives for the Proposed Project's site. The BRA reserves the right to require the Proponent to incorporate the City's findings into the Proposed Project and require additional alternatives of the Proposed Project at any point during the Article 80 process.

#### **D. COMMUNITY BENEFITS**

The Proponent shall include descriptions of proposed public benefits including but not limited to the following categories:

1. Anticipated Employment Levels
  - a. Estimated number of full-time, long-term construction jobs created by the Proposed Project's construction, including methodology for calculation.
  - b. Estimated number of permanent jobs created by the Proposed Project's construction, including methodology for calculation.
2. Workforce Development Plan
  - a. The Proponent is expected to provide a workforce development plan and needs assessment for the Proposed Project.
  - b. The Proponent shall describe the efforts it will undertake to ensure that an appropriate share of new jobs and construction jobs will be filled by Boston residents.
3. Benefits to Existing Social Service Programs
  - a. The Proponent shall provide a list and description of current activities and programs which benefit adjacent neighborhoods of Boston and the City at large, such as child care programs, park maintenance and programming organizations, scholarships, internships, elderly services,

education, and job training programs, including those serving the disabled, etc.

4. Public Facilities

- a. The Proponent shall include space in the Proposed Project to accommodate the potential inclusion of a K-8 school and the District A-1 Police Station, which are discussed above in the Project Alternatives section.

5. Other Community Benefits

- a. The Proponent shall include a list and description of other potential community benefits to be provided.

6. Implementation of Community Benefits

- a. The Proponent shall include a preliminary schedule outlining which community benefits will be delivered with which phase of the Proposed Project. The ultimate nature and timing of the contemplated community benefits will be memorialized in a Cooperation Agreement between the BRA and the Proponent.

## **E. URBAN DESIGN AND USES COMPONENT**

A complete discussion of the Proposed Project as it relates to the Urban Design Component and other Article 80 review topics, including Infrastructure Systems and Environmental Protection Components, are described in a memorandum from David Carlson, Senior Architect, BRA, dated May 12, 2009 included in **Appendix A**. These comments are incorporated herein by reference and made a part hereof and must be addressed in their entirety in the DPIR.

The Proposed Project aims to bring daylight to Congress Street underneath the current structure, creating a separate lower-scaled development of two buildings (125' and 175' in the 'baseline' scheme) on the parcel closest to the Greenway, while enhancing pedestrian (commuters and visitors alike) connections between the North Station area and the Financial District. The mix of uses would bring a stronger retail presence and more office uses to the area, potentially greatly improving the pedestrian environment and enhancing the office uses already extant in the area, while also adding residential and hotel uses. In the Proponent-preferred option, the added parcel would relocate the existing District A-1 Police Station while allowing more separation between towers and a phasing plan that maintains a certain amount of necessary parking actively on the site. It would also re-create a minor through-block connection via Bowker Street, which now has a considerable grade change which precludes any vehicular connection. Master plan architects are Chan Krieger Sieniewicz; Cook + Fox will be the

design architects. Height proposed is up to 710'; FAR, depending upon one's calculus and the scheme, is 14.9 up to 20.3.

#### Daylight Component

A daylight analysis for both build and no-build conditions shall be conducted by measuring the percentage of skydome that is obstructed by the Proposed Project building(s) and evaluating the net change in obstruction. If alternative massing studies are requested or result as part of the Article 80 development review process, daylight analysis of such alternatives shall also be conducted for comparison. The study should treat three elements as controls for data comparisons: existing conditions, the 'as-of-right' (defined in this case as the applicable Sudbury Protection Area zoning) envelope where such exceeds existing conditions, and context examples. The areas of interest include New Sudbury, Congress, Bowker, Hawkins (in some alternatives) and New Chardon streets, and the Southbound Surface Artery. An oblique view from a point about 50' into the Parcel 8 Park should also be attempted. Daylight analyses should be taken for each major building facade fronting these public ways. The midpoint of each public accessway or roadway should be taken as the study point. The BRADA program must be used for this analysis.

If a Proponent wishes to substitute a more contemporary computer program for the 1985 BRADA program, its equivalency must first be demonstrated to the satisfaction of BRA staff before it is utilized for inclusion in the DPIR, and it must be commonly available to any Project's team users.

#### Shadow and Wind Comments

In addition to the comments and scoping by others, the Proponent is directed to consider the use of color as an alternative to dark tonality to indicate new shadows. Provide the monthly material requested in electronic rather than paper form, except as conclusion discussions, using continuous dawn-to-dusk shadow animations. Do NOT duplicate studies for months in which the information is identical (i.e., a single animation for November/January, or May/July). Regarding the specific time range of any new impacts on the Greenway parks, if overall duration is greater than one hour, provide an overlap study which defines any area impacted by new shadows for a period greater than one hour. Include duration studies/information for other open spaces in the area, including City Hall Plaza, Cardinal Cushing Park, and the park behind the Brooke Courthouse. All *net new* shadows, in general, shall be defined as outlined elsewhere either by darker tone or *color* and shall be clearly shown to their full plan extent, whether on street, park, or rooftop.

Regarding wind, all wind tunnel test points shall be approved by BRA staff before conduction of testing. Wind analysis may be requested at points within several blocks of the property (ies) in question; where contiguous to open space, analysis may extend to likely bounds of no impact, possibly as far as 1500' (the Greenway and City Hall Plaza fall into this category). Analysis of results and



effective mitigation shall be presented in the DPIR using diagram methodology so that the delta or changes manifested by the project relative to existing or as-of-right conditions...again, whichever provides the higher base impacts...are clearly understood.

#### Urban Design Component

The Boston Civic Design Commission ("BCDC") voted to review the Proposed Project on April 7, 2009 and saw a preliminary presentation. The Commissioners present unanimously favored the 'baseline' or Proponent-preferred project; the Project was referred to Design Committee. When sufficient progress in preparation of a Preferred Alternative in the DPIR in response to the Scoping Document has been made on the design pursuant to preliminary BCDC, IAG, and BRA staff comments, BCDC Design Committee meetings should be scheduled by contacting David Carlson, Executive Director of the BCDC.

It should be noted that the BRA will expect a more complete design to allow more in-depth comment at the DPIR stage. The BRA reserves the right to comment at that stage toward the submission of an FPIR. In general, the 'baseline' ("Proposed Project" or "Proposed PNF", as compared to the 'Alternative PNF') has more positive aspects, and the 'alternative' is too dense, high (because of adjacency and perceived bulk), compressed. The BRA will ask for studies related to both alternatives, with certain modifications, as well as comparisons to both existing conditions and an 'as-of-right' alternative (for the option which includes Parcel 3).

The Government Center Garage Redevelopment Project at its core is an Urban Renewal project. The key goals of such are to reinvent and renew the socio-economic and physical fabric of the City for its ultimate betterment...and to conform to the overall Plan for the District. The Government Center Garage was intended to provide parking for the workers in and visitors to the area, and in the character of the planning of its day, made a bold architectural gesture in homage to the automobile that spanned the new Congress Street alignment and crested above the Haymarket Circle nexus. In the late 1980s, two vast office floors were added to increase value and bring workers to the area. The treatment of the huge span over Congress Street was never fully mitigated, and it tended to separate the City along a very strong arterial connector which serves many as a gateway to the area. One does not revisit such a Project lightly, but the basic concepts should include a continued accommodation of what might be reduced and differentiated mode parking for the area, and connect neighborhoods by making connections both physical and real but also visual and contextual, including public realm improvements that are at least the equal in positive attribute to any factors that might be perceived as negative. The Proponent has presumed a process allowing the flexibility in density and height appropriate both to the expense of taking down an economically viable use, and to the uses proposed, as well as the 'high frame' City visualization/planning concept

promulgated in Kevin Lynch's and others' studies for this section of the City around City Hall Plaza.

The following urban design questions and objectives should be addressed in the DPIR submission for all scenarios except as noted.

1. Identify all federal, state, and local regulations that apply to the Project both existing and as proposed.
2. The Project shall take into account as strict height limits the FAA limits recently released as defined by the FAA and Massport, should the bounds impact this Project site.
3. Include mitigations. Standard alternatives for study include no-build, and an 'as-of-right' build-out...in this case FAR 7, with a height of 100'. In this case, we may also ask for alternatives conforming to Urban Renewal Plan constraints; the formal request lies elsewhere in the Scope. We will expect that the Proposed Project as represented in the DPIR *will have taken into account any necessary mitigating factors*, for scenarios with densities and heights beyond those alternatives, discovered as a result of environmental and other studies by the Proponent.
4. Performance Standard concept. The Proposed Project should meet the 'performance standard' of *generally* having the same or a lesser degree of environmental impacts than either the full 'as-of-right' build-out or existing conditions, whichever are most impactful. I.E., criteria such as daylight, shadows, and wind should be *at least* neutral or improved *on average*, recognizing that some elements or points may be worse, but proving that the whole is better as a Project. The BRA will expect in fact that mitigations or positive urban benefits will result from this Project and in balance far outweigh *any* negative impact. Specific shadow and wind investigations will be requested - a separate category in this memorandum - to determine what the impacts are regarding the Rose Kennedy Greenway parks. Heights, tower locations and setbacks should be adjusted to minimize environmental and visual impacts on the Greenway parks.
5. Sustainability. DPIR design alternatives should bring a high degree of innovation and achieve LEED Gold at a minimum, preferably Platinum. This Project should set the stage for the Green Growth District planning framework anticipated for the government Center area, and incorporate bold energy, recycling, daylight/quality of environment, green roofs and plantings, and transportation initiatives.

6. Greenway Planning. DPIR (or FPIR, depending on timing) submissions shall incorporate the guidelines developed as a result of the Greenway District Planning Study currently underway, as such guidelines may apply to this site or portions thereof.
7. The highest building elements generally should be *set back* from the primary adjacent streets to the extent possible, particularly in areas of high pedestrian use. They should be *separated* from each other, within the constraints of the site's infrastructure and dimensions. They should be as *differentiated in height* as possible, to break up the perceived skyline. Where desirable to create an emphasis or entry, the high elements could come straight down to the ground...but only if wind conditions permit such.
8. Enhance active ground floor program elements (local retail, entry to the MBTA, restaurants) as a positive element of the Project, with entries possibly on all sides. Invite entry into and through the site and through the buildings. A hierarchy of such uses should be considered, with most uses augmenting strong pedestrian corridors, but some uses encouraging the use of new transportation connections as well. Transparency and views into the uses must be maximized on each frontage. Incorporate bicycle stations into the Project both public and private (see *also* BTD scoping regarding this).
9. Multiple upper story uses are accordingly encouraged to enliven the streets with a diversity of activity throughout the day. Necessary service and access functions should *not* occur *directly* on Sudbury, Congress or New Chardon streets.
10. Garage elements. The parking in general must be minimized. Submit information which justifies the scale and amount of parking proposed by analyzing both current levels of use and projected future levels with an expectation of expanded alternative modes of transit (also see the BTD scope). The BRA expects that all transportation elements will be designed in harmony with the architectural treatments and integrated into the design. Above-grade garage floors should be completely covered as suggested in the PNF's podium treatment, with *active* program uses on *all sides fronting primary streets*. Treatment of any directly visible portions of the garage elsewhere should be of a high architectural character with robustly convincing detail.
11. Eastern parcel(s). The BRA asks that the infrastructure (MBTA, i.e.) constraints be studied to clarify any limitations for the lower

eastern parcel buildings and elements, which have important public realm and transportation impacts. The Proposed Project's eastern parcel contains a weather screen element which creates a highly unusual and dramatic urban gesture at the connecting decision point joining pedestrian traffic from Congress Street and from the Greenway system. If such an element continues in the DPIR design, it obviously must be a viable proposal, and should enhance qualities of year-round usability, light and airiness, plantings and greenery, and open invitation and sense of welcome to the public as an essentially public space, and not merely a forecourt for the building lobbies. The space must function as a public sidewalk 24 hours a day.

12. Street edges and new sidewalks created as a result of any version of the Proposed Project must conform to all applicable standards and be appropriately sized to bear pedestrian traffic peaks. Street trees and plantings should be included in site plans. Pedestrian paths in general should be reinforced, building multiple pathways through the site, and through the buildings themselves where possible. Future connections should be considered, as well as existing elements such as Brattle Path.
13. The architectural expression of the tower elements should be clarified. They should be sufficiently differentiated, and shaped as part of the skyline, but not read as one 'complex'. Consider the view studies requested in the list of materials later to achieve a massing and orientation which begins to break the scale of the towers and podium elements down to that of the appropriate scale-giving datum elements in the area. This effect will be most noticeable from the intermediate range of direct views, including views from nearby neighborhoods and from both directions along the Greenway/North Washington Street and Cambridge/Tremont streets.
14. The architectural expression of the podium elements should partake of the tower elements to connect the two vertically. Differentiation by programming elements (office, residence, hotel, etc.) lends itself to this effort, while possibly breaking up the podium wall. Go beyond the preliminary PNF drawings, maintain at least the quality of materials indicated therein and in the competition drawings from Cook + Fox, but also consider the freedom of expression seen in the competition entries: mark this space in the City as an important connection, add a visual playfulness to contextual references, and break up the monolithic effect of the current Garage's mass.

15. Public Art. Special attention should be paid to public art, both indoor and outdoor. The Proposed Project presents an opportunity to connect interior and exterior space, and it would be helpful if the Proponent consulted with local artists during the design period to allow for an integrated aesthetic effect. The Mayor's Office of Arts, Tourism and Special Events should also be consulted.
16. Alternative Uses and Long-Term Use Adaptability  
In both Proposed Project options the Proponent shows two office towers. In the PNF, the Proponent states that market conditions will ultimately dictate the use of one or both towers. The Proponent must evaluate Proposed Project impacts for multiple potential tower uses including residential, commercial, and civic uses. The Proponent shall consider locating publicly accessible facilities throughout the building and not solely locating such facilities on the ground-floor. The Proponent shall also examine a variety of floor-plate sizes, elevator bank configurations, and building systems, in each of the towers in order to evaluate the long-term flexibility of project uses. Different floor-plate sizes should be examined to determine if the Proposed Project's environmental impacts would be substantially reduced if floor-plates were smaller or oriented differently on the Proposed Project site.
17. Tower Massing and Orientation  
The Proponent must explore alternative tower floor-plate shapes and dimensions so as to minimize visual and environmental impacts from both nearby and distant perspectives. In the PNF, the focus of the orientation of the towers was to minimize any net new shadow on the Rose Kennedy Greenway. In the DPIR, the Proponent shall explore tower orientations, which minimize the impact on the surroundings neighborhoods.
18. Residential Unit Types  
The Proponent shall include a variety of dwelling units including two- and three- bedroom units to encourage family residency and a mix of residents.

The refined design included in the DPIR must satisfactorily address all the above parameters. An accurate sense of scale of the Proposed Project in its context must be achieved. Focus on key distanced views, as well as key intermediate/user viewpoints, to guide the design composition of the Proposed Project. Reinforce all pedestrian pathways; develop a plan which shows the building program and how it supports such activity within the future pedestrian/public access network. Active programming that will engage the public and ideally spill seasonally into the public realm at the ground floor should remain (and should be maximized). Take note of the fundamental contextual

strengths of the site, including its connections to North Station and the MBTA, and incorporate that sense into the overall design approach...tempered by the proposed uses.

**The 'Baseline PNF' Proposal** includes parcels not currently under control of the redeveloper. As submitted in the PNF, the area includes an NStar substation and the Area A-1 Police Station. Because the parcels are predominantly public or quasi-public, each of these facilities must be retained or rebuilt and improved in a manner that benefits both the client (owner) and the area. Acknowledging the overall scale of the Proposed Project, the public benefit should be of comparable scale and impact. For the 'baseline' or preferred alternative, strongly consider including the program of an elementary school (K-8) serving the downtown neighborhood districts in the Project area. The active programs of the police station and the school, if provided, must conform to the City's requirements for each use, and the uses must be compatible with the traffic flow on the streets adjacent or created as part of the Proposed Project.

For the NStar site, develop cogeneration and other on-site alternative energy sources toward the goal of a net-zero energy building, as suggested in meetings and by the choice of design architect. It may not be accurate to posit this, but the possibility of this Project directly connecting to the local grid at a substation when the substation itself needs rebuilding seems like a good potential which would underscore the City's interest in the area as a 'Green Growth' district. The Cook + Fox competition design featured a series of green roofs which, seen from a birds'-eye view, seemed to cascade down to the Greenway as though the parks were ascending into the skies. This is an evocative concept which should be researched and expanded upon, if feasible, in the DPIR submission.

The **'Alternative PNF' Proposal**, as noted above, appears too dense for this location. In order to pursue this scheme or a variation of it for the DPIR, the Proponent is asked to lower the overall density by *at least* 10% and increase both the variation in height (going lower only) and the program of the taller elements (both *cannot* be office, at least at standard floorplate size) to maximize separation and light and air from multiple viewpoints. Assume the ability to capture the sidewalk parcels on the eastern parcels and maintain the lower heights of the buildings proposed - with all attendant benefits - in the preferred or 'baseline' scheme. Provide a through-block connection. To the maximum extent possible, provide publicly accessible interior or rooftop spaces.

The BRA reserves the right to add additional concerns during the course of the process of combined BRA staff, IAG, and BCDC review which may affect the responses detailed in the DPIR. The following urban design materials for the Proposed Project's schematic design must be submitted for the DPIR.

1. Written description of program elements and space allocation (in square feet) for each element, as well as Project totals.

2. Neighborhood plan, elevations and sections at an appropriate scale (1"=100' or larger as determined by the BRA) showing relationships of the proposed project to the neighborhood context:
  - a. massing
  - b. building height
  - c. scaling elements
  - d. open space
  - e. major topographic features
  - f. pedestrian and vehicular circulation
  - g. land use
3. Color, or black and white 8"x10" photographs of the site and neighborhood.
4. Sketches and diagrams to clarify design issues and massing options.
5. Eye-level perspective (reproducible line or other approved drawings) showing the proposal (including main entries and public areas) in the context of the surrounding area. Views should display a particular emphasis on important viewing areas such as key intersections, pathways, or public parks/attractions. Some of these viewpoints have already been suggested and used in presentations to the public: north and south along the Greenway and the Merrimac/Congress Street corridor, from City Hall Plaza, from the Longfellow Bridge, Science Museum, and Zakim Bridge, from adjacent residential neighborhoods (Beacon Hill, West End, and North End) from the Public Garden, from Memorial Drive, from the Harbor, et al. Long-ranged (distanced) views of the Proposed Project must also be studied to assess the impact on the skyline or other view lines. At least one bird's-eye perspective should also be included. All perspectives should show (in separate comparative sketches) at least both the build and no-build conditions; any alternatives proposed should be compared as well. The BRA should approve the view locations before analysis is begun. View studies should be cognizant of light and shadow, massing and bulk.
6. Additional aerial or skyline views of the project, if and as requested.
7. Site sections at 1"=20' or larger (or other scale approved by the BRA) showing relationships to adjacent buildings and spaces.
8. Site plan(s) at an appropriate scale (1"=20' or larger, or as approved by the BRA) showing:
  - a. general relationships of proposed and existing adjacent buildings and open spaces
  - b. open spaces defined by buildings on adjacent parcels and across streets
  - c. general location of pedestrian ways, driveways, parking, service areas, streets, and major landscape features
  - d. pedestrian, handicapped, vehicular and service access and flow through the parcel and to adjacent areas
  - e. survey information, such as existing elevations, benchmarks, and utilities

- f. phasing possibilities
  - g. construction limits
- 9. Massing model (ultimately in basswood) at 1":40'0" for use in the Authority's Downtown Model
- 10. Study model at 1" = 16' or 1" = 20' showing preliminary concept of setbacks, cornice lines, fenestration, facade composition, etc.
- 11. Drawings at an appropriate scale (e.g., 1":16'0", or as determined by BRA) describing architectural massing, facade design and proposed materials including:
  - a. building and site improvement plans
  - b. neighborhood elevations, sections, and/or plans showing the development in the context of the surrounding area
  - c. sections showing organization of functions and spaces, and relationships to adjacent spaces and structures
  - d. preliminary building plans showing ground floor and typical upper floor(s).
  - e. phasing, if any, of the Proposed Project
- 12. A written and/or graphic description of the building materials and its texture, color, and general fenestration patterns is required for the proposed development.
- 13. Electronic files describing the site and Proposed Project at Representation Levels one and two ("Streetscape" and "Massing") as described in the document *Boston "Smart Model": CAD & 3D Model Standard Guidelines*.
- 14. Full responses, which may be in the formats listed above, to any urban design-related issues raised in preliminary reviews or specifically included in the BRA scoping determination, preliminary adequacy determination, or other document requesting additional information leading up to BRA Board action, inclusive of material required for Boston Civic Design Commission review.
- 15. Proposed schedule for submission of all design or development-related materials.
- 16. Diagrammatic sections through the neighborhood (to the extent not covered in item #2 above) cutting north-south and east-west at the scale and distance indicated above.
- 17. True-scale three-dimensional graphic representations of the area indicated above either as aerial perspective or isometric views showing all buildings, streets, parks, and natural features.

#### Infrastructure Systems Component

An infrastructure impact analysis must be performed.

The discussion of Proposed Project impacts on infrastructure systems should be organized system-by-system as suggested below. The applicant's submission must include an evaluation of the Proposed Project's impact on the capacity and adequacy of existing water, sewerage, energy (including gas and steam), and electrical communications (including telephone, fire alarm, computer, cable, etc.)



utility systems, and the need reasonably attributable to the proposed project for additional systems facilities.

Any system upgrading or connection requiring a significant public or utility investment, creating a significant disruption in vehicular or pedestrian circulation, or affecting any public or neighborhood park or streetscape improvements, comprises an impact which must be mitigated. The DPIR must describe anticipated impacts in this regard, including specific mitigation measures, and must include nearby Proposed Project (i.e. the four approved Bulfinch Triangle Parcels, Harbor Garage, Nashua Street Residences, Lovejoy Wharf, et al.) build-out figures in the analysis. The standard scope for infrastructure analysis is given below:

1. Utility Systems and Water Quality

- a. Estimated water consumption and sewage generation from the Proposed Project and the basis for each estimate. Include separate calculations for air conditioning system make-up water
- b. Description of the capacity and adequacy of water and sewer systems and an evaluation of the impacts of the Proposed Project on those systems; sewer and storm drain systems should include a tributary flow analysis as part of this description
- c. Identification of measures to conserve resources, including any provisions for recycling or 'green' strategies, including green roofs
- d. Description of the Proposed Project's impacts on the water quality of Boston Harbor or other water bodies that could be affected by the Project, if applicable
- e. Description of mitigation measures to reduce or eliminate impacts on water quality
- f. Description of impact of on-site storm drainage on water quality
- g. Information on how the Proposed Project will conform to requirements of the Ground Water Trust under Article 32, if applicable, by providing additional recharge opportunities
- h. Detail methods of protection proposed for infrastructure conduits and other artifacts, including the MBTA tunnels and

station structures, and BSWC sewer lines and water mains, during construction

- i. Detail the energy source of the interior space heating; how obtained, and, if applicable, plans for reuse of condensate.

Thorough consultation with the planners and engineers of the utilities will be required, and should be referenced in the Infrastructure Component section.

## 2. Energy Systems

- a. Description of energy requirements of the project and evaluation of project impacts on resources and supply.
- b. Description of measures to conserve energy usage and consideration of the feasibility of including solar energy provisions or other on-site energy provisions, including wind, geothermal, and cogeneration.

Additional constraints or information required are described below. Any other system (emergency systems, gas, steam, optic fiber, cable, etc.) impacted by this development should also be described in brief.

The location of transformer and other vaults required for electrical distribution or ventilation must be chosen to minimize disruption to pedestrian paths and public improvements both when operating normally and when being serviced, and must be described. Storm drain and sewage systems should be separated or separations provided for in the design of connections.

This proposal calls for the radical modification of a older Project that was basically the reconstruction of more than one entire City block. The balance of the notion of 'embedded energy' as balanced with the long-term energy savings proposed by this Project should be discussed. The Proponent should investigate energy strategies that take advantage of this scale of construction, including those that incorporate green roof strategies as well as solar orientation and materials/systems that maximize efficiencies, daylighting strategies, wind and geothermal systems, and cogeneration. As noted above, the existing power substation may need upgrading...but its location on site may present an interesting opportunity.

## **F. COORDINATION WITH CURRENT DEVELOPMENT PROJECTS, INSTITUTIONAL MASTER PLANS, AND PLANNING INITIATIVES**

The depression of the Central Artery has created an opportunity to affect positive change to the area in the vicinity of the Proposed Project. There are a number of proposed and permitted projects in the vicinity of the Proposed Project, each of which will impact the context in which the Proposed Project would be developed. Additionally, there are planning initiatives and institutional master planning processes that encompass or are adjacent to the Proposed Project. Although these projects and planning initiatives and institutional master planning processes will undergo separate processes, the BRA will review each in the context of the others. As a result, the following are the proposed and permitted projects, planning initiatives and institutional master planning processes that the Proponent must take in to account and discuss in the DPIR as they relate to aggregated/cumulative environmental, transportation, infrastructure, and other impacts:

### **1. Proposed and Permitted Projects**

- a. 121-127 Portland Street (Forcaster Building)
- b. CA/T Parcel 1 (Simpson Housing)
- c. MBTA Parcel 1A (Avenir)
- d. CA/T Parcels 2A, B & C (Greenway Center)
- e. Nashua Street Residences
- f. CA/T Parcel 1B (The Merano)
- g. Lovejoy Wharf
- h. CA/T Parcel 6 (YMCA)
- i. CA/T Parcel 7 (Haymarket Garage)
- j. Harbor Garage Redevelopment

### **2. Institutional Master Plans**

- a. Suffolk University
- b. Massachusetts General Hospital
- c. Spaulding Rehabilitation Hospital

### **3. Planning Processes**

- a. Greenway District Planning Study  
The Greenway District Planning Study is an initiative of the BRA's Planning department, which began in early 2009. There is development potential within and adjacent to the Rose Kennedy Greenway park system and this study is intended to develop development guidelines that will protect the multi-billion dollar public investment in the Rose Kennedy Greenway park system. The study is examining uses and programming, urban design and form, environmental conditions (solar exposure, shadow, wind, transportation, etc.), and economic analysis in the area adjacent to the Rose Kennedy Greenway. The BRA anticipates that the

Greenway District Planning Study will develop additional massing alternatives for the Proposed Project's site. The BRA reserves the right to require the Proponent to incorporate the City's findings into the Proposed Project and require additional alternatives of the Proposed Project at any point during the Article 80 process.

b. Government Center Green Growth District

The Government Center Green Growth District is an imitative of the BRA's Planning department, which will begin in the spring of 2009 and is intended to be a visioning process that will encourage a new paradigm for growth and economic development that will both add vitality to the district and incorporate the latest thinking in sustainability, including, but not limited to, sustainable building and management practices. The visioning process will examine the re-use of existing buildings and will look at what mix of uses and density should be established in order to create a vibrant and diverse district with 24 hour activity. The BRA shall require the Proponent to reflect and incorporate the findings of the study, if available at that time, into the DPIR. The BRA reserves the right to request incorporation of the study's findings at any point during the Article 80 process.

c. Central Artery Air Rights Planning

d. Crossroads Initiative

e. West End planning framework discussions

## **G. TRANSPORTATION AND CONSTRUCTION COMPONENT**

The analysis included in the DPIR must utilize the Boston Transportation Department's ("BTD") Transportation Access Plan Guidelines and Scope and BTD's comment letters, dated April 6, 2009 and May 14, 2009. BTD's comment letters are included in **Appendix A** and are incorporated herein by reference and made a part hereof. The Proponent is required to address all comments included in BTD's comment letters in addition to the following comments.

### Traffic and Transportation Analysis

The DPIR shall include a detailed traffic and transportation analysis that describes the Proposed Project's impacts on the transportation network, and the proposed measures by the Proponent that are intended to mitigate, limit, or minimize any adverse impacts that can be reasonably attributable to the Proposed Project.

BTD will require the proponent to submit transportation data in all future documents that accounts for the impacts associated with the already permitted projects in the surrounding area.

#### Sequencing of Construction and Interim Parking

Although the Proponent's presentations have included information regarding the proposed sequencing of the construction, the DPIR should include a specific narrative regarding the proposed sequencing of construction. The Proposed Project is described in the PNF as a multi-phased project. The Proponent should articulate the scope and construction timeframe of each phase. In the PNF, that Proponent states that the construction of the two proposed towers on Parcel 2 is likely to be phased in Option II. Therefore, special attention should be paid to describing what common infrastructure would be put in place in the initial tower, which would be built on Parcel 2, that would eventually serve the second tower. The Proponent needs to specify and explain the nature of the interim conditions.

The PNF references the Proponent's ability to provide interim parking during construction for Option I. The Proponent must explain why interim parking cannot be provided in Option II, in particular why it cannot be provided during the construction of Parcel 1. The DPIR should articulate how the interim parking will be provided and should include a specific plan for the interim parking, which indicates how the garage will function during construction, including access and egress.

#### Public Parking Absorption Analysis

Existing public parking is an important amenity to local businesses and residents. Although the Proponent provides an analysis of existing public parking facilities, including parking garages and surface parking lots, the Proponent must also include a capacity analysis, as well as a demand analysis, of these parking facilities in order to determine how public parking that is displaced by the Proposed Project can be absorbed by other facilities in the area to avoid negative impacts to local businesses and residential parking zones.

In addition, the Proponent must specify in the DPIR how the parking demands of nearby public attractions such as the TD Garden and Government Center will be met during construction.

#### Consideration of Reducing On-Site Parking for Project Uses

In light of the Proposed Project's outstanding proximity to major public transit facilities and stated commitment to environmental sustainability, the Proponent shall reduce on-site parking ratios for the Proposed Project's uses.

#### Flexible Spaces

BTD agrees that maintaining highly utilized commercial parking spaces is important for providing access to neighborhood retail and providing adequate

parking for transient visitors and residents. As the City moves towards a more sustainable future, BTB is reluctant to allow more parking spaces than needed as there are garages that are currently being used inefficiently and there is a surplus of public and private parking spaces in the immediate area. However, given BTB's request of the Proponent to reduce parking ratios for office, residential, and hotel uses in the program, BTB proposes that the Proponent create 200 "flex" spaces that can be used to balance inefficiencies in parking uses. The Proponent shall create 200 flexible parking spaces that will allow parking spaces to be shared between the various users/needs, which will provide a cushion for increased public parking demand.

#### Transit Capacity

The Proponent shall demonstrate that the MBTA transit system has sufficient existing capacity to address the ridership demand associated with the Proposed Project as defined by the trip generation analysis prepared by the Proponent's transportation consultant and included in the PNF.

#### Construction Management Plan

The Proponent must execute a Construction Management Plan ("CMP") with BTB. The CMP should detail the schedule, staging, parking, delivery, and other associated impacts of the construction of this Proposed Project.

#### Transportation Access Plan Agreement

The Proponent will have to execute a Transportation Access Plan Agreement ("TAPA") with BTB, which will codify the specific measures, mitigation and agreements between the Proponent and BTB. The Proponent shall be responsible for all costs associated with mitigation efforts including, but not limited to design and engineering, construction, and inspection.

### **H. ENVIRONMENTAL PROTECTION COMPONENT**

The DPIR must include the results of all of the environmental and other analyses specified in this section IV-H; these must be performed for the Proposed Project and all Project Alternatives as described in Section IV-C of this Scoping Determination, unless otherwise noted.

The DPIR shall address the comments of the City of Boston Environment Department, dated May 1, 2009, included in **Appendix A**, and incorporated herein by reference and made a part hereof and must be addressed in its entirety.

Additional comments related to environmental impacts are described in a memorandum from Katie Pedersen, Senior Project Manager/Environmental Review Specialist, BRA, dated April 1, 2009. This memorandum is included in **Appendix A**, and incorporated herein by reference and made a part hereof and must be addressed in its entirety.

### Wind

In general, the BRA has adopted two standards for assessing the relative wind comfort of pedestrians. First, the BRA wind design criterion states that an effective gust velocity of 31 mph should not be exceeded more than one percent of the time. The second set of criteria used by the BRA to determine the acceptability of specific locations is based on the work of Melbourne. The placement of wind measurement locations shall be based on an understanding of the pedestrian use of the Proposed Project and the surrounding area. This set of criteria is used to determine the relative level of pedestrian wind comfort for activities such as sitting, standing or walking.

The Proposed Project is located adjacent to new Rose Kennedy Greenway park system. This sensitive public amenity makes the wind analysis and impact mitigation component of the Proposed Project especially important and worthy of extraordinary study by the Proponent.

To this end, the Proponent must conduct complete wind tunnel analysis of the Proposed Project and all Project Alternative scenarios set forth in section IV-C of this Scoping Determination to evaluate the Pedestrian Level Wind (PLW) impacts of each extending a minimum of 1,500 feet from the base of the Proposed Project. Measurement points for this PLW analysis should be placed at all building entrances, entrances to public transportation stations, crosswalks and public sidewalks, public plazas and gathering areas, parks and green spaces, and at regular intervals along the Greenway. Specific locations to be evaluated shall be determined in consultation with the BRA. These PLW studies, which must be completed for all Project Alternatives, must conform to the following specifications:

- Customary Wind Roses based on aggregated Boston Wind data from Logan Airport 1945-1996.
- Special test cases for conditions with sustained wind speeds of 30, 40, and 50 MPH; with gusts up to 1.5X sustained wind speed.

### Shadow

The shadow impact analysis must include net shadow from the Proposed Project as well as existing shadow and clearly illustrate the incremental impact of the Proposed Project. For purposes of clarity, new shadow should be shown in a dark, contrasting tone, distinguishable from existing shadow. The shadow impact study area shall include, at a minimum, the entire area to be encompassed by the maximum shadow expected to be produced by the Proposed Project. The build condition(s) shall include all buildings under construction and any proposed buildings anticipated to be completed prior to the completion of the Proposed Project. Shadows from all existing buildings within the shadow impact study area

shall be shown. A North Arrow shall be provided on all figures. Shadows shall be determined by using the applicable Boston Azimuth and Altitude data.

Particular attention shall be given to existing or proposed public open spaces and pedestrian areas, including, but not limited to, the existing sidewalks and pedestrian walkways within, adjacent to, and in the vicinity of the Proposed Project and the existing and proposed plazas, historic resources, the Rose Kennedy Greenway and other open space areas within the vicinity of the Proposed Project.

The Proposed Project is located immediately adjacent to the new Rose Kennedy Greenway park system, a condition that raises significant concerns about the aggregated environmental impacts on this sensitive public amenity, which was the result of a multi-billion dollar public investment.

As a result of this condition, the Proponent must complete a detailed shadow study that examines shadow conditions throughout the calendar year, not just on cardinal dates as is customary for development projects not located at sites with such extraordinary environmental sensitivity as is the Proposed Project site.

As a result of the unique environmental sensitivity of the Proposed Project's immediate context, the Proponent must complete the following scope of shadow studies and impact mitigation analysis and publish the results of these studies in the DPIR:

- A comprehensive shadow study for all Project Alternatives required in this Scoping Determination, showing net new shadow created by the Proposed Project and each Project Alternative for the following dates and times:
  - o The 21<sup>st</sup> day of each Calendar month, January through December;
  - o Analysis of shadow impacts at every daylight hour, on the hour, of each day required above;
  - o Shadow diagrams should show how each period of new shadow will move across the existing sidewalks and pedestrian walkways within, adjacent to, and in the vicinity of the Proposed Project and the existing and proposed plazas, historic resources, the Rose Kennedy Greenway and other open space areas within the vicinity of the Proposed Project in 15 minute intervals.
- A summary of the total time for each of the above-referenced days that the Proposed Project (or the applicable Project Alternative being studied) casts net new shadow on the Rose Kennedy Greenway parks.



- An analysis of the maximum height of the Proposed Project that would cast no net new shadow on the Rose Kennedy Greenway parks.
- With the assistance of a qualified horticulturalist or botanist, provide an analysis of the potential impacts on existing plantings along the Rose Kennedy Greenway caused by the net new shadow that would be created by the Proposed Project.
- The Proponent must propose specific measures designed to mitigate the specific impacts caused by net new shadow created by the Proposed Project on the Rose Kennedy Greenway parks.

#### Daylight

The Proponent shall conduct a daylight analysis for both build and no-build conditions. The analysis shall measure the percentage of skydome obstructed by the Proposed Project and evaluate the net change in obstruction. Since project alternative massing studies are requested as part of the Article 80 Development Review Process, daylight analysis of such alternatives shall also be conducted for comparison. The study shall treat the following elements as controls for data comparison: existing conditions, the context of the area, and the as-of right conditions. The areas of interest include New Sudbury, Congress, Bowker, Hawkins (in some alternatives) and New Chardon streets, and the Southbound Surface Artery.

Daylight analyses should be taken for each major building façade within the limits of the Boston Redevelopment Authority Daylight Analysis (BRADA) program, fronting these public and quasi-public ways. The midpoint of each roadway should be taken as a study point.

#### Solar Glare

The Proponent has stated that the Proposed Project is not expected to incorporate the use of reflective building material. Consequently, the Proponent does not anticipate the creation of either an adverse solar glare impact or a solar heat buildup in nearby buildings. The Proponent shall demonstrate that the glass selected will avoid the creation of a visual nuisance and/or a hazard, as it interferes with vision and concentration. However, should the design change and incorporate substantial glass-facades, a solar glare analysis shall be required. The analysis shall measure potential reflective glare from the buildings onto potentially affected streets and public open spaces and sidewalk areas in order to determine the likelihood of visual impairment or discomfort due to reflective spot glare. Mitigation measures to eliminate any adverse reflective glare shall be identified.

#### Air Quality

The Proponent shall provide a description of the existing and projected future air quality in the Proposed Project vicinity and shall evaluate ambient levels to

determine conformance with the National Ambient Air Quality Standards (NAAQS). Careful consideration shall be given to mitigation measures to ensure compliance with air quality standards.

A future air quality (carbon monoxide) analysis shall be required for any intersection (including garage entrance/exits) where the level of service (LOS) is expected to deteriorate to D and the Proposed Project causes a 10 percent increase in traffic or where the level of service is E or F and the Proposed Project contributes to a reduction in LOS.

The study shall analyze the existing conditions, future No-Build and future Build conditions, for all Project Alternatives. The methodology and parameters of the air quality analysis shall be approved in advance by the Boston Redevelopment Authority (BRA) and the Massachusetts Department of Environmental Protection (DEP). Mitigation measures to eliminate or avoid any violation of air quality standards shall be described.

A description of the Proposed Project's heating and mechanical systems including location of buildings/garage intake and exhaust vents and specifications, and an analysis of the impact on pedestrian level air quality and on any sensitive receptors from operation of the heating, mechanical and exhaust systems, including the building's emergency generator as well as the parking garage, shall be required. Measures to avoid any violation of air quality standards shall be described.

The Construction Management Plan (CMP) shall include mitigation measures to ensure the short-term air quality impacts from fugitive dust expected during the early phases of construction from demolition of existing buildings and site preparation activities are minimal. These measures must be specifically designed to avoid negative impacts to the Proposed Project site's residential neighbors, and the Proponent must conduct a materials analysis of the concrete in the existing Government Center Garage structure to confirm that this concrete material does not contain any embedded Asbestos Containing Material or other hazardous material that could be released during demolition of the existing structure.

The Proposed Project may impact the air quality at key points at which state and federal air quality mandates may exist as a result of environmental commitments made in connection with the Central Artery/Tunnel project.

The Proponent must, for all Project Alternatives specified in this Scoping Determination, identify all state and federal air quality mandates related to the Central Artery/Tunnel project for points within ½ mile of the Proposed Project site and demonstrate that the Proposed Project will have no adverse impact on air quality at these points.

### Noise

The Proponent shall establish the existing noise levels at the Proposed Project site and vicinity and shall calculate future noise levels after project completion, thus demonstrating compliance with the Interior Design Noise Levels (not to exceed day-night average sound level of 45 decibels) established by U.S. Department of Housing and Urban Development, as well as applicable City, State and Federal noise criteria.

The Proponent has stated that mechanical equipment such as chillers, garage exhaust fans, and emergency generators have the potential to cause nuisance levels of noise. Due to the Proposed Project's proximity to an adjacent residential neighbors appropriate low-noise mechanical equipment and noise control measures will be required in accord with the Regulations for Control of Noise in the City of Boston and the Commonwealth of Massachusetts. The Proponent shall also describe any other measures necessary to minimize and/or eliminate adverse noise impacts from the Proposed Project.

### Solid and Hazardous Waste

The Proponent shall provide a list of any known or potential contaminants on the Proposed Project site, and if applicable, a description of remediation measures to ensure their safe removal and disposal, pursuant to the M.G.L., Chapter 21E and the Massachusetts Contingency Plan.

Any potential hazardous wastes to be generated by the Proposed Project site must be identified. In addition, potential waste generation must be estimated and plans for disposal indicated and measures to promote reduction of waste generation and to promote recycling in compliance with the City's recycling program described.

### Stormwater Management

The Proponent shall be required to provide an evaluation of the Proposed Project site's existing and future stormwater drainage and stormwater management practices. A narrative of the existing and future drainage patterns from the Proposed Project site and shall describe and quantify existing and future stormwater runoff from the site and the Proposed Project's impacts on site drainage. The Proposed Project's stormwater management system, including best management practices to be implemented, measures proposed to control and treat stormwater runoff and to maximize on-site retention of stormwater, measures to prevent groundwater contamination, and compliance with the Commonwealth's Stormwater Management Policies, also shall be described. The Proponent shall describe the Proposed Project area's stormwater drainage system to which the Proposed Project will connect, including the location of the stormwater drainage facilities and ultimate points of discharge.

### Geotechnical Impacts

A description and analysis of the existing sub-soil conditions, including the potential for ground movement and settlement during excavation and potential impact on adjacent buildings and utility lines shall be required. This analysis shall also include a description of the foundation construction methodology, the amount and method of excavation, and the need for any blasting and/or pile driving and the impact on adjacent buildings and infrastructure. A Vibration Monitoring Plan shall be developed prior to commencing construction activities to ensure that impacts from the project construction on adjacent buildings and infrastructure are avoided. Mitigation measures to minimize and avoid damage to adjacent buildings and infrastructure must be described.

### Sustainable Design/Green Buildings

The purpose of Article 37 of the Boston Zoning Code is to ensure that major buildings projects are planned, designed, constructed and managed to minimize adverse environmental impacts; to conserve natural resources; to promote sustainable development; and to enhance the quality of life in Boston. Any proposed project subject to the provisions of Article 37 shall be LEED Certifiable (U.S. Green Buildings Council) under the most appropriate LEED rating system. Proponents are encouraged to integrate sustainable building practices at the pre-design phase. Proposed Projects which are subject to comply with Section 80B of the Boston Zoning Code, Large Project Review, shall be subject to the requirements of Article 37.

The Proposed Project consists of multiple buildings and accordingly the Proponent shall be required to submit separate LEED checklists, together with explanatory narratives demonstrating compliance with specific points. The Proponent shall also demonstrate that the Proposed Project will meet the requirements of Article 37 with appropriate supporting documentation and by certification from a LEED Accredited Professional.

In the DPIR, the Proponent discusses creating a new paradigm for sustainable development in Boston. In the DPIR the Proponent must explain in detail how this will be achieved and what will differentiate this Proposed Project from other projects in the City, which have achieved LEED Silver certification or better. Furthermore, the Proponent states in the Green Growth Benefits section of the PNF (page 2-16) that the larger project site associated with Option I "carries important advantages" with respect to the Proposed Project's sustainability. The Proponent must explain and quantify these advantages.

Extraordinary sustainable development concepts must be incorporated into new construction in the Green Growth District study area. Therefore, the Proponent must demonstrate how the sustainability concepts referenced in the Green Growth Benefits section of the PNF will be incorporated into Option II or any potential alternative.

#### Groundwater Conservation Overlay District

The existing Government Center Parking Garage site is not located in the Groundwater Conservation Overlay District ("GCOD") and therefore not required to comply with the requirements of Article 32 of the Boston Zoning Code. However, the Proposed Project site may include adjacent underutilized and overly-wide sidewalks created by the Big Dig, sections of which are located in the Bulfinch Triangle District.

The GCOD was expanded to include the North End Waterfront Subdistrict, the North End Local Business Subdistrict and Fort Point Waterfront Subdistrict, all within the Harborpark District, and also in the North End Neighborhood District, Bulfinch Triangle District, Central Artery District, and South Boston, per an amendment on April 25, 2007. In addition to the expansion, the Amendment set the standards to be applied to the newly added areas: Section 32-6 (b), Standards, is only applicable subsection required to demonstrate compliance-  
*"provision that any Proposed Project result in no negative impact on groundwater levels within the lot in question or adjacent lots, subject to the terms of any (i) dewatering permit or (ii) cooperation agreement entered into by the Proponent and the Boston Redevelopment Authority, to the extent that such agreement provides standards for groundwater protection during construction."*

#### Performance Standards and Indicators

The Proponent must commit to long-term sustainability performance standards and a system of performance indicators and metrics to track performance as each component building of the Proposed Project is completed and begins operation. The DPIR should include a proposed tracking system.

#### Building Materials Resource Center

Building demolition activities may offer an opportunity for recycling, reprocessing or donation of construction and building materials (e.g., glass, brick, stone, interior furnishing) to the Building Materials Resource Center ("BMRC"). This non-profit center offers, for only a handling fee, new and used materials for low and middle income homeowners. The Proponent is encouraged to contact the BMRC at the following address regarding disposal and/or acquisition of materials that may be appropriate for reuse:

Building Materials Resource Center  
100 Terrace Street  
Roxbury, MA 02120  
617-442-8917

#### Article 85

As indicated in the PNF, the Proposed Project would require demolition of existing structures. The proposed demolition requires Article 85 Demolition Delay review by the Boston Landmarks Commission (the "BLC").

BLC staff strongly encourages a thorough study of alternatives to rehabilitate, or incorporate historic buildings into proposed development plans, rather than demolition. Whether buildings are historically significant or not, demolition would constitute not only a loss of historic fabric, but also represents a loss of the building's embodied energy, fuel expenditure and air pollution during the demolition and removal of the building, as well as a large deposit of material to landfills. Proposed demolition of any building within Downtown or the Harborpark area requires Article 85 Demolition Delay review. Please note that "significances" describe in the PNF and attributed to the rating system of 1980 BLC Survey forms may no longer be relevant, as these survey forms are over 20 years old and are in the process of being reevaluated. The buildings proposed for demolition may be considered "significant" under the terms of Article 85.

BLC staff notes that the phased development proposal includes retention of half of the existing parking garage in operation during Phase One construction and suggests the proponent explore development proposals that could incorporate existing structures into the final development plan. Exploration of alternatives to demolition may be required as part of the Article 85 Demolition Delay Review process.

## **I. INFRASTRUCTURE SYSTEMS COMPONENT**

The DPIR must address the comments of the BWSC, dated April 9, 2009, and the comments of the Boston Groundwater Trust, dated March 24, 2009 included in **Appendix A**. The Proponent is required to address all comments included in BWSC's and the Boston Groundwater Trust's comment letters in addition to the following comments.

### Groundwater Conservation Overlay District

The existing Government Center Parking Garage site is not located in the Groundwater Conservation Overlay District ("GCOD") and therefore not required to comply with the requirements of Article 32 of the Boston Zoning Code. However, the Proposed Project site may include adjacent underutilized and overly-wide sidewalks created by the Big Dig, sections of which are located in the Bulfinch Triangle District.

The GCOD was expanded to include the North End Waterfront Subdistrict, the North End Local Business Subdistrict and Fort Point Waterfront Subdistrict, all within the Harborpark District, and also in the North End Neighborhood District, Bulfinch Triangle District, Central Artery District, and South Boston, per an amendment on April 25, 2007. In addition to the expansion, the Amendment set the standards to be applied to the newly added areas: Section 32-6 (b), Standards, is only applicable subsection required to demonstrate compliance- *"provision that any Proposed Project result in no negative impact on groundwater levels within the lot in question or adjacent lots, subject to the terms of any (i)*

*dewatering permit or (ii) cooperation agreement entered into by the Proponent and the Boston Redevelopment Authority, to the extent that such agreement provides standards for groundwater protection during construction.”*

## **J. FIRE PREVENTION/CONTROL**

Although the City of Boston Fire Department did not submit comments regarding the Proposed Project, the PNF states that the Proponent anticipates the need to obtain a fuel storage license as well as approval of fire safety equipment. The Proponent should coordinate with City of Boston Fire Department to ensure that the necessary review and approvals occur, and that the appropriate analyses are completed regarding the Proposed Project.

In addition, the following issues must be addressed:

- emergency vehicle access to all new buildings as well as any existing buildings that might be affected – this requirement should be evaluated in light of traffic impacts caused by the Proposed Project on surrounding streets, alleys, and accessways;
- impact on availability and accessibility of hydrant locations for new buildings as well as any existing buildings that might be impacted;
- impact on availability and accessibility to siamese connection locations for new buildings as well as for any existing buildings that might be impacted;
- impact that a transformer vault fire or explosion will have on the fire safety of the building(s), particularly as it relates to the location of the vault;
- need for Boston Fire Department permit requirements as outlined in the Boston Fire Prevention Code, the Massachusetts Fire Prevention Regulations 527 CMR, and the Massachusetts fire Prevention Laws (M.G.L. c. 148); and
- if the Proposed Project will include air-supported structures, the impact of the design on fire safety relative to the interaction of the area underneath the structure to the structure as well as to the interaction of the structure to the area underneath the structure.

## **K. PUBLIC WORKS COMPONENT**

The DPIR must address the comments from the Boston Public Works Department Commission (“PWD”), dated May 11, 2009, included in **Appendix A**, and incorporated herein by reference and made a part hereof.

### Site Plan

Developer must provide an engineer's site plan for each phase at an appropriate engineering scale, that shows curb functionality on both sides of all streets that abuts the property.

### Sidewalks

The Proponent is responsible for the reconstruction of the sidewalks and roadways abutting the Proposed Project, and where appropriate, extend the limits to the nearest intersection. In order to improve pedestrian flow to and from the site and extend the Greenway Enhancement the Proponent is also requested to extend beyond the limits of the site other improvements to the immediate and relevant surrounding sidewalks and streets abutting the project, and to that which take pedestrian traffic from the site to Government Center, Faneuil Hall, Financial District, and North and South Stations.

This effort may constitute a License, Maintenance and Indemnification ("LM&I") agreement with the Public Improvement Commission ("PIC"). In order to encourage and compliment pedestrian improvements and travel along all sidewalks within the Public Right of Way within and beyond the project limits, the reconstruction effort also must meet current ADA/AAB guidelines, including the installation of new or reconstruction of existing compliant pedestrian ramps at all corners of all intersections.

### Discontinuances

Any and all discontinuances (sub-surface, surface or above surface) within the Public Right-of-Way ("ROW") must be processed through the PIC.

### Landscaping

Proponent must seek approval from Mr. Ken Crasco, Chief Landscape Architect with the Parks and Recreation Department for all landscape elements. Program must accompany a LM&I with the PIC.

### Street Lighting

Street lighting needs must be consulted with Mr. Joseph Banks of the Street Lighting Division with the BPWD, and where needed, be installed by the Proponent, and must be consistent with the area lighting, to provide a consistent urban design.

### Roadway

Based on the extent of construction activity, including utility connections and taps, the Proponent will be responsible for the reconstruction of the roadway sections that immediately abuts the property, and where appropriate, extend the limits on re-construction to the nearest intersection and to insure compliance to ADA/AAB guidelines.



#### Roadway Clearance

The Highway Division of Public Works is responsible for the clearance process pertaining to BPWD capital projects, such as reconstruction, resurfacing, etc. Proponent must contact Mr. Mark Cardarelli in order to determine whether the development parcel(s) are on proposed capital projects, or are free of conflict.

#### Public Trash Receptacles

Developer to consult with Mr. Tim McCarthy of BPWD, and is responsible for purchasing solar powered trash compactors to be used in Public space consistent with City of Boston's plan.

#### Public Art

Developer is to contact Ms. Karin Goodfellow of the Boston Arts Commission to participate with the City's public arts program, creating notable art pieces in public spaces.

#### Groundwater

Developer should install groundwater-monitoring wells in accordance to ISD standards, to monitor groundwater levels during construction, and convey the wells to the Groundwater Trust through the PIC after the completion of the project.

Note: these are the general standard and somewhat specific BPWD requirements applicable to every project, more detailed comments will be addressed during the PIC review process.

### **L. BOSTON PARKS AND RECREATIONAL DEPARTMENT REVIEW**

The DPIR must address the comments from the Boston Parks and Recreational Department, dated April 21, 2009, included in **Appendix A**, and incorporated herein by reference and made a part hereof.

In accordance with the requirements of City Ordinance 7-4.11, since the Proposed Project is located within 100 feet of the North End park portion of the Rose Kennedy Greenway, the Proposed Project requires Parks and Recreation Commission approval.

### **M. AIRSPACE REQUIREMENTS**

In the PNF, the Proponent acknowledges that the Federal Aviation Administration (the "FAA") must determine if the Proposed Project will pose a hazard to air navigation. In the DPIR, the Proponent must demonstrate that the Proposed Project does not encroach into any critical airspace surfaces, as defined by the FAA, and will not affect aircraft operations. In the DPIR, the Proponent must document the Proposed Project's compliance with the FAA's Obstruction

Standards of Federal Aviation Regulations Part 77 relating to the safe and efficient use of navigable airspace by aircraft utilizing Logan International Airport and to the operation of air navigation facilities.

#### **N. PROPERTY CONSIDERATIONS**

The Proponent must identify and delineate any and all property currently owned by others that it proposes to occupy temporarily or permanently as part of the Proposed Project's development. Option I contemplates that the Proposed Project will require the acquisition of certain property currently owned by the City of Boston and the BRA, as well development over NStar air rights. The Proponent must identify all property that it proposes to acquire in connection with the Proposed Project, and must further present a complete, fully developed design and series of environmental studies for a Project Alternative (Option II) that does not require the acquisition of any property owned by parties other than the Proponent.

The Proponent must also identify any and all private third party rights and/or interests in the Proposed Project site that would be affected by the Proposed Project's development. These rights may include (but not be limited to): leases, easements, existing agreements, covenants, restrictions, and other encumbrances that may affect the Proponent's ability to construct the Proposed Project.

Nothing in this section of the Scoping Determination or in the Proponent's response thereto is intended to obviate or reduce the Proponent's obligation to subject any applicable occupancies of public rights of way to Public Improvements Commission review, nor shall anything contained in this Scoping Determination or in the Proponent's response thereto have any effect on the Proponent's obligations to any third parties in connection with such third party's rights in the Proposed Project site.

#### **O. DEVELOPMENT IMPACT PROJECT**

Based on the information provided in the PNF, the Proposed Project's uses meet the square footage threshold under Article 80B-7 of the Code to require the Proponent to enter into a Development Impact Project ("DIP") agreement.

#### **P. PUBLIC NOTICE AND CIRCULATION**

The Proponent will be responsible for preparing and publishing in one or more newspaper(s) of general circulation in the City of Boston a Public Notice of the DPIR submission to the BRA as required by Article 80A-2. This notice shall be published within five (5) days after the receipt of the DPIR by the BRA. Public

comments shall be transmitted to the BRA within seventy five (75) days of the date upon which the DPIR is submitted, unless such comment period is extended by the Proponent.

Following publication of the Public Notice, the Proponent shall submit a copy of the Public Notice to the BRA as well as the date of publication.

Two (2) copies of the DPIR should be delivered to the following libraries for review by the community:

- Boston Public Library's Main Branch, located at 700 Boylston Street
- North End Branch Library, located at 25 Parmenter Street
- West End Branch Library, located at 151 Cambridge Street

**APPENDIX A**  
**ELECTED OFFICIALS' COMMENTS**  
**CITY AND STATE AGENCIES' COMMENTS**



# JOHN R. CONNOLLY BOSTON CITY COUNCILLOR AT-LARGE

April 17, 2009

Ms. Kristin Kara  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201

B.R.A.  
2009 APR 17 P 4:12

Dear Ms. Kara:

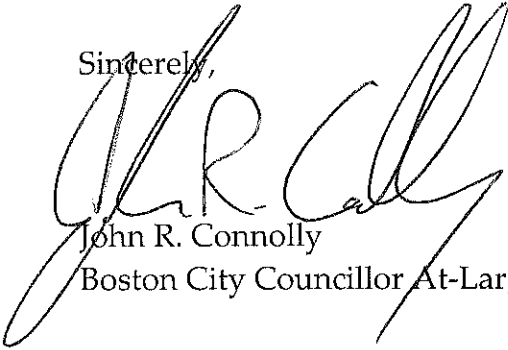
I am writing in support of the Government Center Garage Project submitted by Bulfinch Congress Holdings, LLC. This project will remove the eyesore of the present Government Center Garage and provide much needed jobs and economic development to the West End neighborhood. A mixed use development will help to revitalize this once vibrant community and introduce approximately 237 units of permanent housing into the area.

In the current economic climate, this project is one of the few that has strong financial backing from the National Electrical Benefit Fund and the Lewis Trust Group Limited. These two organizations have the ability to finance this development project in spite of the poor credit market. At 3,775,000 square feet, a project of this scale will also provide timely work to many of our local labor unions. The developer's goal to reach a Platinum LEED certification will be a strong example of environmentally conscious development for future projects as we work towards making Boston the greenest city in the world.

The proponent has shown a commitment to an open community process with a series of meetings designed to garner input from all interested parties on the best use for the site. From these conversations with the community, many sound ideas have emerged including the addition of a Boston public school into the development as a community benefit. The number of families in the downtown communities has been steadily growing for many years now and a public school in this area would help satisfy a need which is presently unmet.

I hope that you will give your full consideration to the Government Center Garage Project submitted by Bulfinch Congress Holdings, LLC. Thank you for your time and attention to this matter and please do not hesitate to contact me directly at (617) 635-3115 with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'J.R. Connolly', with a long, sweeping horizontal stroke extending to the right.

John R. Connolly  
Boston City Councillor At-Large



*The Office of*  
**SALVATORE LaMATTINA**  
*Boston City Councilor - District One*

April 17, 2009

Kristin Kara  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201

Dear Ms. Kara:

The Government Center Garage, in addition to being an eyesore, is not the best use for the large swath of downtown property on which it sits. With the Central Artery relocated underground, it makes sense to turn our attention to the garage and to open up the space that it has covered for more than four decades. To that end, I offer my support for the current proposal to redevelop the garage and its surroundings.

The necessary demolition and construction at the site would generate much-needed jobs during this period of economic downturn; new businesses would add permanent jobs and increase tax revenues for the city; and the project would inspire more development in the Government Center area. With sustainability and efficiency in mind, the proposal appeals to those of us who want to see buildings that are built with a "green" ethic.

The proposed development would also beautify the site by replacing tons of concrete and hundreds of cars with modern architecture, the bustle of commerce, and significant foot traffic. Neighborhoods long separated by the garage would be rejoined and the sky above Congress Street would be opened up.

As with any project of this size, I do have some concerns, and I ask that the proposal be carefully vetted through the BRA review process. One issue that jumps out is the height of the towers. The developers need to work with all local parties to make sure that buildings are in appropriate proportion to their surroundings. Also, I'd like to see the building of a new public school linked to the project.

I'm sure that these matters and others that may come up can be worked out to everyone's satisfaction, and I look forward to working with the developers and the BRA to bring this project to fruition.

Sincerely,

Salvatore LaMattina  
District 1 City Councilor



**Boston City Council**  
**Stephen J. Murphy**  
City Councillor At-Large

April 15, 2009

Mr. Clarence Jones, Chair  
Boston Redevelopment Authority Board  
Boston City Hall, 9<sup>th</sup> Floor  
One City Hall Square  
Boston, MA 02201

Dear Mr. Jones,

I'm writing you to voice my general support for the Government Center Garage redevelopment proposal.

The Government Center Garage is at the nexus of a number of Boston's neighborhoods: the North End, the West End, and Beacon Hill. The plan to demolish the garage and redevelop the site will reconnect these neighborhoods and remove one of the last visual blights on Boston's post-Big Dig landscape. This proposal will take a site which has been underutilized and provide economic, functional & visual vibrancy to a location much in need of redevelopment.

This redevelopment project could be an economic engine for the city over the next several years. It will generate significant new tax revenue for the City, as well as linkage contributions in the multi-millions. The plan to demolish the garage will also create both construction jobs and permanent jobs related to the new development.

The PNF shows two alternative plans for the Government Center Garage. The primary proposal includes the neighboring city-owned parcels in the redevelopment and an alternative proposes development within the current footprint of the garage parcel. These city-owned parcels are currently a tax-exempt space. If included in the development, those underutilized parcels will return to the tax rolls and generate new revenue for the city. This is a much needed new revenue stream for Boston.

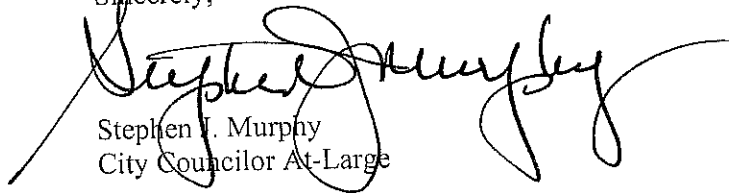
The redevelopment plan is large in scope and should be carefully vetted through the BRA review process. The project also will be one of the first "green" buildings in the city. With a co-generation facility and a green roof, this project has the potential to be the first LEED platinum certified building in the city of Boston. This sustainability can be the cornerstone for a "greener" Boston.



Make no mistake, I am in full support of this concept on the whole. However, I am vehemently opposed to the proposed 52' height for the building due to density concerns. I believe that revisions with regard to this one specific element of the proposed plan need to be made in order to make it work for all the residents of Boston, particularly those who reside in the neighborhoods of the North End, Beacon Hill and the West End. Their input should be taken into full consideration as the BRA completes its development review process. Once the concerns of the residents have been recognized and been incorporated into this proposal, I will encourage the Boston Redevelopment Authority to act favorably in order to allow this important project to move forward.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen J. Murphy". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Stephen J. Murphy  
City Councilor At-Large



**MICHAEL P. ROSS**  
**BOSTON CITY COUNCIL**

April 24, 2009

Kristin Kara  
BRA Project Manager  
Boston City Hall, 9<sup>th</sup> Floor  
One City Hall Plaza  
Boston, MA 02201

Dear Ms. Kara:

I am writing this letter with regard to the Project Notification Form filed with the BRA for Parcel 1 of the Government Center Garage redevelopment project. While there are many benefits that could be brought to the community through the demolition of the current garage, the redevelopment of the Government Center Garage space, and the opening of the sky above Congress Street, there are also many concerns that have been raised to my attention by constituents and community leaders with regard to the proposed PNF. The concerns include those of height and massing, parking availability, construction phases, pedestrian access, and more. Each of the concerns raised needs to be considered, but before I can speak on the development of this project in its PNF form, I ask that the BRA, Raymond Properties, and the architects of Cook + Fox work together to include a design proposal for a new school within the Project Notification Form.

Public education needs to be available to all residents. Currently downtown families are limited from sending their children to schools near their homes, as the schools all have waiting lists dozens of names long. For years our city has been in need of a new public school space to provide additional seating and facilities for the families of our city. Myself, City Councilor Sal LaMattina, and a liaison of Senator Anthony Petrucelli's office have met with the Mayor, Boston's Public School Department, and with a group of devoted parents, expressing the need and responding to a loud cry for a new public school facility in the city of Boston. The Coalition of Parents for Public Education has done a tremendous job collecting petitions and information as a component of the city's need for a new school. Neighbors from Beacon Hill, the North End and the West End have all come together to voice a need for a new public elementary school facility as a part of this development project. It is clear that with the location and the expansive nature of the Government Center Garage redevelopment, the project fits the scope necessary to include a new public elementary school as part of its construction. It is essential for Raymond Properties and the BRA to include a public school as part of this development.

**DISTRICT 8**

**BOSTON CITY HALL, ONE CITY HALL PLAZA, BOSTON, MASSACHUSETTS 02201**  
**(617) 635-4225 FAX: (617) 635-4203 MICHAEL.ROSS@CI.BOSTON.MA.US**

Again, I recognize the benefit of a Government Center Garage demolition to many of my constituents, particularly in the West End, who look forward to the day that their view down Congress Street is no longer interrupted by a wall of concrete and is instead opened up to welcome new residents, visitors, and neighborhood-friendly businesses. I am suggesting a way to make this project beneficial to all three of the neighborhoods that are directly affected. That being said, I would ask that the developer look further into re-scaling some of the potential height and mass of the project to better fit the existing standards for height and mass of surrounding neighborhoods. I applaud the green standards that are being applied to the development of the buildings, but I ask that Cook + Fox work to meet some of the height concerns that are being raised by the surrounding neighborhoods, in order to help preserve and protect the historic nature of Beacon Hill, the West End, and the North End. The Government Center Garage stands in a gateway of three family-oriented neighborhoods; it is important that the design of the building exhibits a standard of neighborhood scope and appeal. In addition, it is important that the development incorporate adequate parking facilities for the residents and patrons of the area. I applaud the efforts of Raymond Properties in reaching out to make sure that the community has input in the number of parking spaces that will be included in the development.

I want to work with you to find the right adjustments to the Government Center Garage development project in order to see the project succeed for our neighborhoods and our city, beginning with a request that the plans for a public elementary school be included in the project's PNF as has been requested loudly from the City, the State, and the neighbors of Beacon Hill, the North End and the West End.

Thank you for your time and consideration in this process. Please feel free to contact my office if you have any further questions or concerns.

Best Regards,



Michael P. Ross  
Boston City Council President

DISTRICT 8

BOSTON CITY HALL, ONE CITY HALL PLAZA, BOSTON, MASSACHUSETTS 02201  
(617) 635-4225 FAX: (617) 635-4203 MICHAEL.ROSS@CI.BOSTON.MA.US



**JOHN M. TOBIN, JR.**  
**BOSTON CITY COUNCIL**  
**DISTRICT 6**

*Handwritten signature: Kara*

**B.R.A.**  
2009 APR 22 A 10:16

Mr. John F. Palmieri, Director  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201

April 13, 2009

Dear Palmieri,

I am writing in support of the proposed redevelopment of the Government Center Garage.

The garage is located at the intersection of the North End, West End and Beacon Hill neighborhoods. The plan to demolish the garage and redevelop the site will help reconnect these neighborhoods and eliminate a longtime visual blight on the city.

The redevelopment project could help stimulate Boston's economy by generating new tax revenue and millions of dollars in linkage money. It will also create both construction and permanent jobs.

The PNF shows two possible plans for the Government Center Garage. The primary proposal includes the neighboring city-owned parcels in the development. Currently, these city-owned parcels are tax exempt space. If incorporated into the new development, the parcels will return to the tax rolls creating new, much-needed revenue for the city. The alternative proposal would only redevelop the current footprint of the garage.

This project will be one of the first "green" buildings in Boston, and will include a co-generation facility and a green roof. It has the potential to be the first LEED platinum certified buildings in

**BOSTON CITY HALL, ONE CITY HALL SQUARE, BOSTON, MASSACHUSETTS 02201**  
**(617) 635-4220 FAX: (617) 635-4203 E-MAIL: JOHN.TOBIN@CI.BOSTON.MA.US**

the city and could lead the way in making Boston a greener city in the future.

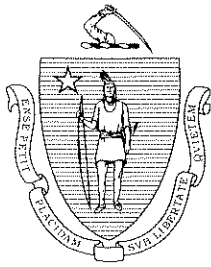
I hope that after a thorough review of this proposal, the Boston Redevelopment Authority will support the Government Center Garage redevelopment project. Please give this project every consideration.

Sincerely,



John M. Tobin, Jr.  
Boston City Council  
District 6

**BOSTON CITY HALL, ONE CITY HALL SQUARE, BOSTON, MASSACHUSETTS 02201**  
**617-635-4220 FAX: 617-635-4203 EMAIL: [JOHN.TOBIN@CITYOFBOSTON.GOV](mailto:JOHN.TOBIN@CITYOFBOSTON.GOV)**



*The Commonwealth of Massachusetts*  
*House of Representatives*  
*State House, Boston 02133-1054*

**MARTHA M. WALZ**  
8TH SUFFOLK DISTRICT  
REPRESENTING  
BOSTON AND CAMBRIDGE

Chair,  
Committee on Education

ROOM 473G, STATE HOUSE  
TEL. (617) 722-2070  
FAX (617) 626-0699  
marty.walz@state.ma.us

April 21, 2009

John F. Palmieri, Director  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201  
Attn: Kristin Kara

Holly Johnson, Analyst  
Massachusetts Environmental Policy Act Office  
100 Cambridge Street  
Boston, MA 02114  
EEA No. 14383

Re: Government Center Garage Redevelopment Project Notification Form and Environmental Notification Form

Dear Mr. Palmieri and Ms. Johnson:

I am writing in connection with the Project Notification Form and Environmental Notification Form submitted by Bulfinch Congress Holdings, LLC for the Government Center Garage Redevelopment Project. While the project site is just beyond the boundaries of my district, the project is of great interest and concern to my West End and Beacon Hill constituents, who, along with North End residents, will experience the greatest impact from the proposed project. As a result, I ask that the following be included in the Scope of Review/Secretary's Certificate issued for the Draft Project Impact Report/Draft Environmental Impact Report.

Zoning

In addition to the developer studying the proposed project and a no-build option, I ask that the Scope/Certificate require the developer to evaluate fully a proposal that complies with current height and FAR zoning limits. In this way, we will be able to compare thoughtfully the impacts of an as-of-right project with the impacts of the proposed project. The evaluation of this option should include shadow and traffic impacts of such a smaller scaled project.

Proposed On-Site Uses

With regard to the project's proposed uses and what should be evaluated in the DPIR/DEIR, I urge you to require the developer to evaluate the inclusion of more housing. To ensure that the crossroads of the North End, West End, and Beacon Hill residential communities remains a vibrant area after office workers have left for home in the evening and on weekends, the amount of housing in the project may need to be increased.

John Palmieri  
Holly Johnson  
April 21, 2009  
Page 2

The DPIR/DEIR should explore inclusion of a public K-8 school as part of the project. As there is no walk-to school for the West End and Beacon Hill, inclusion of a school in this project would be an enormous benefit for the community. Using a K-8 model, the developer should also explore the option of pairing a school at this location for the upper grades with the Eliot School that could include the lower grades, so both buildings could provide a seamless transition for students from kindergarten through the 8<sup>th</sup> grade.

The proponent should evaluate the inclusion of a college dormitory in the project to provide much needed student housing in the area. The inclusion of a dormitory will also help alleviate the housing crunch currently experienced in the surrounding neighborhoods.

#### Views of the Project

The DPIR/DEIR should include renderings of how the project will appear from Beacon Hill, including from the intersection of Cambridge Street and Bowdoin Street.

The proponent should also show how the project will look if the orientation of the buildings is changed so that the narrowest part of the buildings face the West End.

#### Traffic

The developer should study carefully the impact of the project, both during construction and upon completion, on Cambridge Street between Charles Circle and Park Street.

If you have any questions, please do not hesitate to contact me at (617) 722-2070 or at [marty.walz@state.ma.us](mailto:marty.walz@state.ma.us). Thank you.

Sincerely,


A handwritten signature in cursive script that reads "Martha M. Walz".

Martha M. Walz



THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS  
OFFICE OF COASTAL ZONE MANAGEMENT  
251 Causeway Street, Suite 800, Boston, MA 02114-2136  
(617) 626-1200 FAX: (617) 626-1240

## MEMORANDUM

TO: Ian Bowles, Secretary, EEA  
ATTN: Holly Johnson, MEPA Unit  
FROM: Deerin Babb-Brott, Director, CZM   
DATE: April 22, 2009  
RE: EEA 14383 – Government Center Garage Redevelopment

The Massachusetts Office of Coastal Zone Management (CZM) has completed its review of the above-referenced Environmental Notification Form (ENF), noticed in the *Environmental Monitor* dated March 25, 2009 and offers the following comments.

### Project Description

The project site includes the 1.3 million square foot Government Center Garage property at One Congress Street, which occupies parcels on both sides of Congress Street. The site is bounded by New Chardon Street to the north; the Surface Road and ramps to I-93 to the east; Sudbury Street to the south; and Bowker Street to the west. The site contains a mix of uses including: U.S. Environmental Protection Agency, convenience store, Dunkin Donuts, Enterprise Rent-A-Car, and the Kaplan Learning Center. The ENF states that the project proponent also proposes to include adjacent parcels in the development program. Current uses on these parcels include: City of Boston, Boston Redevelopment Authority (BRA), NSTAR substation, and the District A-1 Police Station. The project site also includes the MBTA Haymarket Station, with entrances to the subway and bus loading areas. The project site is located primarily on landlocked tidelands. A portion of the project site, adjacent to the Rose Kennedy Greenway, is also located within the Coastal Zone.

The proposed project will demolish the existing Government Center Garage and City-owned buildings west of Bowker Street and will replace them with approximately 3.8 million square feet of mixed-use development. The ENF states that the density will be distributed between five major buildings, ranging in height from approximately 60 to 710 feet. The proposed mix of uses includes: office, residential, hotel, retail, MBTA Haymarket Station, District A-1 Police Station, and approximately 2,000 parking spaces. The ENF states that the project proponent must acquire air rights over the existing NSTAR substation to proceed with the preferred alternative. The ENF also discusses a No-Build alternative and an alternative that includes redevelopment only on the garage site.

### Project Comments

The project is proposed on landlocked tidelands and is subject to the Public Benefit Determination Regulations at 301 CMR 13.00. Since the project is categorically included for an Environmental Impact Report, the ENF states that a public benefit analysis will be included in the Draft Environmental Impact Report (DEIR). The public benefit analysis submitted with the DEIR should include an explanation of the project's impacts on public access and connections to the waterfront. The analysis should also include sufficient measures to mitigate any adverse impacts to the public rights associated with these tidelands by the proposed development. In accordance with

DEVAL L. PATRICK GOVERNOR TIMOTHY P. MURRAY LIEUTENANT GOVERNOR IAN A. BOWLES SECRETARY DEERIN BABB-BROTT DIRECTOR

[www.mass.gov/czm](http://www.mass.gov/czm)





301 CMR 13.04(3), the Secretary may accept a public benefit consisting of on-site improvements, off-site improvements, voluntary payment, or a combination thereof.

CZM supports the on-site public realm improvements described in the ENF. Specifically, the proposed covered pedestrian way located between Parcels 1a and 1b would provide a physical and visual connection to Canal Street and Congress Street and may also enhance pedestrian access to the MBTA Haymarket station. Similarly, removing the garage structure over Congress Street would enhance pedestrian and visual access along this street.

In consideration of the scale of the proposed development, the project should also support the implementation of the City's harbor planning objectives including new or enhanced pedestrian connections to open space and street networks that link to the waterfront and other public benefits that will promote waterfront activation. CZM recommends that the project proponent review existing municipal harbor plans and coordinate with the BRA's ongoing Crossroads Initiative and Greenway District Study for additional guidance.

#### **Federal Consistency Review**

The proposed project may be subject to CZM federal consistency review, in which case the project must be found to be consistent with CZM's enforceable program policies. For further information on this process, please contact Robert Boeri, Project Review Coordinator, at 617-626-1050, or visit the CZM web site at [www.mass.gov/czm](http://www.mass.gov/czm).

DBB/bw

cc: Brad Washburn, CZM  
Ben Lynch & Alex Stryksy, MassDEP Waterways Regulation Program  
Kristin Kara, Boston Redevelopment Authority  
David Hewett, Epsilon Associates



BOSTON  
TRANSPORTATION  
DEPARTMENT

ONE CITY HALL PLAZA/ROOM 721  
BOSTON, MASSACHUSETTS 02201  
(617) 635-4680/FAX (617) 635-4295

April 6, 2009

Boston Redevelopment Authority  
One City Hall Square  
Boston, Ma 02201-1007  
Attn: Kristin Kara

Re: Government Center Garage Redevelopment Project (Notice of Project Notification)

Dear Kristin Kara:

The Boston Transportation Department is in receipt of the above referenced NPN and has made the following comments. Please incorporate these comments into this project.

- 1) Please add the following intersections to the list of locations to be studied. Causeway Street & Portland, Causeway Street & Haverhill, Mercantile Street & Surface Road, State Street & Surface Road, Beverley Street & Valenti Way, Atlantic Avenue & Cross Street and Atlantic Avenue & State Street. BTD can supply with recent counts for Surface Road & Atlantic Avenue which can be used in your study.
- 2) The proposed narrowing of Sudbury Street from 4 lanes to two lane will result in an unacceptable capacity level.

If you have any questions or are in need of any additional information, please feel free to contact Mr. Alfredo Vilar @ 617-635-4605.

Sincerely,

Donald G. Burgess  
Supervising Engineer

AV:  
Cc: J. DeBenedictis, R. Merceir  
Govccentgarbra4609

THOMAS M. MENINO, Mayor  
Thomas J. Timlin, Commissioner



## MEMORANDUM

TO: Kristin Kara  
FROM: David Carlson  
DATE: May 12, 2009 and as amended  
SUBJECT: **Government Center Garage Redevelopment**  
Scoping Comments

Bulfinch Congress Holdings, LLC proposes the redevelopment of the Government Center Garage and, possibly, the block to the West bounded roughly by New Sudbury, Hawkins, New Chardon, and Bowker streets, into a 3.7 million SF mixed-use complex containing about 300 less parking spaces, with two significant office towers as well as residential, hotel, and retail. The site currently controlled by the Proponent contains the 2300-car Garage planned as part of the Government Center Urban Renewal Area and designed by Kallman, McKinnell and Wood (Hresko and Mintz in a collaboration added the two upper office floors much later, with its distinctive offset core). The existing Garage erodes above the north end of the Haymarket T subway and bus station and contains a small amount of retail while spanning the vital downtown arterial of Congress and Merrimac streets. The Garage would be demolished, likely in phases, under the proposal favored by the Proponent. Boston Landmarks approval of the demolition(s) via Article 85 will be required.

This Project aims to bring daylight to Congress Street underneath the current structure, creating a separate lower-scaled development of two buildings (125' and 175' in the 'baseline' scheme) on the parcel closest to the Greenway, while enhancing pedestrian (commuters and visitors alike) connections between the North Station area and the Financial District. The mix of uses would bring a stronger retail presence and more office uses to the area, potentially greatly improving the pedestrian environment and enhancing the office uses already extant in the area, while also adding residential and hotel uses. In the Proponent-preferred option, the added parcel would relocate the existing District A-1 Police Station while allowing more separation between towers and a phasing plan that maintains a certain amount of necessary parking actively on the site. It would also re-create a minor through-block connection via Bowker Street, which now has a considerable grade change which precludes any vehicular connection. Master plan architects are Chan Krieger Sieniewicz; Cook + Fox will be the design architects. Height proposed is up to 710'; FAR, depending upon one's calculus and the scheme, is 14.9 up to 20.3.

### DAYLIGHT COMPONENT

A daylight analysis for both build and no-build conditions shall be conducted by measuring the percentage of skydome that is obstructed by the Proposed Project building(s) and evaluating the net change in obstruction. If alternative massing studies are requested or result as part of the Article 80 development review process, daylight analysis of such alternatives shall also be conducted for comparison. The study should treat three elements as controls for data comparisons: existing conditions, the 'as-of-right' (defined in this case as the applicable Sudbury Protection

Area zoning) envelope where such exceeds existing conditions, and context examples. The areas of interest include New Sudbury, Congress, Bowker, Hawkins (in some alternatives) and New Chardon streets, and the Southbound Surface Artery. An oblique view from a point about 50' into the Parcel 8 Park should also be attempted. Daylight analyses should be taken for each major building facade fronting these public ways. The midpoint of each public accessway or roadway should be taken as the study point. The BRADA program must be used for this analysis.

If a Proponent wishes to substitute a more contemporary computer program for the 1985 BRADA program, its equivalency must first be demonstrated to the satisfaction of BRA staff before it is utilized for inclusion in the DPIR, and it must be commonly available to any Project's team users.

### SHADOW AND WIND COMMENTS

In addition to the comments and scoping by others, the Proponent is directed to consider the use of color as an alternative to dark tonality to indicate new shadows. Provide the monthly material requested in electronic rather than paper form, except as conclusion discussions, using continuous dawn-to-dusk shadow animations. Do NOT duplicate studies for months in which the information is identical (i.e., a single animation for November/January, or May/July). Regarding the specific time range of any new impacts on the Greenway parks, if overall duration is greater than one hour, provide an overlap study which defines any area impacted by new shadows for a period greater than one hour. Include duration studies/information for other open spaces in the area, including City Hall Plaza, Cardinal Cushing Park, and the park behind the Brooke Courthouse. All *net new* shadows, in general, shall be defined as outlined elsewhere either by darker tone or *color* and shall be clearly shown to their full plan extent, whether on street, park, or rooftop.

Regarding wind, all wind tunnel test points shall be approved by BRA staff before conduction of testing. Wind analysis may be requested at points within several blocks of the property (ies) in question; where contiguous to open space, analysis may extend to likely bounds of no impact, possibly as far as 1500' (the Greenway and City Hall Plaza fall into this category). Analysis of results and effective mitigation shall be presented in the DPIR using diagram methodology so that the delta or changes manifested by the project relative to existing or as-of-right conditions...again, whichever provides the higher base impacts...are clearly understood.

### URBAN DESIGN COMPONENT

The Boston Civic Design Commission ('BCDC') voted to review the Proposed Project on April 7, 2009 and saw a preliminary presentation. The Commissioners present unanimously favored the 'baseline' or Proponent-preferred project; the Project was referred to Design Committee. When sufficient progress in preparation of a Preferred Alternative in the DPIR in response to the Scoping Document has been made on the design pursuant to preliminary BCDC, IAG, and BRA staff comments, BCDC Design Committee meetings should be scheduled by contacting David Carlson, Executive Director of the BCDC. Minutes from the Government Center Garage portion of the April BCDC meeting are attached.

It should be noted that the BRA will expect a more complete design to allow more in-depth comment at the DPIR stage. The BRA reserves the right to comment at that stage toward the submission of an FPIR. In general, the 'baseline' ("Proposed Project" or "Proposed PNF", as compared to the 'Alternative PNF') has more positive aspects, and the 'alternative' is too dense, high (because of adjacency and perceived bulk), compressed. The BRA will ask for studies related to both alternatives, with certain modifications, as well as comparisons to both existing conditions and an 'as-of-right' alternative (for the option which includes Parcel 3).

The Government Center Garage Redevelopment Project at its core is an Urban Renewal project. The key goals of such are to reinvent and renew the socio-economic and physical fabric of the City for its ultimate betterment...and to conform to the overall Plan for the District. The Government Center Garage was intended to provide parking for the workers in and visitors to the area, and in the character of the planning of its day, made a bold architectural gesture in homage to the automobile that spanned the new Congress Street alignment and crested above the Haymarket Circle nexus. In the late 1980s, two vast office floors were added to increase value and bring workers to the area. The treatment of the huge span over Congress Street was never fully mitigated, and it tended to separate the City along a very strong arterial connector which serves many as a gateway to the area. One does not revisit such a Project lightly, but the basic concepts should include a continued accommodation of what might be reduced and differentiated mode parking for the area, and connect neighborhoods by making connections both physical and real but also visual and contextual, including public realm improvements that are at least the equal in positive attribute to any factors that might be perceived as negative. The Proponent has presumed a process allowing the flexibility in density and height appropriate both to the expense of taking down an economically viable use, and to the uses proposed, as well as the 'high frame' City visualization/planning concept promulgated in Kevin Lynch's and others' studies for this section of the City around City Hall Plaza.

The following urban design questions and objectives should be addressed in the DPIR submission for all scenarios except as noted.

- 1) Identify all federal, state, and local regulations that apply to the Project both existing and as proposed.
- 2) The Project shall take into account as strict height limits the FAA limits recently released as defined by the FAA and Massport, should the bounds impact this Project site.
- 3) Include mitigations. Standard alternatives for study include no-build, and an 'as-of-right' build-out...in this case FAR 7, with a height of 100'. In this case, we may also ask for alternatives conforming to Urban Renewal Plan constraints; the formal request lies elsewhere in the Scope. We will expect that the Proposed Project as represented in the DPIR *will have taken into account any necessary mitigating factors*, for scenarios with densities and heights beyond those alternatives, discovered as a result of environmental and other studies by the Proponent.

- 4) Performance Standard concept. The Proposed Project should meet the 'performance standard' of *generally* having the same or a lesser degree of environmental impacts than either the full 'as-of-right' build-out or existing conditions, whichever are most impactful. I.E., criteria such as daylight, shadows, and wind should be *at least* neutral or improved *on average*, recognizing that some elements or points may be worse, but proving that the whole is better as a Project. We will expect in fact that mitigations or positive urban benefits will result from this Project and in balance far outweigh *any* negative impact. Specific shadow and wind investigations will be requested - a separate category in this memorandum - to determine what the impacts are regarding the Rose Kennedy Greenway parks. Heights, tower locations and setbacks should be adjusted to minimize environmental and visual impacts on the Greenway parks.
- 5) Sustainability. DPIR design alternatives should bring a high degree of innovation and achieve LEED Gold at a minimum, preferably Platinum. This Project should set the stage for the Green Growth District planning framework anticipated for the government Center area, and incorporate bold energy, recycling, daylight/quality of environment, green roofs and plantings, and transportation initiatives.
- 6) Greenway Planning. DPIR (or FPIR, depending on timing) submissions shall incorporate the guidelines developed as a result of the Greenway District Planning Study currently underway, as such guidelines may apply to this site or portions thereof.
- 7) The highest building elements generally should be *set back* from the primary adjacent streets to the extent possible, particularly in areas of high pedestrian use. They should be *separated* from each other, within the constraints of the site's infrastructure and dimensions. They should be as *differentiated in height* as possible, to break up the perceived skyline. Where desirable to create an emphasis or entry, the high elements could come straight down to the ground...but only if wind conditions permit such.
- 8) Enhance active ground floor program elements (local retail, entry to the MBTA, restaurants) as a positive element of the Project, with entries possibly on all sides. Invite entry into and through the site and through the buildings. A hierarchy of such uses should be considered, with most uses augmenting strong pedestrian corridors, but some uses encouraging the use of new transportation connections as well. Transparency and views into the uses must be maximized on each frontage. Incorporate bicycle stations into the Project...both public and private (*see also* BTB scoping regarding this).
- 9) Multiple upper story uses are accordingly encouraged to enliven the streets with a diversity of activity throughout the day. Necessary service and access functions should *not* occur *directly* on Sudbury, Congress or New Chardon streets.
- 10) Garage elements. The parking in general must be minimized. Submit information which justifies the scale and amount of parking proposed by analyzing both current levels of use and projected future levels with an expectation of expanded alternative modes of transit (also see the BTB scope). The BRA expects that all transportation elements will be

designed in harmony with the architectural treatments and integrated into the design. Above-grade garage floors should be completely covered as suggested in the PNF's podium treatment, with *active* program uses on *all sides fronting primary streets*. Treatment of any directly visible portions of the garage elsewhere should be of a high architectural character with robustly convincing detail.

11) Eastern parcel(s). The BRA asks that the infrastructure (MBTA, i.e.) constraints be studied to clarify any limitations for the lower eastern parcel buildings and elements, which have important public realm and transportation impacts. The Proposed Project's eastern parcel contains a weather screen element which creates a highly unusual and dramatic urban gesture at the connecting decision point joining pedestrian traffic from Congress Street and from the Greenway system. If such an element continues in the DPIR design, it obviously must be a viable proposal, and should enhance qualities of year-round usability, light and airiness, plantings and greenery, and open invitation and sense of welcome to the public as an essentially public space, and not merely a forecourt for the building lobbies. The space must function as a public sidewalk 24 hours a day.

12) Street edges and new sidewalks created as a result of any version of the Proposed Project must conform to all applicable standards and be appropriately sized to bear pedestrian traffic peaks. Street trees and plantings should be included in site plans. Pedestrian paths in general should be reinforced, building multiple pathways through the site, and through the buildings themselves where possible. Future connections should be considered, as well as existing elements such as Brattle Path.

13) The architectural expression of the tower elements should be clarified. They should be sufficiently differentiated, and shaped as part of the skyline, but not read as one 'complex'. Consider the view studies requested in the list of materials later to achieve a massing and orientation which begins to break the scale of the towers and podium elements down to that of the appropriate scale-giving datum elements in the area. This effect will be most noticeable from the intermediate range of direct views, including views from nearby neighborhoods and from both directions along the Greenway/North Washington Street and Cambridge/Tremont streets.

14) The architectural expression of the podium elements should partake of the tower elements to connect the two vertically. Differentiation by programming elements (office, residence, hotel, etc.) lends itself to this effort, while possibly breaking up the podium wall. Go beyond the preliminary PNF drawings, maintain at least the quality of materials indicated therein and in the competition drawings from Cook + Fox, but also consider the freedom of expression seen in the competition entries: mark this space in the City as an important connection, add a visual playfulness to contextual references, and break up the monolithic effect of the current Garage's mass.

15) Public Art. Special attention should be paid to public art, both indoor and outdoor. The Proposed Project presents an opportunity to connect interior and exterior space, and it would be helpful if the Proponent consulted with local artists during the

design period to allow for an integrated aesthetic effect. The Mayor's Office of Arts, Tourism and Special Events should also be consulted.

The refined design included in the DPIR must satisfactorily address all the above parameters. An accurate sense of scale of the Proposed Project in its context must be achieved. Focus on key distanced views, as well as key intermediate/user viewpoints, to guide the design composition of the Proposed Project. Reinforce all pedestrian pathways; develop a plan which shows the building program and how it supports such activity within the future pedestrian/public access network. Active programming that will engage the public and ideally spill seasonally into the public realm at the ground floor should remain (and should be maximized). Take note of the fundamental contextual strengths of the site, including its connections to North Station and the MBTA, and incorporate that sense into the overall design approach...tempered by the proposed uses.

**The 'Baseline PNF' Proposal** includes parcels not currently under control of the redeveloper. As submitted in the PNF, the area includes an NStar substation and the Area A Police Station. Because the parcels are predominantly public or quasi-public, each of these facilities must be retained or rebuilt and improved in a manner that benefits both the client (owner) and the area. Acknowledging the overall scale of the Proposed Project, the public benefit should be of comparable scale and impact. For the 'baseline' or preferred alternative, strongly consider including the program of an elementary school (K-8) serving the downtown neighborhood districts in the Project area. The active programs of the police station and the school, if provided, must conform to the City's requirements for each use, and the uses must be compatible with the traffic flow on the streets adjacent or created as part of the Proposed Project.

For the NStar site, develop cogeneration and other on-site alternative energy sources toward the goal of a net-zero energy building, as suggested in meetings and by the choice of design architect. It may not be accurate to posit this, but the possibility of this Project directly connecting to the local grid at a substation when the substation itself needs rebuilding seems like a good potential which would underscore the City's interest in the area as a 'Green Growth' district. The Cook + Fox competition design featured a series of green roofs which, seen from a birds'-eye view, seemed to cascade down to the Greenway as though the parks were ascending into the skies. This is an evocative concept which should be researched and expanded upon, if feasible, in the DPIR submission.

**The 'Alternative PNF' Proposal**, as noted above, appears too dense for this location. In order to pursue this scheme or a variation of it for the DPIR, the Proponent is asked to lower the overall density by *at least* 10% and increase both the variation in height (going lower only) and the program of the taller elements (both *cannot* be office, at least at standard floorplate size) to maximize separation and light and air from multiple viewpoints. Assume the ability to capture the sidewalk parcels on the eastern parcels and maintain the lower heights of the buildings proposed - with all attendant benefits - in the preferred or 'baseline' scheme. Provide a through-block connection. To the maximum extent possible, provide publicly accessible interior or rooftop spaces.



The BRA reserves the right to add additional concerns during the course of the process of combined BRA staff, IAG, and BCDC review which may affect the responses detailed in the DPIR. The following urban design materials for the Proposed Project's schematic design must be submitted for the DPIR.

1. Written description of program elements and space allocation (in square feet) for each element, as well as Project totals.
2. Neighborhood plan, elevations and sections at an appropriate scale (1"=100' or larger as determined by the BRA) showing relationships of the proposed project to the neighborhood context:
  - a. massing
  - b. building height
  - c. scaling elements
  - d. open space
  - e. major topographic features
  - f. pedestrian and vehicular circulation
  - g. land use
3. Color, or black and white 8"x10" photographs of the site and neighborhood.
4. Sketches and diagrams to clarify design issues and massing options.
5. Eye-level perspective (reproducible line or other approved drawings) showing the proposal (including main entries and public areas) in the context of the surrounding area. Views should display a particular emphasis on important viewing areas such as key intersections, pathways, or public parks/attractions. Some of these viewpoints have already been suggested and used in presentations to the public: north and south along the Greenway and the Merrimac/Congress Street corridor, from City Hall Plaza, from the Longfellow Bridge, Science Museum, and Zakim Bridge, from adjacent residential neighborhoods (Beacon Hill, West End, and North End) from the Public Garden, from Memorial Drive, from the Harbor, et al. Long-ranged (distanced) views of the Proposed Project must also be studied to assess the impact on the skyline or other view lines. At least one bird's-eye perspective should also be included. All perspectives should show (in separate comparative sketches) at least both the build and no-build conditions; any alternatives proposed should be compared as well. The BRA should approve the view locations before analysis is begun. View studies should be cognizant of light and shadow, massing and bulk.
6. Additional aerial or skyline views of the project, if and as requested.
7. Site sections at 1"=20' or larger (or other scale approved by the BRA) showing relationships to adjacent buildings and spaces.
8. Site plan(s) at an appropriate scale (1"=20' or larger, or as approved by the BRA) showing:
  - a. general relationships of proposed and existing adjacent buildings and open spaces
  - b. open spaces defined by buildings on adjacent parcels and across streets
  - c. general location of pedestrian ways, driveways, parking, service areas, streets, and major landscape features
  - d. pedestrian, handicapped, vehicular and service access and flow through the parcel and to adjacent areas

- e. survey information, such as existing elevations, benchmarks, and utilities
  - f. phasing possibilities
  - g. construction limits
9. Massing model (ultimately in basswood) at 1":40'0" for use in the Authority's Downtown Model
  10. Study model at 1" = 16' or 1" = 20' showing preliminary concept of setbacks, cornice lines, fenestration, facade composition, etc.
  11. Drawings at an appropriate scale (e.g., 1":16'0", or as determined by BRA) describing architectural massing, facade design and proposed materials including:
    - a. building and site improvement plans
    - b. neighborhood elevations, sections, and/or plans showing the development in the context of the surrounding area
    - c. sections showing organization of functions and spaces, and relationships to adjacent spaces and structures
    - d. preliminary building plans showing ground floor and typical upper floor(s).
    - e. phasing, if any, of the Proposed Project
  12. A written and/or graphic description of the building materials and its texture, color, and general fenestration patterns is required for the proposed development.
  13. Electronic files describing the site and Proposed Project at Representation Levels one and two ("Streetscape" and "Massing") as described in the document *Boston "Smart Model": CAD & 3D Model Standard Guidelines*.
  14. Full responses, which may be in the formats listed above, to any urban design-related issues raised in preliminary reviews or specifically included in the BRA scoping determination, preliminary adequacy determination, or other document requesting additional information leading up to BRA Board action, inclusive of material required for Boston Civic Design Commission review.
  15. Proposed schedule for submission of all design or development-related materials.
  16. Diagrammatic sections through the neighborhood (to the extent not covered in item #2 above) cutting north-south and east-west at the scale and distance indicated above.
  17. True-scale three-dimensional graphic representations of the area indicated above either as aerial perspective or isometric views showing all buildings, streets, parks, and natural features.

## INFRASTRUCTURE SYSTEMS COMPONENT

An infrastructure impact analysis must be performed.

The discussion of Proposed Project impacts on infrastructure systems should be organized system-by-system as suggested below. The applicant's submission must include an evaluation of the Proposed Project's impact on the capacity and adequacy of existing water, sewerage, energy (including gas and steam), and electrical communications (including telephone, fire alarm, computer, cable, etc.) utility systems, and the need reasonably attributable to the proposed project for additional systems facilities.

Any system upgrading or connection requiring a significant public or utility investment, creating a significant disruption in vehicular or pedestrian circulation, or affecting any public or neighborhood park or streetscape improvements, comprises an impact which must be mitigated. The DPIR must describe anticipated impacts in this regard, including specific mitigation measures, and must include nearby Proposed Project (i.e. the four approved Bulfinch Triangle Parcels, Harbor Garage, Nashua Street Residences, Lovejoy Wharf, et al.) build-out figures in the analysis. The standard scope for infrastructure analysis is given below:

1. Utility Systems and Water Quality

- a. Estimated water consumption and sewage generation from the Proposed Project and the basis for each estimate. Include separate calculations for air conditioning system make-up water
- b. Description of the capacity and adequacy of water and sewer systems and an evaluation of the impacts of the Proposed Project on those systems; sewer and storm drain systems should include a tributary flow analysis as part of this description
- c. Identification of measures to conserve resources, including any provisions for recycling or 'green' strategies, including green roofs
- d. Description of the Proposed Project's impacts on the water quality of Boston Harbor or other water bodies that could be affected by the Project, if applicable
- e. Description of mitigation measures to reduce or eliminate impacts on water quality
- f. Description of impact of on-site storm drainage on water quality
- g. Information on how the Proposed Project will conform to requirements of the Ground Water Trust under Article 32, if applicable, by providing additional recharge opportunities
- h. Detail methods of protection proposed for infrastructure conduits and other artifacts, including the MBTA tunnels and station structures, and BSWC sewer lines and water mains, during construction
- i. Detail the energy source of the interior space heating; how obtained, and, if applicable, plans for reuse of condensate.

Thorough consultation with the planners and engineers of the utilities will be required, and should be referenced in the Infrastructure Component section.

## 2. Energy Systems

- a. Description of energy requirements of the project and evaluation of project impacts on resources and supply
- b. Description of measures to conserve energy usage and consideration of the feasibility of including solar energy provisions or other on-site energy provisions, including wind, geothermal, and cogeneration.

Additional constraints or information required are described below. Any other system (emergency systems, gas, steam, optic fiber, cable, etc.) impacted by this development should also be described in brief.

The location of transformer and other vaults required for electrical distribution or ventilation must be chosen to minimize disruption to pedestrian paths and public improvements both when operating normally and when being serviced, and must be described. Storm drain and sewage systems should be separated or separations provided for in the design of connections.

This proposal calls for the radical modification of a older Project that was basically the reconstruction of more than one entire City block. The balance of the notion of 'embedded energy' as balanced with the long-term energy savings proposed by this Project should be discussed. The Proponent should investigate energy strategies that take advantage of this scale of construction, including those that incorporate green roof strategies as well as solar orientation and materials/systems that maximize efficiencies, daylighting strategies, wind and geothermal systems, and cogeneration. As noted above, the existing power substation may need upgrading...but its location on site may present an interesting opportunity.

Excerpted from the minutes of the BCDC of April 7, 2009:

WR was recused from the next item. The next item was a presentation of the **Government Center Garage Redevelopment Project**. Ted Raymond (TR) introduced his team: Steve Kismet (SK), Becky Mattison, and Tom Sieniewicz (TS) of Chan Krieger Sieniewicz, among others. He noted that what would be shown tonight were the planning images from CKS; Cook + Fox (Rick Cook) would be the design architects, and they are just beginning that process. TR: We went through a competition with five talented firms; what convinced us with Rick's firm is the Bank of America Building on Bryant Park in NYC, a very high-rated LEED building. We want to emulate that.

TS: 3.6 million SF of development requires an unprecedented process. The site is at the epicenter of many districts known to all. It is (and would be) the largest private parcel within the proposed Green Growth District. (Shows site diagrams.) The historic aerials show 22 blocks reduced to just 8; we hope to reverse a little of that. And the large, un-Boston sidewalks (east of Congress) are a result of the Central Artery project. Redevelopment allows the opportunity to reconfigure the streets to give them a City scale. Parcel 1 allows a reconnection through the site to the neighborhoods. (Shows masterplan images for concept and scale of structures.) The garage has a marvelous ability to be cut in half, keeping about 1100 spaces and some office. On the third parcel, we can build parking, allowing continuous parking on the site. The infrastructure limits our ability to go below ground, so we have podiums to relate to the City around, and we give (animated) facades on the outside of the garage. (Shows a summary slide, then a height diagram – noted as appropriate here – then density comparisons to other similar downtown areas, and shadow studies.) TS: There were no shadows cast on the Greenway on the Equinox. On the solstice, there's about an hour (pm); we can adjust that. (Shows viewpoint studies, comparisons between the preferred and alternate schemes, and notes the competition...thereby turning the presentation over to Rick Cook [RC]).

RC: Our 5-week competition entry (shows briefly) was done without client consultation. The idea is to listen to your comments - and to give you some of the ideas behind it. (Notes 'leaking energy field' artwork.) About 2/3 of the potential energy is wasted up smokestacks, and about 7% more in transmission...only about 23% of power makes it to the consumer. This is wasteful. On-site cogeneration is key, and fresher air circulation - the model we used at Bryant Park. An underfloor air supply allows better climate control. We want to set a new standard in how you make buildings. We were fortunate in our client in New York City; we explored many issues with their (Bank of America) support. Here, the mandate is to see what can be done with this building; we look forward to working with you. TR: IBEW and the Lewis Trust are supporting this Project; this is not idle, they are really supporting that aspect.

MD: thank you. We will send this to Committee; typically Commissioners are asked for comments. LE: So, the additional parcel is preferred? (TR: Yes.) LE: It's a little unclear...why is it preferred? The connections? TS: The (re-)creation of a new City street, albeit secondary, with a garage and service functions. And the increased separation of the towers, etc. DC: What happens with the no-walk zone at the bus station? TS: The MBTA thinks the current configuration is ideal,

don't change it; that's the starting point. We feel we can do better. DC: Pragmatically, there are more pedestrians on Sudbury than on New Chardon. MD: The garage is shown with parking; how do the program edges work? LE: The lanes are going from 4 (existing) to 2 along Sudbury? TS: The scheme eliminates angled parking.

DH: I'm concerned about the process - what is our role in the process? DAC: This is a master plan submitted as a PNF and not the actual design; nevertheless, we wanted to show you this early to get your reaction to the urban design principles and general project characteristics involved. Review will continue as the design comes in as a design and evolves in the Article 80 process. DH: I hope that the precise relationship can be clarified in Committee. AL: Are we to comment on the merits of the two alternatives, or is that decided? DAC: We welcome your input, and you can do that (in more depth) in committee, if desired. AL: I very much prefer the Master Plan ('Baseline') scheme, for all the reasons given (by the Proponent). KS: What is the zoning, why the height here? DAC: There are comparisons given to a number of projects in the downtown area for height, and the proponent has cited the Kevin Lynch diagram for the area, in making their case. The base height generally is 125-155', but I'd have to check for here. A U-designation is possible; it's an Urban Renewal parcel. DM: With the additional parcel comes more obligation. It's important that parcels 2 and 3 don't become internalized. The JFK Building is like the Pru was 20 years ago, and may change in the future...providing the connections, the reason to walk. If something like Fred Koetter's plan (for the JFK site) were to occur, you'd want connections into that area. Your responsibility is much greater. MD: We've worked in the area - the BCDC was engaged in the process that looked at City Hall Plaza, and the GSA walked in at the last minute and said, NO. Some discussion about the process and timing ensued. DS: Are we approving a Master Plan, then seeing a Project? DAC: No, it's all one. This is not a PDA Master Plan. AL: Are they going to develop both schemes to the same level? It seems a lot of work. MD: It seems to me that there is a consensus that the larger site is preferred by all. Public comments?

Francine Gannon (IAG): We're also confused as to our role. I would also support the expanded site, but think that we're concerned if it's that height and mass on the smaller site. DM had good points - there are pedestrian connections, and bus connections. We have a concern about the height; it casts shadows down Endicott and North Washington, and that's a concern. If the Project is definitive on the parcels, we can work on that. MD: We like to work with groups like the IAG. What are the criteria as to height - What makes something too tall? Francine: You see it as you come into the City. But I like Congress Street. I like the crescent form. SK noted that the team spent a lot of time with the community and with the BRA.

Bob O'Brien: I want to comment on the process. There's been a series of 6 public meetings; out of those came the basic conceptual approach. Their strategies really arose out of those discussions. By the time the massing was announced, no one was falling out of their chairs. The competition and presentations also engaged the community. But there is excitement. There are still issues. About the height, and more, but there is a context that's been developed. The basic massing is the result of the economics of the Garage, so spreading it apart is good. We have been waiting for the garage to come down, and for the resolution of the 'orphaned' properties on the third parcel. I agree with AL, and DM is right, it does raise the bar - and that is welcome. The larger site offers new opportunities, and new obligations. There is little appeal to the smaller site, and the

community agrees. The developer's preferred plan is also preferred by the community. DS: Do you have consent to use the additional land? SK: A good question. That's a separate process. If there is consensus, the City will talk to the various agencies who control those parcels. We are in talks with NStar. The substation is the second oldest in the City; it services the area. An upgrade requires new transformers; the ones currently have flammable oil. Synergy is possible with a cogeneration plant. We are trying for 80% efficiency.

# BOSTON

Thomas M. Menino, Mayor

April 21, 2008

Secretary Ian A. Bowles  
EOEEA, Attn: MEPA Office  
Holly Johnson, EOEEA No. 14383  
100 Cambridge Street, Suite 900  
Boston MA 02114

Kristin Kara  
Senior Project Manager  
Boston Redevelopment Authority  
One City Hall Square, 9<sup>th</sup> Floor  
Boston, MA 02201-1007

RE: Government Center Garage Redevelopment  
EOEEA No. 14383  
Environmental Notification Form/Project Notification Form  
Scoping Comments

Dear Secretary Bowles and Ms. Kara:

We have reviewed the above-referenced document and have the following scoping comments on this proposed project.

The Government Center Garage Redevelopment is located in Central Boston near Boston City Hall on approximately 252,878 square feet over three city blocks in the proponent's preferred plan, or approximately 176,549 square feet over two city blocks in the "Garage Only" plan (our comments will generally refer to the preferred plan, but the principles inherent in those comments also apply to the Garage Only plan). The proposed project is in a critical downtown location, between Government Center, Beacon Hill, the West End, the Bulfinch Triangle, and the North End. The proponent desires to re-develop the site by demolishing the Garage and office addition, and replacing them with a series of buildings to include ground floor retail, hotel, residential, office, and parking, as well as a municipal police station. In the subsequent Full-Build project, up to 7 buildings may be built, ranging in height from 65 to 710 feet. Approximately 237 dwelling units and 460 rooms would be generated by the residential and hotel portions of this project. The preferred plan would support approximately 500 new residents, representing a 2% increase in the population within a half-mile of the project, as well as non-residents such as office workers, shoppers, diners, hotel guests, and other visitors.

Our comments are as follows:

- The project is within 100 feet of the North End Park portion of the Rose Kennedy Greenway; therefore, per Section 7-4.11 of the City of Boston Code of Ordinances, the Parks and Recreation Commission will review this project. This Department would be happy to meet directly with the project's proponents in order to discuss the ways in which the project can better meet City goals, needs, and guidelines, as well as provide greater open space amenities and benefits to address the project's impacts.



## Boston Parks and Recreation Department

Antonia M. Pollak, Commissioner

1010 Massachusetts Ave., Boston, MA 02118 / Tel.: (617) 635-4505 / Fax: 635-3173



April 21, 2009

- The Department requires the proponent to undertake the detailed open space impact assessment (see attached) for review of large-scale development projects. We feel that given the project size and scale, a fully detailed open space impact assessment is needed to disclose any potential for underserved demand the new residents will likely cause. Underserved demand results when residents seek open space amenities elsewhere, burdening other neighborhoods' open space resources, including those of nearby environmental justice communities. The assessment must describe the number of resident and non-residents to be generated by the project in both the preferred and Garage Only plans.
- Further, the open space impact assessment method provides a Boston guideline that 80% of an area's open space should be oriented toward active recreation. Based on our own experience with this area of the city, we anticipate that the open space impact assessment may find that active recreation opportunities are acutely needed in this area, with particular focus on such activities as children's playlots and basketball; we also see demand for a dog park in this area as well. We note that the ENF/PNF shows no active open space to be provided by the project.
- The EIR/PIR should address potential shadow impacts throughout the year on open spaces in this area, both within and outside the project area.
- The proponent should also describe how this project will support the recommendations of the City of Boston Open Space Plan 2008-2012, as well as Goal #23 of the recently released Metropolitan Area Planning Council (MAPC) plan for the region, *MetroFuture* (<http://www.metrofuture.org/goal/23>). The PIR/EIR should also address how the project meets the targets set out by the U.S. Green Building Council (USGBC) for Sustainable Design. The PNF noted on page 1 of the LEED for New Construction v 2.2 Registered Project Checklist that the project will not get Credit 5.2 Site Development, Maximize Open Space. The Proponent should also address the Neighborhood Pattern and Design Credits 9 (Access to Public Spaces) and 10 (Access to Active Public Spaces) found in the USGBC's LEED for Neighborhood Development Rating System (October 31, 2008 1st Public Comment Draft Clean Version) available at <http://www.usgbc.org/ShowFile.aspx?DocumentID=5275>
- We look forward to a full description as to how bicycles will be accommodated on the road network of the project area, and how street trees will be provided and maintained.

We look forward to working with the proponent and your respective offices on developing the EIR/PIR. Should you have any further questions, please feel free to contact our office at either 617 961-3033 or at [aldo.ghirin@cityofboston.gov](mailto:aldo.ghirin@cityofboston.gov).

Sincerely,



Aldo Ghirin  
Senior Planner/Project Manager  
Design & Construction Unit  
City of Boston Parks & Recreation Department

Attachment: *Impact Assessment Method: Open Space*  
Copy: Ken Crasco, Chief Landscape Architect, BPRD

## Impact Assessment Method: Open Space

### I. DEFINITIONS

For purposes of this section, open space is defined as publicly or privately owned land that has been designated for leisure, play, or sport, or land set aside for the protection and/or enhancement of the natural environment. Under Article 80 – Large Project Review of the Boston Zoning Code, an analysis of open space is conducted to determine whether or not a proposed action would have either a direct impact resulting from elimination or alteration of open space or an indirect impact resulting from overtaking available open space.

Open space may be public or private and may include active and/or passive areas:

#### A. *Publicly Accessible Protected Open Space.*

Only open space that is accessible to all members of the public on a constant and regular basis or for designated daily periods is defined as "publicly accessible" and analyzed for impacts under Article 80, Large Project Review. "Protection" refers to legal protection against a change in the use of the subject open space property from publicly accessible open space to another use. Publicly accessible and protected open space may be under government or private jurisdiction and may include, but is not limited to, the following: parks and parkways under the jurisdiction of the City, State, and Federal governments (for the City and State properties, such lands protected by Article 97 of the Amendments to the state Constitution) (only the non-roadway portions of parkways are included); open spaces permanently protected by easements or deed restrictions for public access outdoor recreation or natural resource conservation purposes; and such other spaces considered protected by other long-term or permanent means as defined by the EOEEA Division of Conservation Services in the current edition of the *Open Space Planner's Workbook*. The initial quantitative impact analysis/assessment described in Part III below focuses only on this type of open space. This type of open space remains the primary, but not sole, focus of further detailed impact analyses/assessments described below. (Generally, the term "open space" used throughout the remainder of this document will most likely refer to publicly accessible protected open space.)

#### B. *Publicly Accessible Unprotected Open Space.*

These are open spaces that are publicly accessible but not permanently protected as defined by the EOEEA Division of Conservation Services in the *Open Space Planner's Workbook*. Examples include outdoor public school yards, institutional campuses, and open spaces generated by regulatory approvals such as zoning but not governed by a legal instrument that permanently preserves its open space status per the *Open Space Planner's Workbook*. This type of open space may

## Open Space Impact Assessment Method

also be considered qualitatively in the detailed impact analysis/assessment described in Part III below.

### **C. *Private Unprotected Open Space.***

This includes open space that is not publicly accessible or is available only to limited users and is not available to the public on a regular or constant basis. It is not included in the initial quantitative impact analysis/assessment described in Part II below, but may be considered among the qualitative factors of the detailed impact analysis/assessment of potential open space impacts. For example, private-access fee-charging spaces, such as the outdoor tennis courts of health clubs, are considered private open spaces. In addition, the following are also considered private and are not included in the definition of public open space: privately owned natural areas or wetlands with no public access, and vacant lots. These types of spaces are only considered after an assessment of the proposed action's effects on publicly accessible and protected open space has been completed. If the action is likely to have indirect effects on public open space (such as greater use or demands), the ability of private open space to influence or alter those effects may be considered. This type of open space may also be considered qualitatively in the detailed impact analysis/assessment described in Part III below.

### **D. *Active and Passive Open Space.***

Open space includes both "active" and "passive" areas as described below.

1. **Active open space.** Open space that is used for sports, exercise, or active play is classified as "active open space." Active open space consists mainly of recreational facilities, including the following: playground equipment, playing fields (baseball, soccer, football, track), playing courts (basketball, handball, tennis), beach area (swimming, volleyball, frisbee, running), pools, outdoor ice skating rinks, greenways and esplanades (running, biking, rollerblading, hopscotch, and other active play), multipurpose play area (open lawns and paved areas for active recreation, such as running games, informal ball-playing, skipping rope, etc.), and golf courses, including pitch and putt.
2. **Passive open space.** Open space that is used for relaxation, such as sitting or strolling, is classified as "passive." Facilities may include the following: plazas or medians with seating, a percentage of beach areas (sunbathing), picnicking areas, greenways and esplanades (sitting, strolling), paths, accessible restricted use lawns, gardens, church yards or cemeteries, and publicly accessible natural areas used, for example, for strolling, dog walking, and bird watching. In many cases open space can be used for active or

## Open Space Impact Assessment Method

passive recreation. These include lawns and beaches, which permit both sunbathing and ad hoc ball or frisbee games.

### **E. *Direct and Indirect Effects.***

A proposed action's effects on open space may be either direct or indirect. These are defined as follows:

1. **Direct effects** may occur when the proposed action would encroach on or cause a loss of open space. Direct effects may also occur if the facilities within an open space would be so changed that the open space no longer serves the same user population. Limitation of public access and changes in the type and amount of public open space may also be considered direct effects.

Other direct effects include the imposition of noise, air pollutant emissions, odors, or shadows on public open space. Assessment of these effects is addressed in the relevant technical chapters of the project impact report and should be referenced in the open space impact assessment.

2. **Indirect effects** may occur when the population generated by the proposed action overtaxes the capacity of existing open spaces so their service to the existing or future population of the affected area would be substantially or noticeably diminished.

## **II. DETERMINING WHETHER AN OPEN SPACE ASSESSMENT IS APPROPRIATE**

An open space assessment may be necessary if an action could potentially have a direct or indirect effect on open space. A direct impact would physically change, diminish, or eliminate an open space or reduce its use or aesthetic value. An indirect impact could result if an action would introduce a substantial new user population that would diminish the service capacity of open space resources or create or exacerbate an overuse of open space resources.

Direct effects may not always result in adverse effects to open space. Alterations and changes to parks may be beneficial or may result in beneficial changes to some resources while having an adverse effect on others. In determining whether or not to prepare an open space assessment, consider whether the changes are likely to adversely affect use of existing resources or specific user groups of these resources.

### **A. *Direct Effects***

If a proposed action would have a direct effect on an open space, an assessment of the effects on open space and its users may be appropriate. Direct effects would

## Open Space Impact Assessment Method

occur if the action would result in the physical loss of public open space (by encroaching on an open space or displacing an open space); change the use of an open space so that it no longer serves the same user population (e.g., elimination of playground equipment); limit public access to an open space; or cause increased noise or air pollutant emissions, odors, or shadows on public open space that would affect its usefulness, whether on a permanent or temporary basis. Consideration of these effects during the construction phase of a project should also be taken into account when determining whether an open space assessment is required. The analysis of construction impacts, as described in the project impact report, should be consulted for a detailed discussion of impacts on parkland during the construction phase of a proposed project.

When the direct effect would be very small, however, so that it would be unlikely to change use of the open space, an assessment may not be needed. For example, a small widening of a roadway within a public park or the loss of a small amount of open space to support infrastructure may not warrant a full open space analysis. When few users or a limited age group of users would be affected, when new and comparable open space would be provided at the same location, or when the proposed alterations to an existing open space would be considered improvements by creating comparable updated or better (e.g., enhanced) facilities, significant adverse impacts are unlikely and a full assessment may not be needed. A simple comparison of conditions with and without the action and a discussion of the users affected may be adequate. However, most direct effects on open space do require assessment, particularly when there is any ambiguity as to whether the action would reduce the usability of an open space, detract from its aesthetic qualities, or impair its operation, or when more information on users of that open space may be appropriate.

In addition to consideration of direct effects on open space, in Massachusetts if an action entails the use of parkland for a non-parkland purpose or the conveyance of municipal parkland, it may constitute "parkland conversion." Authorization of the General Court of Massachusetts (by a two-thirds vote of the House of Representatives and the Senate of the Massachusetts legislature) is required for parkland conversion, in accordance with Article 97 of the Amendments to the state Constitution. Prior to the vote on the home rule petition by the General Court, the parkland conversion measure must be approved by the Boston City Council and the Mayor. In addition, if federal funds were provided for the affected parkland, the action may also be governed by the rules and regulations of the National Park Service of the U.S. Department of the Interior for conversion of parkland. If state funds were provided, the action may also be governed by the rules and regulations of the Division of Conservation Services of the Massachusetts Executive Office of Energy and Environmental Affairs for the conversion of parkland. Conversion of parkland is also affected by the Executive Office of Energy and Environmental

## Open Space Impact Assessment Method

### Affairs Article 97 Land Disposition Policy

(<http://www.mass.gov/envir/dcs/pdf/article97.pdf>). The project sponsor should contact the City of Boston Parks and Recreation Department's Design and Construction Unit at the earliest stage of the project's conception if conversion of parkland (whether owned by the city or other governmental agency) is contemplated.

The U.S. Department of Transportation Act of 1966 Section 4(f) requires the Federal Highway Administration (FHWA) to assess the environmental effects of an action through the NEPA process. The FHWA is directed not to approve any program or project that requires the use of any publicly owned public park, recreation area, or wildlife or waterfowl refuge, or any land from an historic site of national, state, or local significance, unless there is no feasible and prudent alternative to the use and all possible planning to minimize harm resulting from such use is included. The environmental regulations for applying Section 4(f) to transportation project development are found at 23 CFR 771.135.

### *B. Indirect Effects*

If an action would add population to an area, the additional population would typically place an added demand on existing open space facilities. Indirect effects may occur when the population generated by the proposed action would be sufficient to noticeably diminish the ability of an area's open space to serve the existing or future population. Typically, an assessment is conducted if the proposed action's population is greater than 200 residents or 500 employees, or a similar substantial number of other users (such as the temporary user population that might be introduced by a large shopping area).

## III. ASSESSMENT METHODS

Detailed analyses of open space may be conducted in stages of successively greater detail. In many cases it will be clear that a full, detailed open space analysis is necessary – if the action would displace a highly utilized open space or introduce a large population in an area underserved by open space. In some cases, however, it may be less clear and an initial quantitative assessment may be useful in determining the need for a more detailed analysis of open space. Often, when potential effects from the proposed action are limited, the assessment can be targeted to address only those effects. In any case, the initial step is to define and map a study area.

## Open Space Impact Assessment Method

### *A. Study Areas and Mapping of Existing Open Space*

The open space study area is defined to analyze both the nearby open spaces and the population using those open spaces. It is generally defined by a reasonable walking distance that users would travel to reach local open space and recreation areas—typically a one-half-mile radius for residential users and  $\frac{1}{4}$  mile from commercial projects with a worker population. For actions that would result in mixed-use projects (e.g., residential/commercial buildings), it may be appropriate to analyze two study areas—one for residential users and another for nonresidential users. However, the boundaries are often adjusted and the study area may be irregularly shaped. The following steps may be used to define an open space study area:

1. Use a legible map of appropriate scale as a base map. Locate the site of the proposed action and draw the physical boundary of the area affected by the action (aka “the project site”). (Include a graphic scale for the map.)
2. From the boundary of all sites that would be developed as a result of the proposed action, delineate a radius of one-quarter mile for commercial/non-residential projects or one-half mile for residential projects to create the generalized open space study area boundaries. As noted, it will be necessary to define two study areas for mixed-use projects—one for residential users and another for commercial users.
3. Identify all census block groups with at least 50 percent of their area within the generalized study area. The study area should include each of those census block groups in their entirety. Exclude all census block groups that have less than 50 percent of their area within the study area.
4. Identify all open spaces within the study area defined in step 3. Field surveys of the study area are usually important to be certain that all appropriate open spaces are included. Determine the acreage for each of the open spaces within the study area as well.

If an action would displace an open space, or where the action would take place on an extremely large site, the boundary may also need to be adjusted to reflect additional open space resources likely to be affected. For example, if a tot lot would be eliminated under a proposed action, other existing tot lots should be included in the map—even if they are located beyond the one-half-mile radius. If only direct effects from the action are expected, it may be possible to target the assessment to spaces that would be similar to those affected by the action. If the action is programmatic or generic, prototypical sites may have to be chosen for the analysis.

## Open Space Impact Assessment Method

5. Other boundary adjustments may be necessary to account for natural boundaries (ravines, rock outcroppings, water bodies, very steep slopes, wetlands) or built features (depressed highways, canals, railroad rights-of-way, etc.) that preclude access to open spaces within the study area. A written rationale for any adjustment of the boundary shall be provided.

### *B. Analysis Techniques*

If an open space assessment is appropriate (see Section II, above), the analysis examines the type of open space and user population affected by the proposed action. (For example, a commercial or mixed-use project may introduce a large worker population, which would tend to place greater demands on passive open space. The analysis would examine in further detail the amount of passive open space available with and without the project to quantify the impact, and hence, the mitigation, more specifically.) Overall, the goal of the open space assessment is to determine the significance of the change in the availability of open space relative to the demand from the population, and/or the significance of change in the enjoyment potential of open space affected by the proposed action.

For actions that would have a direct effect on a specific type of open space without introducing a significant new user population, it may be possible to target the assessment. The open space analysis may be targeted toward those open space resources that are similar to the space that would be eliminated or altered by the action. For example, if the direct effects are limited to an open space resource targeted for a certain age group, such as a tot lot for toddlers and preschoolers, the impact assessment may be targeted to assess only that age group and nearby tot lots.

#### **1. Initial Quantitative Assessment**

An initial quantitative assessment may be useful if it is not clear whether a full, detailed open space analysis is necessary or whether the open space assessment can be targeted to a particular user group. Because the full, detailed open space analysis includes substantial data collection and analysis, this first level of quantitative assessment may be useful in determining the need for a full assessment or in narrowing the focus of that assessment. When it is clear from the outset that the open space assessment can be targeted or that a full open space assessment would be necessary, this level of analysis may not be useful. However, this methodology also may not be useful in addressing direct qualitative changes to open space that could result from an action (such as loss of space for a particular user group, or air pollutant emissions, noise, or shadows that could make a space less useable). In other circumstances—for example, where a study area appears to have a shortfall of open space that would be exacerbated by an action—this first level of quantitative



## Open Space Impact Assessment Method

analysis may be useful in clarifying the degree to which an action would affect open space and the need for further analysis.

The following methodology examines the change in total population relative to total open space (publicly accessible and protected (see I.A. above)) in the study area, to determine whether the elimination of open space and/or increase in user population would significantly reduce the amount of available open space for the area's population:

- a. Using the study area defined above, calculate total population at the time of the last (most recent) census, as described below. Census data can be obtained from the US Bureau of the Census ([http://factfinder.census.gov/home/saff/main.html?\\_lang=en](http://factfinder.census.gov/home/saff/main.html?_lang=en)) or the Boston Redevelopment Authority, Research Division (<http://www.cityofboston.gov/bra/pdr/pdr.asp>).
  - *Actions that would result in an increase in residential population.* Calculate the residential population of the study area. If the action would occur in an area with a substantial nonresidential population (i.e., employees, visitors, students, etc.), also calculate the nonresidential population of the study area.
  - *Actions that would result in an increase in nonresidential population (i.e., employees, visitors, students, etc.).* Calculate the nonresidential population. If the action would occur in an area with a substantial residential population, also calculate the residential population of the study area.
  - *Actions that would result in an increase in both residential and nonresidential population.* Calculate the residential and nonresidential population of the study area.
- b. Calculate total open space (publicly accessible and protected (see I.A. above)) in the study area, using the information gathered above (Section III.A.).
- c. Determine the open space ratio in the study area, using the information from steps a. and b., as described below. The open space ratio is expressed as the amount of open space acreage per 1,000 user population.
  - *Actions that would result in an increase in residential population.* Calculate the open space ratio for the residential population. If the action would occur in an area with a substantial nonresidential population, also calculate the open space ratio for the nonresidential population of the study area.

## Open Space Impact Assessment Method

- *Actions that would result in an increase in nonresidential population (i.e., employees, visitors, students, etc.).* Calculate the open space ratio for the nonresidential population. If the action would occur in an area with a substantial residential population, also calculate the open space ratio for the residential population of the study area.
  - *Actions that would result in an increase in both residential and nonresidential population.* Calculate the open space ratio for both the residential and nonresidential populations of the study area.
- d. Add the population expected with the proposed action to the total population at the time of the last census (step 1, above).
  - e. Calculate any changes in the acreage of open space in the future with the action (accounting for increases and/or decreases resulting from the action).
  - f. Calculate the open space ratio with the action.

If the open space ratio would increase or remain substantially the same with the action in place, no further analysis of open space will likely be appropriate (unless direct, qualitative changes to an open space may occur because of the action).

If the ratio would decrease as a result of the action, the existing open space ratio and the extent to which the action would alter that ratio should be considered. As a planning goal, the City attempts to achieve a ratio of 2.5 acres of publicly accessible protected open space per 1,000 residents for large-scale plans and proposals in inner core urban neighborhoods, and 5.0 acres per 1,000 residents in all other neighborhoods<sup>1</sup>. In both types of neighborhoods, the City benchmark goal is 80% active and 20% passive publicly accessible protected open space. However, this goal may not be feasible for some areas of the City and does not constitute an impact threshold. Rather, it is a benchmark that represents an area well served by open spaces.

Nonresidents also use both passive and active open space. Typically, 0.15 acres of passive open space per 1,000 nonresidents in addition to the residential passive open space ratio has been found to be adequate, while an additional 0.5 acres of active open space per 1,000 non-residents in addition to the residential active open space ratio has been found to be adequate.

Decreases in the open space ratio would generally warrant a more detailed analysis under the following conditions:

## Open Space Impact Assessment Method

- If the decrease in the open space ratio would approach or exceed 5 percent, it is generally considered to be a substantial change, warranting more detailed analysis.
- If the study area exhibits a low open space ratio (e.g., below 1.5 acres per 1,000 residents or 0.15 acres of passive space per 1,000 nonresidential users), indicating a shortfall of open space, even a small decrease in that ratio as a result of the action may have an adverse effect.

More detailed analysis of open space effects on residents for most actions will generally be unnecessary if the open space ratio decreases by less than 1 percent. However, the existing open space ratio may be so low that even an open space ratio change of less than 1 percent may result in potential significant open space impacts and should be further assessed. Typically, a 1 percent change should only be considered if open space resources are very scarce (e.g., below 1.5 acres per 1,000 residents) in the study area. For example, the closer the ratio is to 1.5 acres per 1,000 residents (and certainly the more it exceeds this ratio), the greater percentage of change that can be tolerated. This type of assessment is also applicable to the nonresidential population. The more the ratio drops below 0.15 acres of passive space per 1,000 non-residents, the more likely the action is to have an effect on the nonresidential population's use of passive open space. This assessment may also consider and compare the amount of open space in the study area relative to the neighborhood and the city as a whole to assess the relative shortfall or availability of open space in the study area. If this analysis suggests the need for additional assessment, the guidelines below may be followed.

### **2. Detailed Assessment – Existing Conditions**

The detailed open space assessment typically analyzes study area population and details the amounts and quality of various types of open space to assess the availability of particular types of open space. In conducting this assessment, the analysis focuses on where shortfalls in open space exist now or would exist in the future, to identify whether they result from the action and to identify what sort of mitigation would be necessary. Where it is clear from the outset that the action would affect a particular type of open space or particular age group, this detailed assessment may focus on those issues.

- a. **Identify Study Area Population.** Determine the population in the study area using the most recent census for all census block groups in the study area as described above in Section III.B.1. Depending on the amount of time that has passed and the level of development that has occurred in the study area since the last census, the study area population data may need to be adjusted to account for increases or decreases in population. Analyze the population by the demographic and socio-economic variables used in the City of Boston's 2008-2012 open space plan

## Open Space Impact Assessment Method

(*Open Space Plan 2008-2012*), available from the City of Boston Parks and Recreation Department, Design and Construction Unit. (Please provide the discrete block group tables in the appendix of the project impact report.) Using these variables, compare the study area population to the City of Boston population (see Section 3 of the *Open Space Plan 2008-2012*), and the population of the neighborhood(s) in which the study area is located (see Section 7.2 of the *Open Space Plan 2008-2012*).

If it is clear that the area supports a substantial weekday population, such as workers, college students, or tourists, data on the size of such population and the source of this data may be appropriate. Data on daytime worker population can also be obtained from the Boston Redevelopment Authority, Research Division. Daytime college population can be determined by contacting administrative officers of colleges and other postsecondary educational institutions in the study area. Visitor population can be estimated using information from visitor attractions and major shopping attractions; this may include daily, weekend, or annual visitor counts and estimates of daily or weekend shoppers.

For an analysis targeting a specific open space and user population, this assessment may be focused on only that user population comparable to that which would be displaced. For example, if only a tot lot is to be affected by the proposed action, the demographic analysis can focus on the appropriate age group 4 years old and younger.

**b. Identify and Describe Study Area Open Spaces.** Identify and describe (see below) open spaces included in the study area. Provide a map on 8-1/2" by 11" paper showing the study area boundary and its open spaces. This description may also note any major regional facilities (such as the Charles River Reservation or Franklin Park) that may be proximate to the study area boundary. Information about those resources may be obtained from the City of Boston Parks and Recreation Department, Design and Construction Unit.

Data collection may include field surveys of the open space resources if current secondary data are not readily available, or use of aerial photographic analysis.

Using a table, the open spaces shall be described as follows:

- Name and address of each open space facility.
- Map key number. This ties the description to the map of open spaces described above.
- Owner (public/private). The fee simple owner should be described, as well as owners of open space, conservation, or public access easements or deed restrictions. If managing or jurisdictional entities differ from the fee simple owner, please list name and level of management control.

## Open Space Impact Assessment Method

- Protection Status and Method of Protection. Indicate degree (does it meet the definition of I.A. above?) and method of protection as noted in the table of the City of Boston's *Open Space Plan 2008-2012*, Section 5, Open Space Inventory.
- Acreage.
- Open Space Type. Use the categories found in the open space inventory found in Section 5 of the *Open Space Plan 2008-2012*.
- Percent of acreage devoted to active and to passive uses. Estimates based on the facility type and equipment should be provided. In general, the following assumptions may be appropriate: esplanades are typically 50 percent active, 50 percent passive, whereas greenways are typically more active than esplanades; beaches can be considered 20 to 40 percent active, and 60 to 80 percent passive; sitting areas are 100 percent passive; ball fields are 100 percent active; areas with children's play equipment (pre-school and pre-teen) are 100% active; multipurpose play areas are generally all active, unless field surveys confirm limiting conditions. Greenways can be assumed as 100 percent active; a greenway is the pathway itself. For greenways within park boundaries, the area beyond the pathway is active or passive depending on the nature of its use. Golf courses tend to serve a very limited portion of the population. The assessment may consider that although the golf course may contribute a substantial amount of open space acreage, it may not serve a comparable amount of the study area's active open space needs. Generally, the following Open Space Types (see above) are considered passive open space: Malls, Squares, and Plazas; Cemeteries and Historic Burying Grounds; Community Gardens; and Urban Wilds and Natural Areas.

The Parks and Recreation Department may determine that other percent breakdowns for the affected resources may be more appropriate, based on information as to how these resources actually function.

- Open space features, types of equipment, facilities, etc. In many cases, the features of an open space area (or lack thereof) may be important in assessing how the open space is currently used, and how it may be used in the future condition. For example, a passive open space area with no seating may not be useful; provision of seating and other attractive features, such as planters, can make that area more useable by both the existing community and new population introduced by a project.
- Other factors affecting usability. Some factors, either permanent or temporary, may affect the usability of open spaces. Various factors to consider include, but are not limited to, adjacent/proximate land uses (e.g., conflicting uses in a multiuse area), urban design elements, transportation, shadows, daylight, solar glare, wind, water, air, and noise quality, wetlands, geotechnical/groundwater,

## Open Space Impact Assessment Method

solid and hazardous waste, stormwater management, construction effects, wildlife habitat, and safety. These should be summarized in the table, but more fully discussed in the text of the open space impact assessment section. Some of the more likely factors to discuss are further described below.

- *Adjacent Land Uses.* Certain land uses can have a deterrent or adverse effect on potential users of an open space located nearby. Note and discuss such land uses, and their potential effects on open spaces in the study area.
- *Urban Design.* The arrangement of land uses, building types, massing, linkages, corridors, and other place-making and -functioning elements can have deterrent or adverse effects on potential users of an open space nearby or within an area. Note and discuss these and any other urban design elements and their potential effects on open space in the study area.
- *Transportation.* Proximity (or the lack of) to mass transit routes, bicycle paths and routes, and sidewalks can affect use of open space. Please import or reference the relevant portions of the transportation impact assessment performed for the proposed action's project impact report. Heavily trafficked arterials may limit usability of open spaces. Off-road bicycle paths connecting to open spaces can offer better access for a greater proportion of the population.
- *Shadows.* Shadows on sun-sensitive uses, such as botanical or landscape attractions, swimming pools, or benches, can affect use of an open space. This information may be noted during a field survey. If a shadow assessment is being performed for the proposed action's project impact report, the technical analyses and graphics presented in the shadow chapter should be considered and referenced in the open space assessment.
- *Air Quality/Odors.* These can also affect use of an open space. If the action is likely to have a significant air quality/odor impact on open space resources, the technical analyses presented in the project impact report should be referenced and considered in the open space analysis.
- *Noise.* Excessive noise, including traffic noise, can prohibit specific types of use from an open space. If the action is likely to have a significant noise impact on open space resources, the technical analyses presented in the project impact report should be referenced and considered in the open space analysis.
- *Safety.* Poor safety conditions can also deter use. Typically, important factors include access, crime, pedestrian safety, nearby construction, and

## Open Space Impact Assessment Method

other transportation issues. Note and discuss such factors, and their potential effects on open spaces in the study area.

- c. **Assess the Adequacy of Open Space** Use the data gathered in the tasks above to provide a brief evaluation of the study area's existing open space conditions relative to the open space needs of the study area users.

First, calculate the existing open space ratio for the study area, using the population and open space acreage data identified in III.B.2.a. and b. above. The open space ratio is expressed as the amount of publicly accessible protected open space acreage per 1,000 population, and is calculated by dividing the total acres of open space by the population and multiplying by 1,000. This ratio may be tailored to age groups and types of facilities that would be affected by the proposed action. It is also usually appropriate to calculate separate open space ratios for active open space, passive open space, and total open space, based on the information gathered in III.B.2.b., above.

Typically, it would be appropriate to provide the following information when calculating the open space ratio:

1. *Actions that would result in an increase in residential population.* Calculate the open space ratio for the residential population:
  - Number of acres of active open space per 1,000 residents;
  - Number of acres of passive open space per 1,000 residents; and
  - Number of acres of total open space per 1,000 residents.

If the action would occur in an area with a substantial nonresidential population, also calculate the open space ratio for the nonresidential population of the study area:

- Number of acres of passive open space per 1,000 non-residents; and
- Number of acres of active open space per 1,000 nonresidents.

2. *Actions that would result in an increase in nonresidential population (i.e., employees, visitors, students, etc.).* Calculate the open space ratio for the nonresidential population:

- Number of acres of passive open space per 1,000 nonresidents; and
- Number of acres of active open space per 1,000 nonresidents.

If the action would occur in an area with a substantial residential population, also calculate the open space ratio for the residential population:

- Number of acres of active open space per 1,000 residents;
- Number of acres of passive open space per 1,000 residents; and
- Number of acres of total open space per 1,000 residents.

## Open Space Impact Assessment Method

3. *Actions that would result in an increase in both residential and nonresidential population.* Calculate the open space ratio for the residential and nonresidential populations of the study area:

- Number of acres of active open space per 1,000 residents;
- Number of acres of passive open space per 1,000 residents;
- Number of acres of total open space per 1,000 residents; and
- Number of acres of passive open space per 1,000 nonresidents.

Second, assess the adequacy of open space.

Typically, for the assessment of both direct and indirect effects, citywide local norms have been calculated for comparison and analysis. In Boston, existing local area open space ratios vary widely. For large-scale actions (and for planning purposes), the City seeks to attain a planning goal of 2.5 acres per 1,000 residents, if appropriate and feasible, in inner core urban neighborhoods; in neighborhoods outside the inner core, the City seeks to attain a planning goal of 5.0 acres per 1,000 residents. (The City's planning goal is based, in part, on National Recreation and Park Association guidelines from 1.25 to 2.5 acres per 1,000 residents of neighborhood parks within one-half mile, 5 to 8 acres per 1,000 residents of community parks within one to two miles, and 5 to 10 acres per 1,000 residents of regional parks within one-hour drive of urban areas. In addition, the City also consulted open space literature, Boston open space studies, and the citywide figure of parkland of 7+ acres per 1,000 residents to develop the 2.5-acre goal for inner core urban neighborhoods and the 5.0 acre goal elsewhere in the city.)

For nonresidential populations, especially worker and student populations, generally ratios of 0.15 acres of passive open space per 1,000 non-residents and 0.5 acres of active open space per 1,000 non-residents in addition to the benchmark figures for the residential population represent a reasonable amount of open space resources for that population.

For large-scale actions (and for planning purposes), the City seeks to attain its planning goal of a balance of 80 percent active open space and 20 percent passive open space. Similar to the open space ratio discussed above, this planning standard is not a regulatory standard. Although a typical population mix may call for such a goal, it may not be appropriate or attainable for some areas of the City or for certain populations skewed toward certain age groups. Analyzing the breakdown of open space into the categories of passive and active uses often requires judgment, and for any particular case, typical open space resources may be used very differently.

To assess the adequacy of existing open space within the study area, consider the following factors:



## Open Space Impact Assessment Method

- Is the open space ratio for the population of the study area less than 2.5 acres per 1,000 residents, the City's planning goal for inner core urban neighborhoods and 5.0 acres per 1000 residents (all other neighborhoods)?
- Do effects of air or noise quality, shadows, extreme wind conditions, or issues of safety or the lack of safe non-motorized access to or within open space resources cause a decrease in the usability of the open space supply? Do the streets and off-street paths encourage movement and access that promotes the usability of the existing open space resources and network?
- Is the proportion of active and passive open space appropriate for the population and age groups served? Note that for areas in which there is a substantial worker, student, or visitor population, typically there is a need for more passive and active space resources.
- Is the project or proposed action compliant with or consistent with the city's current open space plan (*Open Space Plan 2008-2012*), the open space plan elements of the current regional plan by the Metropolitan Area Planning Council, and the state's current Statewide Comprehensive Outdoor Recreation Plan (SCORP), *Massachusetts Outdoors 2006*?
- Other data gathered in III.B.2., above, including the following: user population profile; types of facilities; the variety of active and passive uses; and factors that may encourage or deter use including but not limited to accessibility of different types of open space (physical location and barriers to access), competing uses, and fee or hour restrictions. Are there a considerable concentration of persons who are more in need of close-to-home recreation resources due to age, mobility, socio-economic status, etc.?
- Such other factors as the availability of any major regional facility (e.g., Charles River Reservation), the predominant housing type, and the availability of publicly accessible unprotected and private open space facilities to serve the existing population.

These questions may be evaluated in context with the study area and the neighborhood.

For actions that would have direct effects on specific facilities, this assessment may be focused on only those open spaces that are comparable to those that would be displaced.

## Open Space Impact Assessment Method

### 3. Detailed Assessment – Future No Action Condition

The future no action analysis projects conditions in the study area for the build year without the proposed action, providing a baseline condition against which the impact of the action can be measured. The analysis includes data on projected population as well as recreational facilities/open space facilities that are not associated with the proposed action built or approved to be constructed by the build year. The same level of analysis provided for the assessment of existing conditions is applied here. The analysis will consider any changes to the following factors expected in the future without the project.

- *Study area population.* Based on the development and population projected for the future build year, estimate the projected population profile in the study area. Consider changes in nonresidential population for actions that would increase the nonresidential population.
- *Identify and describe study area open spaces.* Identify any changes to open space anticipated by the future build year. Include new open space and alterations/deletions to existing open space. Also include changes that have been adopted or officially approved by a public agency. This inventory may include publicly accessible protected open space projects under construction, publicly accessible protected open spaces that have been approved as mitigation for other projects, or new open spaces that are committed in the Parks and Recreation Department's capital budget. The same information gathered in III.B.2.b. above will be appropriate for this inventory as well. If the project may have potential significant impacts in certain categories, or alter the accessibility of open space resources, these conditions in the Future No Action Condition should be analyzed and described.
- *Assess the adequacy of open space.* The purpose of this step is to determine the open space conditions in the future no action condition as it relates to the needs of the number and types of users predicted for the future no action condition. This assessment is performed in the same way as the assessment of existing adequacy, described in III.B.2.c., above. This includes calculating the open space ratio for the future no action condition, and qualitatively assessing whether or not the area is sufficiently served by open spaces, given the types of open space and the profile of the study area population.

### 4. Detailed Assessment – Future Action Condition

The future action assessment analyzes conditions in the study area for the build year with the proposed action/project. Both the quantitative and qualitative factors are considered in the assessment to the extent to which the action may affect the existing open space resources and their capacity to serve the study area population. This assessment typically begins with a brief description of the project, considering how

## Open Space Impact Assessment Method

it might affect open space—by displacing or encroaching on open space, introducing a population that would place demands on open space, etc. Then, the analysis is performed using the same methodology as for existing conditions and for future no action conditions, described above. This includes the following.

- *Identify changes to study area population.* This projection will be based on population projections for the proposed action together with future no action conditions determined above. For the project population, provide a breakdown of its projected profile, and a description of the estimated nonresidential population (workers, students, tourists), as appropriate.
- *Identify and describe changes to study area open spaces.* Describe the open space changes from the no action condition, both on site and off site, which would occur as a result of the proposed action. Describe the open space that would be eliminated, altered, created, and/or improved, if any, as a result of the action.
- *Assess the adequacy of open space.* Calculate the ratio of acres of open space per 1,000 population. Indicate the additional users as a result of the proposed action and assess the adequacy of open space resources to accommodate these users. Note whether the project would provide on-site open space resources and whether it is accessible to the public or to the project-related population only.

If the action is likely to have potential significant shadow, air quality/odor, noise, or other effects on open space resources, consider those effects as well. Refer to the appropriate technical analyses elsewhere in the project impact report.

### IV.DETERMINING IMPACT SIGNIFICANCE

In this step, the level of significance of an action's effects on an area's open spaces is defined, qualitatively and quantitatively. It is generally appropriate for actions to undergo both the quantitative and qualitative evaluation compared with the future no action condition.

#### A. *Quantitative Impact*

The proposed action may result in a significant impact on open space in the following circumstances:

- There would be a direct displacement/alteration of existing open space within the study area that has a significant adverse effect on existing users, unless the proposed action would provide a comparable replacement (size, usability, and quality) within the study area (net loss of publicly accessible protected open space).
- The action would reduce the open space ratio and consequently result in overburdening existing facilities or further exacerbates a deficiency in open space.

## Open Space Impact Assessment Method

When assessing the effects of a change in the open space ratio, consider the balance of passive and active open space resources appropriate to support the affected population. A larger percent of active space is usually preferred, because the physical space requirements for active open space uses are significantly greater. That is, a greater number of passive open space users, such as those sitting on a park bench to enjoy fresh air, can be accommodated within a smaller space. Active open space users have greater physical space needs for the movement and activity required for active recreation, such as children's play equipment, organized or spontaneous sports such as frisbee or ball playing, hopscotch, or other outdoor exercise.

In assessing the effects of changes in the open space ratio, the active/passive nature of the resources affected should be considered. As noted earlier, for large-scale actions (and for planning purposes), the City seeks to attain a planning goal of a balance of 80 percent active open space and 20 percent passive open space. Although a typical population mix may call for such a goal, it may not be appropriate or attainable for some areas of the city or for certain populations skewed toward certain age groups. Analyzing the breakdown of open space into the categories of passive and active uses often requires judgment, and for any particular case, typical open space resources may be used very differently.

The Parks and Recreation Department will review existing open space norms for the area and the quality of existing open space. Actions that may result in significant quantitative impacts on open space resources are typically further assessed in the qualitative assessment approach (described below) to determine overall significance of the impact.

### ***B. Qualitative Impact***

Identify the type (active or passive), capacity, conditions, and distribution of open space. Determine whether the change in open space conditions and/or use results in a substantial change or an adverse effect to open space conditions.

Significance is generally determined according to the following guidelines:

- If the proposed action results in a significant physical impact on existing open space in terms of increasing shadow, noise, air pollutant emissions, odors, etc. compared to the future no action condition, then there is a significant impact requiring mitigation.
- If the proposed action addresses the quantitative open space needs, but causes a qualitative impact compared to the no action condition, then there may be a

## Open Space Impact Assessment Method

significant impact on open space, requiring mitigation. This could occur if a specific user group would be affected (such as young children or bocce players), even though the overall open space ratio would be adequate; if certain age groups would be underserved; or there would be conflicts in the use of open space as a result of the action.

### **V. DEVELOPING MITIGATION**

If the proposed action results in significant adverse open space impacts, on site or off site mitigating measures are identified to the greatest extent practicable.

Some ways in which open space impacts may be mitigated are as follows:

- Create new open space on site of the type needed to serve the proposed population and to offset their impact on existing open space in the study area.
- Create new open space elsewhere in the study area of a type needed to serve the needs of the added population.
- Improve existing open spaces in the study area to increase their utility, safety, and capacity to meet identified needs in the study area.
- Mitigation for the removal or conversion of public parkland typically involves the acquisition of replacement parkland of equal or greater size and value servicing the same community of users.

### **VI. DEVELOPING ALTERNATIVES**

Alternatives to the proposed action that would avoid significant impacts on open space resources could include a smaller project (creating less demand for open space) or an alternate site (transferring the open space demand to an area with sufficient supply to accommodate the added demand). If an action may involve the removal or conversion of parklands, the possible use of alternative sites should be given ample consideration as early as possible in the planning process.

Alternatives to the proposed action are analyzed using the methods described under the future build condition and impacts are compared to those of the proposed action.

## Open Space Impact Assessment Method

### Notes:

- 1 The following BRA Planning Districts are inner core urban neighborhoods for purposes of the open space impact assessment: Back Bay/Beacon Hill, Central Boston, Charlestown, East Boston, Fenway/Kenmore, South Boston, and the South End.

## Kara, Kristin

---

**From:** Giers, Bob  
**Sent:** Monday, May 11, 2009 1:26 PM  
**To:** Kara, Kristin  
**Cc:** Jayasinghe, Para; Leo, Vincent; Banks, Joseph; Spinetto, Stephen; Crasco, Ken - Parks Dept.; McCarthy, Timothy (Public Works); Cardarelli, Mark; Goodfellow, Karin  
**Subject:** Government Center Garage Redevelopment Project

Hi Kristin,

Here are PWD comments for the Government Center Garage Redevelopment project encompassing New Sudbury Street, (Haymarket Square), New Chardon Street, Congress Street, Bowker and Hawkins Streets located in the Government Center of Boston, where the developer is estimating the cost of the entire project, broken down into 3 separate phases over an estimated 10 year period to be approximately \$2,200,000,000:

### Site Plan:

Developer must provide an engineer's site plan for each phase at an appropriate engineering scale, that shows curb functionality on both sides of all streets that abuts the property.

### Sidewalks:

Developer is responsible for the reconstruction of the sidewalks and roadways abutting the project, and where appropriate, extend the limits to the nearest intersection. In order to improve pedestrian flow to and from the site and extend the Greenway Enhancement the Developer is also requested to extend beyond the limits of the site other improvements to the immediate and relevant surrounding sidewalks and streets abutting the project, and to that which take pedestrian traffic from the site to Government Center, Faneuil Hall, Financial District, and North and South Stations.

This effort may constitute a License, Maintenance and Indemnification (LM&I) agreement with the Public Improvement Commission (PIC). In order to encourage and compliment pedestrian improvements and travel along all sidewalks within the Public Right of Way within and beyond the project limits the reconstruction effort also must meet current ADA/AAB guidelines, including the installation of new or reconstruction of existing compliant pedestrian ramps at all corners of all intersections.

### Discontinuances:

Any and all discontinuances (sub-surface, surface or above surface) within the Public Right-of-Way (ROW) must be processed through the PIC.

### Landscaping:

Developer must seek approval from Ken Crasco, Chief Landscape Architect with the Parks and Recreation Department for all landscape elements. Program must accompany a LM&I with the PIC.

### Street Lighting:

Street lighting needs must be consulted with Mr. Joseph Banks of the Street Lighting Division with the BPWD, and where needed, be installed by the developer, and must be consistent with the area lighting, to provide a consistent urban design.

### Roadway:

Based on the extent of construction activity, including utility connections and taps, the Developer will be responsible for the reconstruction of the roadway sections that immediately abuts the property, and where appropriate, extend the limits on re-construction to the nearest intersection and to insure compliance to ADA/AAB guidelines.

### Roadway Clearance:

The Highway Division of Public Works is responsible for the clearance process pertaining to BPWD capital projects, such as reconstruction, resurfacing, etc.

Developer must contact Mark Cardarelli in order to determine whether the development parcel(s) are on proposed capital projects, or are free of conflict.

#### Public Trash Receptacles:

Developer to consult with Tim McCarthy of BPWD, and is responsible for purchasing solar powered trash compactors to be used in Public space consistent with City of Boston's plan.

#### Public Art:

Developer is to contact Karin Goodfellow of the Boston Arts Commission to participate with the City's public arts program, creating notable art pieces in public spaces.

#### Groundwater:

Developer should install groundwater-monitoring wells in accordance to ISD standards, to monitor groundwater levels during construction, and convey the wells to the Groundwater Trust through the PIC after the completion of the project.

Note: these are the general standard and somewhat specific BPWD requirements applicable to every project, more detailed comments will be addressed during the PIC review process;

Any questions please give me a call at 617-635-4966

Thank you, Bob Giers



May 1, 2009

John Palmieri, Director  
Boston Redevelopment Authority  
Boston City Hall, Room 925  
Boston, MA 02201  
Attention: Kristin Kara, Project Manager

Re: Government Center Garage Redevelopment  
Environmental Notification Form, EEA #14383  
Project Notification Form

Dear Director Palmieri:

The City of Boston Environment Department has reviewed the Environmental Notification Form/ Project Notification Form (ENF/PNF) filed by Bulfinch Congress Holdings, LLC and offers the following comments.

The project site includes the 1.3 million square foot (sf) parcel at One Congress Street now occupied by the 2,310-space (1,865 commercial and 445 employee) Government Center Parking Garage (Garage). The US Environmental Protection Agency (EPA) occupies the two floors of office space located on top of the parking levels. The site is bounded by New Chardon Street, Sudbury Street, Surface Road, ramps to I-93 and improved property. Congress Street runs through the parcel with the Garage on either side and above the street. Haymarket Station is located alongside Surface Road.

The project may also extend to approximately 79,000 sf of land, some occupied, surrounding the Garage on New Chardon, Sudbury, Bowker Street and Hawkins Street. The parcels are owned by the City of Boston, the Boston Redevelopment Authority and NSTAR. The proponent is working toward purchase of the parcels. The project under review assumes their use.

The proposed project is about 3.8 million sf of mixed uses (may include the surface of Haymarket Station, Class A office, residential, hotel, retail, the District A-1 Police Station and 2,000 parking spaces) in five buildings on three parcels that would replace the Garage and City-owned buildings west of Bowker Street. Proposed heights are 60 to 710 feet. Construction is expected to begin in 2010 and be built in phases over a ten year period.

Under the proposed scenario, building footprints would increase by 1.08 acres to 5.04 acres; roadways, parking and other paved areas would be decreased by 1.27 acres to 1.25 (0.67 acres is Merrimac

Street); and "other altered areas" would be increased by 0.19 acres to 0.20. The proponent plans to create green roofs on about 53 percent of the proposed roof area. A description of "other altered areas" is not provided and should be outlined in the Draft Environmental Impact Report/Draft Project Impact Report (DEIR/DPIR).

The project is expected to generate 6,930 trips per day (adjusted), an increase of 2,746 tpd. Estimated transit trips will be 8,144 new tpd.

A Garage-only alternative would be 3.6 million sf in four major buildings ranging in height from 130 to 702 feet with 1,640 parking spaces (440 commercial) office, hotel, residential and retail uses.

The project is subject to the Government Center Urban Renewal Plan and is in the Government Center/Markets District, Sudbury Street Restricted Growth District and Government Center Green Growth District. Zoning relief or changes to existing zoning will be required for height and floor area ratio (FAR). As part of the site is landlocked tidelands, a Public Benefits Review will be required; a Chapter 91 license will not.

The greenhouse effect is essential to life as we know it. Without it, the Earth would be icy and inhospitable. However, greenhouse gases (GHGs) in the Earth's atmosphere absorb some of the infrared energy radiating from the sunlight-warmed surface of the Earth and raise the average temperature. Human activity is changing the concentration of GHGs in the atmosphere and altering the energy balance. The gases of greatest concern are carbon dioxide, methane, nitrous oxide, and halocarbons. Carbon dioxide, produced primarily through the burning of fossil fuels, accounts for about 84 percent of all U.S. greenhouse gas emissions. In 2000, Mayor Menino recognized that "carbon dioxide and other greenhouse gases released into the atmosphere will have a profound effect on the Earth's climate" and that "the City of Boston can take important steps to reduce greenhouse gas emissions and increase energy efficiency." About 78 percent of Boston's greenhouse gas emissions are related to buildings, their heating, cooling and electricity.

The City of Boston is undertaking a variety of actions to encourage all sectors of the community to use energy more efficiently in their facilities and to create environments that are more energy-efficient. Part of Mayor Menino's plan is creation of the Government Center Green Growth District which will be:

- "A model for green sustainable design and development.
- An example of creative adaptive reuse, alternative uses and redevelopment opportunities of existing buildings and spaces.
- A product of the best ideas and thinking from interdisciplinary teams.
- A physical embodiment of Boston's spirit of innovation and sustainability.
- A keystone district in Boston's downtown, providing both new construction and permanent jobs promoting new green industries and potentially adding millions of square feet of new development in the Downtown area."

Highlighted as essential elements of green growth in the district are:

- On-site power generation such as combined heat and power, wind and solar.
- Conserving water, through green roofs and other innovative measures, and reducing wastewater to minimize demand on domestic water supplies.
- Recharging groundwater on the limited land areas in the district.
- The highest green standards for materials use, energy consumption and other aspects of constructing and operating green buildings with an ultimate goal that facilities perform on a zero net energy and/or zero carbon performance level.
- Energy efficiency retrofits and other green strategies for renovating existing buildings.

- Maximizing open space and tree cover so that public ways and sidewalks become pedestrian-friendly.

Mayor Menino has issued an Executive Order Relative to Climate Change in Boston to set clear and challenging goals for the City's effort to reduce the threat of climate change. These include reducing our annual greenhouse gas emissions seven percent below 1990 levels by 2012 and 80 percent below 1990 levels by 2050. The Executive Order furthers programs and policies already in place for:

- Improving our buildings and structures.
- Optimizing our energy sources.
- Balancing our transportation system.
- Managing our land and water.

On March 30, 2009, the Mayor named a 21-member Climate Action Leadership Committee to chart Boston's collective response to climate change and introduced Renew Boston, an innovative public-private partnership that will boost energy efficiency and alternative energy services for Boston residents and businesses.

The proponent notes in the ENF/PNF that the Green Growth District designation is designed to encourage a new generation of sustainable buildings. The ENF/PNF indicates that LEED certification at the platinum level will be sought. A draft LEED-NC v. 2.2 checklists shows that 37 points have been identified for implementation with 20 additional points under consideration. LEED checklists for each building will be provided in the DEIR/DPIR.

Stormwater Design quantity control (SS 6.1) and quality control (SS 6.2) are under consideration. Water Efficient Landscaping, Reduce by 50 percent (WE 1.1) will be sought with Credit 1.2, No Potable Use or Irrigation, is under consideration. Water Use Reduction at 20 percent (WE 3.1) will be sought with a 30 percent reduction under consideration (WE 3.2). Although the project is not in the Groundwater Conservation Overlay District, the proponent will seek input from the Boston Groundwater Trust.

Three Innovation & Design Process points are credited for implementation – ID 2 for a LEED Accredited Professional with ID 1.1 and 1.2 unidentified. ID 1.3, also unidentified is listed as under consideration. We ask that a description of each credit be provided in the DEIR/DPIR.

Five of ten possible points are credited for EA 1.5, Optimize Energy Performance, at 24.5 percent for new buildings. On-site Renewable Energy (EA 2.1) is proposed at the 2.5 percent renewable level with an additional amount under consideration. The ENF/PNF notes that the size of the "creates the potential to consider on-site cogeneration to generate most if not all of the project's power requirements; the ability to explore meaningful photovoltaics and/or in-line wind turbines to generate clean, renewable power on site; and potentially to look more broadly to help spur a highly efficient, distributed energy system within the greater Government Center area."

Achieving Mayor Menino's goals for reducing the effects of climate change, cultivating a city of green buildings and advancing sustainability in multiple realms will be drivers of economic development and innovation and require committed action from individuals and entities in both the public and private sectors. Bulfinch Congress Holdings, LLC, has the unique opportunity to create a multi-dimensional project meeting the highest environmental standards and establishing a benchmark not only for the Government Center area but for the city at large. The following comments and requests address the intertwined challenges and solutions associated with protecting and enhancing human health, ensuring ongoing economic development, creating jobs and developing a vibrant built environment.

Flooding. The proponent should determine the project's vulnerability to increased levels of coastal and riverine flooding due to anticipated sea-level rise in the next 100 years. The project's relationship to the current 100-year-flood zone is not sufficient for this. If the project has some exposure to coastal flooding, the current 500-year-flood zone should be considered; and if the project is not in that zone, the elevation above the 500-year-flood line should be considered. If it is less than three feet, the vulnerability of the project to flooding must be examined. If the project is potentially vulnerable to riverine flooding, the consequences of rainfall currently greater than used to determine the current 100-year-flood should be determined; the amount of rainfall assumed should be identified. Vulnerability should address both structural and operational issues.

As a result of the potential for flooding, stormwater management systems may also need to be sized for higher precipitation levels than the current design standards. Even when buildings are not compromised during a storm, roadways may flood, making them impassable. So, the potential effects on transportation accessibility must also be assessed. These two aspects of stormwater management speak to the benefits of a broad response and the importance of LEED credits SS 6.1 and (SS 6.2).

Minimizing the use of potable water for landscaping is an essential part of conservation. We encourage the proponent to consider obtaining WE 1.2. The use of xeriscaping in multiple areas of the site would go far toward meeting this goal. We also ask that the re-use of stormwater and the use of graywater be given serious consideration for this project. Each element of the water efficiency and use reduction should be discussed in the DEIR/DPIR.

Drought conditions. Climate change may increase the likelihood of drought conditions. The DEIR/DPIR should identify how project components might be affected by drought conditions and how these affects can be avoided.

Extreme heat. Climate change is likely to increase average summer temperatures, the number of days over 90 or 100 degrees, and the number of consecutive high-heat days leading to increased stress on the electrical grid. The DEIR/DPIR should include an assessment of the sufficiency of project systems and green infrastructure (e.g., plantings for shade, green roof) to keep buildings and their occupants safe during heat waves without the use of life-safety/emergency systems (e.g., generators) that may add to ozone pollution levels and increase the heat island effect.

We are confident that on-site renewable energy generation can be a significant element of the proposed project as part of a distributed generation system. Emphasizing this element of sustainability would help to fulfill the Mayor's goals on several levels and, again, serve as an example to other developers of new and restoration projects. This department looks forward to a plan that will make the proponent and the project role models for green construction and operation. We also request that the DEIR/DPIR include a discussion of energy-related measures that will encourage resident/tenant/guest conservation (e.g. the sub-metering of office space).

As electricity distribution planning and the role of that planning in congestion relief and distributed generation are key to innovative energy systems. Therefore, we ask that the proponents outline in the DEIR/DPIR:

- load forecasting methodology;
- capacity planning methodology;
- system design criteria; and
- planning assumptions regarding distributed generation (DG), including renewables and combined heat and power (CHP).

The staff of the Boston Landmarks Commission (BLC) has reviewed the ENF/PNF and notes that preservation and rehabilitation of historic buildings is recognized as a sustainable building practice by the U.S. Green Building Council and the City of Boston. It is consistent with a goal that the Government Center Green Growth District include creative adaptive reuse, alternative uses and redevelopment of existing buildings and spaces. BLC staff strongly encourages a thorough study of alternatives to rehabilitate, or incorporate historic buildings into proposed development plans, rather than demolition. Whether buildings are historically significant or not, demolition would constitute not only a loss of historic fabric, but also represents a loss of the building's embodied energy, fuel expenditure and air pollution during the demolition and removal of the building, as well as a large deposit of material to landfills. Proposed demolition of buildings over 50 years of age requires Article 85 Demolition Delay review by the Boston Landmarks Commission. Proposed demolition of any building within Downtown or the Harborpark area requires Article 85 Demolition Delay review. Please note that "significances" describe in the PNF and attributed to the rating system of 1980 BLC Survey forms may no longer be relevant, as these survey forms are over 20 years old and are in the process of being reevaluated. The buildings proposed for demolition may be considered "significant" under the terms of Article 85.

BLC staff notes that the phased development proposal includes retention of half of the existing parking garage in operation during Phase One construction and suggests the proponent explore development proposals that could incorporate existing structures into the final development plan. Exploration of alternatives to demolition may be required as part of the Article 85 Demolition Delay Review process.

BLC staff has some comments on the proposed new construction. Both proposals anticipate the demolition of the Government Center Garage and opening the street to the sky, resulting in a renewed visual connection between Government Center and the Bulfinch Triangle as experienced along Congress Street. BLC staff sees this effect as a great benefit in terms of urban design. The proposal for Phase One development of Parcels 1a and 1b appears to be sensitive to the surrounding context in terms of massing, scale and design. It is difficult to provide detailed comments regarding the architecture of the Parcel 2 and Parcel 2 expanded proposals, given that the two schemes may result in very different massing and design. The two schemes present a clear advantage to the enlarged site proposal, in terms of the decreased density of the proposal. The "garage only" site proposal raises concerns not only regarding increased density and height in this project proposal, but also concern that the adjacent city-owned parcels might be developed in the future, thereby significantly increasing the density of the area beyond what is anticipated with this proposal. The overall massing of the proposed construction in both schemes does attempt to relate to the existing streetscape in scale, but the proposed towers do raise concerns. The use of the "podium" massing design and the articulation of massing along the street is a successful approach to scale and streetscape. BLC staff suggests that the proponent may explore a scheme that is even more unified in architectural design along the streetscape of the podium; in other words, the current stylistic differentiation between functions along the street may be more distracting than helpful. The obvious issue of concern regarding the proposed development is the height of the towers. While the design intends to minimize visual impact, any proposed tower will need to be carefully evaluated for physical and visual impacts on adjacent and nearby historic context (also see the comment letter from the MHC). A new tower(s) at this prominent location may have negative impacts on nearby historic resources; the proponent should submit detailed shadow and wind analysis diagrams, as well as various renderings showing the proposed construction in context, from various vantage points, near and far. Shadow diagrams should include:

- a north arrow;
- street names;
- the identification of doorways, bus stops, open space and areas where pedestrians are likely to walk or congregate (in front of historic resources or other tourist destinations, for example) and, as appropriate, watersheet;

- clear delineation of shadow on both rooftops and facades;
- clear distinctions between existing shadow and new shadow; and
- analyses for 6:00 p.m. for the Summer Solstice and Autumnal Equinox.

Diagrams should be oriented and scaled consistent with diagrams depicting wind monitoring locations, for both the Build and No Build conditions, so that the combined effects will be evident.

The possible negative impacts of the towers should be evaluated in the context of the urban design benefits of the project at Congress Street and Parcels 1a and 1b and identified in the DEIR/DPIR.

BLC staff agrees with BRA Urban Design staff that new construction projects in the City should be constructed with traditional building materials and techniques rather than synthetic composite materials. Simulated materials such as exterior insulated finish systems (EIFS), and glass fiber reinforced concrete (GFRC) are inconsistent with Boston architecture and are unlikely to withstand decades of the City's freeze-and-thaw climate.

The BLC requests that dated cornerstones be incorporated into all new construction. This element will allow those who are attentive to and value the architecture of the City to appreciate the historical context in which structures were conceived.

BLC staff would look forward to the opportunity to review the proposal as the design develops, especially upon agreement regarding the site configuration that will be pursued.

According to the Massachusetts Department of Environmental Protection (DEP), about 33 percent of mobile source particulate matter (PM) and ten percent of all nitrogen oxide (NO<sub>x</sub>) pollution in the northeast is caused by construction vehicles. More than 90 percent of diesel engine particulate emissions are highly respirable and carry toxins deep into the lung, exacerbating human respiratory ailments. The U. S. Environmental Protection Agency (EPA) has proposed classification of diesel exhaust as "highly likely to be carcinogenic in humans." It estimates that diesel engines currently on the road can run for 1,000,000 miles and remain in operation for as long as 20 to 30 years. This amounts to 160 to 240 tons of pollution over the life of each engine.

Oxidation catalysts and catalyzed particulate filters are designed to reduce air quality degradation caused by emissions from heavy-duty, diesel-powered construction equipment. Oxidation catalysts and particulate filters can reduce emissions of particulate matter by at least 20 percent, hydrocarbon emissions by 50 percent and carbon monoxide by 40 percent. Emissions of formaldehyde, benzene, acrolein, 1-3 butadiene, volatile organic compounds (VOC), oxides of nitrogen (NO<sub>x</sub>) and other air toxins are also reduced.

Beginning with model year 2007, on-road diesel vehicles are required to comply with strict EPA emissions requirements. All pre-2007 diesel construction vehicles working on the project will be retrofitted using retrofit technologies approved by the United States Environmental Protection Agency (EPA).

Standards for new engines in non-road equipment will be phased in starting with the smallest engines in 2008 until all but the very largest diesel engines meet both NO<sub>x</sub> and PM standards in 2014. Some of the largest engines, 750+ horsepower, will have one additional year to meet the emissions standards.

We ask that all pre-2007 diesel construction vehicles working on the project be retrofitted using technologies approved by the United States Environmental Protection Agency (EPA) and that all off-road construction equipment be operated on ultra low-sulfur diesel (no more than 15 ppm).

Staff of this department and of the Environmental and Energy Services Cabinet are available to work with the proponent in developing the sustainability planning for this project. Please feel free to contact us to discuss these comments.

Thank you for the opportunity to offer comment. We look forward to the DEIR/DPIR.

Sincerely,

Bryan Glascock  
Director

cc: Ian A. Bowles, Secretary, Massachusetts Executive Office of Energy and Environmental Affairs  
Ellen Lipsey, Executive Director, Boston Landmarks Commission  
Carl Spector, Executive Director, Boston Air Pollution Control Commission



## Boston Landmarks Commission

City of Boston  
The Environment  
Department

Boston City Hall/Room 805  
Boston, Massachusetts 02201  
617/635-3850

Susan D. Pranger, Chair  
Cyrus Field, Vice-Chair  
John Amodeo  
David Berarducci  
Dana Brown  
David Colton  
John Freeman  
Susan Goganian  
Thomas Green  
Thomas Herman  
Kirsten Hoffman  
Adam Hundley  
Diana Parcon  
Jeffrey Pond  
Yanni Tsipis  
Charles Vasiliades  
Richard Yeager  
Ellen J. Lipsey, Exec. Director

April 23, 2009

Ms. Brona Simon  
Executive Director  
Massachusetts Historical Commission  
220 Morrissey Boulevard  
Dorchester, MA 02125

Dear Ms. Simon:

The Boston Landmarks Commission (BLC) is in receipt of a copy of the MHC adverse effect finding dated April 21, 2009 for the Government Center Park Garage Redevelopment, Boston (Downtown), MA; MHC#45995; EEA#14383. Please be advised that the BLC accepts the invitation to participate in the MHC's consultation process. The BLC therefore requests copies of copies of correspondence and information packets sent to the MHC by the project proponent as well as invitations to meetings pertaining to the consultation process.

Sincerely,

Ellen J. Lipsey  
Executive Director

cc: Kristen Kara, BRA  
Bryan Glascock, BED  
Maura Zlody, BED  
Bulfinch Congress Holdings LLC  
Epsilon Associates



# Boston

## Groundwater Trust

234 Clarendon St., Third Floor, Boston, MA 02116  
617.859.8439 voice • 617.266.8750 fax  
bostongroundwater.org

March 24, 2009

### Board of Trustees

Gary L. Saunders  
Tim Ian Mitchell  
*Co-chairs*

Galen Gilbert  
Nancy Grilk  
Mary Hall

James W. Hunt III  
Nikko Mendoza  
Aaron Michlewitz  
William Moy

Michael Nairne  
Honorable Michael P. Ross  
Molly Sherden  
Peter Sherin

### Executive Director

Elliott Laffer

Ms. Kristen Kara, Senior Project Manager  
Boston Redevelopment Authority  
One City hall Square  
Boston, MA 02201-1007

Subject: Government Center Garage Redevelopment Project

Dear Ms. Kara:

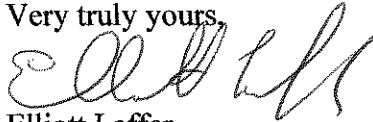
Thank you for the opportunity to comment on the Project Notification Form for the Government Center Garage Redevelopment. The Boston Groundwater Trust was established by the Boston City Council to monitor groundwater levels in sections of the City where the integrity of building foundations is threatened by low groundwater levels and to make recommendations for solving the problem. Therefore, my comments are limited to groundwater related issues.

As noted in the PNF, the project is not located in the Groundwater Conservation Overlay District. However, portions of the site are adjacent to the Bulfinch Triangle neighborhood included in the GCOD and have the potential to affect groundwater levels in that area. Therefore, I was pleased with the commitment of the proponent at the scoping session that the underground garages proposed for both Parcel 1 and Parcels 2-3 would be designed in such a way that they would not reduce nearby groundwater levels.

As part of the DPIR, the proponent should be required to flesh out this commitment with details on how the garages will meet the standard that was verbally agreed to at the scoping session. The detail should be as great as would be required if the project were within the GCOD. The proponent should commit, as well, to install additional monitoring wells in the Bulfinch Triangle area nearest the project so that changes in that area could be quickly identified and rectified.

I appreciate the proponent's commitment, both in the PNF and verbally at the scoping session, to work with the Trust on groundwater issues. I look forward to cooperating with the Authority and the proponent to assure that the project cannot have a negative effect on groundwater levels in the area.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Elliott Laffer', written in a cursive style.

Elliott Laffer  
Executive Director

Cc: Kathleen Pedersen, BRA  
Maura Zlody, BED



BOSTON  
TRANSPORTATION  
DEPARTMENT

ONE CITY HALL PLAZA/ROOM 721  
BOSTON, MASSACHUSETTS 02201  
(617) 635-4680/FAX (617) 635-4295

May 14, 2009

Kristin Kara  
Senior Project Manager  
Boston Redevelopment Authority  
One City Hall Square, 9<sup>th</sup> Floor  
Boston, MA 02201

RE: Government Center Garage Redevelopment/One Congress Street Project - PNF

Dear Ms. Kara:

Thank you for the opportunity to comment on the Project Notification Form (PNF) for the Government Center Garage Redevelopment Project. The proposed mixed-use project will include approximately 2,477,000 square feet of office space, 95,000 square feet of retail space, 460 hotel rooms, 237 residential units, and an equivalent 22,000 square foot replacement for the District A-1 Police Station. In the preferred scenario, the surface Haymarket bus station and the Haymarket subway entrances will be integrated into the buildings to be built on Parcel 1. Approximately 2,000 parking spaces will be provided on-site in both underground and aboveground garages. As currently planned, substantial parking will be maintained on site during all phases of construction.

The Boston Transportation Department (BTD) has reviewed the PNF and notes that existing transit and pedestrian accessibility, coupled with close proximity to other like-type, mixed-use buildings make this project site an ideal location for a mixed-use building, knitting the West End, Bullfinch Triangle, Government Center, and North End together. The project's downtown location and access to the Orange, Red, Blue, Silver and Green Lines as well as multiple local and express bus route services make public transit an attractive mode choice for building tenants.

As a next step the proponent will be required to respond to the scope of work outlined by the Boston Transportation Department. Analysis performed by the proponent will lead to the Transportation Access Plan Agreement (TAPA) which will codify the project's transportation-related elements including mitigation items. To further the discussion that will lead to the TAPA, the following comments identify issues needing clarification, additional submissions and proposed mitigation items.

### **Parking**

The existing garage has a total of 1,865 commercial parking spaces and 445 employee spaces on nine aboveground levels. As proposed, the redevelopment will provide approximately 2,000 spaces of above

THOMAS M. MENINO, Mayor  
Thomas J. Curran, Commissioner



31

ground and below ground parking for the building uses, which includes a component of approximately 500 public commercial parking spaces. BTB commends the proponent for working with the City to meet parking ratio maximums. However, given the site's access to transit, neighborhood density, the city's commitment to sustainable development and community concerns regarding loss of commercial parking spaces, BTB would like the proponent to more carefully examine the number and use of parking spaces and continue conversations with BTB to find the appropriate balance of parking supply. The following are initial suggestions toward achieving this balance:

**Reduce parking ratio for office use from 0.40spaces/1,000 SF to 0.20spaces/1,000SF or lower.**

Currently, office space occupies 1,165 spaces by both monthly off-site and on-site lease holders. The EPA, with offices on-site, holds 445 leased spaces that will expire in January 2010. Primary off-site lease holders are Massachusetts General Hospital, nearby office buildings, and various federal and state agencies. BTB would like the proponent to describe in greater detail the anticipated need for office parking, given the project's proximity to transit and other underutilized parking garages. It is anticipated that current monthly off-site lease holders will be able to, and may already be in the process of, seeking monthly parking elsewhere. For example, there are garages in the immediate area that are mostly used by visitors to the TD Bank North Garden on nights and weekends, and could comfortably accommodate commuter parking during weekdays. Given reduced parking ratio goals, BTB would like the proponent to provide more information about where monthly parking could be accommodated in the immediate area. The city strongly discourages the construction of excess parking spaces, and will be requiring all development proposals to evaluate existing neighborhood supply and proposed project demand to ensure parking and building efficiency.

**Continue to examine the reduction of the parking ratio for residential uses to 0.5-1.0 spaces/unit.**

Currently a total of 237 units are proposed for the project. BTB understand that in order to make the project feasible, there needs to be enough parking for residents. However, BTB would like the proponent to provide more information on how many residents will realistically own vehicles given density and transit options, and how many residents will be commuting by car on a daily basis. BTB recommends the proponent create space for car-sharing companies, and a bike share program which will most likely prove to be more convenient and cost-effective means of transportation to residents therefore reducing car ownership and need for private parking spaces. Additionally, if half of the residential component is for rental units, parking can be reduced further.

**Reduce hotel parking ratio from 0.40 spaces/hotel key to 0.25spaces/hotel key or lower.** The project

is located in the heart of Boston's tourism district and, given easy access to Logan Airport, South/North Stations, local transit, car sharing, bike sharing, and possible hotel shuttles, BTB anticipates relatively low demand for parking and asks the proponent to more realistically evaluate the demand that will be generated for parking by a hotel at this location.

**Provide 500 commercial parking spaces + 200 flex or shared spaces.** BTB agrees that maintaining

highly utilized commercial parking spaces is important for providing access to neighborhood retail and providing adequate parking for transient visitors and residents. As the city moves toward a more sustainable future, BTB is reluctant to allow more parking spaces than needed as there are garages that are currently being used inefficiently and a surplus of public and private parking spaces in the immediate

area. (Note: The City of Boston Environment Department will be conducting an inventory of public space and level of usage that will bring more clarity to current public parking space utility.) However, given BTB's request of the proponent to reduce parking ratios for office, residential, and hotel uses in the program, we propose the proponent create 200 "flex" spaces that can be used to balance inefficiencies in parking use. This additional provision of flexible parking space will allow for parking spaces to be shared between the various users/needs – providing a cushion for increased public parking demand due to night and weekend sporting events.

BTB acknowledges that loss of parking spaces from the existing garage may impact the surrounding communities. There are approximately 12,579 off-street parking spaces in garages and lots within a seven-minute-walk radius of the project: 10,312 in garages and 2,267 in lots. Most notably, the MBTA North Station/Banknorth Garden garage contains 1,221 public spaces and operates at an average 30% occupancy rate. BTB asks that the proponent provide a brief analysis of the existing parking supply in the immediate area with estimate occupancy rates. This data will show how any loss in parking can be absorbed by other underutilized parking facilities in the immediate area.

### **Service and Loading/Pick-Up and Drop-Off**

BTB commend the proponents for providing off-street facilities for loading activity as part of BTB's effort to reduce traffic congestion caused by on-street truck maneuvering and loading activity. The proponent needs to be in compliance with BTB's "Off-Street Loading Guidelines" which can be accessed at: [http://www.cityofboston.gov/transportation/off\\_street.asp](http://www.cityofboston.gov/transportation/off_street.asp). Additionally, the proponent is required to respond to the questions in the website's attached pdf.

The PNF proposes that all loading and service activity will occur on-site from three separate loading/service areas. The primary loading and service for Parcels 2 and 3 will be along Bowker Street. The loading/service area for Parcel 1 will be along Surface Road near New Chardon Street. Within the DPIR, the proponent will be required to provide detailed plans for service and loading accommodation.

In the event that a new public elementary school is included in the development program, the proponent will be required to provide detailed analysis of pick-up/drop-off activity. In particular during peak hours, the proponent must respond to how circulation, bus operations and pedestrian conflicts will be mitigated.

### **Public Transportation**

The project is located within a quarter mile of MBTA Orange, Green, Blue, Red lines, commuter rail service, and multiple local and express bus routes. No significant changes to the Haymarket bus or subway operations are planned. BTB does not anticipate major impacts to any one transit line or route as a result of the project.

### **Traffic**

While recognizing that direct access to public transportation will mitigate project generated traffic impacts, BTB looks forward to working with the proponent to develop a comprehensive analysis of transportation impacts that will include automobile traffic. Although a net loss of parking, new uses to the site will inevitably change trip generation. Engineering has provided the following list of additional intersections the proponent will be required to study:

- ☐ Causeway Street and Portland Street
- ☐ Causeway Street and Haverhill Street
- ☐ Mercantile Street and Surface Road
- ☐ State Street and Surface Road
- ☐ Beverly Street and Valenti Way
- ☐ Atlantic Avenue and Cross Street
- ☐ Atlantic Avenue and State Street

BTD can supply recent counts for Surface Road and Atlantic Avenue to be used in your analysis. Additionally, engineering has noted that the narrowing of Sudbury Street from four lanes to two lanes may result in an unacceptable capacity level.

### **Pedestrian Access**

BTD will work with the proponent to develop a pedestrian study as part of the comprehensive transportation analysis plan, focused on pedestrian access and safety. Since the mode split favors walking at this location, pedestrian accommodations are of particular concern. The following is a list of concerns that BTD will work with the developer to address in the DPIR:

- ☐ The proponent will be required to provide a comprehensive evaluation of future pedestrian circulation for both regional and neighborhood purposes. Connections between the surrounding neighborhoods need to be carefully evaluated.
- ☐ ADA accessibility
- ☐ Possible WALK signal adjustments at major pedestrian intersections/connections

The City will work with the proponent to determine where pedestrian volume counts may be required. In the instance that a school is built as part of the program, safe pedestrian access for school children will need to be studied in further detail.

### **Transportation Demand Management**

BTD applauds the proponent for proposing a Transportation Demand Management (TDM) program in the PNF. Using the PNF's proposed TDM program as a foundation, BTD will continue working with the proponent to determine the specifics to be codified in the TAPA. The following are additional TDM measures that will supplement the list proposed by the proponent in the PNF:

- ☐ Possible addition of a bike-share station on-site
- ☐ Provision of ten electric vehicle charge points and stations total for residents, visitors, and commuters.

### **Site Plan**

The proponent is required to submit an engineered site plan within the context of the surrounding roadways at 1:20 scale depicting:

- |                                    |                         |
|------------------------------------|-------------------------|
| -Vehicular Circulation             | -Service and Loading*   |
| -Parking Layout and Circulation    | -Roadways and Sidewalks |
| -Pedestrian Access and Circulation | -Building Layout        |

-Bus Terminal Access

-Bicycle Rack Locations

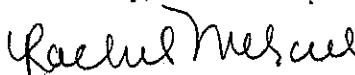
*\*Trash compactors/dumpsters need to be depicted as well*

### **Construction Management Plan**

BTD notes that the proponent has addressed construction impacts in general terms within the PNF and will subsequently be required to develop and submit a detailed Construction Management Plan (CMP). The CMP will address TDM measures for construction workers, proposed street occupancies, equipment staging, sidewalk relocations and hours of construction work. BTD will work with the proponent to execute the CMP to mitigate construction impacts.

The issues raised above, should be addressed as part of the transportation analysis to be provided in the Draft Project Impact Report (DPIR) for the One Congress Street project. BTD looks forward to working collaboratively with the proponent and the community in review of this project and to address any outstanding concerns in the permitting process.

Sincerely,



Rachel Mercier  
Transportation Planner  
Boston Transportation Department  
Policy and Planning Division

Cc: Vineet Gupta, Director of Policy and Planning  
John DeBenedictis, Director of Engineering

**BOSTON TRANSPORTATION DEPARTMENT**  
**TRANSPORTATION ACCESS PLAN GUIDELINES**

**And**

**SCOPE OF WORK**

**For**

**One Congress Street**

Boston is a dense city, with high levels of vehicular congestion, pedestrian traffic, and parking demand. New development of all types increases travel demand, and will have transportation impacts that require analysis, review, and mitigation. Through the City of Boston's Article 80 development review process, the Boston Transportation Department (BTD) works with development team (the "project proponent") to ensure that they thoroughly evaluate the transportation impacts associated with the proposed project, propose and analyze ways to mitigate these transportation impacts, and implement appropriate mitigation measures.

The project proponent is responsible for assessing and mitigating the short-term and long-term impacts of the proposed project. submitting the following documentation to BTD:

1. Transportation Access Plan. The Transportation Access Plan shall fully describe all transportation-related issues surrounding the proposed project. It should include the following principal components:
  - Description of Existing Transportation Conditions. A summary of existing traffic, public transit, pedestrian, bicycle, and parking conditions in the study area.
  - Evaluation of the Proposed Project's Long-Term Transportation Impacts. A detailed description of the proposed project and a detailed analysis of the project's long-term impacts on traffic, public transit, pedestrian, bicycle, and parking conditions.
  - Mitigation of the Project's Long-Term Transportation Impacts. Identification of appropriate measures to mitigate project impacts, including physical and operational improvements, travel demand management (TDM), and long-term project impact monitoring.
  - Description of the Project's Short-Term Construction Impacts and Proposed Mitigation. General overview of the project's construction impacts, construction schedule and phasing, and measures to mitigate the short-term impacts. This is a summary of the more detailed Construction Management Plan (CMP) to be submitted to BTD under separate cover.

The Access Plan typically comprises the transportation component(s) of the proposed project's various environment filings, such as the Draft Project Impact Report (DPIR) or the Final Project Impact Report (FPIR); in special cases, the Access Plan may be a separate document. In any case, the Access Plan should adhere to the guidelines and scope of work set forth below. The analysis and reporting guidelines below are designed to be general enough that they will apply to most or all major development projects; they are also designed to be specific enough to ensure adequate information and equitable review of all development projects. These guidelines shall be followed as closely as possible. If the project proponent believes that certain provisions are not



applicable to the development in question, the proponent shall obtain BTB's explicit approval to forego those provisions.

2. Construction Management Plan. The Construction Management Plan (CMP) shall include a detailed proposal for the proposed project's construction: schedule, phasing, occupancy of the public right-of-way, access and delivery requirements, transportation impacts, and mitigation. The proponent shall submit the CMP to BTB, under separate cover from the Access Plan. The project's general contractor typically prepares the CMP. Guidelines for preparation of the CMP are available from BTB. The CMP shall be completed prior to the issuance of a Building Permit from the City of Boston's Inspectional Services Department (ISD).
3. Transportation Access Plan Agreement. The Transportation Access Plan Agreement (TAPA) is a formal legal agreement between the project developer and BTB. The TAPA formalizes the findings of the Access Plan, the mitigation commitments, elements of access and physical design, and any other responsibilities of the developer and BTB. Since the TAPA must incorporate the results of the technical analysis, physical design, and assessment of mitigation requirements, it must be executed after these processes have been completed. However, the TAPA must be executed prior to approval of the project's design through the City of Boston's Public Improvements Commissioner (PIC). An electronic copy of the basic TAPA form is available from BTB. It is the proponent's responsibility to complete the TAPA so that it reflects the specific findings and commitments for the project, and to get BTB review and approval of the document.

## STUDY AREA

The Access Plan shall consist of a thorough analysis of the proposed project's transportation impacts throughout the relevant study area. The study area shall comprise the public right-of-way and important transportation elements of the area described by the following list of intersections:

- a. Sudbury Street/Congress Street
- b. Sudbury Street/Cambridge Street
- c. Sudbury Street/Surface Road
- d. Sudbury Street/Cross Street/I-93 Northbound on-ramp
- e. New Chardon Street/Cambridge Street
- f. New Chardon Street/Congress Street/Merrimac Street
- g. New Chardon Street/Canal Street
- h. New Chardon Street/North Washington Street/Sumner Tunnel Off-ramp/I-93 Southbound and Callahan Tunnel on-ramps; North Washington Street/Cross Street/Cooper Street
- i. North Washington Street/Beverly Street
- j. North Washington Street/Thatcher Street/Valenti Way
- k. North Washington Street/Causeway Street
- l. Merrimac Street/Staniford Street/Causeway Street/Lomasney Way
- m. Cambridge Street/Staniford Street
- n. Hanover Street/Congress Street
- o. Hanover Street/Surface Road
- p. Hanover Street/Cross Street
- q. I-93 Northbound Off-Ramp/Surface Road/North Street
- r. I-93 Northbound Off-Ramp/Surface Road/North Street
- s. North Street/Congress Street
- t. I-93 Southbound Off-Ramp/Surface Road/Clinton Street
- u. North Street/Clinton Street
- v. Causeway Street/Portland Street
- w. Causeway Street/Haverhill Street
- x. Mercantile Street/Surface Road
- y. State Street/Surface Road
- z. Beverley Street/Valenti Way
- aa. Atlantic Avenue/Cross Street
- bb. Atlantic Avenue/State Street

The proponent shall review all relevant project proposals and planning studies that would affect the study area, and incorporate these into the transportation analysis, as appropriate. These include at minimum the following projects:

- Harbor Garage
- Avenir Parcel 1A

## DEFINITION OF TASKS

### Task 1. Description of Existing Transportation Conditions

The Existing Conditions component shall summarize the current status of the transportation system within the study area. It shall focus on the issues listed below, and shall identify any existing problems or deficiencies in the transportation system. The Existing Conditions analysis will form the basis for projecting future conditions, and enable comprehensive assessment of the proposed project's transportation impacts.

1.1 Project Site Conditions. Describe general conditions in the vicinity of the project site, including:

- Existing land use, including existing site square footage, building square footage, number of employees or residents, zoning provisions, and other applicable information
- Physical condition of the site, existing access and egress
- Major streets and intersections in the vicinity of the site
- On-street regulations

Include a survey of existing conditions.

1.2 Traffic. The Access Plan shall include traffic volume counts at the study area intersections for weekday morning and evening peak periods under existing conditions. These shall be classification counts in areas with high volumes of heavy vehicles. The morning and evening peak volumes represent a minimum for traffic impact analysis. Depending upon the nature of the proposed project or local conditions, BTD may require traffic analysis for additional conditions, such as the Saturday afternoon peak.

Existing capacity analyses shall be performed to determine level of service at all study area intersections. Analyses shall reflect realistic peak period characteristics, including pedestrian volumes, requirements for pedestrian phases, curb operations (bus stops, pick-up / drop-off), usable lanes, grade, and percentage of heavy vehicles. Appropriate traffic models will be discussed below.

1.3 Parking. The Access Plan shall summarize the parking supply within ¼ mile of the project site. The parking inventory shall focus on publicly-available spaces, but shall also include private resident or employee spaces as well, if the information is available. The parking inventory shall include:

- a. Location (block face for on-street spaces, facility for off-street spaces). Include a graphic representation of the parking supply locations with respect to the project.
- b. Type of Space
  - On-street (metered, resident parking, unregulated, etc.)
  - Off-street (surface lot or garage, user type: resident, employee, commercially-available, customer, etc.)
- c. Parking Fees, by Type of Space
- d. Percentage Utilization During Parking Peak (assume 12 noon)

This inventory can be supplemented with data from published sources such as the BTD's 1987 Downtown Parking Inventory Study, updated as necessary with survey data.

If there is currently parking associated with the project site, the Access Plan shall summarize the parking use and management. The description of existing on-site parking use shall include: number of spaces; occupation of spaces by user type, hour of peak occupancy, turnover rate, parking fees, and any high-occupancy vehicle spaces.

1.4 Transit. The Access Plan shall describe the study area's mass transit system:

a. Transit Supply

- Massachusetts Bay Transportation Authority (MBTA) services, proximity to site
  - Service (mode of transit, line, closest station stop)
  - Service characteristics (frequency during peak periods, geographic connections)
  - Physical characteristics (station conditions, rolling stock)
- Private transit services (summarize characteristics above)
- Other transit and high-occupancy vehicle (HOV) services

b. System Utilization

- Capacity by line during peak periods
- Current ridership and percentage capacity utilization by line during peak periods

1.5 Pedestrians. The Access Plan shall include a description of pedestrian conditions on sidewalks and intersections adjacent to the site, including major pedestrian routes and desire lines in and around the site, volumes of pedestrians on these routes, and the conditions of these corridors, including any deficiencies or barriers.

Pedestrian volumes shall be counted and pedestrian level of service shall be calculated at the following intersection crossings and sidewalk locations:

- a. Congress/New Sudbury Street
- b. Canal Street/New Chardon
- c. New Chardon Street/Merrimac Street/Congress Street

Describe pedestrian accommodation at signalized intersections in the study area (i.e. exclusive vs. concurrent, crossing time provided).

1.6 Bicycles. The Access Plan shall describe existing bicycle usage, primary bicycle routes, accommodation of bicycles in the public right-of-way, and the current supply and location of any existing bicycle racks on or adjacent to the project site. On a day with good weather (record date and weather conditions), survey bicycle rack utilization by location. Document storage of bicycles in locations without bicycle racks. Include bicycle volume counts at the following intersections and bike routes:

- a. Congress/New Sudbury Street
- b. Canal Street/New Chardon Street
- c. New Chardon Street/Merrimac Street/Congress Street

1.7 Loading and Service. The Access Plan shall describe any existing loading and service uses on the site, as well as any special conditions relative to loading and service in the surrounding area.

## Task 2. Evaluation of Proposed Project's Long-Term Transportation Impacts

The central component of the Access Plan is the evaluation of the proposed project's long-term transportation impacts. The Access Plan must evaluate these impacts in detail, for all the transportation modes and aspects that will be affected, including traffic, parking, public transit, pedestrians, bicycles, and service and loading. These impacts must be compared to the appropriate baseline condition, the Future No-Build Condition. The following are the principal issues, modes, and conditions that must be analyzed.

2.1 Project Description. The Access Plan shall include a summary of the key project characteristics that are relevant to the project's transportation impacts. These include:

- Project name and street address
- Study area, including critical intersections
- Anticipated construction start and completion dates
- Relevant zoning regulations with respect to use, parking and other characteristics
- Required permits, variances, and licenses
- Site area
- Project's gross square footage and floor-area ratio (FAR)
- Gross square footage by use
- Other relevant variables (e.g. number of dwelling units, number of hotel rooms, number of employees)
- Number of parking spaces, specified by use type
- Number of loading bays, dimensions of bays, design loading vehicle

2.2 Trip Generation Analysis. The Access Plan shall include a clear and detailed trip generation analysis for the proposed uses of the site. This analysis shall include:

- a. Person-Trip Generation. The Access Plan shall summarize the proposed project's person-trip generation, for daily, AM peak, and PM peak trips. For certain uses, person-trips shall also be calculated for other time periods, such as Saturday afternoon peak hour (e.g. cultural or entertainment use in an area with significant weekend congestion).

The person-trip calculations shall be based on appropriate trip generation rates, typically the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 6<sup>th</sup> Edition. The ITE manual includes comprehensive vehicle-trip generation rates based on surveys in suburban locations throughout the United States. Because Boston benefits from an excellent public transit system and pedestrian access, ITE vehicle-trip generation rates are not directly applicable to resulting vehicle trips. ITE rates shall be used to generate total person-trips by correcting for vehicle occupancy rate (VOR). Appendix xx includes a compilation of the most common ITE trip generation rates and corresponding VOR. The proponent shall use these trip generation rates whenever possible. Where necessary, these trip generation rates may be supplemented by survey data or information from other sources (subject to BTM requirement and/or approval). The person-trip generation analysis shall be summarized in a clear table, in the body of the Access Plan, including all of the following information:

- Land use type
- Square footage, by land use type

- Vehicle-occupancy rate (VOR) assumption, by land use type (for translation of vehicle-trip rates to person-trip rates)
  - Daily person-trip generation (by land use and overall)
    - Daily person-trip generation rate (per 1,000 square feet, or per unit)
    - Resulting daily person-trip ends
  - AM peak hour person-trip generation (by land use and overall)
    - AM peak hour person-trip generation rate
    - AM peak hour person-trips, entering
    - AM peak hour person-trips, exiting
  - PM Peak Hour person-trip generation (by land use and overall)
    - PM peak hour person-trip generation rate
    - PM peak hour person-trips, entering
    - PM peak hour person-trips, exiting
  - Source for trip generation rates
- b. **Mode Split and Vehicle Occupancy Rate.** Person-trips shall be apportioned among the various principal modes (automobile, public transit, walking, bicycling) using an appropriate mode split. The mode split shall be presented as percentages of automobile, public transit, and walk / bicycle travel. Working with BTD, the Central Transportation Planning Staff (CTPS) has compiled appropriate mode split assumptions for various sections of Boston, according to trip type. These mode splits, along with VOR for automobile trips, are included in Appendix xx. The mode split calculation shall be based upon these assumptions. If the proponent wishes to adjust these mode splits based upon specific project characteristics, the adjustment must be supported by accepted evidence and by appropriate mitigation commitments (e.g. enhanced travel demand management to justify a higher public transit mode share). BTD must approve any adjustments to the mode split and VOR assumptions in Appendix xx. The Access Plan shall include a clear, easily understood table that summarizes the assumptions and the resulting trips by land use type, by trip purpose, and by mode.
- c. **Trip Distribution.** The trip distribution shall identify the directional split (i.e. north, south, west) of person-trips and vehicle-trips for the specific location and trip types of the proposed project. Detailed trip distribution information for trips to and from all areas of Boston is included in Appendix xx. The trip distribution is allocated by individual mode, and should be applied to the resulting trip totals by mode. The Access Plan shall use this information for trip distribution assumptions, unless BTD recommends or approves other trip distribution assumptions.
- d. **Trip Assignment.** The distributed trips shall be assigned to the appropriate means of accessing the project: highway routes, surface streets, surface intersections, sidewalks, crosswalks, site access / egress points, and public transit lines. If the project expects to rely upon an off-site parking supply, trips shall be assigned appropriately to these locations. Drop-off, pick-up, and valet trips shall also be assigned appropriately, i.e. both entering and exiting the site access, and entering or exiting an off-site parking area.

Attached appendices include the base assumptions that the project proponent shall use for trip generation rates, mode splits, trip distribution, and vehicle occupancy rate for specified areas of Boston. The proponent may believe that other assumptions should

be used due to specific circumstances, such as proximity to public transit (not relevant for downtown zones) or exceptional travel demand management commitments. Where such special circumstances warrant, the proponent may propose alternative assumptions, which are subject to explicit BTB approval.

2.3 Future No-Build Condition. The analysis of the proposed project's transportation impacts must be based on a comparison with an appropriate baseline condition. The proposed project's impacts would be felt fully during some future "horizon year" when the project is expected to be complete, occupied, and operating. The effects of the proposed project (under the "Future Build Condition") are most appropriately demonstrated in comparison to projected transportation conditions during the horizon year without the effects of the proposed project.

- The horizon year shall be five years in the future, unless specific circumstances require that a different time frame be used.
- The Future No-Build Condition shall be based on the Existing Conditions assessment, with the addition of development and infrastructure projects that have been proposed and are expected to be complete and operational by the horizon year (per BTB and BRA instructions).
- The Future No-Build Condition traffic, transit, and pedestrian volumes shall also include a background growth rate of 1 – 1 ½ % per year (depending upon local conditions) added to existing traffic volume counts, transit ridership, and pedestrian counts, unless otherwise specified by BTB.

2.4 Future Build Condition. The central component of the Access Plan is the assessment of the proposed project's long-term impacts. This shall include evaluations of the project's effects on all transportation modes and aspects, throughout the study area.

a. Traffic Impacts.

- i) Traffic Volumes. The traffic analysis shall include diagrams of turning movement volumes generated by the proposed project at all study area intersections, and total turning movement volumes for the Future Build Condition. Therefore, the Access Plan shall include turning movement volume diagrams for AM peak volumes, PM peak volumes, and any other required period, of each of the following:
  - a) Existing Conditions (based on current traffic counts)
  - b) Future No-Build Conditions (Existing Conditions, plus appropriate future changes and growth factor)
  - c) Project-Generated Traffic Volumes (based on trip generation)
  - d) Future Build Conditions (Future No-Build Conditions, plus Project-Generated Traffic Volumes)
  - e) Future Build Conditions with Mitigation (if the proponent plans to undertake any roadway or signalization changes in order to mitigate traffic impacts of the proposed project)
- ii) Traffic Capacity Analysis Software. The Access Plan shall include traffic capacity analyses for Existing Conditions, Future No-Build Conditions, and Future Build Conditions. The capacity analysis shall be performed using an approved and appropriate capacity analysis software program.

- For intersections that are widely spaced and will operate in isolation, the proponent shall use software based upon the *Highway Capacity Manual* (HCS), 1997 edition.
- For closely-spaced intersections with long queues that create interaction between intersections, the proponent shall use a computer model, such as Transyt-7F (version 8) or Synchro, that can accurately model these effects. In such cases, the proponent shall model all of the intersections that would interact.

The computer model output shall be attached to the Access Plan as an appendix.

- iii) Traffic Capacity Analysis Results Summary. The Access Plan shall include a tabular summary of the traffic capacity analysis, for all conditions (Existing, No-Build, Build) for each intersection as a whole and for each approach of every intersection. The summary shall include the volume-to-capacity ratio (v/c), level of service (LOS), delay, and estimated queue lengths for each study intersection, and for each approach of every intersection. The summary table shall also highlight changes to intersection and individual approach LOS that result from site-generated traffic.
- iv) Traffic Counts. The proponent shall submit, under separate cover, turning movement count summary sheets for each intersection in the study area.
- b. Parking Impacts. The Access Plan shall include an analysis of projected parking demand and proposed parking supply.
  - i) Parking Demand Analysis. The Access Plan shall include an analysis of total parking demand in the horizon year, broken down by land use and user type (e.g. office employee vs. visitor, hotel employee vs. guest, retail employee vs. patron). The parking demand analysis shall include
    - Daily vehicle-trip generation by land use and user type (consistent with mode split and VOR)
    - Parking turnover by land use and user type (cite source)
    - Parking demand peaks by land use and user type
    - Overall parking demand and peak parking demand, based on shared parking among all land uses and user types included in the proposed projectd
  - ii) Proposed Parking Supply. The Access Plan shall include a summary of the project's proposed off-street parking supply. Parking supply, and parking costs, play a central role in determining mode split and vehicular traffic impact. In general, parking shall be limited to minimum supply that is appropriate to the neighborhood, the project's transit access, and the project's mode split. Appendix xx includes a map of parking ratio guidelines by land use and area of the city. The project's parking ratio shall remain within these guidelines. If the parking supply exceeds these guidelines, the proponent must justify the excess parking based on circumstances specific to the project. Higher parking ratios may increase transportation impacts, and necessitate enhanced mitigation measures. The information below shall be summarized in a clear table.
    - Total Spaces
      - Existing



- Future No-Build (if applicable)
  - Future Build Parking Conditions
  - Parking Allocation
    - Space allocation among various land uses
    - Parking ratios: spaces per thousand square feet or per unit, by land use
    - Specially-designated parking spaces, e.g. vanpools, livery vehicles, rental cars, car-sharing
    - Treatment of existing parking spaces, including displacement of existing parking spaces and how the parking demand for these spaces would be met in the Future Build Condition
  - Comparison of Parking Supply and Demand
    - Projected shortfall or surplus of parking spaces, by land use
    - Proposed management of shortfall or surplus
  - Provide a plan of all parking facilities, including layout, access, and size of spaces.
- iii) Off-Site Parking Supply. Describe any anticipated utilization of off-site parking supply (as described in the Existing Conditions section, amended to reflect Future No-Build Conditions) required to satisfy project-generated parking demand.
- On-Street Parking Supply
  - Off-Street Parking Supply
    - Number and type of spaces required (i.e. publicly-available, employee, residential)
    - Resulting parking utilization at 12 noon on a weekday (additional parking survey times may be required, depending upon the nature of the project)
- iv) Proposed Parking Management Plan
- Description of Proposed Parking Operations
    - Access control
    - Valet operations
    - Pass or payment medium
    - Management of operations to prevent illegal parking, violation of 5-minute idling law
  - Parking Fees
  - Management of Specially-Designated Parking Spaces (e.g. vanpool, carpools, rental cars, car-sharing)
    - Location
    - Parking fees
    - Accommodation of increased supply if demand warrants
- c. Transit Impacts. Describe the anticipated impacts of the project on the mass transit system, based on the information about Existing Conditions and the projected transit person-trips (based on trip generation – trip distribution – mode split calculations). Future transit conditions shall be based on transit supply and capacity that is expected to be available in the horizon year; if there is some doubt, the proponent shall consult with BTS and/or the MBTA. The proponent may use generally available MBTA ridership data as a basis for this analysis. The Access Plan shall include the following information:

- i) Transit Trip Distribution
  - Distribution of project-generated transit trips by zone
  - Distribution of project-generated transit trips by transit line / route
- ii) System Utilization
  - Existing Conditions: Capacity and utilization by line
  - No-Build Conditions: Capacity and utilization by line
  - Build Conditions: Capacity and utilization by line
- d. Pedestrian Impacts. Describe future pedestrian conditions in the study area:
  - Pedestrian access to and from the project, pedestrian circulation routes
  - Pedestrian accommodation in the project's public spaces (e.g. sidewalk, adjacent intersections, plaza spaces, benches, etc.)
  - Pedestrian level of service (LOS) at all surveyed crosswalks, sidewalks and other locations
    - Existing Conditions
    - Future No-Build Conditions
    - Future Build Conditions

NOTE: The traffic capacity analyses must also assume appropriate accommodation of pedestrians in all signalization assumptions. The pedestrian impacts analysis shall describe the assumptions regarding accommodation of pedestrians in the traffic analysis, i.e. pedestrian walk rate and percentage of cycles in which pedestrian phase is called (verify with BTM).

- e. Bicycles. Describe bicycle access to, from, and within the project site. Describe bicycle storage and other amenities (e.g. shower and changing facilities) to be provided. BTM will provide guidelines on bicycle storage requirements based on project type and size.
- f. Loading and Service. The project must accommodate loading and service facilities in an off-street location. The loading and service plan shall not rely upon loading facilities and truck back-up maneuvers in the public right-of-way. Describe service and loading requirements:
  - Number of loading bays
  - Services to be provided (e.g. garbage compactor, garbage collection, restaurant service, move-in / move-out, etc.)
  - Level of loading and service activity (number of trucks per day or per week)
  - Loading and service schedule, schedule restrictions (proponent shall prohibit or strictly limit loading and service activities during peak periods)
  - Design vehicle(s)
  - Required truck turning movements (show design vehicle turning movements on site plan)
  - Major loading and service vehicle routes for site access and egress
  - Access for emergency vehicles

- 2.5 Site Plan. Provide an engineered site plan showing Build Conditions (contrast with existing conditions):
- Public right-of-way layout

- Roadways
- Sidewalks
- Vehicular access and circulation
- Service and loading
- Parking
- Bicycle storage
- Proposed on-street regulations

### Task 3. Mitigation of the Project's Long-Term Transportation Impacts

Major development projects offer benefits, but they also consume public services and create impacts on public resources. Chief among these impacts is a development's effect on the transportation system. The project proponent is required to quantify and analyze these impacts through the Access Plan. It is then the responsibility of the project proponent, working with BTM, to develop strategies for reducing and mitigating these impacts. These strategies will typically include travel demand management (TDM) measures and improvements to Boston's transportation system.

These transportation system improvements and mitigation measures have associated costs. The proponent should view these costs as an integral component of the overall project cost, necessary to enable the transportation system to accommodate the project's impacts. The mitigation measures benefit the users of the transportation system, in particular the new users associated with the proposed project. Project proponents shall allocate appropriate funding for the mitigation. The mitigation measures associated with a development project will be specified in the project's Transportation Access Plan Agreement (TAPA) between the proponent and BTM.

- 3.1 Travel Demand Management (TDM). Travel demand management comprises a variety of strategies designed to reduce single-occupancy vehicle (SOV) travel and encourage "alternate modes" of transportation (public transit, walking, bicycling). TDM programs are critical due to the disproportionate impacts of SOV travel on congestion, parking demand, air quality, and quality of life. TDM programs are especially important for projects that generate higher trip volumes, create concentrated peaks of demand, and create more impacts related to roadway congestion, parking demand, and vehicle emissions. TDM programs are required even when proponent uses the default analysis assumptions for mode split and VOR, since these default assumptions reflect long-standing TDM efforts and Transportation Management Association programs.

Appropriate TDM measures and requirements will vary depending upon the type of development, the neighborhood, the impact analysis assumptions, and other circumstances. For example, many of the measures below would not apply to a residential development. In the case of commercial office development, some (but not all) of the measures below would be the responsibility of the tenants, rather than the proponent. The proponent will be required to implement those TDM measures that are within its control, and should at least encourage and facilitate such measures. However, if the proponent seeks to base its impact analysis on aggressive assumptions (e.g. a high transit mode share), the proponent must require appropriate TDM measures in its lease agreements with tenants.

In the TAPA, the proponent will be required to implement the following TDM measures (as appropriate to the specific project):

- a. Transportation Coordinator. Designate a full-time, on-site employee as the development's transportation coordinator. The transportation coordinator shall oversee all transportation issues. This includes managing vehicular operations, service and loading, parking, and TDM programs. In addition, the transportation coordinator will be responsible for the monitoring program and will serve as the contact and liaison for BTM and the Transportation Management Association (TMA).

- b. Ridesharing / Carpooling. Facilitate ridesharing through geographic matching, parking fee discounts, and preferential parking for carpools / vanpools. May be accomplished through membership in a TMA, participation in CARAVAN for Commuters, and/or use of computerized ridesharing software.
- c. Guaranteed Ride Home Program. Offer a "guaranteed ride home" in order to remove an obstacle to transit use and ridesharing
- d. Transit Pass Programs. Encourage employees to use transit through the following measures:
  - Offer on-site transit pass sales or participate in the MBTA Corporate T-Pass Program
  - Offer federal "Commuter Choice" programs, including pre-tax deductions for transit passes and subsidized transit passes
- e. Information and Promotion of Travel Alternatives
  - Provide employees and visitors with public transit system maps and other system information
  - Provide an annual (or more frequent) newsletter or bulletin summarizing transit, ridesharing, bicycling, alternative work schedules, and other travel options
  - Sponsor an annual (or more frequent) "Transportation Day" at which employees may obtain information on travel alternatives and register to participate in ridesharing programs
  - Provide information on travel alternatives for employees and visitors via the Internet
  - Provide information on travel alternatives to new employees
- f. Transportation Management Association (TMA) Membership. Investigate joining a Transportation Management Association. Encourage tenants to join the TMA as well. If no TMA is established in the project area, investigate starting a new TMA or becoming affiliated with an existing TMA. A TMA can provide many of these TDM measures, including ridematching, guaranteed ride home, and transit information and promotional materials.
- g. Bicycle Facilities and Promotion
  - Provide secure bicycle storage (number of spaces will be specified depending upon size of development and type of land use)
  - Provide additional publicly-accessible bicycle storage (number of spaces will be specified)
  - Provide shower and changing facilities for bicycle commuters
  - Promote bicycles as an alternative to SOV travel, provide promotional material on bicycle commuting and bicycle safety, and provide incentives for bicycle use
- h. Parking Management
  - Charge market-rate parking fees
  - Offer preferential parking to carpools and vanpools
  - Offer reduced parking rates to carpools and vanpools
  - Offer parking "cash-out" option
  - Offer garage space for car rentals
  - Offer parking space for car-sharing
  - Offer parking space, charging facilities for electric vehicles
  - Offer parking / layover space for livery vehicles (hotel development)
  - Enforce a 5-minute limit on vehicle idling for all users of the Development, in accordance with Massachusetts state law

- i. Trip Reduction Strategies. To the degree possible, the Developer shall implement the following strategies for its own on-site employees. The Developer shall also encourage tenants to implement these strategies as well.
  - Telecommuting. Reduce overall trip demand by enabling employees to telecommute.
  - Flexible Work Schedules. Reduce peak hour and overall trip demand by enabling employees to telecommute, work a compressed work week, or work hours that enable off-peak commuting.
  - Local Hiring. Recruit and hire employees from the local area. Such local employees can more easily use alternatives to SOV travel, including walking, bicycling, and transit.
- j. Transportation Monitoring and Annual Reporting. Monitor transportation conditions, conduct employee transportation surveys, and provide BTM with an annual report on findings. This information will be useful to BTM in identifying and addressing issues with travel and access, including transit service, pedestrian and bicycle access, parking, and traffic. This information will enable BTM to pursue improved access for the project, and provide benefits to the proponent. BTM will provide employee survey forms and transportation monitoring forms to ensure uniformity of data.

3.2 Transportation System Improvements. In order to meet Boston's mobility needs as its population, density, and land development increase, Boston's transportation system requires improvements. These improvements offset the transportation impacts of new development. In addition, these improvements can make the traveling experience easier in the vicinity of the project, which accrues to the benefit of the proponent and the development's users.

- a. Geometric Changes and Improvements to the Public Right-of-Way. The proponent may be required to make geometric changes and improvements to roadways, sidewalks, and other elements in the vicinity of the proposed project. These changes and improvements may be necessary in order to enable new circulation patterns resulting from the project and mitigate impacts of new vehicle or pedestrian trips. Changes and improvements shall be designed by the proponent's consultant in consultation with BTM. The project proponent will be required to directly fund and implement all changes and improvements to the public right-of-way, and to obtain any required permits. The proponent shall obtain the approval of the City of Boston's Public Improvements Commission (PIC) for any changes to the public right-of-way. These improvements shall be made with input from BTM, per specifications provided by BTM, by a contractor approved by BTM, and subject to final BTM inspection and approval.
- b. Traffic Signal Improvements. BTM operates most of the traffic signals in Boston. Improvements to traffic signals in the vicinity of the proposed project may be necessary to manage the increased travel demands placed on the intersection. Improving the operations of these signals can reduce congestion and improve conditions for pedestrians, bicycles, transit vehicles, and general traffic. Typical traffic signal improvements that BTM may require include:
  - i) Traffic signal equipment
    - Signal controller
    - Signal heads and pedestrian heads
    - Signal poles and mastarms
  - ii) Traffic monitoring equipment

- System detectors
- Video monitoring cameras
- iii) Traffic signal communications equipment
  - Communications conduit (4" PVC)
  - Signal interconnect cable

The project proponent will be required to directly fund and implement all traffic signal improvements, and to obtain any required permits. These improvements shall be made with input from BTM, per specifications provided by BTM, by a contractor approved by BTM, and subject to final BTM inspection and approval.

- c. Public Transit System Improvements. New development can add significantly to public transit demand and have other impacts on the transit system. In order to manage this demand and mitigate the impacts, the proponent may be required to make or contribute to transit system improvements. These improvements shall be determined in consultation with BTM and the MBTA. Improvements may include:
  - Physical improvements to MBTA system stations and stops
  - Water transportation
    - Dock and/or landside infrastructure improvements
    - Operating subsidy for water transportation services
  - Supplemental transit services. Public transit is the most desirable means of achieving transit access, and the proponent shall make every effort to facilitate transit access to the proposed project via public services. However, there may be some situations in which private supplemental transit services, such as shuttle buses, are necessary.
    - Overall transit demand in the area is too low to justify public transit service, but the proposed project requires transit access
    - The proposed project generates a concentration of trips to and from certain locations, such that a shuttle is feasible and useful in reducing auto trips (e.g. a hotel with airport and/or convention shuttles)

#### **Task 4. Description of the Project's Short-Term Construction Impacts and Proposed Mitigation**

The Access Plan shall include an overview of construction period transportation impacts and proposed short-term mitigation. This shall be a summary of the more detailed Construction Management Plan (CMP) that must be submitted to BTM under separate cover. The construction management summary in the Access Plan shall provide an appropriate level of information regarding the analysis and proposed management of the impacts of the project during the construction period, including:

- The need for full or partial street closures, street occupancy, sidewalk closures, and/or sidewalk occupancy during construction
- Frequency and schedule for truck movements and construction materials deliveries, including designated and prohibited delivery times
- Designated truck routes
- Plans for maintaining pedestrian and vehicle access during each phase of construction
- Parking provisions for construction workers
- Mode of transportation for construction workers, initiatives for reducing driving and parking demands
- Coordination with other construction projects in the area
- Distribution of information regarding construction conditions and impact mitigation to abutters



## BRA MEMORANDUM

TO: Kristin Kara

FROM: Katie Pedersen

DATE: April 1, 2009

RE: Government Center Garage Redevelopment  
Boston, Massachusetts  
Comments on Project Notification Form

---

I have reviewed the Project Notification Form (PNF) dated March 2, 2009 and submit the following comments for the Environmental Protection Component. Bullfinch Congress Holdings, LLC (the "Proponent"), represented by Raymond Property Company LLC, is proposing to redevelop the site of the Government Center Parking Garage at One Congress Street (the "Proposed Project"). The Proponent proposes to demolish the Government Center Parking Garage (the "Garage") at One Congress Street. The Proponent proposes to demolish the Garage and to construct approximately 3.8 million square feet of new mixed-use development and several adjacent buildings. In their place, the Proponent proposes to construct approximately 3.8 million square feet of mixed-use development.

### Wind

In general, the BRA has adopted two standards for assessing the relative wind comfort of pedestrians. First, the BRA wind design criterion states that an effective gust velocity of 31 mph should not be exceeded more than one percent of the time. The second set of criteria used by the BRA to determine the acceptability of specific locations is based on the work of Melbourne. The placement of wind measurement locations shall be based on an understanding of the pedestrian use of the Proposed Project and the surrounding area. This set of criteria is used to determine the relative level of pedestrian wind comfort for activities such as sitting, standing or walking.

The Proposed Project is located adjacent to new Rose Kennedy Greenway park system. This sensitive public amenity makes the wind analysis and impact mitigation component of the Proposed Project especially important and worthy of extraordinary study by the Proponent.

To this end, the Proponent must conduct complete wind tunnel analysis of the Proposed Project and all Project Alternative scenarios set forth in section IV-C of this Scoping Determination to evaluate the Pedestrian Level Wind (PLW) impacts of each extending a minimum of 1,500 feet from the base of the Proposed Project. Measurement points for this PLW analysis should be placed at all building entrances, entrances to public transportation stations, crosswalks and public sidewalks, public plazas and gathering areas, parks and green spaces, and at regular intervals along the Greenway. Specific locations to be evaluated shall be determined in consultation with the BRA. These PLW

studies, which must be completed for all Project Alternatives, must conform to the following specifications:

- Customary Wind Roses based on aggregated Boston Wind data from Logan Airport 1945-1996
- Special test cases for conditions with sustained wind speeds of 30, 40, and 50 MPH; with gusts up to 1.5X sustained wind speed.

### Shadow

The shadow impact analysis must include net shadow from the Proposed Project as well as existing shadow and clearly illustrate the incremental impact of the Proposed Project. For purposes of clarity, new shadow should be shown in a dark, contrasting tone, distinguishable from existing shadow. The shadow impact study area shall include, at a minimum, the entire area to be encompassed by the maximum shadow expected to be produced by the Proposed Project. The build condition(s) shall include all buildings under construction and any proposed buildings anticipated to be completed prior to the completion of the Proposed Project. Shadows from all existing buildings within the shadow impact study area shall be shown. A North Arrow shall be provided on all figures. Shadows shall be determined by using the applicable Boston Azimuth and Altitude data.

Particular attention shall be given to existing or proposed public open spaces and pedestrian areas, including, but not limited to, the existing sidewalks and pedestrian walkways within, adjacent to, and in the vicinity of the Proposed Project and the existing and proposed plazas, historic resources, the Rose Kennedy Greenway and other open space areas within the vicinity of the Proposed Project.

The Proposed Project is located immediately adjacent to the new Rose Kennedy Greenway park system, a condition that raises significant concerns about the aggregated environmental impacts on this sensitive public amenity, which was the result of a multi-billion dollar public investment.

As a result of this condition, the Proponent must complete a detailed shadow study that examines shadow conditions throughout the calendar year, not just on cardinal dates as is customary for development projects not located at sites with such extraordinary environmental sensitivity as is the Proposed Project site.

As a result of the unique environmental sensitivity of the Proposed Project's immediate context, the Proponent must complete the following scope of shadow studies and impact mitigation analysis and publish the results of these studies in the DPIR:

- A comprehensive shadow study for all Project Alternatives required in this Scoping Determination, showing net new shadow created by the Proposed Project and each Project Alternative for the following dates and times:
  - o The 21<sup>st</sup> day of each Calendar month, January through December;
  - o Analysis of shadow impacts at every daylight hour, on the hour, of each day required above;
  - o Shadow diagrams should show how each period of new shadow will move across the existing sidewalks and pedestrian walkways within, adjacent to, and in the vicinity of the Proposed Project and the existing and proposed plazas, historic resources, the Rose Kennedy Greenway and other open space areas within the vicinity of the Proposed Project in 15 minute intervals.
- A summary of the total time for each of the above-referenced days that the Proposed Project (or the applicable Project Alternative being studied) casts net new shadow on the Rose Kennedy Greenway parks.
- An analysis of the maximum height of the Proposed Project that would cast no net new shadow on the Rose Kennedy Greenway parks.
- With the assistance of a qualified horticulturalist or botanist, provide an analysis of the potential impacts on existing plantings along the Rose Kennedy Greenway caused by the net new shadow that would be created by the Proposed Project.
- The Proponent must propose specific measures designed to mitigate the specific impacts caused by net new shadow created by the Proposed Project on the Rose Kennedy Greenway parks.

### Daylight

The Proponent shall conduct a daylight analysis for both build and no-build conditions. The analysis shall measure the percentage of skydome obstructed by the Proposed Project and evaluate the net change in obstruction. Since project alternative massing studies are requested as part of the Article 80 Development Review Process, daylight analysis of such alternatives shall also be conducted for comparison. The study shall treat the following elements as controls for data comparison: existing conditions, the context of the area, and the as-of right conditions. The areas of interest include New Sudbury, Congress, Bowker, Hawkins (in some alternatives) and New Chardon streets, and the Southbound Surface Artery.

Daylight analyses should be taken for each major building façade within the limits of the Boston Redevelopment Authority Daylight Analysis (BRADA) program, fronting these public and quasi-public ways. The midpoint of each roadway should be taken as a study point.

### Solar Glare

The Proponent has stated that the Proposed Project is not expected to incorporate the use of reflective building material. Consequently, the Proponent does not anticipate the creation of either an adverse solar glare impact or a solar heat buildup in nearby buildings. The Proponent shall demonstrate that the glass selected will avoid the creation of a visual nuisance and/or a hazard, as it interferes with vision and concentration. However, should the design change and incorporate substantial glass-facades, a solar glare analysis shall be required. The analysis shall measure potential reflective glare from the buildings onto potentially affected streets and public open spaces and sidewalk areas in order to determine the likelihood of visual impairment or discomfort due to reflective spot glare. Mitigation measures to eliminate any adverse reflective glare shall be identified.

### Air Quality

The Proponent shall provide a description of the existing and projected future air quality in the Proposed Project vicinity and shall evaluate ambient levels to determine conformance with the National Ambient Air Quality Standards (NAAQS). Careful consideration shall be given to mitigation measures to ensure compliance with air quality standards.

A future air quality (carbon monoxide) analysis shall be required for any intersection (including garage entrance/exits) where the level of service (LOS) is expected to deteriorate to D and the Proposed Project causes a 10 percent increase in traffic or where the level of service is E or F and the Proposed Project contributes to a reduction in LOS.

The study shall analyze the existing conditions, future No-Build and future Build conditions, for all Project Alternatives. The methodology and parameters of the air quality analysis shall be approved in advance by the Boston Redevelopment Authority (BRA) and the Massachusetts Department of Environmental Protection (DEP). Mitigation measures to eliminate or avoid any violation of air quality standards shall be described.

A description of the Proposed Project's heating and mechanical systems including location of buildings/garage intake and exhaust vents and specifications, and an analysis of the impact on pedestrian level air quality and on any sensitive receptors from operation of the heating, mechanical and exhaust systems, including the building's emergency generator as well as the parking garage, shall be required. Measures to avoid any violation of air quality standards shall be described.

The Construction Management Plan (CMP) shall include mitigation measures to ensure the short-term air quality impacts from fugitive dust expected during the early phases of construction from demolition of existing buildings and site preparation activities are

minimal. These measures must be specifically designed to avoid negative impacts to the Proposed Project site's residential neighbors, and the Proponent must conduct a materials analysis of the concrete in the existing Government Center Garage structure to confirm that this concrete material does not contain any embedded Asbestos Containing Material or other hazardous material that could be released during demolition of the existing structure.

The Proposed Project may impact the air quality at key points at which state and federal air quality mandates may exist as a result of environmental commitments made in connection with the Central Artery/Tunnel project.

The Proponent must, for all Project Alternatives specified in this Scoping Determination, identify all state and federal air quality mandates related to the Central Artery/Tunnel project for points within ½ mile of the Proposed Project site and demonstrate that the Proposed Project will have no adverse impact on air quality at these points.

#### Noise

The Proponent shall establish the existing noise levels at the Proposed Project site and vicinity and shall calculate future noise levels after project completion, thus demonstrating compliance with the Interior Design Noise Levels (not to exceed day-night average sound level of 45 decibels) established by U.S. Department of Housing and Urban Development, as well as applicable City, State and Federal noise criteria.

The Proponent has stated that mechanical equipment such as chillers, garage exhaust fans, and emergency generators have the potential to cause nuisance levels of noise. Due to the Proposed Project's proximity to an adjacent residential neighbors appropriate low-noise mechanical equipment and noise control measures will be required in accord with the Regulations for Control of Noise in the City of Boston and the Commonwealth of Massachusetts. The Proponent shall also describe any other measures necessary to minimize and/or eliminate adverse noise impacts from the Proposed Project.

#### Solid and Hazardous Waste

The Proponent shall provide a list of any known or potential contaminants on the Proposed Project site, and if applicable, a description of remediation measures to ensure their safe removal and disposal, pursuant to the M.G.L., Chapter 21E and the Massachusetts Contingency Plan.

Any potential hazardous wastes to be generated by the Proposed Project site must be identified. In addition, potential waste generation must be estimated and plans for disposal indicated and measures to promote reduction of waste generation and to promote recycling in compliance with the City's recycling program described.

#### Stormwater Management

The Proponent shall be required to provide an evaluation of the Proposed Project site's existing and future stormwater drainage and stormwater management practices. A narrative of the existing and future drainage patterns from the Proposed Project site and shall describe and quantify existing and future stormwater runoff from the site and the Proposed Project's impacts on site drainage. The Proposed Project's stormwater management system, including best management practices to be implemented, measures proposed to control and treat stormwater runoff and to maximize on-site retention of stormwater, measures to prevent groundwater contamination, and compliance with the Commonwealth's Stormwater Management Policies, also shall be described. The Proponent shall describe the Proposed Project area's stormwater drainage system to which the Proposed Project will connect, including the location of the stormwater drainage facilities and ultimate points of discharge.

#### Geotechnical Impacts

A description and analysis of the existing sub-soil conditions, including the potential for ground movement and settlement during excavation and potential impact on adjacent buildings and utility lines shall be required. This analysis shall also include a description of the foundation construction methodology, the amount and method of excavation, and the need for any blasting and/or pile driving and the impact on adjacent buildings and infrastructure. A Vibration Monitoring Plan shall be developed prior to commencing construction activities to ensure that impacts from the project construction on adjacent buildings and infrastructure are avoided. Mitigation measures to minimize and avoid damage to adjacent buildings and infrastructure must be described.

#### Sustainable Design/Green Buildings

The purpose of Article 37 of the Boston Zoning Code is to ensure that major buildings projects are planned, designed, constructed and managed to minimize adverse environmental impacts; to conserve natural resources; to promote sustainable development; and to enhance the quality of life in Boston. Any proposed project subject to the provisions of Article 37 shall be LEED Certifiable (U.S. Green Buildings Council) under the most appropriate LEED rating system. Proponents are encouraged to integrate sustainable building practices at the pre-design phase. Proposed Projects which are subject to comply with Section 80B of the Boston Zoning Code, Large Project Review, shall be subject to the requirements of Article 37.

The Proposed Project consists of multiple buildings and accordingly the Proponent shall be required to submit separate LEED checklists, together with explanatory narratives demonstrating compliance with specific points. The Proponent shall also demonstrate that the Proposed Project will meet the requirements of Article 37 with appropriate supporting documentation and by certification from a LEED Accredited Professional.

In the DPIR, the Proponent discusses creating a new paradigm for sustainable development in Boston. In the DPIR the Proponent must explain in detail how this will be achieved and what will differentiate this Proposed Project from other projects in the

City, which have achieved LEED Silver certification or better. Furthermore, the Proponent states in the Green Growth Benefits section of the PNF (page 2-16) that the larger project site associated with Option I “carries important advantages” with respect to the Proposed Project’s sustainability. The Proponent must explain and quantify these advantages.

Extraordinary sustainable development concepts must be incorporated into new construction in the Green Growth District study area. Therefore, the Proponent must demonstrate how the sustainability concepts referenced in the Green Growth Benefits section of the PNF will be incorporated into Option II or any potential alternative.

#### Groundwater Conservation Overlay District

The existing Government Center Parking Garage site is not located in the Groundwater Conservation Overlay District (“GCOD”) and therefore not required to comply with the requirements of Article 32 of the Boston Zoning Code. However, the Proposed Project site may include adjacent underutilized and overly-wide sidewalks created by the Big Dig, sections of which are located in the Bulfinch Triangle District.

The GCOD was expanded to include the North End Waterfront Subdistrict, the North End Local Business Subdistrict and Fort Point Waterfront Subdistrict, all within the Harborpark District, and also in the North End Neighborhood District, Bulfinch Triangle District, Central Artery District, and South Boston, per an amendment on April 25, 2007. In addition to the expansion, the Amendment set the standards to be applied to the newly added areas: Section 32-6 (b), Standards, is only applicable subsection required to demonstrate compliance- *“provision that any Proposed Project result in no negative impact on groundwater levels within the lot in question or adjacent lots, subject to the terms of any (i) dewatering permit or (ii) cooperation agreement entered into by the Proponent and the Boston Redevelopment Authority, to the extent that such agreement provides standards for groundwater protection during construction.”*

#### Performance Standards and Indicators

The Proponent must commit to long-term sustainability performance standards and a system of performance indicators and metrics to track performance as each component building of the Proposed Project is completed and begins operation. The DPIR should include a proposed tracking system.



→ Kara

**The Commonwealth of Massachusetts**  
William Francis Galvin, Secretary of the Commonwealth  
Massachusetts Historical Commission

2009 APR 22 P 4: 29

B.R.A.

April 21, 2009

Secretary Ian A. Bowles  
EOEEA  
MEPA Office  
100 Cambridge Street, Suite 900  
Boston, MA 02114

RE: Government Center Parking Garage Redevelopment, Boston (Downtown), MA;  
MHC#45995; EEA#14383

Dear Secretary Bowles:

Staff of the Massachusetts Historical Commission have received the Environmental Notification Form (ENF) submitted for the above referenced project. After a review of the information submitted, MHC staff have the following comments.

The proposed project site is adjacent to the Bulfinch Triangle Historic District which is listed on the State and National Registers of Historic Places. In addition to this, the project site is also in close proximity to numerous other significant historic districts, including the Beacon Hill Historic District, the Long Wharf and Custom Houses Historic District, the Faneuil Hall and Quincy Market Historic District, all of which are National Historic Landmarks, as well as the Customs House Historic District, the Blackstone Block Historic District, and the Fulton-Commercial Streets Historic District, all of which are listed in the National and State Registers of Historic Places. Additionally, the project is within proximity to the North End, an area that meets the criteria for listing in the National Register of Historic Places.

The proposed project site is also in close proximity to numerous properties that are listed individually on the State and National Registers of Historic places, including but not limited to the Old West Church, the Suffolk County Courthouse, the Sears Crescent and Sears Block, and the Old Colony Trust Company Building.

One of the project alternatives would require the demolition of two structures that are included in MHC's *Inventory of Historic and Archaeological Assets of the Commonwealth*: the Overseers Of the Public Welfare Building (BOS.1783), located at 43 Hawkins Street, 31 Bowker Street, & 41 New Chardon Street, and the Boston Edison Substation (BOS.948), located at 29-33 Hawkins Street. These properties meet the criteria for listing in the National Register of Historic Places under criterion A at the local level. Demolition of these properties constitutes an adverse effect (950 CMR 71.05(a)) on historic properties.



The area of potential effect presented in the ENF was limited to ¼ mile study and the identified historic resources list was not comprehensive and therefore inadequate. The Environmental Impact Report should extend the historic resources study to include the historic properties referenced above.

The MHC requests that the proponent conduct shadow studies in order to assist in determining the effects of shadows on the historic properties noted above. The shadow studies should provide façade illustrations of the shadows on the facades of historic buildings. The MHC is particularly concerned about new shadows on the Bulfinch Triangle and the shadow studies should closely examine the amount of new shadow on this significant district. MHC is also concerned about potential shadows on Boston Common and the shadow study should determine whether or not the placement of this 39-story tower would create shadows.

MHC is also concerned that the size, scale, and massing of the proposed new towers appears to be inappropriate for the surrounding area. The ENF submitted does not contain adequate visual studies to determine the potential effect of size, scale and massing of the new building on the character and setting of State Register properties. MHC requests pedestrian-level perspectives of the new construction from the above referenced historic properties and districts in order to assist the MHC in determining what effect the size, scale, and massing will have on the nearby historic properties.

In accordance with 950 CMR 71.07(3), MHC requests that the project proponents seek ways to avoid, minimize or mitigate the adverse effect of the potential demolition of historic properties. By copy of this letter, the MHC invites the Boston Landmarks Commission and the Boston Preservation Alliance to MHC's consultation process.

These comments are offered to assist in compliance with M.G.L. Chapter 9, Section 26-27C, (950 CMR 71.00) and MEPA. Please do not hesitate to contact Brandee Loughlin of my staff if you have any questions.

Sincerely,



Brona Simon  
State Historic Preservation Officer  
Executive Director  
Massachusetts Historical Commission

xc: Bulfinch Congress Holdings, LLC  
Raymond Property Company, LLC  
Phil Weinberg, DEP  
Ellen Lipsey, BLC  
Sarah Kelley, BPA  
BRA  
Taya Dixon, Epsilon Associates

**Boston Water and  
Sewer Commission**



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

April 9, 2009

Secretary Ian Bowles  
Executive Office of Environmental Affairs  
MEPA Office  
Attn: Holly Johnson  
100 Cambridge Street  
Suite 900  
Boston, MA 02114

and

Ms. Kristin Kara  
Senior Project Manager  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201

Re: Government Center Garage Redevelopment Project  
Environmental Notification Form and  
Project Notification Form

Dear Secretary Bowles and Ms. Kara:

The Boston Water and Sewer Commission (Commission) has reviewed the Project Notification Form (PNF) and the Environmental Notification Form (ENF) for the proposed Government Center Garage Redevelopment Project in City Proper. This letter provides the Commission's comments on the ENF and PNF.

The proposed project site is located on a 176,549 square foot or 4.053 acre site. The site is bounded to the north by the New Chardon Street, to the east by the John F. Fitzgerald Surface Road, to the south by New Sudbury and Sudbury Street and to the west by Hawkins Street. Congress Street bisects the project site between the Surface Road and Hawkins Street. The site currently has a parking garage, the District A-1 Police Station, an NSTAR Electric substation and several City owned office buildings and BRA land parcels.

The proposed project consists of the demolition of an existing 2,310 parking space garage and may potentially include the demolition of city owned buildings and the construction of approximately 3.8 million square feet of mixed use development divided among five major buildings, ranging in height from approximately 60 to 710 feet. The proposed project will include space for residential, office, hotel, and retail use, as well as space for the MBTA



Haymarket Station, and the District A-1 Police Station. The project also includes approximately 2,000 proposed total parking spaces in above ground and below ground garages.

This will result in a net reduction of 310 parking spaces.

According to the ENF and PNF, the proposed sanitary sewer discharge is 282,045 gallons per day (gpd) and the project is expected to generate approximately 310,250 gpd of water demand. For water service, the site is served by a 12-inch high service main, and a 16-inch low service water main on Sudbury Street, a 12-inch high service main, and a 12-inch low service water main on Merrimac Street, a 30-inch low service main, a 12-inch low service main, a 16-inch high service main, and a 12-inch high service water main on New Chardon Street, a 12-inch high service, 12-inch low service, and a 8-inch low service water main on Bowker Street, and a 12-inch high service, 12-inch low service, and a 8-inch low service water main on Hawkins Street. The Commission will not permit the proponent to connect to the 30-inch low service main for water service to the site.

For sanitary sewer service, there is an 18-inch sanitary sewer located on Sudbury Street and a 12-inch sanitary sewer in Bowker Street and Hawkins Street that connect to a 15-inch sanitary sewer in New Chardon Street, both of which ultimately connect to the West Side Interceptor.

For storm drain service, there is a 12-inch storm sewer which flows into a 15-inch storm sewer on Hawkins Street, a 15-inch storm storm sewer on Bowker Street, both of which flow into an existing 36-inch storm sewer on New Chardon Street. There is a 30-inch storm sewer which flows into a 36-inch storm sewer on New Sudbury Street. On New Chardon Street, there is a 36-inch storm drain which flows into a 48-inch storm sewer on Merrimac Street. Bullfinch Congress Holdings, LLC should confirm the location of all water and sewer mains within the vicinity of the project area during the design phase of the project.

The Commission has the following comments regarding the ENF and 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. Bulfinch Congress Holdings, LLC 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 Bulfinch Congress Holdings, 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, Bulfinch Congress Holdings, LLC 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, in cooperation with the Massachusetts Water Resources Authority and its member communities, are 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 this regard, DEP has been routinely requiring proponents proposing to add significant new wastewater flow to assist in the I/I reduction effort to ensure that the additional wastewater flows are offset by the removal of I/I. Currently, DEP is typically using a minimum 4:1 ratio for I/I removal to new wastewater flow added. The Commission supports the DEP/MWRA policy, and will require Bulfinch Congress Holdings, LLC to develop a consistent inflow reduction plan.

The 4:1 reduction must be addressed at least 90 days prior to activation of water service and will be based on the estimated sewage generation provided with the project site plan.

4. For any proposed masonry repair and cleaning Bulfinch Congress Holdings, LLC will be required to obtain from the Boston Air Pollution Control Commission a permit for Abrasive Blasting or Chemical Cleaning. In accordance with this permit Bulfinch Congress Holdings, LLC will be required to provide a detailed description as to how chemical mist and run-off will be contained and either treated before discharge to the sewer or drainage system or collected and disposed of lawfully off site. A copy of the description and any related site plans must be provided to the Commission's Engineering Customer Service Department for review before masonry repair and cleaning commences. Bulfinch Congress Holdings, LLC is advised that the Commission may impose additional conditions and requirements before permitting the discharge of the treated wash water to enter the sewer or drainage system.



5. Bulfinch Congress Holdings, LLC should be aware that the US Environmental Protection Agency issued a draft 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, Bulfinch Congress Holdings, LLC will be required to apply for a RGP to cover these discharges.
6. A Groundwater Conservation Overlay District has been developed and this project is located within it. This district is intended to promote the restoration of groundwater levels and reduce the impact of surface water runoff. The applicant for a building permit will be required to construct a structure capable of retaining a specific amount of stormwater accumulated on the site. This retention structure would be designed to direct the stormwater towards the groundwater table for recharge. Bulfinch Congress Holdings, LLC should contact the Inspectional Services Department for further information.

#### Water

1. Bulfinch Congress Holdings, LLC should 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. Bulfinch Congress Holdings, LLC should also provide the methodology used to estimate water demand for the proposed project.
2. In addition to the water conservation measures required by the Massachusetts Plumbing Code and listed in the PNF, Bulfinch Congress Holdings, LLC should also consider implementing other water saving measures where appropriate. Public restrooms should be equipped with sensor-operated faucets and toilets.
3. Bulfinch Congress Holdings, 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. Bulfinch Congress Holdings, LLC should contact the Commission's Operations Division for information on and to obtain a Hydrant Permit.
4. If potable water is to be used for irrigation of the landscaped areas, the amount should be quantified. If Bulfinch Congress Holdings, LLC plans to install a sprinkler system, the Commission suggests that timers, tension meters (soil moisture indicators) and rainfall sensors also be installed. The Commission strongly encourages the creation of landscape that requires minimal use of potable water.
5. 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, Bulfinch Congress Holdings, LLC should contact the Commission's Meter installation Department.

#### Sewage / Drainage

1. Bulfinch Congress Holdings, LLC must submit to the Commission's Engineering Customer Service Department a detailed stormwater management plan which:
  - Identifies best management practices for controlling erosion and for preventing the discharge of sediment and contaminated groundwater or stormwater runoff to the Commission's drainage system when the construction is underway.
  - Includes 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 or treatment structures to be utilized during the construction.
  - Provides a stormwater management plan in compliance with the DEP's standards mentioned above. The plan should include a description of the measures to control pollutants in stormwater after construction is completed.
2. Developers of projects involving disturbances of land of one acre or more will be required to obtain an NPDES General Permit for Construction from the Environmental Protection Agency and the Massachusetts Department of Environmental Protection. Bulfinch Congress Holdings, LLC is responsible for determining if such a permit is required and for obtaining the permit. If such a permit is required, it is requested that a copy of the permit and any pollution prevention plan prepared pursuant to the permit be provided to the Commission's Engineering Customer Services Department, prior to the commencement of construction. The pollution prevention plan submitted pursuant to a NPDES Permit may be submitted in place of the pollution prevention plan required by the Commission provided the Plan addresses the same components identified in item 1 above.
3. The Commission encourages Bulfinch Congress Holdings, LLC to explore additional opportunities for protecting stormwater quality on site by minimizing sanding and the use of deicing chemicals, pesticides, and fertilizers.
4. If Bulfinch Congress Holdings, LLC seeks to discharge dewatering drainage to the Commission's sewer system, they will be required to obtain a Drainage Discharge Permit from the Commission's Engineering Customer Service Department prior to discharge.
5. Bulfinch Congress Holdings, LLC must fully investigate methods for retaining stormwater on-site before the Commission will consider a request to discharge

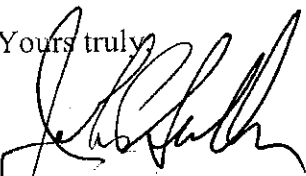


stormwater to the Commission's system. The site plan should indicate how storm drainage from roof drains will be handled and the feasibility of retaining their stormwater discharge on-site. Under no circumstances will stormwater be allowed to discharge to a sanitary sewer.

6. Sanitary sewage must be kept separate from stormwater and separate sanitary sewer and storm drain service connections must be provided.
7. The Commission requests that Bulfinch Congress Holdings, 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. Bulfinch Congress Holdings, 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. Bulfinch Congress Holdings, LLC is advised to consult with Mr. Mark Medico, Deputy Superintendent of Special Projects, with regards to grease traps.
9. The enclosed floors of a parking garage must drain through oil separators into the sewer system in accordance with the Commission's Sewer Use Regulations. The Commission's Requirements for Site Plans, available by contacting the Engineering Customer Services Department, include requirements for separators.
10. Though it is not anticipated for this project, 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.

Thank you for the opportunity to comment on this project.

Yours truly,



John P. Sullivan, P.E.  
Chief Engineer

JPS/ah

- C: K. Verdi, Bulfinch Congress Holdings, LLC  
Neil St. John Raymond, Raymond Property Company, LLC  
Cindy Schlessinger, Epsilon Associates, Inc.  
Kathleen Pederson, BRA  
M. Zlody, BED  
P. Larocque, BWSC

**APPENDIX B**  
**IAG COMMENTS**



HNGORIN

H.N. GORIN, INC.

101 HUNTINGTON AVENUE  
BOSTON, MA 02199  
TEL 617/482-8700  
FAX 617/482-4021

BERYL DAVID GORIN  
HARRY N. GORIN  
ROSALIND E. GORIN

April 16, 2009  
HAND DELIVER

Kristin Kara, Project Manager  
Boston Redevelopment Authority  
City Hall Plaza  
Boston, MA 02110

Re: Comments on the Government Center Garage Redevelopment Project PNF/ENF

Dear Ms. Kara and Ms. Johnson:

As an abutter to this project and a member of the IAG, I am supportive of the initial concept of this project. I am hopeful the Government Center Garage as it stands now will be dismantled and a new and improved development project will take its place. This proposed project will be a welcome addition to the area and will serve to once again open the corridor between the Bulfinch Triangle and Fanueil Hall/Government Center and the Financial District.

While I support the proposed project the following issues are of importance and need to be addressed:

**Density and Height of the project:**

While the proposed project does open Congress Street to the sky, the heights of the towers which are proposed are uniquely high and not necessarily in keeping with the heights of other buildings in the immediate area. During the open meetings, it was suggested that the owner give us some more information on the height of the towers as they relate to other buildings in the area, i.e. JFK Building, One Beacon Street, and other buildings in the Financial District and of course, the John Hancock Tower and Prudential Center buildings in the back bay. This information will be extremely helpful as we move forward.

The BRA must work to insure that the ultimate height approved for these towers is appropriate to the area and will not serve to diminish the views from the neighborhoods adjacent to the project nor will the heights impact the area with shadows, winds and noise.

Clearly it is beyond the scope of the IAG to determine whether the additional parcels not owned by the developer should be included in the project. I would recommend that

this possibility be explored. The addition of these parcels certainly makes this project, as a whole, much more desirable as it enables the density of the project to be lowered. In the preferred plan, the podium is lower and buildings in the project are better spaced.

**Parking/Transportation concerns:**

Parking, it would seem, is one of the biggest issues for those who live and work in the area. Parking is a problem throughout the Bulfinch Triangle and the North End. During most of the public meetings, it is a subject that was raised consistently. The proposed project removes 289,000 square feet of office space and proposes to replace this with approximately 3,775,000 mixed use square footage and yet the project proposes to reduce the total number of parking spaces by 310. Considering that the towers alone propose to contain approximately 2.2 million square feet and further considering that definition of Class A office includes the amenity of on-site parking, it is reasonable to assume that many of the office tenants will require parking. In addition, the residents of the housing component of this project as well as retail units will, most likely, require on-site parking. Therefore, it is crucial that the number of parking spaces for this project at least remain at the current level and, if possible, be increased. While the location of this project is directly over a public transportation stop, it cannot be assumed that the public transportation will be used by a majority of the people using the site. As stated during several public meetings, the current T stop is often crowded during peak travel times and there is a question as to whether the MBTA could even add service help alleviate the congestion. The addition of this project to an already overcrowded T stop may simply exacerbate the public transportation issue. It should also be remembered that while the site is on top of a public transit stop, it is also readily accessible to Interstate Route 93, both Northbound and Southbound. It is also quite convenient to Logan Airport, which could logically encourage commuters to park at the site. If parking spaces are inadequate to the site, then this could logistically cause an exacerbation of the already problematic on-street parking situations in the neighborhoods adjacent to the site.

Due to the size and density of the proposed GCG, it is of some concern as to what the traffic effects in the area around the development will be. It is clear that there will be increased traffic to and from the site with passenger cars as well as pedestrians. In addition, there will most likely be loading dock issues for both the residences and the offices that are proposed. The question becomes how will this increased traffic be addressed?

The proposal of a public school on the site adds to these issues dramatically. For instance, the logistics of transporting hundreds of children to and from the site each day needs to be considered. In addition, how would this impact the loading dock service to the property and how would the streets surrounding the project handle the additional traffic?

HNGORIN

Page 3 of 3  
April 16, 2009

As a long time owner and manager of two properties in the Bulfinch Triangle, I make a daily trip through and under the Government Center Garage. I am always struck by the darkness and tunnel-like experience that the current Government Center Garage creates. It is such a tangible and distinct separation of the Downtown North area from Fanueil Hall/Government Center. I am looking forward to a project that addresses this problem and enhances the neighborhoods that surround it.

Sincerely,

A handwritten signature in cursive script, reading "Kimberly A. Paikos". The signature is written in dark ink and is positioned above the printed name.

Kimberly A. Paikos

## Kara, Kristin

---

**From:** Junie626@aol.com  
**Sent:** Thursday, April 16, 2009 9:42 PM  
**To:** Kara, Kristin  
**Subject:** government center garage

Hi Kristin, I just wanted you to know that I am in support of the IAG comment letter and being a member on the NEWNC I have concerns about the height and the impact of this project concerning the North End. Marie Simboli

---

Great deals on Dell's most popular laptops - Starting at \$479

**Kara, Kristin**

---

**From:** Bob O'Brien [rbobrien@rbobrien.com]  
**Sent:** Friday, April 17, 2009 5:00 PM  
**To:** Kara, Kristin; Holly Johnson  
**Cc:** Jane Forrestall; David Roderick; Marie Simboli; Bob O'Brien; Michael Ratty; Mark Paul; Linda Jonash; Martha Guerrero; Kim Paikos; Francine Gannon; Deborah Connors  
**Subject:** iag comments on the gcg pnf.enf.pdf  
**Attachments:** iag comments on the gcg pnf.enf.pdf; ATT3168617.htm

*Kristin and Holly,*

*Attached please find the IAG comment letter on the GCG Project PNF/ENF, which is submitted with two abstentions, by Tad Stahl and Deborah Connors, as noted.*

*Regards,*

*Bob*

**THE IMPACT ADVISORY GROUP  
FOR THE GOVERNMENT CENTER GARAGE PROJECT**

April 17, 2009

Kristin Kara, Project Manager  
Boston Redevelopment Authority  
City Hall Plaza  
Boston, MA 02110

Holly Johnson, Project Manager  
Massachusetts Environmental Policy Act (MEPA) Office  
100 Cambridge Street  
Boston, MA 02108

**RE:** Comments on the Government Center Garage Redevelopment (GCG) Project PNF/ENF

Dear Ms. Kara and Ms. Johnson,

What follows are the comments of the Impact Advisory Group (IAG) appointed by Boston Mayor Thomas Menino, in consultation with the Boston Redevelopment Authority (BRA) and our local elected city officials, to represent the interests of the West End, North End and Beacon Hill communities as they might be positively and/or negatively impacted by the proposed redevelopment of the Government Center Garage (GCG) Project.

These comments relate to the Project Notification Form (PNF) filed with the BRA by Bulfinch Congress Holdings, LLC on March 2, 2009, and the essentially identical Environmental Notification Form (ENF) filed on March 25, 2009 with the MEPA Unit of the Executive Office of Energy and Environmental Affairs. They include IAG recommendations regard the scoping of the Draft Project Impact Report (DPIR) and the Draft Environmental Impact Report (DEIR), which will follow as the next stage in the planning and permitting process of the City of Boston and the Commonwealth of Massachusetts respectively.

It should be noted that, with two abstentions, these comments represent a consensus of the IAG; but they are not meant to replace or displace the comments of individual IAG members, many of whom are submitting comments on behalf of their own community organizations and interests. The enthusiasm for the GCG project varies significantly among the surrounding communities, in part as a function of proximity to and visibility of the existing garage. The West End, for which this looming structure represents the most immediate and substantial barrier, tends to be more favorably inclined to the benefits of its demolition and redevelopment for their neighborhood; and the North End and Beacon Hill tend to focus more on its burdens.

Those separate IAG member comments are likely to amplify and emphasize some of the points addressed herein, perhaps raise other issues of particular importance to their own neighborhood constituencies, and in the case of some Beacon Hill and North End organizations, even oppose the project as now proposed. Nonetheless, there is agreement among all concerned that the issues and opportunities outlined herein need to be addressed and resolved if and as the evaluation of this project moves forward from the initial PNF/ENF stage to the next stage of DPIR/DEIR review.

With those qualifications, and with the understanding by all concerned that the GCG Project is not a *fait accompli*, we make the following observations and recommendations with respect this proposed project as described in the PNF/ENF and in anticipation of its further refinement and evaluation through the expected DPIR/DEIR:

**With Respect to the Proposed Project Density – and Related Height:** It is clear that the proposed height and density of the GCG project is one of its most controversial and problematic aspects from a community perspective. As was discussed in the public meetings, although not made entirely clear in the PNF/ENF, proposed project density, which translates into significant building heights, is primarily a function of the need to economically justify replacement of the existing garage. In effect, the choice for the developer – and for BRA, MEPA and the community – is not between projects with more or less height and density, but between maintaining the existing garage – i.e., the no-build alternative – or replacing it with a mixed-use redevelopment of substantial density and height.

The goal of demolishing the garage and replacing it with appropriate redevelopment is widely shared throughout our communities and on the IAG; and that goal pre-dates the present GCG Project proposal, which may finally make that a realistic possibility. It is especially timely and relevant for the West End, and particularly its growing Bulfinch Triangle Historic District, for which demolition of the garage would remove the last remaining physical and visual barrier to the rest of Downtown Boston, now that the highway and transit viaducts have finally been removed. But even for those inclined to support this project for that reason, there is no sentiment for height and density beyond what is economically required to accelerate demolition of the garage; and for many, the height and density now proposed in the PNF/ENF is not acceptable.

It is especially a source of community concern in this case because the scale of the GCG Project -- and more specifically the height of the two proposed towers -- is unprecedented for this site and the general area. And thus far, no evidence has been presented to the IAG or the community, in the PNF/ENF or in the public meetings, that would justify the height and density now proposed. Reportedly, financial information that would provide such justification has been provided to the BRA; but the BRA has yet to indicate whether or not that information is satisfactory in that regard. While typically such financial information is considered confidential and is not shared with the community or with an IAG, this IAG would request that as part of the DPIR/DEIR scope and process:

- ❖ The BRA should verify that the project density ultimately proposed in the DPIR/DEIR is justified and appropriate, based on the confidential financial projections submitted by the developer.
- ❖ The BRA and/or the developer should communicate to the IAG and the community those findings and conclusions in an understandable manner that does not violate financial confidentiality.

There should also be a clear and concise presentation of the current state of zoning for the GCG site, as well as a specific indication of what zoning variances and other approvals will be required to permit and approve the proposed height and density.

**With Respect to the Larger Preferred Development Site:** As clearly outlined in the PNF/ENF and as widely discussed in the preliminary public meetings, the developer has proposed a larger preferred development footprint that would include the GCG property already owned by the developer as well as the public property and NStar air-rights west of Bowker Street and the existing public sidewalks north and south of the current development site east of Congress Street. Both the developer and the BRA has also made it quite clear that the preferred development footprint would require a separate public valuation and disposition process for these additional properties, which has not yet been commenced or committed to. It would also necessitate the replacement or relocation of some valuable public and private functions that are now accommodated in the area west of Bowker Street, including the existing police station and various city agencies and social service organizations.

Subject to assurance that those essential conditions would be met – a matter that needs to be an explicit element of the DPIR/DEIR scope and process – the IAG would support the larger development footprint. As presented in the PNF/ENF, an expanded site would allow for more acceptable massing of whatever density is required to demolish the garage – i.e., generally lower buildings heights, greater distances between the buildings, and buildings both east of Congress Street and around the proposed parking podium that would be on a scale comparable to the adjacent Bulfinch Triangle. These are all urban design goals that evolved from the preliminary public meetings and are already reflected in the conceptual designs shown in the PNF/ENF; and they simply cannot be effectively accomplished on the smaller development site.

Moreover, the preferred development footprint would permit consideration of the kind of substantial energy conservation initiatives and the major public and community benefits further discussed below – e.g., a new police station, perhaps a new public elementary school, and possibly a new YMCA; would allow for a more comprehensive and integrated development plan for the district as a whole; and would permit an interim parking plan during construction that would be critical for surrounding communities. Again as described in the PNF/ENF and discussed in the preliminary public meetings, none of those outcomes seem feasible for a smaller development site that includes only the GCG property now owned by the developer.

These positive outcomes are all predicated on an equitable public property disposition and valuation process, on an acceptable agreement on NStar air-rights development, on a satisfactory relocation or replacement plan for public and private facilities west of Bowker Street, on a final comprehensive and integrated design for the entire development area, and on an adequate and appropriate community benefit strategy. On that basis, all of these matters should be definitively addressed and resolved through the DPIR/DEIR scope and process.

**With Respect to Inclusion of the Public Sidewalks in the Expanded Development Site:** Part of the larger footprint of the preferred development site results from inclusion of more than 18Ksf of very wide public sidewalks adjacent to the proposed development east of Congress Street. The IAG believes that the inclusion of this very public space warrants an exemplary streetscape plan for the project as whole, which is especially critical for challenging environments like Bowker Street; but it should also requires a more specific offset through additional public space elsewhere – e.g., on the roof of the parking podium. Beyond that, the IAG would also argue strongly that enhanced and inherent public accessibility should



be an important goal for the project as whole, especially since the preferred development site include such a large component of currently public property. Quite apart from financial valuation issues, if we are prepared to privatize public spaces for purposes of this development, we should also be prepared to publicize this development for community purposes in return. This requires exploring and exploiting every design and use opportunity to integrate the GCG project into the community and to integrate the community into this project; and those goals should be reflected in the DPIR/DEIR scope and process. Those would well include more public programming and use of both rooftop spaces and interior spaces for facilities of public accommodation and perhaps for other civic and community-oriented purposes.

In some important respects, a worthy precedent elsewhere in Boston could be Rowes Wharf, a private development that in many ways has also become an important public amenity for the region and for the surrounding communities. As there, the public needs to be able to go into the GCG Project and through it, not just around it. We should be able to use it, not just view it. The distinctions between public and private property should be intentionally unclear, just as they are at Rowes Wharf. In terms of its design, use and programming, the GCG Project should function in an accessible and inclusive manner that both embraces the surrounding neighborhoods and invites them in. In addition to attractive new public streets and sidewalks, it is the quality and character of openness and inclusion that will make the GCG Project the community crossroads and common ground that it aspires to be and must become.

**With Respect to Community Connections:** An accessible and integrated design and use strategy that reconnects all of these communities in and through the GCG site should be the goal of this project. Beyond the removal of a large, unattractive and intrusive structure, the redevelopment of the GCG site would return it to more positive and productive purposes from a community perspective, particularly if the design and use of all of the surrounding communities are encouraged to permeate the site.

That strategy should include a mix of uses that reflects and reinforces the established and successful mix of residential, commercial, institutional and hospitality uses in the surrounding communities of the West End, North End and Beacon Hill, as well as public, professional, legal, financial, hospitality and retail uses in Government Center, the Financial District, Downtown Crossing and Faneuil Hall Marketplace. A mix and balance of uses should characterize all aspects of the project; and in this regard, the IAG would take exception to the design and use plan shown in the PNF/ENF, which would restrict the two towers exclusively to office uses. Indeed, for some on the IAG, the predominant use should be residential, rather than office, which is apparently referenced in the current district zoning.

These towers are the largest and most prominent elements of the GCG Project, and they should include residential and other uses as well. A more balanced mix of residential and office uses would not only reflect and reinforce the composition of the surrounding communities, but it would ensure a more varied and vital range of activities throughout the day and throughout the project. That should include more emphasis on family housing, which is in increasingly greater demand and in increasingly shorter supply in our downtown neighborhoods; and it should also include an active and attractive range of retail, restaurant, civic and public facilities that will enhance and engage the adjacent neighborhoods and the Kennedy Greenway in important and fundamental new ways.

The specific options that might be explored and evaluated to that end are dealt with in more detail in some of the submissions from individual DNA members; and the IAG supports this major upside potential of the GCG project, which needs to be systematically defined and detailed in the DPIR/DEIR scope and process. This is particularly relevant on the GCG site, which is located on filled tidelands that now require a specific showing of public purpose in their redevelopment.

As noted elsewhere herein, these public purpose could include a new police station, which is explicitly referenced in the PNF/ENF; and the possibility of a new public elementary school, either site or in the vicinity, which was discussed in the preliminary public meetings and has now been positively explored in two meetings with Mayor Menino and School Superintendent Johnson. As suggested elsewhere herein and by individual IAG members, it could even include the funding and construction of a new YMCA, particularly if its development on CAT Parcel 6 proves to be infeasible for the foreseeable future.

The IAG hereby requests that each of these worthy options be explicitly referenced in the DPIR/DEIR scope and fully and finally addressed and resolved in the DPIR/DEIR process. These initiatives would involve the surrounding neighborhoods with the GCG Project in sustained and substantial ways; and they are likely to be critical in terms of the depth and breadth of its community support.

**With Respect to the Environmental Effects of Proposed Building Heights:** In order to fully and finally evaluate the effects of the project density and building heights ultimately proposed in the DPIR/DEIR, we will need be more final architectural designs that site and orient the proposed buildings and finally specify their height and massing. Only that will allow for the modeling of shadow, wind and other impacts that are critically important to the surrounding communities.

But on the basis of the height and massing shown in PNF/ENF conceptual designs, serious community concerns have already been expressed, which suggest the issues that will have to be documented and addressed in the DPIR/DEIR scope and process. In that analysis, the IAG would emphasize the need to acknowledge and address the full range of public values that are at stake in this process. The public meetings of the GCG Project included considerably more detailed shadow studies than were shown in the PNF/ENF itself; and they focused particular attention on minimizing the effect of shadows on the Kennedy Greenway – e.g., by changing building orientations -- which all agree is a worthy goal. But it is not the only relevant goal.

Those same studies clearly show that the shadow effects of the proposed towers are much more significant for the North End and West End neighborhoods than for the Greenway; and to the extent that such shadows are problematic, strategies should be developed to minimize and/or mitigate their neighborhood effects as well. While we understand that tall towers cast shadows, building orientation and other such design variables can minimize shadow and other such impacts on the neighborhoods as well as on the Greenway. The IAG would urge the GCG Project developers, as well as the BRA and MEPA, to seek to identify and achieve an optimal balance of Greenway and neighborhood values, should these priorities occasionally come into conflict or competition.

**With Respect to Transportation Impacts:** There are four major categories of potential transportation impacts that are of particular concern the IAG and to the community, each of which needs to be more thoroughly addressed and fully resolved in the DPIR/DEIR:

- ❖ *Vehicular Circulation:* Given the size and density of the proposed GCG development, it seems inevitable that there will be additional vehicular traffic to and through the area; and it is essential that the new roadway system that will be created by the project will facilitate the flow of that traffic and not contribute to bottlenecks or congestion in and around the area. This is primarily a concern at peak commuting periods; but it also needs to be modeled for off-peak periods as well to assure that vehicular circulation will not become problematic during evenings and weekends, which is also the time when TD Banknorth Garden events typically occur.

Of particular concern in both peak and off-peak periods is the degree to which, on the downside, the additional vehicular traffic that will be generated by this project will increase the use of already congested neighborhood streets for regional traffic purposes and/or on the upside, the degree to which better regional traffic circulation might actually improve the local situation in that regard. A relevant issue in this regard is the future capacity of roadways like New Sudbury Street, which now carries substantial volumes of regional and would be significantly narrowed under the conceptual plan shown in the PNF/ENF.

- ❖ *Pedestrian Circulation:* Likewise, there needs to be a comprehensive projection and evaluation of future pedestrian circulation, for both regional and neighborhood purposes and in both peak and off-peak commuting purposes. In many respects, pedestrian circulation is more relevant and important since walking is the mode of choice for most neighborhood residents and most commuters once they reach the city.

That analysis should include pedestrian volumes to and through the GCG Project itself, to/from North Station, and to/from TD Banknorth Garden. But they should also take into account the new pedestrian routes that will become available in and around the area – e.g., the opening of Valenti Way through the Bulfinch Triangle, thereby better linking the North End, West End and Beacon Hill; the new supermarket that is planned for that vicinity; pedestrian circulation around the bus station; and the increased use of the more open and accessible Bowker, Congress and Blackstone Streets, which will afford multi-modal circulation options that are now available or are not presently active and attractive or safe and secure.

In many cases, these pedestrian volumes cannot easily be extrapolated from past and present conditions, because some of these links do not now exist; but they are critical to an understanding of pedestrian and other connections in both peak and off-peak conditions in the future. They are also critically important to realizing a basic goal of the GCG Project, which is improved connections among the many downtown neighborhoods and districts for which the GCG Project should become a new crossroads -- but could conceivably become a barrier.

- ❖ *Service/Loading and Pick-Up/Drop-Off Requirements:* Where the service and loading and pick-up and drop-off needs of a facility of this size are located and how and when they function obviously need to be specifically and satisfactorily addressed through the DPIR/DEIR scope and process; but in this case, we would emphasize the need to address two important dimensions of that issue:
  - The need to identify and minimize any adverse impacts from such service/loading and/or pick-up/drop-off activities on vehicular and pedestrian circulation patterns generally, particularly if those impacts might exacerbate traffic conditions in the neighborhoods or along the Kennedy Greenway and/or if they compromise desired links among surrounding downtown communities. From the conceptual design, one might conclude that this could be a particular challenge on Bowker Street and on the eastern perimeter of the site, in and around the MBTA bus facilities, as further discussed below.
  - The need to identify the special service/loading and pick-up/drop-off requirements of any public purposes proposed for the site – e.g., a new police station and/or a new public elementary school and/or a new YMCA. The siting and operation of any such facilities will require exceptional attention to these variables if they are to be viable in this vicinity.
- ❖ *MBTA Transit Operations:* The effective integration and efficient operation of on-site transit is an especially important aspect of the GCG Project, which is expected to be an exceptionally transit-oriented development site. With the full participation of relevant MBTA staff, this matter needs considerably more definitive attention in the DPIR/DEIR scope and process than has thus far been evident in the PNF/ENF. There are two important challenges in this regard:
  - *Surface Bus Operations:* It is not at all clear in the PNF/ENF how the existing surface bus operations will be integrated into the development of the buildings east of Congress Street. Beyond the fact that the new building will provide a cover over these operations, there is very little indication how they will be organized, how they will relate to on-site transit facilities, and whether they will have a capacity for future growth, which presumably will be required by the new development destination itself. Also of concern in this regard is how these bus operations will be compatible with other vehicular and pedestrian circulation along the eastern perimeter of the GCG development, which is currently somewhat unpredictable, unattractive and unsafe.
  - *Underground Transit Operations:* Beyond the question of how the Green Line and Orange Line facilities that pass under the GCG site will relate to the surface bus operations on-site and to the development itself, there needs to be a clear and convincing demonstration that these facilities will be capable of handling the additional demand that will be placed upon them by this development.

This would appear to be particularly relevant to the Green Line trolley operation, for which service and capacity challenges are recurring issues that could be further complicated by the proposed extension of the Green Line to Somerville and Medford. While these are not necessarily intractable problems – indeed, they are quite similar to the transit challenges at the expanding Prudential Center complex, which could be instructive – the IAG would

emphasize the importance of addressing and resolving these capacity issues through the DPIR/DEIR scope and process, if the transit-oriented expectations and capabilities of the GCG site are to be verified and sustained over time.

- ❖ *On-Site Parking:* If the results of the preliminary public meetings and the related public comments are any indication, the volume of parking provided on-site will be among the most controversial community issues that will have to be addressed and resolved in the DPIR/DEIR scope and process. Of particular concern in this regard is the projected amount of available public parking, which in the PNF/ENF is reduced from 700 to 500, a large portion of the overall reduction of 310 spaces from 2,310 to 2,000.

Without going into the level of detail that is reflected in some of the submissions from individual IAG members, suffice it to say that a principal concern of the community on the downside is that if on-site parking demand is underestimated, that would likely result in the exacerbation of the already congested and sensitive on-street parking situation in the North End, West End and Beacon Hill neighborhoods – which would be very problematic. On the up-side, there is also the possibility that if the available tenant-oriented parking spaces are not fully utilized in evening, night-time and weekend hours, they might well be converted to resident parking purposes during those times, thereby actually relieving existing on-street parking constraints.

The DPIR/DEIR scope and process should deal with both these upside and downside possibilities. While we are not prepared to say whether the parking provisions suggested in the PNF/ENF are adequate – i.e., 500 public and 1,500 tenant-oriented spaces on-site, it would be fair to say that there is real community concern that the 500 public spaces might well be inadequate, given the 98% utilization of the existing 700 public spaces; and that the 1,500, which is based on standard BTD guidelines, might be excessive given the presumably transit-oriented nature of the site.

In light of those concerns, we would strongly urge that, with respect to the public spaces, the DEIR/DEIR scope and process begin at the existing level of 700 and work up from there, based on any monthly parkers that will need to be retained from the current facility and on the additional transient demand that this project itself might generate, and down from there based on any improved parking utilization, trip diversion to transit, and/or alternative parking sites that can be specifically documented to relieve the current need for commercial parking.

With respect to tenant-oriented parking, we would urge the converse approach – i.e., projecting the need from zero up, based on the specific uses proposed for the site, the actual capacity of the transit systems that service the site, contemporary standards of parking management, the marketing needs of the project, and the residential/tenant lease terms and conditions that will be negotiated as a result of the foregoing. The result of that assessment should provide credible projections for the appropriate number of on-site tenant-oriented spaces, on the basis of which consideration might then be given to public policy and facility management opportunities for community-oriented parking programs.

In these matters again, we might learn from the experience of the Prudential Center complex, which has a similar mix of uses, with generally comparable neighborhood parking and transit conditions, and has apparently grown in size and use over time without an increase in on-site parking.

Given the critical nature of these transportation-related issues, and particularly the community burdens that would flow from miscalculation in any of these matters, we would further urge that the transportation evaluation of the GCG Project in the DPIR/DEIR incorporate an element of sensitivity-analysis that would allow for assessment of variations around the projected values. This would not only indicate the range of possible consequences of estimation errors, but also inform contingency plans that could minimize community disruptions in those events.

**With Respect Influences Of/On Other Area Development:** The PNF/ENF readily acknowledges that the GCG Project will influence and be influenced by planned and potential developments in the surrounding area; and these influences need to more explicitly defined and further evaluated in the DPIR/DEIR scope and process. Among those that are worthy of mention in this regard are four planning processes that are currently ongoing under the aegis of the BRA:

- ❖ Institutional master planning processes for both Suffolk University (SU) and Massachusetts General Hospital (MGH), both of which directly involve the GCG neighborhoods.
- ❖ Public master planning process for both the Greenway District and the new Green Growth District, both of which include the GCG site in whole or in part.

These planning processes are all timely and relevant for purposes of the GCG Project DPIR/DEIR scope and process, which will be proceeding in most respects parallel with them; and the scoping of the GCG process should make specific reference to those other efforts. The objective should be to assure that these various planning initiatives are coordinated with each other and with the emerging BRA development policies and principles for the area as a whole. If and when the GCG Project is finally approved, there needs to be a more definitive development plan for the surrounding area, of which the GCG Project can be a focal point and catalyst. And in that context, it is incumbent on the BRA to assure that the relevant planning processes progress in a timely fashion.

Beyond that, there is another civic planning process that is highly valued by the community and also very relevant to the GCG. That is the proposed development of a new YMCA on the adjacent CAT Parcel 6, which has well known constructability and accessibility issues that have made development on that site challenging at best. The YMCA is also faced with the additional challenge of fundraising in a most difficult and very competitive economic climate. All of which makes the prospect of a YMCA on Parcel 6 very uncertain, and perhaps infeasible, in the foreseeable future.

On that basis, the IAG would recommend that the DPIR/DEIR scope and process for the GCG project should include consideration of developing the YMCA on-site as part of the GCG development. Such contingency planning would include alternative and attractive uses for Parcel 6, which could enhance the design and use of the GCG Project and the adjacent Kennedy Greenway, as well as the ambience, appearance and quality of life in the adjacent North End and Bulfinch Triangle communities.

We believe that if such a contingency plan is to be seriously considered at all, it must be considered at this stage of the GCG Project planning and permitting process; and adding that requirement to the scope of the DPIR/DEIR process would facilitate that outcome.

**With Respect to View Corridors:** In response to IAG and community requests, the developer has provided increasing numbers of perspectives on the proposed GCG Project from various vantage points at both street-level and from buildings in the surrounding communities. These have been helpful and informative; but they need to be refined and diversified through the DPIR scope and process. What seems to be apparent from what has been shown to date is that the GCG project is more readily visible from vantage points to the north and south of the site.

In terms of the surrounding residential neighborhoods, view corridors from the West End and some parts of the North End appear to be most substantially affected. For that reason, the IAG would recommend that as part of the DPIR scope and process, and once the actual architectural designs are more fully evolved, there should be many more ground-level and building perspectives provided that would illustrate to community residents, from the West End and North End in particular, both what they will see that they do not see now, and what they will not see that they do see now. And in that regard, beyond the height of the proposed new towers, there are critical matters of massing and orientation, that clearly be taken into explicit account in the design of these new buildings and of the complex as a whole.

Beyond the question of view corridor to and through the site from elsewhere, there is also the matter of view corridors from the site in opposite directions. This particularly important in light of our suggestion above that the GCG complex as a whole should become more publicly accessible and useful. In that event, the vistas from this space to the Kennedy Greenway, to Zakim Bridge, and to the communities and to the city and harbor beyond, all become matters of public relevance that should be documented and illustrated through the DPIR/DEIR scope and process.

**With Respect to Construction Sequencing and Scheduling:** It is fully expected that the DPIR/DEIR scope and process will include much more information on construction strategies and methodologies in anticipation of a more detailed construction plan to follow. In this case it is critically important for the community to be made aware of construction sequencing and scheduling plans in particular as soon in that is possible.

The reasons for this relate to the crucial location of this site and the considerable amount of public and private planning and development that is going on around the site. Also relevant is the fact that the surrounding communities have only just completed over two decades of construction with the CAT and MBTA North Station Improvement Projects and need to be able to prepare for what might follow in this case and when. To that end, it is incumbent upon the developer to provide as much specificity as practical on construction sequencing and scheduling as part of the DPIR/DEIR.

We would close our comments with IAG commendations to the development team and the BRA for:

- ❖ *Proactive Community Outreach:* As previously noted, the GCG project was initially presented to the community in an unusual series of six preliminary public meetings, in which all major aspects of project planning and permitting were reviewed and previewed. The results of those interactive and inclusive meetings were generally reflected in the PNF/ENF document, including the conceptual designs included therein. This proactive approach was most welcome, though not unexpected, given the extensive past community involvement of Raymond Property Company, which leads the Bulfinch Congress Holdings, has long owned property on Canal Street, and is a vital part of the Hines Raymond Joint Venture now designated to develop the adjacent Bulfinch Triangle parcel that includes the new supermarket that has long been a community priority. We hope and fully expect that this proactive community outreach and neighborhood participation will continue through the DPIR/DEIR process.
- ❖ *Exceptional Professional Resources:* The community review process has benefited throughout from the participation of a talented and responsive urban planning and design team, featuring Chan, Krieger, Sieniewicz; and it culminated in the selection of a respected project architect, Cook + Fox. That selection followed an unusual design competition funded by the developer, the results of which were shared with the community for review and comment. From a community perspective, this also augurs well for the kind of responsive planning and design of the project that the DPIR/DEIR will require.
- ❖ *Significant Environmental Aspirations:* Although the input of Cook + Fox is not reflected in the PNF/ENF, their more recent presentations to the IAG and the community have outlined some specific energy conservation strategies for the GCG project, including the possibility of an on-site co-generation plant, that would help to attain the desired platinum LEED certification. Those kinds of aspirations and priorities have the full support of the IAG; and hopefully they will set a positive precedent for other projects in Boston and in our own communities.

We hope that these comments from the IAG, as well as those of our individual IAG members, will contribute to the refinement and improvement of the GCG Project; and to that end, we look forward to working with all concerned through the DPIR/DEOR process that will ensue.

Sincerely,

The Impact Advisory Group for the Government Center Garage Project  
With Tad Stahl and Deborah Connors Abstaining



**Government Center Garage Redevelopment  
Impact Advisory Group Members and Contact Information  
(12 Members Total)**

Frederick (Tad) Stahl  
57 Hancock Street  
Boston, MA 02114  
(617) 654-6015  
[Tad.Stahl@burthill.com](mailto:Tad.Stahl@burthill.com)

Michael Ratty  
155 Salem St #8  
Boston, MA 02113  
Work: 617-732-2130  
Cell: 617-877-7356  
[ratty.michael@gmail.com](mailto:ratty.michael@gmail.com)

David Roderick  
105 Prince St.  
Boston, MA 02113  
617-723-6956  
[davidroderick@comcast.net](mailto:davidroderick@comcast.net)

Jane Forrestall  
150 Staniford Street, #900  
Boston, MA 02114  
508-494-4611  
[jane.forrestall@verizon.net](mailto:jane.forrestall@verizon.net)

Deborah Connors  
10 Bowdoin St., Apt. 411  
Boston, MA 02114  
617-459-6228  
[dmconnors1@yahoo.com](mailto:dmconnors1@yahoo.com)

Martha Maguire  
10 Emerson Place, 7C  
Boston, MA 02114  
617-742-2557  
[mgmaguire@rcn.com](mailto:mgmaguire@rcn.com)

Bob O'Brien  
President, Downtown North Association  
c/o CBT Architects  
110 Canal Street  
Boston, MA 02114  
617-461-6730  
[rboebrien@rboebrien.com](mailto:rboebrien@rboebrien.com)

Marie Simboli  
61 Prince Street, Apt 2C  
Boston, MA 02113  
857-204-5050  
617-227-5604  
[junie626@aol.com](mailto:junie626@aol.com)

Francine Gannon  
74 Commercial Street  
Boston, MA 02109  
617-742-6912  
[francine.gannon@state.ma.us](mailto:francine.gannon@state.ma.us)

Mark Paul  
61 Prince Street, Apt 2B  
Boston, MA 02113  
617-852-8456  
[Mark.Paul@jacobs.com](mailto:Mark.Paul@jacobs.com)

Linda Jonash  
Rose Fitzgerald Kennedy Greenway Conservancy  
One International Place, 14th Floor  
Boston, MA 02110  
617-292-0020  
617- 512-5765  
[ljonash@rosekennedygreenway.org](mailto:ljonash@rosekennedygreenway.org)

Kim Paikos  
H.N. Gorin  
101 Huntington Avenue, 5<sup>th</sup> Floor  
Boston, MA 02199  
617-880-4307  
617-212-8259  
[kimpaikos@hngorin.c](mailto:kimpaikos@hngorin.c)

## Kara, Kristin

---

**From:** Jane Forrestall [jane.forrestall@verizon.net]  
**Sent:** Monday, April 20, 2009 12:01 PM  
**To:** jane.forrestall@verizon.net; Kara, Kristin  
**Cc:** Becky Mattson; Ross, Michael (City Council); LaMattina, Salvatore; Mayor; Leo, Nicole; David Driscoll; Bill Thurston; Denton Crews; Duane Lucia; Florence Einhorn; Jim Campano; NicoleRene Atchison; William H. Grogan; Bob O'Brien; David Roderick; Deborah Connors; Francine Gannon; Kim Paikos; Linda Jonash; Marie Simboli; Mark Paul; Marta Maguire; Michael Ratty; Tad Stahl; Alex Trombetta; Ann Marie Lyons; Eric Fishman (E-mail); Henry Chace; Ivy Turner; Kathy Ryan; Kevin McNamara (E-mail); Linda Ellenbogen; Mary Ames  
**Subject:** RE: Govt Center Garage PNF Comment Letter

Kara,

It has been brought to my attention that the second paragraph of my comment letter should be clarified. The West End, the North Slope of Beacon Hill, and the North End were, at one time, very similar neighborhoods. When it was determined in 1958 that the West End was a blighted neighborhood, its residents and Herb Gans, author of *The Urban Villagers* did not share that view.

Thank you.

jane

*Jane Forrestall*  
*West End Place*

-----Original Message-----

**From:** Jane Forrestall [mailto:jane.forrestall@verizon.net]  
**Sent:** Sunday, April 19, 2009 4:13 PM  
**To:** Kristin Kara  
**Cc:** Becky Mattson; Councilor Michael Ross; Councilor Salvatore LaMattina; Mayor Thomas Menino; Nicole Leo; David Driscoll; Bill Thurston; Denton Crews; Duane Lucia; Florence Einhorn; Jim Campano; NicoleRene Atchison; William H. Grogan; Bob O'Brien; David Roderick; Deborah Connors; Francine Gannon; Jane Forrestall; Kim Paikos; Linda Jonash; Marie Simboli; Mark Paul; Marta Maguire; Michael Ratty; Tad Stahl; Alex Trombetta; Ann Marie Lyons; Eric Fishman (E-mail); Henry Chace; Ivy Turner; Kathy Ryan; Kevin McNamara (E-mail); Linda Ellenbogen; Mary Ames  
**Subject:** Govt Center Garage PNF Comment Letter

<< File: Govt Center PNF Comments >>

April 17, 2009

Kristin Kara  
BRA Project Manager  
One City Hall Plaza  
Boston, MA 02201

RE: Government Center Garage Project Notification Form

Dear Kristin:

I am writing as a resident of West End Place, a mixed-income residential property located at 150 Staniford Street, and as a member of the Impact Advisory Group for the redevelopment of the Government Center Garage as proposed by Bulfinch Congress Holdings, LLC.

It is well known that in the era that the Government Center Garage was originally built, most considered the West End as a blighted area. For that reason, the neighborhood was demolished and large structures were built that separated the West End from the rest of the downtown Boston area, including the Government Center Garage. However, in the past fifty years, the West End has reemerged as a vital, vibrant and active neighborhood with more than six thousand residents, many businesses, entertainment venues, and retail stores. The West End is also a community that is home to government agencies, a world-class hospital, and a transportation hub. It is now time to remove the physical barrier that has for so long, visually kept the West End from being an integral part of the downtown area.

As illustrated in the PNF Figure 5-2, with the proposal to demolish the Government Center Garage, an opportunity is being presented to transform the apex of the Bulfinch Triangle into an attractive and active area that will include much-needed housing, retail space, parking, and offices. This will be an enormous undertaking and there are several areas that need to be given careful consideration.

**Height and Massing:**

The PNF concentrates on the height of the proposed towers as being in keeping with those in the Financial District. However, there is little comparison to the height of the properties in the West End, including the Bulfinch Triangle.

When the West End was redeveloped in the 1960's, the residential buildings were built to create a vertical neighborhood allowing for a significant amount of ground-level open green space and sunlight, and view lines - amenities that are not available in much of Boston. The height of the proposed towers shown by the developer is more than twice the height of the residential towers in the West End. As such, the proposed towers would

create a harsh dividing line between the West End and the rest of the City, something that the demolition of the Government Center Garage is anticipated to eliminate.

Lowering the height of the towers and increasing the massing of the podium at the base of the buildings would create a more natural integration of the new buildings into the fabric of the old neighborhoods that are adjacent to it, specifically, the West End's Bulfinch Triangle, the North End, and Beacon Hill. It is noted also that the podium illustrations in the PNF (Figure 5-3) are not in residential areas, thus indicating that the project would reflect the extension of the Financial District rather than incorporate the project into the residential neighborhoods.

**Building Usage:**

The two residential buildings proposed for Parcel 1 are said to be primarily residential buildings, but will also house retail space and the Haymarket MBTA station. The scale of these structures is well suited for this site, but there does need to be consideration as to the number of residential units, their ability to house families (two-plus bedrooms), their affordability, and parking for a portion of those residents.

Also, since the Haymarket already is a busy station with people using busses and the subway, there needs to be clear definition of the access points to the station waiting areas. Use of the station should not interfere with the safety of residents going to and from their homes. Additionally, residents need to be protected from the noise odors associated with busses and trains, and from the activities associated with them.

A hotel and/or offices on this parcel might be a better use since it would give hotel guests and office workers direct access to public transportation without having to cross Congress Street. This location could also help to convince office workers to leave their cars home. Again, access to the busses and subway would need to be clearly defined and an additional subway access could be incorporated in the lobby of the building.

By lowering the height of the towers and increasing the massing of the podiums, the buildings on Parcels 2 and 3 may accommodate more residences than could be included on Parcel 1. Residences could blend nicely with office space as well as with other public uses. These residences could be a mixture of condominium and rental units, and could, therefore, increase the number of affordable units and family units on the site. Having a greater number of residential units would encourage families to remain in Boston and would be significantly helpful in the blending of the property into the surrounding neighborhoods.

**Transportation:**

When residents live near their place of work, they tend not to have automobiles. Instead, they use shared car programs, public transportation, or walk to their destinations. If a resident does have an automobile, my experience is that it is rarely used. Since these

vehicles will likely not be used on a daily basis, there will need to be adequate designated and assigned parking for but there should be no more than .75 spaces per residential unit.

The Haymarket subway station, as well as the stations at Government Center and North Station, has limited space and capacity. A comprehensive plan needs to be looked at to determine if the number of people added to the system (particularly the Green Line) would negatively impact these services or would impair the safety of users.

Office employees need to be discouraged from bringing their vehicle to work. Public transportation is readily available at three nearby stations. Employers should encourage participation in the tax-deductible Corporate CharlieCard program as well as in the shared car program, Zipcar.

**Demolition of Current Garage:**

The West End and the North End have endured significant turmoil over the past twenty years with the Big Dig and the removal of the Green Line overhead trolley tracks. The demolition of the Government Center Garage needs to be carefully and thoughtfully undertaken so as not to cause additional undue hardship to the residents of these neighborhoods.

During the demolition and construction, there will be significant inconvenience to the surrounding area. Noise, removal of debris, delivery of materials and traffic need to be carefully planned and communicated to all parties involved. By the nature of the area, coordination and communication will be vital to the success of this development

There will be heavy truck traffic during the project timeframe that will impact the surrounding neighborhoods. Trucks should be staged away from the congested surrounding area and they should not be parked for any length of time on any local streets. Engines must be turned off when the truck is not moving.

While the Construction Management Plan will address the hours of operation for both demolition and construction, it needs to be noted that sound travels in unusual ways within the city. Noise may be amplified by surrounding buildings. It is important that construction and set-up not start before 7:00AM during the week, and 8:00AM on weekends if work needs to be done then.

Conversely, work should end no later than 4:00PM unless there are unusual circumstances. Additionally, truck drivers need to be mindful of how loud their back-up alarms sound and should lower the volume, particularly during the weekend and evenings. If night work is to be done, the volume should be shut off completely and a flagman put in place to warn others of a vehicle that is backing up.

If work needs to be done in the evening or on weekends, there needs to be ample notification to West End residents, businesses, and government agencies in the surrounding community.

**Other Concerns:**

- The pedestrian studies for the project need to include pedestrian traffic during weekday hours and on weekends going to and from the Brooke Court, the entire West End community including the Equity Residential new and proposed apartments in Charles River Park, Mass General Hospital, the O'Neill Government building, North Station, The Garden, Haymarket Station, and the new residential and retail properties within the Bulfinch Triangle and the Nashua Street area. This area is not only a residential/retail/business area, but it is a heavily pedestrian-trafficked entertainment area. Pedestrian safety needs to be a priority at all hours.
- There are other plans being developed for the downtown area of Boston including the Greenway "overlay zoning" area, the development of the Greenway Parcels 7 and 9, and the Garden Garage on Lomasney Way. There needs to be a comprehensive plan that can be reviewed by the public that incorporates all of these to ensure that there will be little or no conflicts in the near future. Additionally, it would be of significant help to know how the Government Center Garage proposal overlaps with the approved and proposed development plans for Suffolk University, Mass General Hospital, and Government Center.
- There is legislation proposed that would protect parks from excessive shadows when new properties are developed. While this developer has gone through great pains to minimize shadow on the Greenway, the same consideration needs to be given to the surrounding neighborhoods. The current PNF does not show how the proposed towers will shade the West End residential community during various times of the year, particularly in the fall and winter when sunlight is so important to residents.
- Although the removal of the Garage over Congress Street will significantly improve the views and sightlines of many residential and business properties in the West End and the Bulfinch Triangle, the proposed height of the towers will have an adverse effect on many residences in the West End. Currently, many residents have views of the Custom House Tower, Boston Harbor, and other parts of downtown. How will those residents' views change? Also, there is no illustration of how views will be changed from the street level at Cambridge and Staniford Streets, and Merrimac and Staniford Streets. It is well known that a view can help to sell a property. If there is significant disruption in current views, residents will be concerned with the effect on the value of their property.
- There has been much discussion of the proposal of an elementary school at this site. However, there has been no mention of whether or not Suffolk University would be a possible tenant of any of the project, either as student housing or classroom space, or

what type of office space would be considered. If these uses are considered, there needs to be considerable community input prior to consent of these entities.

- During demolition and construction, care has to be taken so that the few street parking spaces that are available in the West End and Bulfinch Triangle are not jeopardized. (The West End does not have a Resident Sticker Parking program.) Contractors will need to use public transportation and have a secure on-site location to store their equipment. If parking is needed for construction vehicles, it needs to be within the site, not on the street.

I look forward to being part of the continued work with the development team and the removal of the barrier that the Government Center Garage creates over Congress Street. Just as the North End residents acquired light and views and a visual connection with the rest of the City with the depression of the Central Artery, West End residents are also looking forward to having a visual connection with Government Center, Quincy Market, and the rest of downtown. We will no longer feel separated from the rest of Boston.

Sincerely,

Jane Forrestall  
150 Staniford Street, #900  
Boston, MA 02114

cc: Rebecca Mattson, Raymond Properties  
Michael Ross, Boston City Council President  
Salvatore LaMattina, Boston City Council  
Mayor Thomas Menino  
Nicole Leo, Mayor's Office of Neighborhood Services  
Members of the West End Place Condominium Association Managing Board  
Members of the Impact Advisory Group  
Robert O'Brien, Executive Director, Downtown North Association  
Members of the West End Council

74 Commercial Street  
Boston, MA 02109  
April 17, 2009

Ms. Kristin Kara, Project Manager  
Boston Redevelopment Authority  
City Hall Plaza  
Boston, MA 02110

Ms. Holly Johnson, Project Manager  
Massachusetts Environmental Policy Act Office  
100 Cambridge Street  
Boston, MA 02108

RE: COMMENTS ON GOVERNMENT CENTER GARAGE  
REDEVELOPMENT PROJECT PNF/ENF

Dear Ms. Kara and Ms. Johnson:

I write this letter as both a North End Resident and as a member of Mayor Thomas Menino's Impact Advisory Group (IAG) to comment on the Project Notification Form (PNF) and the Environmental Notification Form (ENF) for the Government Center Garage Redevelopment filed by Bulfinch Congress Holdings, LLC. I intend my comments to be brief and to the point inasmuch as a more detailed and comprehensive comment letter is being sent reflecting the entire IAG members' recommendations regarding the scope and impact of this project.

As presented in the PNF, the developer proposes three options: Option 1 (Alternative PNF Plan) – to demolish the garage and to build on the present site plan of the Government Center Garage (Parcels 1a, 1b, and 2) which is land currently under their ownership; Option 2 (Baseline PNF Plan) – to demolish the garage and build on land they presently own **AND** on adjacent surrounding land that is currently owned by the City of Boston, the BRA, and NSTAR (Parcels 1a, 1b, 2, and 3); Option 3 – the No-Build Alternative.

First and foremost, let me state unequivocally that I and my neighbors from the North End are totally **opposed to Option 1** (building on the present site plan) --- the proposed project is much too massive, much too high, and much too dense to say the least.

**Option 2** may be a bit more plausible **IF** the developer is able to obtain acquisition rights and permits to build on the surrounding land currently owned by the City of Boston, the BRA, and NSTAR. However, there still remains paramount concerns with regard to the density of the proposed project and the height of the proposed buildings ranging from 60 feet to 710 feet thereby casting a shadow to the north on North Washington Street and Endicott Street where no shadows presently exist at the specific times noted in the most recent shadow study submitted by the proponents.



Briefly, other concerns and recommendations are as follows:

- \* Influx of both pedestrian and vehicular traffic and its effect on an already congested and gridlocked area
- \* A loss of public parking spaces for North End residents, commuters who work in nearby offices in Government Center, visitors touring the City of Boston and North End restaurants, and travelers attending TD Banknorth Garden events
- \* Greater attention and creativity should be given to the design and development of the MBTA Bus Station which currently is inadequate to handle present day traffic

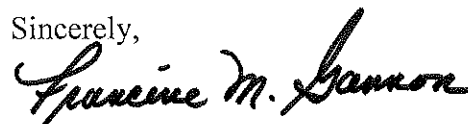
Additionally, the PNF outlines various Project Benefits relating to Economic and Urban Design Benefits which I agree will be most beneficial to the City of Boston. However, my neighbors and I do not see any specific benefit to the North End. Personally, I welcome the opportunity of turning a very ugly structure as the Government Center Garage into a vibrant and flourishing development and "opening up Congress Street to the sky". At the same time, I would like to recommend that serious attention and consideration be given to developing a YMCA which is proposed for nearby Parcel 6 as part of the Government Center Garage Development. This would, indeed, be a benefit not only to the North End community but also to the entire surrounding neighborhoods.

As I indicated at the outset of this letter, many of the above comments are expressed in much greater details and specifics in the combined IAG comment letter. My intent is simply to stress those major concerns and recommendations as they relate to my neighbors in the North End.

Lastly, **Option 3** – the No-Build Alternative---may or may not be an option. A number of different factors would have to be taken into consideration. The most important factor being whether or not land presently not owned by the proposed developer does, in fact, become part of the overall project development for the Government Center Garage.

Thank you for your attention and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Francine M. Gannon". The signature is written in dark ink and is positioned above the printed name.

Francine M. Gannon

**Kara, Kristin**

---

**Subject:** FW: Government Center Garage Redevelopment Project Comments for the State.

---

**From:** davidroderick@comcast.net [mailto:davidroderick@comcast.net]

**Sent:** Friday, April 24, 2009 1:19 PM

**To:** Kara, Kristin

**Subject:** Re: Government Center Garage Redevelopment Project Comments for the State.

Kristin,

Please forward these personal comments in regards to the Government Center Garage project to the others from the general public to the State agency.

Secretary Ian A. Bowles  
EOEEA, Attn: MEPA Office  
Holly Johnson, EOEA No. 14383  
100 Cambridge Street, Suite 900

Boston MA 02114

I feel that the Government Center Garage project has many good points, however the impacts are extremely concerning to the North End area. Some of the impacts are as follows:  
First, I think that there will be an adverse impact on those using the MBTA.

The station access, platforms, and the inability to increase service during peak commuter periods cannot take thousands more at that site. The waiting time will be too long.

Second, I feel that the heights for either scheme are too massive so close to the residential neighborhood. The shadows at large parts of the North End will extend beyond Prince Street. It's too close for comfort, too overbearing. Why not four shorter buildings.

Third, I am concerned about the wind tunnel effects down Congress Street where so many commuters, and others travel daily and the effect if the YMCA is built.

Thank you,

David Roderick.

105 Prince St.

**APPENDIX C**  
**PUBLIC COMMENTS**

**Kara, Kristin**

---

**Subject:** FW: Support for Raymond Property Company towers at Govt Center garage

---

**From:** Vishal Patel [mailto:vpatel@sapient.com]  
**Sent:** Wednesday, March 04, 2009 8:35 AM  
**To:** BRA^DirectorsOffice  
**Subject:** Support for Raymond Property Company towers at Govt Center garage

I'd like to voice support (with caveats) for the proposal by the Raymond Property Co. to build the two proposed towers by Government Center. It's a good opportunity to build with density on currently underutilized land that is close to many public transportation options. My caveats are that the City be accommodated for any changes required to the renovated police station, and that a significant amount of underground parking be built to support visitors to Garden events and the North end...

Thanks for your consideration,  
Vishal

Vishal Patel  
Manager, Business Consulting | Sapient

131 Dartmouth Street  
Boston, MA 02116 USA  
Mobile: +1.781.608.9730  
Fax: +1.617.621.1300  
e-mail: [vpatel@sapient.com](mailto:vpatel@sapient.com)

[www . sapient . com](http://www.sapient.com)

**Kara, Kristin**

---

**Subject:** FW: Govt. Center Garage comment email

---

**From:** Tuchmann, Robert [mailto:Robert.Tuchmann@wilmerhale.com]  
**Sent:** Friday, March 06, 2009 4:44 PM  
**To:** Garver, Richard; Gori, Peter  
**Subject:** Mayor's Task Force?

Dick and Peter,

I received a copy of the PNF for the Government Center Garage Project and reviewed it from the perspective of its potential impact on the Greenway. Then I realized, I wasn't sure that the Task Force exists any longer and if the Conservancy should be watching out for impacts on that space. Have you had any further thoughts on the Task Force? Do we exist? Will you create a CAC for the Garage project? If so, will it consider the impacts on the Greenway? Or did a copy go to Nancy Brennan and is she and her staff reviewing it?

For what it's worth, my thoughts relate to pedestrian movements, relationship of Parcel 1a and 1b buildings to Parcel 6 and the YMCA project or whatever gets built there (will there be a safe place to cross, will a bridge be considered accessible from street level?), height of the structures on Parcels 1a and 1b in general and in comparison between the proposals with and without the city owned land, capture of the "excess sidewalks" around parcels 1a and 1b, shadow impacts on the parks, the significant extent by which the height and FAR of all the buildings exceed those permitted under the Zoning Code (which, by the way don't bother me as much as at 120 Kingston Street since these are significantly further away and, in fact, bring needed population and use density to the area surrounding the parks,) proposed service/loading location for Parcel 1a (right across from Parcel 6), and impacts of the 30-40% of traffic from and to the project using the I-93 ramps nearby (since I can't tell if that's an increase or decrease from the current conditions.)

So, in case we don't exist anymore, those are what I would have contributed as issues of concern for further study!

Thanks, Rob

PS. Has the Mayor appointed his members to the Leadership Council? Does the LC exist? Is it operating? Should it be providing this review?

Robert Tuchmann  
WilmerHale  
60 State Street  
Boston, MA 02109 USA  
+1 617 526 6920 (t)  
+1 617 526 5000 (f)  
[robert.tuchmann@wilmerhale.com](mailto:robert.tuchmann@wilmerhale.com)

---

#### IRS CIRCULAR 230 DISCLOSURE:

To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

---

This email message and any attachments are being sent by Wilmer Cutler Pickering Hale and Dorr LLP, are confidential, and may be privileged. If you are not the intended recipient, please notify us immediately -- by replying to this message or by sending an email to [postmaster@wilmerhale.com](mailto:postmaster@wilmerhale.com) -- and destroy all copies of this message and any attachments. Thank you.

---

For more information about WilmerHale, please visit us at <http://www.wilmerhale.com>.

**Kara, Kristin**

---

**Subject:** FW: Government Center Garage Comment

Nick Barlow  
6 Whittier Pl Apt 9-L

---

**From:** Nick Barlow [mailto:[nicksb82@gmail.com](mailto:nicksb82@gmail.com)]  
**Sent:** Monday, March 09, 2009 8:12 PM  
**To:** Kara, Kristin  
**Subject:** Government Center Garage Comment

The Cook + Fox rendering is gorgeous. This building would not be located in any residential area and would not substantially effect the Greenway in terms of shadows and sunlight. The developers have been terrific; they have strong backing and numerous resources. They have been very professional and appear to be determined to build what would be a new landmark building in our city.

It would be a travesty if the BRA allows itself to get bullied by any pseudo-neighborhood organization. This is a multi billion dollar project and it would be built where nearly every other building is dated and an eyesore. The final result of this project would balance those blemishes and would be on display for all to see and appreciate.

This is the type of project you just don't say no to because some NIMBYs are afraid of imaginary consequences.

I am just a common citizen and am not affiliated with this development in any way. I do feel very strongly about this issue though. If City Hall and the BRA are smart they will accomidate such a professional and determined development team and they wont even just accept the project...they will also try to streamline the approval process as much as possible, including the selling of the adjacent city property.

The Trans-National Place project was a disaster. Whether or not Mayor Menino decides to run for office again; presiding over the approval of this development will help mollify what is a tarnished legacy when it comes to building in Boston.

Thanks,

Nick B.

**Kara, Kristin**

---

**Subject:** FW: Rescinder of my support for Government Center Garage Redevelopment Project

**From:** BRIAN BRANDT [mailto:bb02113@msn.com]

**Sent:** Wednesday, April 15, 2009 10:43 AM

**To:** Kara, Kristin

**Cc:** Mark Paul

**Subject:** RE: Rescinder of my support for Government Center Garage Redevelopment Project

I have to rescind my support and withdraw all comments below. I'm sorry, but I hadn't realized the zoning precedents that could be set. You know, I love this city. And I'm not looking for development projects that create open space, nor am I scared of shadows from buildings. But this project would really be a shame, and could change things forever. It is the wrong thing in the wrong place at the wrong time. My opposition is complete. Let's not take the Boston out of Boston.

I know this won't sit well with many of my friends, but I never did decide to run for office after all. This is a bad idea. Can't we do better?

---

**From:** bb02113@msn.com

**To:** Subject: RE: Government Center Garage Redevelopment Project

**Date:** Sat, 21 Mar 2009 23:01:04 -0400

Hi, Kara -

Thank you once again for the offer, and I appreciate your understanding.

My concerns are probably shared by a lot of voices that will not be heard at any meetings. They center around noise, pedestrian impact and air quality/environment.

Living above what used to be Martignetti's Liquors, I am certainly right on top of this project.

- 1) Construction noise during the Big Dig was unbelievable. The project was pretty much around the clock in its operation. Construction hours need to allow neighbors to enjoy dinner with their families and a peaceful evening. Weekend construction would really be a hassle for abutting communities.
- 2) Pedestrian impact is of paramount concern. Right now, the Parcel 7 Garage exits right onto a sidewalk and my request for having an exit alert (you know, the flashing signs and noise makers that warn of exiting cars) was unmet. There is mediocre signage out there now, but it is not unusual to see people almost get nailed. Let's be smart and have safe passage, signage and alerts concerning the construction and for any new garage.
- 3) Air quality/ environment: Hopefully, we're looking at ways to dismantle and reuse materials from the garage. I'm concerned about breathing the air after any implosions/demolitions.

My greatest concern, however, is opposition to the project. I fully support the project. Using dead air space is one of the best ways to create sustainable living. For instance, the footprint of individuals living in suburbia is much greater than that of urban dwellers. It really irritates me that some self-absorbed West Enders have remarked at any loss of view. It's a city; towers go up and change the view from windows all the time. It is probably not a good idea to live in a city if you do not want to see big buildings from your windows. People who have selected the West End as a place to live have chosen a setting highly criticized for its lack of secondary space, meaning there is no pedestrian culture as we have in the North End. I'm not sure what motivates someone to move into such a cold place, but wherever one moves in any part of a major city, one has to deal with an ever changing skyline. We can't stop development for selfish people's notions about the world around them being allowed only to function to their convenience.

This self-absorbed attitude dominates **some** of the people who have infiltrated our city's neighborhood boards. These are undemocratic bodies that claim anyone can go to a meeting and anyone can vote. Unfortunately, not everyone has that kind of time. I have lived here for over ten years, and I only knew there were neighborhood boards when we received notices about trash hours. So many people might not know they have a say. And voting rules require having attended recent meetings, which means you either commit to the meetings or you cannot vote on issues that impact you. This is insanity.

So the project must be mindful that the select voices making the most noise often represent fringe elements of our communities. I had one senior member of one such board tell me he is categorically opposed to all development and will fight it every step of the way.

Another ridiculous complaint I have heard is that the area around the project will be "dead" at night. The area is certainly not alive right now, and a project like this only increases the area's use overall. I have also heard or read about a public school and affordable housing. I would be opposed to a public school if it impacts the profitability of the project. Furthermore, public schools bring more problems than any other entity. It seems like such a bad intersection to have kids running around in, buses stopping and other school related traffic. With older students, we could see an increase in gang activity, drug activity and even gun violence. 02114 has many sex offenders in it according to the website registry.

Why would anyone want a public school and affordable housing as opposed to maybe street level retail and food? You want the area to be used at night, you install enterprises that flourish during those hours-- not schools and housing for people who do not work or pay taxes.

One concern some people have expressed is losing parking spaces. You and I discussed that. You mentioned that some people felt the number of spaces should be reduced due to a future with less automobile traffic. We have the MBTA threatening service cuts and the Commuter Rail threatening to cut or eliminate weekend service. We have full garages on days where there is more than one event. We need all the parking spaces we have, if not more. The notion of reduced traffic in the future is woefully unrealistic.

Of course, I have seen and heard others chatter about air quality and construction noise, but I have not heard anyone else talk about pedestrian concerns. I walk through that area quite a bit. That intersection already has its hazards. Hopefully, you'll be able to create safe and effective passage.

I have every faith that the City will find a way to make a vibrant and beautiful project a reality. I fully support any height building(s) and find no need to consider pet projects like schools or affordable housing. I am categorically opposed to affordable housing. We need to create a society in which people strive and thrive. Any more affordable housing than the law requires would be unfair to those of us who work hard and pay taxes. While I cannot change the law, I am opposed to all affordable housing, period.

Last but not least. I LOVE this City. I can do my work from any city, and I stay here because it is breathtakingly beautiful and we do have many passionate voices in our communities--communities that are vibrant and filled with amazing street culture, local retailers and diverse people. Whether we agree or disagree on issues is one thing, but I feel that everyone just wants to make sure this is the right project done in the right way. It's great to know that differing voices are all unified by a common concern for the City. We are very lucky to live in a city with flavor that is reflected even just in all the various types of lamp posts we have. I want the city to remain vibrant and grow gracefully. This is not New York, and I don't want casinos, 4AM clubs or many chain stores. But I feel some of my neighbors just don't want anything but a complete and total lack of growth.

Thank you for considering my points of view.

I fully support the project.

Best regards,

Brian Brandt



59 Salem Street 3F  
Boston, MA 02113

## Kara, Kristin

---

**From:** Lorraine Smith [rainyrainy84@yahoo.com]  
**Sent:** Saturday, April 18, 2009 8:52 PM  
**To:** Kara, Kristin  
**Subject:** Re: Government Center Garage Redevelopment Project - Impact Advisory Group Working Session Meeting

Dear Ms. Kristin: I would like to give you a formal reply to the Redevelopment project. I have been following it closely because it is a serious issue. It is a piece of property that should rightfully go back to the North End. As a resident of the north end and 4th generation we have seen great changes in the area. To reserve and hold close to our hearts is that the longtime residents, and many who have been forced out of their own community that made the North End a wonderful place to visit and live.. I feel strongly that this building should be utilized in a sincere fashion. I believe that this property should be used to house the disabled and proper organizations to assist them such as bcli, easter seals should be part of this building. And low income condos should be also a choice. It was my understanding a lot of things were tossed into the salad, museums, school, hotel, food chains. We need not cater to yuppies but people that have built this north end. We have suffered through much in the many years of the rebuilding give it back to those in need.....If this is a majority who disagree then I would say it is a money making project. I say give it back to the people and do consider the many diabl

---

**From:** "Kara, Kristin" <Kristin.Kara.bra@cityofboston.gov>  
**Sent:** Thursday, April 16, 2009 2:01:06 PM  
**Subject:** Government Center Garage Redevelopment Project - Impact Advisory Group Working Session Meeting

Please be advised that there will be a Government Center Garage Redevelopment Project Impact Advisory Group ("IAG") Working Session Meeting on **Wednesday, April 22, 6:00 PM - 7:30 PM, at the Boston Redevelopment Authority, 9<sup>th</sup> Floor of City Hall, BRA Board Room** (Please note that after 5:30PM, you can only enter/exit City Hall from Congress Street).

All members of the community and media are welcome to attend IAG Meetings.

Kristin Kara  
Senior Project Manager  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201  
Phone: 617-918-4263  
Fax: 617-742-7783

**Kara, Kristin**

---

**From:** Lorraine Smith [rainyrainy84@yahoo.com]  
**Sent:** Friday, March 27, 2009 7:34 PM  
**To:** Kara, Kristin  
**Subject:** Re: Government Center Garage Redevelopment Project - Impact Advisory Group Working Session Meeting

It is my understanding that this project seems to be headed for money making for the city of boston, I have been following the ideas and suggestions and those that had been rejected now are being placed in the bowl. My question and thought is thisthat I am just a person living in area and that put it to great use and give it to those left that need permanent residency such as low income condos and for the handicap that need accessible buildings the city of boston is close to many hospitals etc for them and activities, I ask you to emphasis this need as from the projects of rebuilding many were displaced etc. This peace of property should go back to the natives thank you for listening

---

**From:** "Kara, Kristin" <Kristin.Kara.bra@cityofboston.gov>  
**Sent:** Friday, March 27, 2009 9:30:42 AM  
**Subject:** Government Center Garage Redevelopment Project - Impact Advisory Group Working Session Meeting

Please be advised that there will be a Government Center Garage Redevelopment Project Impact Advisory Group ("IAG") Working Session Meeting on **Thursday, April 2, 6:00 PM - 7:30 PM, at the Boston Redevelopment Authority, 9<sup>th</sup> Floor of City Hall, BRA Board Room** (Please note that after 5:30PM, you can only enter/exit City Hall from Congress Street).

All members of the community and media are welcome to attend IAG Meetings.

Kristin Kara  
Senior Project Manager  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201  
Phone: 617-918-4263  
Fax: 617-742-7783

---

**The substance of this message, including any attachments, may be confidential, legally privileged and/or exempt from disclosure pursuant to Massachusetts law. It is intended solely for the addressee. If you received this in error, please contact the sender and delete the material from any computer.**

---

Help make the earth a greener place. If at all possible resist printing this email and join us in saving paper.

**Kara, Kristin**

---

**From:** Greg Watchko [gwatchko@gmail.com]  
**Sent:** Friday, March 27, 2009 12:00 PM  
**To:** Kara, Kristin  
**Subject:** government center garage project.

Hello my name is Greg Watchko. I live at 277 Everett St.#1A Allston MA 02134. I am writing you to endorse my support for this project. It is almost negligent to not build a large project at a location that has a lot of infrastructure to support it. One of the reasons we have such an extensive mass transit system is to allow large developments to be feasible. This location is in the center of the financial and mass transit part of the city. People who complain often don't include good logic in their arguments, just self centered opinions of how "their city" should be. If it gets built many good things would come from it, including economic growth, and all the people who live in the North End will continue to live happy lives. It's time to put the best interest of the city as a whole first, not a few people who will complain about everything.

Thank you  
Greg Watchko

**Kara, Kristin**

---

**From:** Greg Watchko [gwatchko@berklee.net]  
**Sent:** Wednesday, April 29, 2009 11:48 AM  
**To:** Kara, Kristin  
**Subject:** Government Center Redevelopment

Hello I am writing to you to express my support for the proposal to replace the unsightly garage at Governement Center with a pair of nice towers. There are no logical reasons as to why those towers would not be appropriate there. It's in the epicenter of Massachusetts' public transportation system and also very close to the highway. The infastructure is there, why not maximize it's potential. It will only generate more tax money for the city. And the mayor himself wanted a 1000 ft tower a couple of blocks away.

All the reason's to not build these towers are selfish ones where, mainly old, people decided that they don't want tall buildings in the downtown area for some unlogical reason. It truely is time to do what is best for the city in both the short term (constructions jobs) and long term (permanant jobs/ tax revenues). I hope the BRA can start sending a message to the residents that it's time we start doing what is best for the city of Boston as a whole and not give in to the whiney selfish few.

I should also note these same types of people and complaints existed back when the Hancock tower was being proposed, now it and the Prudential are the most used symbols of Boston.

Sincerely  
Greg Watchko  
277 Everett St #1A  
Allston MA 02134

## Kara, Kristin

---

**From:** John Collins [macheads@verizon.net]  
**Sent:** Wednesday, April 08, 2009 9:45 AM  
**To:** Kara, Kristin  
**Cc:** John Collins; mka35@aol.com  
**Subject:** Re: Government Center Garage Redevelopment Project  
**Attachments:** HawthorneView.pdf; ATT2264445.txt

Hello Kristin,

Here are my comments on the proposed Government Center Garage Redevelopment Project.

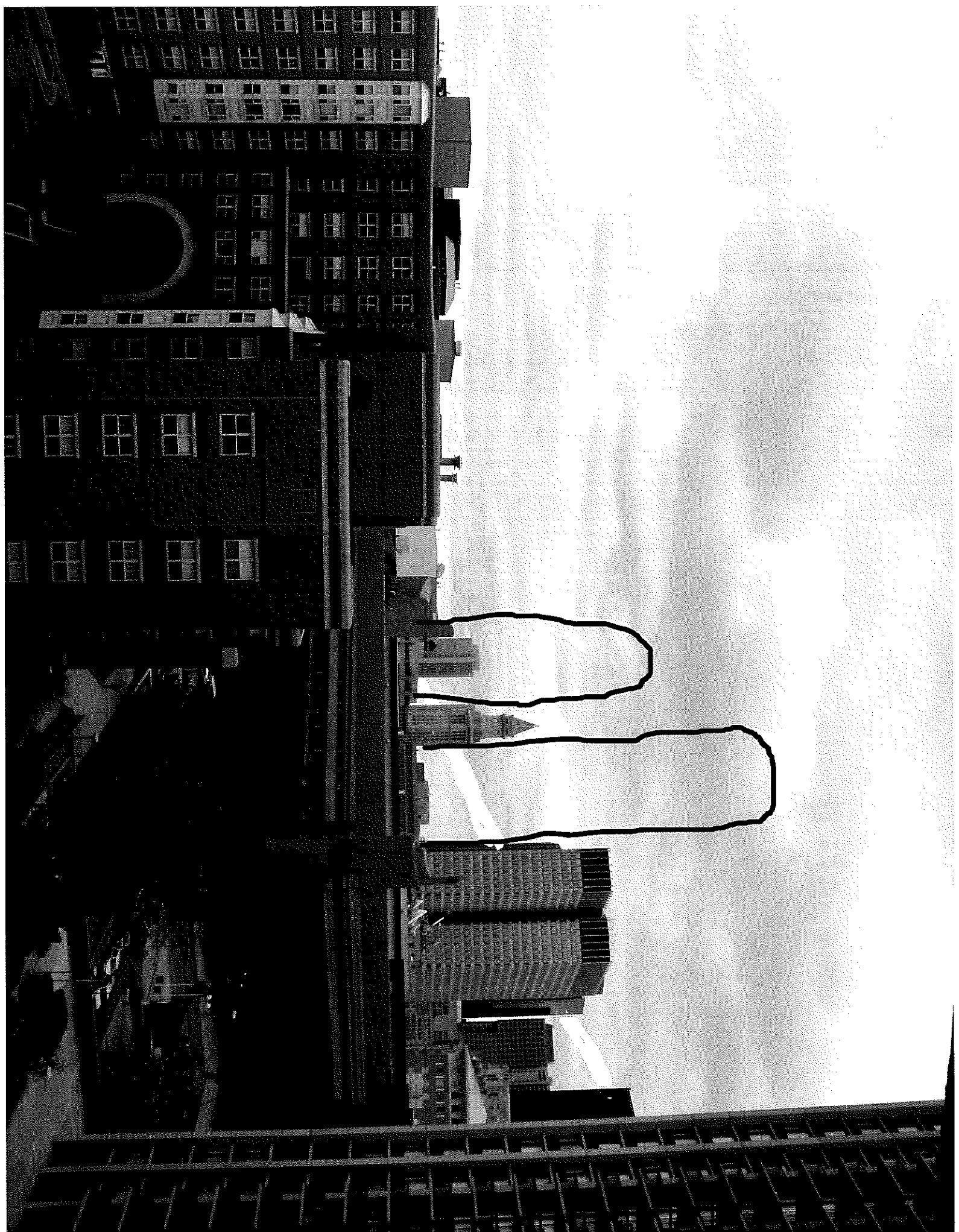
Although there are many general benefits associated with this project, as a resident of 9 Hawthorne Place, I wish to point out a concern with shadows during the Winter months.

Sun is a precious commodity in the winter in that it affects us psychologically and also helps reduce heating costs. Unfortunately, for those who live in the 120 East-facing condos in 9 Hawthorne, the new development will almost completely block the early morning sun. The attached photo with sketched sun trajectory and building outlines illustrates what will happen.

Fortunately, it seems likely that an adjustment in orientation of the proposed buildings will help reduce this effect. To the extent that the high rise buildings are on a rectangular base, orienting them in an east-west direction will narrow the profile and markedly reduce the loss of morning sun.

Thank you for considering this comment.

-- John Collins



## Kara, Kristin

---

**From:** Nandbo@aol.com  
**Sent:** Tuesday, April 14, 2009 11:29 PM  
**To:** Kara, Kristin  
**Cc:** info@bhcivic.org  
**Subject:** alarm re Government Center Garage proposal

To The Boston Redevelopment Agency::

I live on Temple Street on Beacon Hill. I want to register my concern, indeed, alarm, at the inappropriate scope of the proposal for the Government Center Garage. It is my hope that the BRA will consider the unique historic area in which it is located, and keep any development appropriate, in size and design, to the surrounding neighborhood.

Nan Borod  
20 Temple Street  
Boston, MA 02114

---

**The Average US Credit Score is 692. See Yours in Just 2 Easy Steps!**



## **31 New Chardon Street, LLC**

### **VIA EMAIL & HAND DELIVERY**

April 17, 2009

Ms. Kristin Kara  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201-1007

RE: Project Notification Form dated March 2, 2009 regarding the Government Center  
Garage Redevelopment (the "Project")/Comment Letter

Dear Ms. Kara:

On behalf of 31 New Chardon Street, LLC, the owner of the real property located at 31 New Chardon Street, Boston, MA which abuts the above referenced Project, I am writing this comment letter to you to express our concerns regarding construction of the Project. After reviewing the Project Notification Form dated March 2, 2009 (the "PNF"), it is an irrefutable conclusion that the Project will adversely affect our property and the operation of the business thereon not only during the construction process, but following completion of the Project. This comment letter is intended to express our concerns as an abutter and our expectation to be involved in the construction management plan for the Project. Our concerns are as follows:

#### Safety

As we have seen with injuries and even death due to other construction projects in and around the city in recent times, we are extremely concerned that given its proximity to our property that the Project be managed in a way so as to limit the risks of injuries to not only occupants and invitees of our property, but to other pedestrians as well. The business operation at the property employs over 30 individuals and relies on frequent visits to the office by clients. We are concerned that the demolition of the Government Center Garage and construction of the Project, if not managed properly, will cause considerable nuisance and could cause injury or even death to employees and guests at the property or to other pedestrians and passersby.

#### Traffic and Parking

The area around our property and the Project already suffers from extreme congestion due to vehicular traffic. We are extremely concerned with the increase in traffic that a construction project of this scale would cause not only during construction, but following

completion of the Project. During the construction process alone, numerous trucks will be around our property on a daily basis which will undoubtedly increase the amount of traffic. Also, once the Project is complete, we are concerned that a development of this size will only increase the amount of traffic and congest the area around our property. The business operation at the property currently directs clients and other guests to use the Government Center Garage when visiting the offices. The loss of the garage, as contemplated in the PNF during the construction process, coupled with the loss of parking spaces following completion of the Project, will have a material and lasting adverse impact on the business at the property and only increase the traffic in the area. This will serve to confirm our expectation to be involved in the development of the transportation and access plan agreement for the project.


#### Size of the Project

The height and overall size of the buildings contemplated in the Project seem excessive and incompatible with the surrounding property. Although we are inclined to favor responsible and considerate development, we are concerned that a Project of this scale will overwhelm the area, including our property. Perhaps a less aggressive project could be explored.

Thank you very much for the opportunity to comment on this Project and please include this letter as part of the public record. I hope that your Board of Directors will take our concerns under advisement and please do not hesitate to contact me at (617) 646-1000 or by email at [smcphee@oneillandassoc.com](mailto:smcphee@oneillandassoc.com) if you should have any questions.

Respectfully submitted,

31 New Chardon Street, LLC

By:   
Name: Shelly L. McPhee  
Title: Manager

## Kara, Kristin

---

**From:** Anne A. Hayward, Esq. [anne@haywardre.com]  
**Sent:** Wednesday, April 15, 2009 10:45 AM  
**To:** Kara, Kristin  
**Subject:** Government Center Garage development proposal

Dear Ms. Kara,

My husband, daughter and I are long time (26+year) residents of Temple Street on Beacon Hill. We noted the report about a very large scale development project for the Government Center Garage site in the Beacon Hill Times yesterday. Please take note that this is of great concern to us as we feel that it will have a severe negative effect on the residential nature of our neighborhood. Kindly take note of our concern and convey it to the appropriate city and state officials. Should you have any questions please do not hesitate to contact me. Thanks very much.

Anne Alger Hayward, Esq.  
Hayward Real Estate, LLC  
Specializing in Sec. 1031 Replacement Property  
31 Milk Street, Suite 901  
Boston, MA 02109  
617-933-8286 (office)  
617-451-1144 (fax)  
617-680-8884 (mobile)  
[anne@haywardre.com](mailto:anne@haywardre.com)

**IRS Circular 230 Disclosure:** This e-mail transmission is sent from the offices of Hayward Real Estate, LLC ("Hayward, LLC"). Hayward, LLC is neither a law firm nor an accounting firm and does not provide tax advice. Accordingly, any discussion of U.S. tax matters contained herein (including any attachments) is not intended or written to be used, and cannot be used, in connection with the promotion, marketing or recommendation by anyone affiliated with Hayward, LLC of any of the matters addressed herein or for the purpose of avoiding U.S. tax-related penalties.

**Confidentiality Notice:** This e-mail transmission is intended only for the exclusive use of the addressee(s) and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this message in error, please immediately notify the sender.

## Kara, Kristin

---

**From:** Jane Kelley [janekelley15@yahoo.com]  
**Sent:** Wednesday, April 15, 2009 3:05 PM  
**To:** Kara, Kristin  
**Cc:** Mayor; Onuoha, William; Mathiesen, Karin; Ross, Michael (City Council); LoConte, Nancy; LaMattina, Salvatore; info@bhcivic.org  
**Subject:** Government Center Garage proposal

Dear Ms. Kara,

As a resident of Temple Street, and a member of the Beacon Hill community for more than 30 years, I'm writing today to express my deep distress about the the vast scope of the redevelopment proposal for the Government Center Garage.

Redeveloping the garage may very well be a good idea, but the size of the current proposal is entirely out of scale in relation to the residential neighborhoods nearby: Beacon Hill, the North End, and the West End. Furthermore, the proposed development will NOT knit these neighborhoods together but will serve instead to destroy the improved and more vibrant connections we have all felt in the last few years, ever since the elevated roadway was eliminated.

Yours sincerely,  
Jane Kelley  
15 Temple Street  
Boston 02114

**Kara, Kristin**

---

**From:** RGMulzer@aol.com  
**Sent:** Thursday, April 16, 2009 11:18 PM  
**To:** Kara, Kristin  
**Subject:** (no subject)

I am writing to voice concern regarding proposed development of the Government Center parking garage. As I understand, part of the potential proposal includes towers 30- 50+ stories tall. That is inappropriate in the historic areas of the North End and Beacon Hill. The development of the John Hancock tower and the Prudential years ago was recognized as inappropriate height. One reason making Boston such an appealing city is the smaller scale of buildings and limitations on development height. Any approval for the proposed towers at the Government Center garage will set a precedent for the future.

Thank you.

Sincerely,  
Rebecca G. Mulzer  
58 Temple St.  
Boston, MA 02114

---

[Great deals on Dell's most popular laptops - Starting at \\$479](#)

## Kara, Kristin

---

**From:** Betsy Peterson [betsy.peterson@verizon.net]  
**Sent:** Thursday, April 16, 2009 11:10 AM  
**To:** Kara, Kristin  
**Cc:** Mayor; Onuoha, William; LaMattina, Salvatore; LoConte, Nancy; Ross, Michael (City Council); Mathiesen, Karin; Beacon Hill Civic Assn.  
**Subject:** Government Center Garage proposal

I am writing to record my strong objection to the proposal for two very high towers on this site.

1. Height. The proposed towers jeopardize three distinctive neighborhoods: Beacon Hill, the West End, and the North End. They-- and Boston--will be diminished forever if they become merely toy houses next to skyscrapers.

The effect on the West End and North End is obvious although the developer has not provided genuinely useful simulations. But Beacon Hill, too, will change character --especially for those of us on the North Slope and nearest the project. The towers will distort the landscape for many of us.

Please insist that the developer provide simulated images that don't hide the view by distance or blocking buildings!

2. Transportation. The PNF makes much of multiple T lines, including Bowdoin Street--but does not mention that Bowdoin Street is closed at night and on weekends. Would that change? I have even heard the station will be closed.

3. The school. The City should not consider allowing any proposal on such a scale unless it provides space for a public school.

Thank you for your attention.

Elisabeth T. Peterson

19 Temple Street #2

Boston 02114



April 16, 2009

## **Comments on the Government Center Garage Redevelopment – Project Notification Form**

The Conservancy appreciates the open and thorough process with which the BRA, the IAG and the Project developer has proceeded on this proposed major new development. We offer the following comments for your consideration as part of scoping of the Draft Project Impact Report (DPIR) and the Draft Environmental Impact Report (DEIR).

Our comments focus on the relationship of the proposed Government Center Garage (GCG) Project to the Rose Kennedy Greenway and potential impacts, both positive and negative it could have on this open space corridor.

### **1. Proposed Massing**

The stepped back building massing, with the lower buildings located on the Greenway edge is our preferred alternative as it minimizes shadow impacts on the parks and adjacent streets. It also avoids a potential "canyonization" of the Greenway corridor. The lower scale of the Parcel 1A and 1B buildings complement the other buildings adjacent to the Greenway. From an urban design perspective, the larger development site footprint affords a better opportunity to optimize the public spaces adjacent to and within the proposed Project.

### **2. Shadow impacts**

It is clear the developer has focused careful attention on potential shadow impacts to the Greenway Parks. The Conservancy is pleased that impacts are quite limited and reduced to a short period of late day shadows in the summer months. In fact, shadows during this time of the year and day may actually provide some welcome relief from the city's heat island affect during hot summer days.

### **3. Wind impacts**

This is an important issue which warrants testing different building heights and configurations during the subsequent environmental review and design phases of the GCG Project. Devising design solutions to buffer wind impacts on the associated and adjacent public spaces should be an important project consideration.

### **4. Vehicular Circulation**

The location and configuration of on and off-site loading are a challenging and important consideration given the scale of the proposed development. Public circulation along the Greenway edge, particularly given the transit station location needs primary consideration. Conflicts between pedestrians and loading or service vehicles should be minimized.

### **5. Pedestrian Circulation**

Encouraging as much transparency between the public and private spaces within and adjacent to the Greenway should be a primary project objective. The GCG Project has a significant opportunity to be an amenity for the adjacent residential neighborhoods as well as engage the Greenway park users in a rich community building experience. The GCG Project expresses this as a project objective; it should be emphasized and innovative approaches explored.

### **6. Public Transit Reliance**

From a smart growth standpoint, the GCG Project is located in an optimal site. However, the proposed density and mode split assumptions for the GCG Project must be supported by comparable analyses of the capacity of the transit system to support anticipated ridership. Early consultation with the MBTA about transit improvements, renovations, expanded access points, etc. will be essential to mitigating potential adverse traffic impacts on the surrounding neighborhoods and the Greenway. Having adequate public transit access and capacity will be a keystone of the GCG Project's ultimate success.

## **7. Connection between GCG Project Open Spaces and the Greenway**

This is an expressed project objective which also should be emphasized. It will be a win for the city's neighborhoods, the Government Center Garage Project and the Greenway if the proposed project open spaces complement and expand the public open space system in this corridor. It is worth thinking about these spaces holistically from their potential of public programming, linkages and increasing opportunities for enhancing the public experience living within the city of Boston.

## **8. Streetscape Improvements**

Design of the streets and sidewalks adjacent to the proposed development affords a significant opportunity to expand and engage connections from the GCG Project to the Greenway and abutting neighborhoods. This public realm space must not be a decorative treatment around the edges of the buildings. It should be user friendly and programmatically driven. The streets and sidewalk dimensions, configurations, emphases, furniture, lighting, signage, etc. need to be an integral part of the design from the outset. These public spaces must reflect consideration of wind, sun, desire lines, view corridors, noise, and extensions of ground floor uses. Because the GCG Project intends to absorb large public sidewalk areas into its development envelope, these issues should be of topline importance in the design review.

## **9. Ground Floor Activation/Invitation**

Providing a welcoming mix of ground floor retail and public spaces should be an essential requirement of the new development. Activation of the Greenway's edges during daytime, nighttime and weekends will be key in making the new park system a successful urban space. We would encourage the developer to design these ground floor spaces to have as much flexibility as possible to enable a variety of activities and building programs to be operated and explored.

## **10. Sustainability**

The Conservancy commends and strongly supports the developer's commitment to pursue a high level Leed Certification. Innovative design and engineering practices should be involved during all of the project phases to enable this Project to set the bar high on sustainability. Sustainability should be a driving goal framing the review process. The Conservancy is committed to operating the Greenway Parks sustainably (organic landscape maintenance, sustainable design, programming using green practices, recycling among others), and we hope to work in collaboration with our abutters to reinforce this being a "state of the art" green corridor in Boston.

## **11. Relationship to Parcel 6 on Greenway**

The Conservancy does have a major concern with regard to the treatment of the eastern edge of the Project site where it abuts Greenway Parcel 6. The GCG Project understandably is being designed assuming Parcel 6 is developed with a building constructed on top of a structural cover for the ramp parcel. While this has been the land use assumption for Parcel 6 for well over 15 years, we believe there needs to be a contingency plan or interim scheme designed should a building not be constructed on this parcel in the foreseeable future.

This issue is doubly important because of the juxtaposition of the Haymarket bus/subway station located adjacent to Parcel 6. With the GCG Project, this transit station will see a significant expansion in use. How it is integrated into the development in terms of the public experience, (e.g. convenience, welcoming environment, capacity, ease of access, functional efficiency) is of primary importance to the GCG Project, the neighborhoods, the Greenway and visitors. The transit station should be a celebrated, engaging public use and must not feel as if it is relegated to a darkened residual facility.

Additionally, should Parcel 6 remain unimproved, this eastern face of the GCG Project will be the most visually dominant structure signaling a major terminus of the Greenway, and the North End parks in particular. The Project design should reflect this potential scenario.

Given the scale of the GCG Project, it seems timely and prudent that a scenario be developed that explores an interim treatment of Parcel 6 that could potentially span the ramps with an attractive and functional pedestrian bridge or other landscape design/circulation treatment. This could then provide a direct North End connection to the new GCG Project as well as to an enhanced Haymarket transit facility.

The Conservancy will work with the BRA, the MBTA, the GCG Developer and the community to advance thinking about this opportunity.

## **12. Construction period mitigation**

Once a development plan is finalized, there will need to be focused conversations on construction period mitigation related to noise, dust, traffic, trucks, protection of plant material, pedestrian circulation, etc.



The Rose Fitzgerald Kennedy Greenway Conservancy looks forward to continuing the positive and constructive working relationship with the Project team through ongoing participation on the IAG and in additional working sessions focused on GCG Project interface with Parcel 6.

Sincerely,



Nancy Brennan  
Executive Director

cc:

Kairos Shen, Director of Planning, BRA  
Antonia Pollak, Commissioner, Boston Parks Department  
Peter Gori, Senior Manager, BRA  
Stephen Hines, Chief Development Officer, MTA  
Holly Johnson, Project Manager, MEPA  
Dan Graubaskas, General Manager, MBTA  
IAG Members  
Linda Jonash, Director of Planning and Design



# UNITE HERE!

## Local 26

33 Harrison Ave., 4th Floor  
Boston, MA 02111

Phone: (617) 426-1515  
Fax: (617) 426-7684

Janice Loux  
President  
Chief Executive Officer

Henry C. Green Sr.  
Financial Secretary-Treasurer

Brian Lang  
Vice President

Karan Burton  
Vice President

Sebastiana Montero  
Recording Secretary

Trustees:  
Letebrham Legesse  
Glen Noel  
Jerry Works

Executive Board:  
Richard Aliferis  
Antonia David-Bernardez  
Dina Dickinson  
John Dunne  
Miguel de Pina  
Anas Laroussi  
Chui Lin Law  
Marie Gina Louis  
Melvin McCollin  
Guerda Philippe  
Maria Semedo  
Pat Yellock

April 16, 2008

John Palmieri, Director  
Boston Redevelopment Authority  
One City Hall Square, 9<sup>th</sup> Flr  
Boston, MA 02111

RE: Comments on the Project Notification Form (PNF) for the Government  
Center Garage Project

Dear Mr. Palmieri:

UNITE HERE Local 26, the Boston Hotel Workers Union, is pleased to have the opportunity to comment on the Project Notification Form (PNF) submitted by Bulfinch Congress Holdings, the Proponent for the proposed Government Center Garage mixed-use development in Boston. The project will involve the demolition of the Government Center Garage and the construction of approximately 3.8 million square feet of mixed use development divided among five major buildings, ranging in height from approximately 60 to 710 feet. It will include office, residential, hotel, and retail use, as well as parking and public space.

While we applaud the Proponents vision to rid the city of this 'brutalist' relic and create a gateway from the Bulfinch Triangle to the city, we see significant problems in several areas of the PNF including: 1) Lack of a detailed transportation plan and 2) Need for a real "Garage only" Alternative PNF

### 1) Lack of a detailed transportation plan

We identified a range of significant problems with the Proponent's traffic plans. We feel that a projected 20,982 new trips to one of the city's most congested areas needs to be examined much more thoroughly.

→ (Handwritten signature)

2009 APR 17 P 1:50  
B.R.A.

**1.1 Parking:** Today the Government Center garage provides 2,310 parking spaces. Of these, 445 are designated for employees, leaving 1865 to commuters, tourists and the general public. It is the largest, most convenient and visible garage to the patrons of the courthouse, city hall and police department. In an April 2<sup>nd</sup> Impact Advisory Group meeting on this project, a member of the IAG had stated that the garage was a benefit to those that live around it in that it deters “day trippers” from parking in spots reserved for the neighboring communities.

According to the Proponent, the proposed development will provide approximately 2,000 parking spaces for “building residents, commercial tenants, the general public, and the new District A-1 Police station.” While the proponents study reveals the proposed development will increase daily trips by over a third, the proposed redevelopment will:

- cut the total parking by 310 spots
- reallocate 1365 public spots (over two thirds of the current total), for tenants of the proposed project
- potentially cut even more spots to accommodate the relocated Police Station

Unfortunately, the Proponent uses “fuzzy math” to describe the proposed parking allocation. The Proponent plans to allot 500 spots for the commercial public, leaving 1500 spots for its office/residential/hotel patrons. This 1500 is the bare minimum required by the Boston Transportation Department for this area. With every spot now accounted for, the Proponent states that “parking will be provided for the relocated police station within these 2,000 spaces.” This suggests that (a) the Proponent will ignore BTG guidelines and secure parking away from their patrons, (b) cut into what is left of the public parking or (c) leave the police station without adequate parking.

The Proponent provides no plans to supplement this enormous deficit in parking. The Proponent acknowledges this conflict, stating “it is suggested that, of the proposed 2,000 spaces, that 1,865 (the existing total number of public parking spaces today) remain designated as ‘public’ for the new project, to allow for efficient multi-use by on-site users and off-site/public users.” The Proponent suggests that the garages public use may potentially be expanded during nights and weekends. The Proponent’s suggestion does not take into consideration (a) the hotel component being a 24 hr operation (b) the residential parking increasing on evenings and weekends as families come home (c) the Proponent’s vehicle trip generation study showing an increase of trips into the garage in the PM peak hour or (d) the enormous current and future need for parking during peak business hours. We ask the Proponent to consider the need for public parking in regard to the surrounding public institutions when revising these plans.

We strongly suggest the Proponent act reevaluate this parking plan in good faith based on these suggestions. This plan should take into consideration the magnitude of this project in terms of (a) current and future public parking needs for the area (b) commercial needs of their residential/office/hotel patrons and (c) the parking needs of the relocated Police Station.

1.2 Transportation Impact Understated: According to the Proponent's studies, the total number of new trips (including vehicles, walking and public transportation) generated by this project is 20,892 per day. According to the Proponent, the proposal will create a total of 2,746 new vehicle trips to the area per day for a total of 6,930 vehicle trips. We feel this number is conservative for a variety of reasons:

- The study did not take into account additional trips the Police Station will create
- The study was done in July when the student population is lowest and when a high percentage of business and government workers are on vacation

It goes without saying that the various components of this development are greater than the sum of their parts. ITE and BTM rates do not consider how the massive nature and interaction this development has with itself. For example, the Proponent will need to survey average employees in similar Class A office towers based on square footage and provide varying scenarios in regard to expected types of clients. Given this data, how will it interact with a charity ball being held at the hotel at 6? Again, this would require studying average occupancy rates for full service hotels in the city of Boston, meeting space capacity and where hotel drop-off will be located.

We feel a more inclusive approach must be taken that will consider not only how many trips each individual component will create, but the cumulative effect of having these individual components within such a dense area. While we recognize the Proponent acknowledges the need to study the surrounding intersections, we suggest this study take into consideration the sharp drops and spikes in the areas population and study each intersection mentioned on a quarterly basis for a full year.

### 1.3 Alternative proposals

Given the reduced amount of parking and the significant increase in trips, the Proponent has suggested ways to mobilize the residents and office tenants to use alternative means of transportation. While we applaud the Proponent for attempting to mitigate how an additional 20,982 people will get to and from this site, we feel this proposal is optimistic to say the least.

#### Ride Sharing/Bike/Pedestrian

Ride share and bike/pedestrian programs are commonly proposed, but seldom effectively implemented. We ask the Proponent to provide case studies on successful ride sharing, bike and pedestrian promotion programs. Furthermore, we suggest the Proponent consider any best practices derived from these reports and find ways to implement them.

#### Public Transportation

The MBTA cannot add cars to their Green, Orange and Blue lines. According to an April 10<sup>th</sup> article in the Boston Globe, the MBTA is cutting significant services while overall ridership continues to increase. In order to truly prepare for the vast transportation needs of this project, we strongly suggest the Proponent conduct a thorough assessment of the impact this project will have on the Green, Orange and Blue Lines, as well as the surrounding bus lines. We recommend the Proponent work with MBTA staff to determine what exactly the needs are for this project and what portion of this need the MBTA can realistically sustain.

## 2. Lack of a substantial "Garage only" Alternative PNF

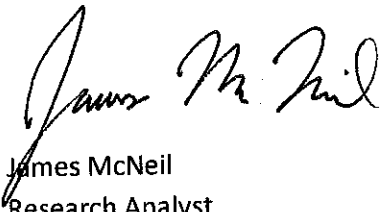
The purpose of the Article 80 process is for the citizens of Boston to come together in collaboration with the development community to create innovative solutions to our cities needs. To date, the Proponent has not successfully secured the parcels needed to develop the proposed "baseline" PNF plan. In addition, there has been no definitive indication there is financial backing to do so. The Proponent's proposal may thus be premature, and not descriptive of a realistic possible project.

Furthermore, while the Proponent takes into consideration the need for an alternative "Garage Only" plan, it does not provide adequate detail, spending over half (intro to 2.1, 2.3 and 2.4) of the four sub-sections in the abbreviated description applauding the benefits of the "Baseline" PNF proposal. For example, the Proponents "garage only" plan provides no traffic or parking analysis. The Proponent makes no claim that one exists, or ever will. The Proponent simply states on-site public parking would "not be possible" during construction under the alternative scenario. We feel this to be an insult to the Article 80 process and feel that it gives no reason for the BRA to take either proposal seriously.

---

UNITE HERE Local 26 urges that the Proponent more fully evaluate the impacts their project will have in a Draft Project Impact Report and provide more details regarding traffic, parking and the "garage only" proposal. It is our hope that the Proponent will not only consider the needs of the IAG, but recognize their position as the key to this project's success. We believe the project would benefit from more community meetings, more public outreach, and more time to review detailed development plans. We thank you for the opportunity to comment on the PNF for the proposed Government Center Project.

Sincerely,



James McNeil  
Research Analyst  
UNITE HERE Local 26

Cc: Kristen Kara, Project Manager



33 Broad Street | Suite 300 | Boston, MA 02109  
Tel: 617-502-6240 | Fax: 617-502-6236

WWW.ABETTERCITY.ORG

**BOARD MEMBERS**

Michael E. Mooney \*  
(Chairman)  
Michael Cantalupo \*  
(Vice Chairman)  
Edward H. Ladd \*  
(Vice Chairman)  
Paul Levy \*  
(Vice Chairman)  
Theodore Oatis \*  
(Vice Chairman)  
Lawrence S. DiCara \*  
(Clerk)  
Susan Wolkoff \*  
(Treasurer)  
Karen Baker \*  
Peter Bassett  
Andrew Bauman  
Robert L. Beal \*†  
Jeffrey P. Beale  
Roger Berkowitz  
Wayne M. Bouchard  
Kevin Boyle  
Larry Cancro  
Brian Chaisson  
Donald E. Conover  
Jeff Cook  
Stephen P. Crosby  
Paul Crowley  
Jay Curley  
Peter J. Cusato  
Jonathan G. Davis  
Brian DeBock  
Pamela Delphenich  
Geri Denterlein  
John E. Drew \*†  
Jay Driscoll  
Ronald M. Druker \*  
Scott Estlin  
Sandra L. Fenwick  
Shawn P. Ford  
Stephen Foster  
Chris Gale  
Bink Garrison  
David Godbout  
Patrick Haswell  
Brian Hodgell  
Geoff Howell  
John B. Hynes, III  
Thomas J. Hynes, Jr. \*  
Nicholas J. Iselin \*  
Joanne Y. Jaxlimer  
Edward C. Johnson IV \*  
Michael J. Joyce  
Stephen G. Kasnet  
Deborah Kuhn \*  
Kevin Lemire  
Norman B. Leventhal \*†  
Jeffrey Lockwood  
Stephane Lovell  
George Macomber  
Christopher W. Maher  
Paul Malters  
Rick Matilla  
William McDonough  
Michael McGowan  
Douglas S. Mitchell \*  
Arthur Mombourquette  
John Mostyn  
Timothy G. Murnane  
Richard D. Murphy \*  
John Myers  
Margaret Norton \*  
Young Park  
Duncan Pendlebury  
David G. Perry \*  
Bud Ris  
James Rooney \*  
G. West Saltonstall  
George Schwartz  
James H. Shane  
Peter M. Standish Jr.  
Gary Strigvolt  
Henry Terachi  
Robert Tuchmann  
Jeffrey A. Weinstein  
Kathryn E. West  
Frederic E. Witmann  
Frank Wuest  
Joseph H. Zukowski

Richard A. Dimino  
(President & CEO)

\* Executive Committee  
† Former Chairman

April 17, 2009

Kristin Kara, Senior Project Manager  
Boston Redevelopment Authority  
Boston City Hall  
Boston, MA 02201-1007

**RE: Government Center Garage Redevelopment**

Dear Ms. Kara:

We are writing in support of the Government Center Garage Redevelopment project described in the March 2, 2009 Project Notification Form submitted to the Boston Redevelopment Authority. The proposed project is consistent with objectives of A Better City which we describe below. We urge the BRA to approve the proposed project.

The present garage and office structures were conceived and built in a different era. The environment has changed, and so it is appropriate for the uses and forms on the site to be recast to better reflect the present and future role in the city for this property. The site is at a very visible and symbolic location which dictates the high degree of sensitivity and care demonstrated by this development proposal.

Redevelopment of this site provides an opportunity to reinforce the significance of the Bulfinch Triangle with a high quality design that fashions improved pedestrian and visual connections to the adjacent North End and Government Center neighborhoods. The visual connection between the Bulfinch Triangle and the Financial District through the Congress Street view corridor will be restored and reinforced by the proposed building forms. The building forms will provide an appropriate transition in massing and height between the adjacent building fabric and the nearby Rose Kennedy Greenway and the taller elements of the proposed development.

The proposed ground floor uses will help to activate the streetscape and provide a more inviting pedestrian environment than the current uses that line the sidewalks of these blocks.

This proposal supports the notion of transit oriented development by concentrating dense development at a highly accessible transit node with major Green Line, Orange Line, and bus service that is a short walk from the commuter rail service at North Station. The site also benefits from good vehicular access to and from the Central Artery, the Sumner and Callahan Tunnels, and Storrow Drive, while the development proposal also includes Transportation Demand Management measures to reduce the impacts of vehicular use.

The competition winning design, with its commitment to sustainable design and LEED certification, provides a model for appropriate large scale development in keeping with the other attributes of the proposal.





33 Broad Street | Suite 300 | Boston, MA 02109  
Tel: 617-502-6240 | Fax: 617-502-6236

WWW.ABETTERCITY.ORG

This site, with its unique opportunities, will be utilized in a positive way by the proposed design and development. The proposal's objectives are consistent with the mission and objectives of A Better City regarding transportation, contribution to the public realm, and sustainability. For these reasons, we support the siting, concept, uses, and the design proposed for this site and urge approval of the Project Notification Form which describes the project and its impacts thoroughly and completely.

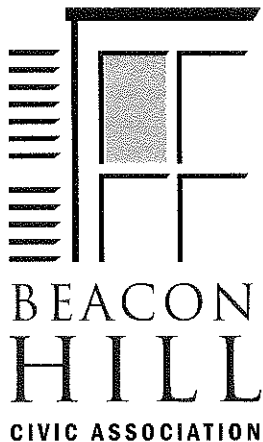
Sincerely,

A handwritten signature in black ink, reading 'Richard A. Dimino'.

Richard A. Dimino  
President and CEO

Cc: Holly Johnson





April 17, 2009

Kristin Kara  
Project Manager  
Boston Redevelopment  
Authority  
City Hall Plaza  
Boston, MA 02110

Holly Johnson  
Project Manager  
Massachusetts Environmental  
Policy Act (MEPA) Office  
100 Cambridge Street  
Boston, MA 02108

**BOARD OF DIRECTORS**  
**2008-2009**

**CHAIRMAN**

John Achatz

**PRESIDENT**

Lori L. Bate

**TREASURER**

Austin McClintock

**CLERK**

Kate Enroth

**DIRECTORS**

Tom Ciemens  
Linda Cox  
Beverly Dammin  
Karin Dumbaugh  
Jacqueline Freeman  
Ted Furst  
Tara Gohlmann  
Meghan Haggerty  
Jeannette Hermann  
Jane Kelley  
Ross Levanto  
Frank McGuire  
Rajan Nanda  
Paula O'Keeffe  
Molly Sherden  
Tad Stahl  
Myles Striar  
Charlotte Thibodeau  
David L. Thomas, Jr.  
Ivy A. Turner  
Eve Waterfall  
Robert Whitney  
Steve Young  
Colin Zick

**EXECUTIVE DIRECTOR**

Suzanne Besser

**ASSISTANT DIRECTOR**

Lisa Horton

**Re: Government Center Garage Project PNF/ENF  
Boston, Massachusetts**

Dear Ms Kara and Ms Johnson:

The Beacon Hill Civic Association has, since 1922, strived to enhance and protect the quality of life for residents of Beacon Hill. We appreciate this opportunity to comment on the Project Notification Form/Environmental Notification Form filed by Bulfinch Congress Holdings, LLC for its concept to replace the Government Center Garage.

The purpose of public comments at this stage is to assist your agencies in determining the scope of environmental analysis to be undertaken by the project proponent. In this regard, we have seen drafts or obtained briefings on the comments being submitted by the Impact Advisory Group appointed by Mayor Menino and the Boston Redevelopment Authority, and by community organizations in the West End, North End and Downtown North areas. We fully support the specific requests for analysis of options and environmental impacts set forth in those letters.

The proposed project is both in close proximity to sensitive historic buildings and historic districts, and is also radically outside the scope of existing zoning concepts and urban plans for this part of the city of Boston.

We will not repeat here the entire list of topics that your regulations specify for a full Draft Project Impact Report/Environmental Impact Report. All of them should be required in your scoping determination. Instead we set out in this letter what we believe to be key considerations.

**Scale, location and urban planning**

The main feature of the proposed development concept is its radically large size. It is more than twice the density and a multiple of the height allowed for this location in the city of Boston. It will be an icon or an eyesore from a



great distance in every direction. It will introduce super-dense, high-rise development in a part of the city that does not now have it or allow it, and will invite more such development on nearby parcels.

The developer has suggested that the cost of purchasing and demolishing the existing Government Center Garage is so high that nothing less than a project of this scale is financially feasible. Subject to the customary deflation of developer claims, we do not doubt that the argument is strong. The garage is not well-loved, but that is not to say that there is no limit to what the citizens of Boston will accept as a tradeoff for its replacement.

The “no build” alternative is very attractive – perhaps the most attractive option. Your scoping determinations must require a nonsuperficial evaluation of this option.

The replacement of the garage with a development within existing zoning limits is very attractive to Beacon Hill residents and must have a nonsuperficial evaluation in the DPIR/DEIR.

### **Zoning**

The proposed project is entirely incompatible with City’s stated long-term vision for the Government Center area. The site is within a “Restricted Growth Area” (one of only two in the Government Center/Markets District) with a stated purpose “to protect existing moderately scaled development”.

We continue to support the concept of moderately scaled development in this area, especially if it increases the stock of housing within walking distance of medical institutions, colleges and the financial district.

If there is to be a major shift in the allowed development in Restricted Growth Areas and other portions of the Government Center district, it should not be done on a piecemeal basis, but rather should be the result of a formal planning process and rezoning of the entire area.

If the Government Center area is to have zoning changes to accommodate this high density project, one must assume that other nearby parcels will be treated similarly. Several Government Center sites have been discussed for redevelopment, including City Hall plaza, the Lindeman and Hurley buildings and the low-rise portion of the JFK federal building. The DPIR/DEIR for the garage should include projections of the effects of such future development.

Further, the relevant public agencies should take into account whether development of this site will siphon off demand for development of other underdeveloped downtown areas, most particularly Downtown Crossing, Winthrop Square, South Station and the Seaport District. Boston needs new dense development in those areas. Sound planning indicates that zoning requirements should steer new demand for office and other space to areas that would benefit

from large new buildings. The developer's attractive architecture may be better located elsewhere.

#### **Additional scenarios**

The proposed site – especially in its larger configuration – has often been eyed as a location for particular uses needed in the community. The DPIR/DEIR should include (1) an alternate concept that incorporates a school within the project and (2) an alternate that incorporates a college dormitory or other higher education use within the project.

Although buildings that encourage commuting by public transportation are to be commended, the project described in the PNF will reduce onsite parking at the same time it increases demand for parking. An alternate scenario must be considered that satisfies all present and proposed parking demand onsite.

#### **Construction mitigation**

Residents have suffered through many years of Big Dig construction, Cambridge Street reconstruction, Greenway construction, not to mention numerous private projects. The projected ten-year construction timetable is alarming, especially if it encounters delays as other prominent projects have in the present financial environment. A DPIR/DEIR should include a detailed analysis of impacts during construction.


#### **Knitting the urban fabric**

A major objective of the Big Dig was to remove the physical barrier between the North End and other downtown neighborhoods. The garage site is located on major pedestrian thoroughfares that must be improved to reconnect Beacon Hill, the North End and West End. The developer should describe the design details that will reinforce the connections between downtown neighborhoods.

Thank you for receiving our comments.

Very truly yours,

BEACON HILL CIVIC ASSOCIATION



John Achatz

Chair

## Kara, Kristin

---

**From:** Scott Nogueira [scottn@bosbtrac.org]  
**Sent:** Friday, April 17, 2009 3:31 PM  
**To:** Kara, Kristin  
**Cc:** scottn@bosbtrac.org  
**Subject:** Comments on GCG Re-development project

Dear Kristin,

On behalf of the members of the fledgling Bulfinch Triangle Resident's Advocacy Committee (BTRAC), I wish to submit the following comment to the BRA with regard to the Government Center Garage Re-Development Project.

Our residential organization, comprising residents of the Bulfinch Triangle who are not adequately represented by any of the North End or West End residential organizations, does not support the reduction in public parking at the facility as described in the PNF.

We will be pro-actively advocating, on behalf of our residential members, with the local city and state officials against this reduction in public parking.

We believe this parking reduction is a serious detriment to our neighborhood's quality of life, and for those who own property.  
our property values.

Sincerely,

Scott Nogueira  
Co-Founder  
BTRAC  
[www.bosbtrac.org](http://www.bosbtrac.org)

# Coalition for Public Education: Expanding Quality Education for Downtown Neighborhoods

[Coalitionforpubliceducation@gmail.com](mailto:Coalitionforpubliceducation@gmail.com)

Chiara Rhouate cell: 617.699.4528 Lori Glazier cell: 617.894.4937

April 17, 2009

Secretary Ian A. Bowles  
EOEEA, Attn: MEPA Office  
Holly Johnson, EOEA No. 14383  
100 Cambridge Street, Suite 900  
Boston, MA 02114

John F. Palmieri, Director  
Boston Redevelopment Authority  
Attn: Kristin Kara, Senior Project  
One City Hall Plaza, 9<sup>th</sup> Floor  
Boston, MA 02201-1007

Subject: Government Center Garage Redevelopment Project, Boston (EOEA# 14383)

Dear Secretary Bowles and Mr. Palmieri:

We, the Coalition for Public Education, are a group of residents living in the North End, West End and Beacon Hill. Our goal is to expand public education in downtown Boston and we will not support the Government Center Garage development without the commitment of a new public school facility.

There are more young children (age zero to four) living in the downtown area now than there have been in the past two decades. This is a fact that has been confirmed to the Coalition during various meetings with city officials. The Raymond Property Group has an opportunity to show their understanding of and commitment to our neighborhoods by providing us with a much needed school which will benefit current as well as future families in downtown Boston.

Sincerely,

The Coalition for Public Education  
Expanding Quality Education for Downtown Neighborhoods  
[coalitionforpubliceducation@gmail.com](mailto:coalitionforpubliceducation@gmail.com)  
Chiara Rhouate cell: 617.699.4528  
Lori Glazier cell: 617.894.4937

## Kara, Kristin

---

**From:** Karen [lindallct@mac.com]  
**Sent:** Friday, April 17, 2009 12:30 PM  
**To:** Kara, Kristin  
**Subject:** Re: Government Center Garage Redevelopment Project

Dear Ms. Kara,

I am writing as a resident of Beacon Hill to tell you of my support for the Government Center Garage Redevelopment Project. I am particularly pleased with the density of the project. The increased number of people who will reside and work in the new development should spark new retail and restaurant development along Cambridge Street that will better serve Beacon Hill and the West End as well as the area around City Hall.

I like the fact that the buildings will occupy a site well served by public transportation. I like the fact that the project would lie at entrances and exits to the depressed Central Artery so that cars heading for the development will be able to stay off Boston streets.

The plan to step up building height from the Greenway is a plan that should be carried out around all open areas of the city. That kind of layered look is pleasant for a pedestrian looking at the city from one of its openings.

I understand that some people are troubled by the height of some of the buildings. I'm not. Density is what a city is all about and height allows that density, which brings a benefit I've already mentioned, as well as offering other "green" benefits. Moreover, height is already present in that part of the city. From some vantage points the new buildings will hide the JFK building, which was mutilated by new window installation a few years ago and has otherwise not weathered well over the years. With the residential sections lying mostly to the north of the complex, those who are concerned about shadows should find that their effect is isolated.

The project would bring a pleasant contrast for a pedestrian walking through the city. One would experience the five story buildings of Beacon Hill, then move into a different kind of high rise environment, and transition into the five story buildings of the North End. These separations of one neighborhood from another is a wonderful facet of Boston's urbanity, and I believe each neighborhood is highlighted when the separations are dramatic, rather than oozing into one another.

It's another reason I believe this project is in the right place.

The timetable for the construction concerns me. A ten-year period is a lot to impose upon one section of the city. I'm also concerned that the financing be certain before any standing structure is ripped down, so that we're not left with a Filene's-like hole in the ground. I also wish that a public school were part of this equation. A school would help families stay in the city and help bring several neighborhoods together in a common purpose.

I haven't mentioned another benefit: that of replacing eyesores that poorly serve the city with a project that appears from drawings to be acceptably attractive and useful.

I don't see this development as a threat. Instead I see it as an opportunity to bring more density, and thus more goods and services, to the area, to provide a public school for the downtown's children and to keep traffic impacts at a minimum even though the project contributes to Boston's growth.

Yours truly,

Karen Cord Taylor  
1 Lindall Court  
Boston, MA 02114

# downtown north association

## OFFICERS

*President*

RICHARD BERTMAN

CBT/Childs Bertman Tseckares Architects

*President-Elect*

LOUISE FACKERT

Bay Cove Human Services

*Vice Presidents*

AUSTIN O'CONNOR

Briar Restaurant Group

ROSALIND GORIN

H. N. Gorin, Inc.

BONNIE MICHELMAN

Massachusetts General Hospital

CHRISTOPHER MAHER

TD Banknorth Garden

JANE FORRESTALL

West End Council

*Treasurer*

SERENA POWELL

Community Work Services

*Secretary*

DONNA BRODIGAN

State Financial

*Executive Director*

ROBERT O'BRIEN

Downtown North Association

*Chairman of the Board*

KARYN MCFARLAND

McFarland & Finch/Grubb & Ellis

## DIRECTOR EMERITUS

JACK BRYANT

Bryant Engineering

MAURICE N. FINEGOLD

Finegold Alexander + Associates

EARL R. FLANSBURGH

Flansburgh & Associates

PETER L. BROWN

Peter Brown & Company

CARL B. ISRAEL

Ruberto, Israel & Weiner

PETER STEFFIAN

SBA/Steffian Bradley Architects

## DIRECTORS

CARMINE CAMERATO

AlphaGraphics

JOSEPH SLESAR

Boston Beer Works / TJS One Realty Trust

DAN ZIMMER

Boston Bruins

SHAWN SULLIVAN

Boston Celtics

RICHARD WAKEMAN

Boston Development Group

BENSON WILLIS

Bulfinch Hotel

PATRICK O'BRIEN

Dimeo Construction

EDWIN HADDAD

Dunkin' Donuts

RICHARD LUCAS

Equity Residential

DAVID MURPHY

Grant Thornton

DEVENS HAMLEN

Hamlen Realty

LINDA ELLENBOGEN

Hawthorne Place Condominium Trust

MICHAEL FRANCIS

Hines Interests

KARLA LYON

Holiday Inn Express

CHRISTOPHER HART

Institute for Human Centered Design

IVY A. TURNER

Ivy Associates, Inc.

TED WHEATLEY

Jones Lang LaSalle

MICHAEL NEVILLE

Massachusetts General Hospital

HOLT MASSEY

Massey & Company

PAUL SCAPICCHIO

ML Strategies

BILL BABIS

Onyx Hotel

SCOTT NOGUEIRA

Porter's Bar & Grille

LOUIS YAFFE

PSP Sports Marketing

REBECCA MATTON

Raymond Property Company

MICHAEL GAITLIN

Ruberto, Israel & Weiner

SPENCER WELTON

Simpson Housing

DAVID MAGRATH

Sovereign Bank

THOMAS CHIOZZI

Spaulding Rehabilitation Hospital

SAM GOTTLIEB

Stanhope Garage

MARK CHARDVOYNE

Suffolk Construction

JOHN NUCCI

Suffolk University

DAVID GREANEY

Synergy

JAMES KEEFE

Trinity Financial

DUANE LUCIA

West End Community Center

April 17, 2009

Kristin Kara, Project Manager  
Boston Redevelopment Authority  
City Hall Plaza  
Boston, MA 02201

Holly Johnson, Project Manager  
Executive Office of Energy & Environmental Affairs  
100 Cambridge Street  
Boston, MA 02114

**RE:** Downtown North Association (DNA) Comments on the March 2, 2009 Project Notification Form (PNF) and the March 25, 2009 Environmental Notification Form (ENF) for the Proposed Redevelopment On and Around the Site of the Government Center Garage (GCG) – and Related Recommendations Regarding the Proposed Scope of a Draft Project Impact Report (DPIR) and a Draft Environmental Impact Report (DEIR) on the GCG Project.

Dear Ms. Kara and Ms. Johnson,

What follows are the comments of the Downtown North Association, which is also a member of the GCG Impact Advisory Group (IAG) and also shares in the IAG consensus comments of this date.

The more than one hundred DNA member organizations encompass all aspects of the remarkably diverse and continually growing residential, recreational, commercial, institutional and professional community historically known as the West End of Boston. That community comprises the area of Boston from New Sudbury Street to the Charles River, between Beacon Hill and the North End; and it includes the site of the Government Center Garage. And among our valued DNA members is Raymond Property Company, a leader of the GCG development team, which has owned property on Canal Street for many years and is a partner in the Hines Raymond team that is developing Bulfinch Triangle Parcel 2 (A,B,C), which is located just across the street from the GCG site and includes the long-awaited valued new supermarket.

These comments are intended to reflect a consensus view of DNA as a whole, although individual member organizations will undoubtedly be offering their own comments on the GCG project. Such DNA member comments will quite likely have a somewhat different emphasis or focus, but hopefully they will not inconsistent or incompatible with the views expressed herein. In any event, the comments herein are not meant to replace or obviate any other comments by individual DNA members.

The proposed redevelopment of the Government Center Garage has been described by many as being unprecedented in its scale, its potential and its impacts -- for better and/or for worse. But the fact is that in many respects, it is not unprecedented at all, either for the City of Boston or even for the West End community. Indeed, there have been many projects in and around our neighborhood that have been quite comparable in scale, potential and impacts. These certainly include the CAT and MBTA North Station Improvements Projects in recent years; but they also include the West End and Government Center Urban Renewal Projects in years past.

## PRESIDENT

RICHARD BERTMAN  
tel: 617-262-4354

email bertman@cbtarchitects.com

## DOWNTOWN NORTH ASSOCIATION

c/o CBT Architects  
110 Canal Street, Boston, MA 02114

## EXECUTIVE DIRECTOR

ROBERT B. O'BRIEN  
tel: 617-461-6730

email rbobrien@msn.com

If the GCG Project is done right, it could more fully realize the promise of those earlier projects, including correcting some of their still quite visible mistakes – arguably including the Government Center Garage itself. And it is in that larger and longer context that we will attempt to address the issues and opportunities related to the scoping of the DPIR/DEIR for the GCG Project, with particular reference to the following major questions raised by its PNF/ENF:

- ❖ Should the Government Center Garage be demolished?
- ❖ What size redevelopment would that require?
- ❖ What type of redevelopment should it be?
- ❖ Should it be developed on the larger or smaller footprint?
- ❖ What community benefits could/should the redevelopment process create?
- ❖ What are the transportation impacts?
- ❖ How much parking should be retained on-site?
- ❖ What about neighborhood view corridors?
- ❖ What about community construction impacts?
- ❖ What about other area development?

***SHOULD THE GOVERNMENT CENTER GARAGE BE DEMOLISHED?*** From our perspective, the answer to that question is unequivocally in the affirmative; and it has long been so. That community goal pre-dates the current redevelopment proposal, which for the first time in the past four decades has made its removal a realistic prospect in the foreseeable future.

When it was first planned and constructed in the later sixties, the GCG drew a boundary line on the New Boston, just as it was intended to do. We in the West End were on the wrong side of that line; and we knew it. But a lot has happened behind the garage in the last forty years, not least the demolition of the highway and transit viaducts that had so long blighted and divided our community. And the resulting restoration and redevelopment of the Bulfinch Triangle Historic District, with its new retail, restaurant, residential, hotel and office facilities, is just the most recent manifestation of what has been a continuing process of renewal and revitalization of our West End community as a whole.

That has involved billions of dollars and countless hours of public and private investment, which is reflected in a rapidly expanding residential sector, now with increasing numbers of families with children; an established world-class medical sector, now with new and improved facilities; a new Boston Garden and an improved North Station, both of which are major regional destinations; an iconic new cable-stayed bridge and new shoreline parks on the Charles River; and the new Edward Brooke Suffolk County Courthouse recently built literally the shadow of the GCG itself. If the New Boston ever did end at New Sudbury Street, it certainly does not end there now; and the only thing that stands in the way of fully and finally realizing that fact of the substantial and symbolic presence of the Government Center Garage.

It is also clear that the GCG has for many years provided convenient downtown parking for several hundreds of vehicles, thereby serving important transportation and economic functions for the City of Boston and for surrounding communities. Those valuable functions cannot be ignored in any assessment

of the benefits and burdens of removing this facility; and we address them in more detail elsewhere in these comments. And assuming that such matters can and will be addressed and satisfactorily resolved through the DPIR/DEIR scope and process, we commend and concur with the PNF/ENF conclusions as to the urban design and other benefits of demolishing the garage; and we would recommend and request that those benefits be acknowledged and affirmed in the DPIR/DEIR as well.

***WHAT SIZE REDEVELOPMENT WOULD THAT REQUIRE?*** If what is described in the PNF/ENF is any indication, what is being proposed is clearly a very substantial development – much larger than what is there now and much larger than what exists or is planned anywhere else in the immediate area. There is also no question that the proposed height and density of the GCG Project in the PNF/ENF remains a significant issue for many in the adjacent West End, North End and Beacon Hill residential communities in particular, primarily because of the potential adverse impacts that the two towers at this location could have on the public and private properties in these neighborhoods. These impacts certainly include longer and lengthier shadows in certain neighborhoods; but they could also involve wind, noise, view and transportation effects that could impact their quality of life, both during construction and/or more permanently. All of these matters obviously must be addressed within the DPIR/DEIR scope and process, based on more final architectural designs, and with more specificity and greater detail on building height, massing and orientation.

In the PNF/ENF, we were presented with the conceptual designs that emerged from the series of six preliminary public meetings, which are far short of the final architectural designs that will be prepared during the DPIR/DEIR stage of planning and permitting. And thus far we have nothing in the way of designs from the new project architect, Cook + Fox, beyond the conceptual designs that they presented in the design competition. But even at this preliminary stage, we know that the project will likely have two tower elements of very significant height – probably in the range of 550 and 700 feet respectively – and that the project as a whole will include almost 4Msf of space.

What is not well explained in the PNF/ENF is the underlying economic rationale for the height and density that is being proposed. That rationale is very relevant in terms of community reaction to this project, because there is little support for a level of height and density beyond what is economically required to justify and sustain the redevelopment of the site, even among those whom height and density in an urban context is less of an issue.

In the case of the GCG Project -- as was discussed somewhat in the community meetings, but not at all in the PNF/ENF -- the proposed density and related height are primarily a function of the value of the existing asset: a profitable parking and office complex that generates a substantial cash flow as it stands. The combination of that ongoing cash flow and the long-term development potential of the site resulted in a sale price of \$243M when this property was purchased two years ago by the current development group.

That presumably accounts for the proposed density, which is also why the proposed density is virtually identical for either the preferred larger development footprint or the existing smaller one. And as a practical matter, the redevelopment of this site needs to perform economically at least as well as the



existing garage in order to justify its demolition; and unless and until that seems likely, it is unlikely that the garage will be replaced.

As reported by the developer at a recent IAG meeting, the detailed economic analysis that justifies the proposed density has been shared with the Boston Redevelopment Authority, which has reviewed and approved it as the basis for the density proposed in the PNF/ENF or will do so within the context of the DPIR/DEIR scope and process. Typically such financial information is treated as confidential in the IAG and community review of such projects; and the IAG and community have not had access to it in this case. The community typically depends on the good judgment of the BRA to validate height and density requirements and projections; but in this case, we would recommend and request that as part of the DPIR/DEIR scope and process a serious effort should be made by the developer and/or the BRA to explain these critical economic relationships to the community in a manner that does not violate the appropriate confidentiality of project financial information.

This is especially important for those who want the garage demolished, but who are also understandably concerned about the proposed density and height of the new project. If that height and density is seen as the necessary means to the desired end of demolishing the garage, it is more likely to be acceptable; but if it thought to exceed what is reasonably required for that purpose, it is quite likely to be unacceptable – at least to that extent.

For a project of the scale and significance of the GCG Project -- one that will surely have serious consequences for the surrounding communities, and one that would surely benefit from their support – there has to be some way to explain why and how the proposed height and density is required. That height and density may still be problematic for many; but at least it will be understood by all concerned.

**WHAT TYPE OF DEVELOPMENT SHOULD IT BE?** The crucial GCG site is at the nexus of six downtown communities: North End, West End, Beacon Hill, Government Center, the Financial District and Faneuil Hall Marketplace – and possibly Downtown Crossing as well; and its redevelopment would provide both the opportunity and the obligation to leverage and strengthen the special assets of each of these successful and urban districts. In that context, the current garage should be replaced with a mix of forms and uses that reflect and reinforce the communities that surround the site and should be reconnected through it.

A new crossroads district would integrate the forms and the functions of these adjacent sectors, would leverage their variety and vitality, would acknowledge their strengths and differences, would respect their organizations and institutions, and would support their goals and priorities. If and when that is accomplished in the redevelopment of the GCG site, the result will complement rather than compete with our existing downtown communities; and that is the only acceptable goal and outcome of the proposed GCG redevelopment.

That overall objective suggests a series of urban design and development recommendations that might include the following:

- ❖ **With Respect to Form:** The architectural characters of the surrounding districts are often quite different from each other; and those differences need to be acknowledged and accommodated in the redevelopment of the GCG site. The North End, Beacon Hill, Bulfinch Triangle and Faneuil Hall districts are generally lower-rise and more traditional in form, whereas the Financial District, Government Center and major parts of the West End are much more modern and often higher-rise. While a case can be made for one or the other of these two architectural approaches on the GCG site, as well as for a much more contemporary architectural strategy, there are real advantages to a thoughtful and synthesized architectural strategy, given its actual community context.

Such a synthesized strategy has emerged from the six preliminary public meetings on this project; and it has taken the form of a conceptual design that contemplates lower-rise development east of Congress Street – closest to the North End and Bulfinch Triangle and of a comparable height and massing. And for the portion of the GCG site west of Congress Street, it proposes a podium base, which allows each of perimeters of the project to also be developed on a scale and of an architectural character compatible with the adjacent community -- with the high-rise elements emerging from that lower-rise podium base and generally setting-back from the street. While the project design details, including height and massing, will be developed as part of the DPIR/DEIR scope and process, this general design approach appears to be viable. And in view of the results of the public meetings to date, we would recommend and request that the DPIR/DEIR scope and process should be based upon the hybrid architectural approach outlined in the PNF/ENF.

- ❖ **With Respect to Function:** As suggested in the PNF/ENF, it seems clear that the GCG project should involve a broad mix of uses, as do many of the surrounding districts -- and certainly as are all of the surrounding districts taken as a whole. Such a mixed-use approach provides the greatest opportunity to integrate those communities into functional fabric of the new complex. And in that context, we would suggest the following more specific goals and priorities as among those that should be considered and evaluated within the DPIR/DEIR scope and process:

- **Residential Uses:** Residential uses should be an essential and substantial element of this new complex, just as they are a defining characteristic of the closest adjacent neighborhoods. While it goes without saying that such residential uses must have significant affordable and accessible components, far preferably on-site, as already required by the guidelines and requirements of the City of Boston, it should also be emphasized that proposed residential units should be of a size, design and variety suitable to accommodate the range of residents already evident in the surrounding communities. These should include:

⇒ *Homes for Younger Families with Children:* Younger families with children are a valued and once again growing segment of the downtown population in the North End, West End and Beacon Hill -- which is why parents and other residents of these neighborhoods have organized in support of a new public elementary school; but there are relatively few larger housing options in and around these communities to attract and retain such families. The GCG Project, however, is flexible enough to permit the development of a sufficient number of 2-bedroom and 3-bedroom units with family-friendly amenities to make a positive and

significant difference in that regard; and the design and development, marketing and management of such family units should be a project goal and priority from the outset.

- ⇒ *Units for Older Individuals and Families:* Beyond a shared community goal of retaining younger families with children, there is the equally important goal of retaining our older neighborhood residents, for some of whom either the West End, North End or Beacon Hill has been a long-time, even a life-time, home. Some older residents are being displaced for economic reasons; and still others are being displaced due to the diminished health or physical capabilities of one or more older family members.

Beyond any required affordable and accessible units that might be targeted to older individuals or families, attention should also be paid to planning, designing, marketing and managing units that generally allow people to age-in-place. As noted by the developer in the preliminary public meetings, this could include the option of assisted-living units to complement those intended for independent living; and it should also include facilitating the supportive services of a neighborhood-based organization like Beacon Hill Village -- <http://www.beaconhillvillage.org>. Such a combination of adaptable facilities and social support is precisely what is needed and often lacking in the downtown communities; and the GCG project could and should help to ameliorate that situation.

- ⇒ *Live/Work Spaces:* There have always been those in our exceptionally convenient urban neighborhoods who have lived and worked in the same space; and the GCG project could be particularly well located and otherwise well suited for this purpose. Such residents have typically included various creative types, but they increasingly include others whose work relates to the surrounding financial, medical, government, professional and hospitality sectors. Such residents would add variety and vitality to the GCG complex and to the community, providing an interesting and important 24/7 presence; and they should be among the type of residents that this project is designed and marketed to attract.
- ⇒ *Other Workforce Development Options:* Among the other goals for the residential element of the GCG project might be included targeting the affordable housing component to attract those for whom this downtown location might be particularly well suited. That might well include newer teachers, police officers, firefighters and other public sector employees who work downtown, as well as medical personnel and hospitality staff in the private sector who work in our many nearby hospitals and hotels. Many of these individuals either work on evening or night shifts and/or need to be available for additional work after normal business hours; and for any such people, a residence within walking distance would be a major advantage for all concerned.

We recommend and request that these specific types of residential uses be included among those considered and evaluated in the DPIR/DEIR scope and process. We further suggest that in the planning and design of all of the proposed residential units, serious attention should also be paid to the principles of *universal design*, which represent an equitable and progressive approach to

improved accessibility for all and over time. Universal design can well be viewed as another essential dimension of project sustainability; and among the most informed and influential proponents and practitioners of universal design is the *Institute for Human Centered Design*, which is headquartered at 200 Portland Street in the nearby Bulfinch Triangle. An important part of the community outreach for this project should be involving them in a substantive way in the planning and evaluation of this major new project.

- **Retail, Hospitality, Entertainment and Cultural Uses:** The GCG is strategically located for a variety of retail, hospitality, entertainment and cultural uses. It is equidistant between the two largest visitor and tourist attractions in New England: TD Banknorth Garden and Faneuil Hall Marketplace, both of which are within easy walking distance. Now that the Central Artery has been removed as a physical and visual barrier between them, these two destinations are increasingly functioning as elements of a single visitor and tourist, cultural and recreational sector. The growth and development of retail, hospitality, entertainment and cultural uses on-site at the GCG Project should be planned and marketed not only with reference to such established destinations, but preferably in consultation and coordination with them, and with the others that depend upon them in the surrounding communities.

In that regard, it should also be emphasized that there are other commercial interests in the surrounding communities that will be significantly affected by the proposed GCG Project, for better or for worse. These interests include our hotels, bars, restaurants, parking lots and other retail and service establishments, most of whom are smaller owners and operators with deep local roots. As with the residential community, it is incumbent on all concerned to assure that potential project effects on such interests are acknowledged and identified, with the objective of enhancing those effects on the upside and minimizing them on the downside. Such commercial issues/opportunities should likewise be an important part of the DPIR/DEIR scope and process, since such effects are also an important part of the potential range of community benefits and burdens of this project. The goal should be, wherever and whenever possible, to plan and promote the GCG Project as a complement -- and not a competitor -- to local commercial interests.

- **Office and Related Uses:** In terms of potential office uses, the established professional, institutional and commercial sectors in the surrounding communities that intersect at this central site should offer a sense not only of possibility, but also of direction, for the GCG site itself. These include:
  - ⇒ The largest business and professional sector in New England concentrated in the Financial District, with its established array of legal, banking, accounting, insurance, entrepreneurial and venture capital skills and resources.
  - ⇒ A world-class medical sector in the West End, featuring Partners Health Care and including a series of other specialized hospitals and research institutes.
  - ⇒ An esteemed and extensive academic sector on and around Beacon Hill and Downtown Crossing, which includes Suffolk University and Emerson College, with MIT within

convenient walking distance across Longfellow Bridge, and Harvard University, Boston University, Boston College and the University of Massachusetts among a host of others within convenient transit distance.

⇒ The principal seats of government for both the City of Boston and the Commonwealth of Massachusetts, and a related constellation of federal, state and city government agencies and facilities.

The convergence of this remarkable range of economic and institutional assets would support development of the GCG site as dynamic and identifiable new office district and destination. These multi-disciplinary skills and resources could well be coalesced into a world-class and world-linked center of collaboration, innovation and entrepreneurship based on a symbiotic relationship with what already exists all around it. And given its location at the potential nexus of excellence and expertise in the medical, research, technical, financial, banking, insurance, legal and communications fields, the GCG site would appear to be exceptionally well positioned – perhaps uniquely so -- to become a new focal point for life sciences in the 21<sup>st</sup> Century.

- ❖ **Civic and Public Uses:** For the same reasons that the GCG site is exceptionally well located for residential, office, retail and other uses, it is also well located for the civic and other public uses that make for a complete and successful urban community. Such uses could certainly include a police station, a public elementary school and a YMCA, which are suggested as possibilities herein and elsewhere; but this site could also well serve other public purposes, including those of the existing social service activities that may be displaced by this development and should be accommodated elsewhere on-site or in the area.

Perhaps even more fundamentally, the GCG Project itself should be viewed as a public amenity for the region and for the surrounding communities. The goal should be to design and program this project with a view to making public uses inherent from the outset. Public use should be design and built into the project, rather than appended to it. And the reality and perception of that kind of public accessibility and utility is as much a part of making this an environmentally sustainable project -- perhaps even a beloved one – as is all of the energy engineering that is already planned. It should be so in much the same way that Rowes Wharf, for example, has become an important public amenity for the region and for the surrounding communities. In terms of both its design and use, it should function in an open and accessible way that embraces the surrounding communities and invites them in as well.

That quality is what will make this project a community crossroads and a neighborhood connection. The public needs to be able to go into and through it, not just around it; we should be able to use it, not just view it; and the distinction between public and private property should be attractively and intentionally unclear – much as it is with Rowes Wharf.

As now conceived, for example, behind the perimeter uses that would surround the GCG parcel west

of Congress Street, all of which are meant to be invitingly public, there is the roof of the podium that contains the on-site parking. That space provides an opportunity to create a range of public uses and destinations, which could actually extend the green-space ambience of the Greenway onto the site. Some but not all such uses could be commercial in nature; and any and all of which could create attractive new public vistas on the Kennedy Greenway.

Likewise other upper floor and rooftop uses throughout the complex could accommodate publicly accessible facilities -- health clubs, restaurants, meeting rooms, community spaces, viewing pavilions -- that could offer remarkable views and convert the exceptional height of some of these buildings into an active and attractive public resource, at least in significant part.

The GCG Project implicit in the PNF/ENF is one of great promise and potential, with all that is required to create a vibrant, varied, successful and sustainable mixed-use community. As specifically described in the PNF/ENF, however, it relies most heavily on office uses -- with both proposed towers exclusively devoted to such purposes; and it devotes relatively little attention to most other uses. The DPIR/DEIR scope needs to focus more specifically on the full range of potential public and private uses and the optimal balance among them. What should emerge from such a DPIR/DEIR process is a coherent and persuasive assessment of the unique role that this development will play, not just with regard to the adjacent neighborhoods, but also within the context of the City of Boston and perhaps well beyond.

***SHOULD IT BE DEVELOPED ON THE LARGER OR SMALLER FOOTPRINT?*** As well described in the PNF/ENF and in the public meetings to date, the preferred development site for the GCG Project includes approximately two acres of primarily public property not now owned by or committed to the developer. This property would expand the GCG Project development site already owned by the developer by about 43% -- from about 176.5 Ksf to 253.0 Ksf in area.

As also clearly noted in the PNF/ENF and in the public meetings to date, we fully understand that any such site expansion would require a separate public disposition and valuation process, which has been neither commenced nor promised. We would also emphasize, as has likewise been widely discussed, that any such expansion should further require the satisfactory resolution of facility replacement and/or relocation issues involving the important public, non-profit and private functions that are now and have long accommodated in the area west of Bowker Street. With those significant qualifications, we would support favorable consideration of the expanded development site as part of the DPIR/DEIR scope and process for the following reasons, each of which is important and in combination make the case for the preferred development site quite compelling from a community perspective.

- ❖ **More Attractive and Acceptable Project Massing:** As described in the PNF/ENF, the difference between the project massing outcomes of the preferred option as compared to the smaller alternative results almost completely from the relative advantages of distributing virtually identical density over a larger development footprint, rather than a smaller one. As discussed above, for the developer, the project density required in this case is primarily dictated by the economics of replacing the garage, rather than by the size of the available development site. Limiting proposed development to the existing GCG site would necessarily result in much smaller distances between generally much taller

buildings, making for a much less contextual, permeable and attractive project massing overall.

In virtually every respect, the more constrained alternative would exacerbate community concerns about the potential burdens of the GCG development, without affording any offsetting community benefits. Quite the contrary, it would preclude consideration of lower buildings east of Congress Street and around the perimeter of the parking podium, both of which had emerged as urban design goals from the preliminary public meetings and were reflected in the PNF/ENF conceptual designs.

- ❖ **The Availability of Interim Parking:** The implications of the GCG Project for the availability of public parking in this general area – which is discussed in more detail elsewhere in these comments -- has been among the most controversial elements of project planning and permitting this far. As outlined in the PNF/ENF, and in response to community concerns in this regard, proposed project phasing on the larger preferred site allows for maintaining almost half of the existing GCG 2,310 parking spaces. This would exceed the 700 spaces now available for transient public parking during the day; and it would also accommodate patron parking for most of TD Banknorth Garden events. The smaller development footprint would simply not permit such project phasing; and it would thus effectively preclude an interim-parking plan on-site. That would result in unacceptable parking consequences during a period of project construction that is likely to be disruptive in any event.

- ❖ **Improved Urban Design/Development Outcomes:** Although the area west of Bowker Street that would be included in the GCG Project preferred development site accommodates important public and private functions that would need to be addressed and resolved in the DPIR/DEIR scope and process, it is clearly under-developed and under-utilized as compared to the surrounding area. It is isolated from that area due to circuitous pedestrian and vehicular circulation patterns and due to the parking, access and security needs of the BPD Area A-1 headquarters building. And this area would become even more anomalous with the independent development of the adjacent GCG property.

In that larger urban design and development context, it would be preferable to encompass this area into an improved and integrated new district plan that would physically and functionally re-connect it with the surrounding downtown communities. As was discussed in the recent preliminary Boston Civic Design Commission consideration of this project, the obligation that the developer would have to assume to accomplish those important urban design and development objectives – which would likely not otherwise be achieved in a timely manner – would be another reason to include this property within the development site.

- ❖ **Enhanced Community Benefit Opportunities and Obligations:** As has been widely discussed throughout the preliminary public meetings, the GCG Project could well provide the opportunity to develop new public facilities that are badly needed and otherwise not likely. These include a new police station, which is already described in the PNF/ENF; perhaps a new public elementary school, which is more extensively discussed elsewhere in these comments; and perhaps a new YMCA, which is also discussed herein.

- ❖ It is likely that none of opportunities would be available on the smaller site; and they would not only be physically possible, but they would be politically advisable and appropriate for the larger site, given the primarily public ownership of this additional property. On that basis, there are both enhanced community-benefit opportunities and obligations inherent in the preferred site that make it far more attractive from a community perspective.
- ❖ **Advanced Environmental Engineering Possibilities:** Among the many interesting energy conservation strategies that have been described in the most recent public meetings on the GCG Project by Cook + Fox, most significant is the possibility of an on-site co-generation plant that could save as much as 70% of the usual energy demand for such a project. That very timely and attractive option is only possible on the larger preferred development site.

***WHAT MAJOR COMMUNITY BENEFITS COULD/SHOULD THE REDEVELOPMENT PROCESS CREATE?***

In addition to the benefits that the project itself could afford – e.g., additional residential, retail, employment and commercial opportunities, continued public parking availability, improved urban design and streetscape conditions – there have been three important community-benefit possibilities that have been proposed on or around the GCG site. The first of these is a new police station, which was explicitly referenced in the PNF/ENF and will undoubtedly be done if the preferred larger development footprint should become available. The other two possibilities were not referenced in the PNF/ENF, but they were discussed in the preliminary public meetings; and in our view, both of these possibilities should be explicitly included with the DPIR/DEIR scope and process since each could make a major contribution to the quality of life in the adjacent West End, North End and Beacon Hill neighborhoods:

- ❖ **The Option of a New Public Elementary School:** As has been suggested previously herein, inclusion of the adjacent public property and air-rights within the development footprint of the existing GCG site offers both the opportunity and the obligation for the developer to provide greater public and community benefits than would otherwise be either possible or required as a consequence of the redevelopment of the GCG site alone. It would specifically allow serious consideration of the planning and development of a new public elementary school as a direct result of this project.

Based in large part on the attractiveness of the successful, but oversubscribed, Quincy and Eliot Schools, a new public elementary school that would serve, among others, the significant and expanding number of younger children now growing-up in the West End, North End and Beacon Hill neighborhoods has become an increasingly urgent and important community goal for the parents and other residents of these thriving downtown neighborhoods. The possibility that redevelopment of the GCG site might accommodate or otherwise accelerate the development of such a new school was raised by the community in the series of six preliminary public meetings on the GCG project. And that possibility has served to coalesce a growing multi-neighborhood parents group known as the *Coalition for Public Education* in order to advocate for a new school on or around the GCG site.

While many school advocates were quite hopeful that the option of a new public elementary school would be explicitly referenced in the GCG/PNF itself, all concerned were aware that the need for a



new public school was not a matter that could be independently determined by the community, much less the GCG Project developer. It requires a public decision by the Boston School Department and the Mayor, among others; and no such decision had then been made or was necessarily expected given the severe and worsening fiscal constraints facing the City of Boston and the Boston School Department as a result of our national economic crisis.

Since the PNF was published, however, the *Coalition for Public Education* has had two very productive meetings with Mayor Menino and School Superintendent Johnson; and the Mayor has now appointed an inter-departmental working group, which includes representatives of the Boston School Department, the Boston Redevelopment Authority and the City of Boston, to determine the extent of the need for a new public elementary school in downtown Boston. That initiative has also been publicly supported by City Council President Michael Ross, among others.

But even if this public process reaches a positive conclusion about the need for a school, as now seems increasingly likely, it is even more likely that the Boston School Department will not have funds to build such a facility, especially if that process follows the usual course of public school planning, design, funding and construction. Given current economic circumstances, if a new public school is going to be built in the foreseeable future, some creative and collaborative approaches would almost certainly be required.

We believe that the nature, scope and schedule of the GCG redevelopment might well offer such an innovative opportunity, perhaps uniquely so. And while the optimal mix of architectural, logistical, financial and other development strategies that would be appropriate and advisable for this task has yet to be defined, we also believe that those strategies could and should be identified and evaluated as an explicit and important component of the DPIR scope for the GCG project.

And while an explicit reference to the school option may have been premature at the PNF/ENF stage of the process, the recent public actions of the Mayor now make such a scope at the DPIR/DEIR stage both timely and relevant – and arguably essential. Any such DPIR/DEIR scope would necessarily be contingent on a positive conclusion from the public process – i.e., it would involve a *what-if* scenario. If the public process determines that a new school in this vicinity is needed, the question for the GCG Project would be what could and should be done in the continuing planning and permitting of the GCG project to satisfy that need – and how and where could that be best be done. At this stage in the process, a DPIR/DEIR scope with respect to the school option should be both open-ended and open-minded. There should be no foregone conclusions with respect to whether, where or how a new school might be developed as a consequence of the GCG project. Without presuming to suggest the parameters of such a DPIR scope, much less to presuppose its outcome -- the following could be among the range of options that might be considered in a variety of possible combinations and permutations:

- **Developer Design/Finance/Build:** The developer could design, finance and build a school facility to the specifications of the Boston School Department and then lease that facility to the School Department. This approach would minimize or eliminate the need for a major public

capital budget commitment in this problematic public funding situation; and a lease could be done in the most cost-effective manner for all concerned. Although this could work either on-site or off-site, given the economies of scale of the GCG project, as well as the potential efficiencies of an integrated design, financing and construction process, the cost of an integrated public school facility would appear to be less than for a separate facility, particularly one planned and built in accordance with normal planning and procurement procedures.

- **Developer Operate/Maintain:** Particularly for an on-site school facility, the developer could also provide facility management, maintenance and security services and staff at reasonable cost as part of the management and maintenance of the GCG complex as a whole. This approach could also benefit from economies of scale and the potential synergy of shared infrastructure within a larger complex designed, built and operated to the highest contemporary standards of financial and environmental performance -- e.g., efficient mechanical, electrical and plumbing equipment; state-of-the-art energy systems; and advanced security and communications networks.
- **Other Shared Facilities:** If a school were to be located on-site, the developer and the School Department might also cost-effectively share other facilities -- e.g., outdoor and other recreational amenities; lobbies and other common areas; office/conference/administrative spaces; and combined parking, service and loading facilities.
- **The YMCA Option:** If the YMCA is developed anywhere in the vicinity, it could be designed and operated to provide shared athletic and recreational facilities and services for a school.
- **A Public Financing Option:** The City of Boston and/or other city or state public agencies or authorities could provide or facilitate lower-cost and/or tax-free municipal financing to reduce the financing costs of a public school component of the GCG development.
- **City Lease to Own:** A lease arrangement could be structured to allow the City of Boston and/or the Boston School Department to own the school as a condominium at the end of an agreed-upon lease term.
- **Public Land Contribution:** The market value of the adjacent public property, which is now being planned as a possible component of the GCG development, could/should be used to reduce the cost of a new public school -- and/or the new police station that is also being contemplated.
- **Other Project Subsidies:** Without advocating for such an outcome, since they all represent worthy goals in their own right, some or all of the other linkage and project mitigation payments that will be required of this project in any event could be utilized to underwrite/reduce the cost of a new public school, either on-site or off-site.
- **Project-Generated Real Estate Tax Revenues:** It is estimated that at full build-out as now proposed in the PNF/ENF, the redeveloped GCG site will generate in current dollars \$40M +/-

of new annual real estate taxes, which will be available for any number of worthy public purposes, including but not limited to the operation of school facilities here and/or elsewhere in Boston.

- **Other Public/Private Possibilities:** It might also be possible/advisable for the City of Boston and/or the Boston School Department to consider leasing office space in the larger GCG complex in order to replace/relocate some of their existing facilities. This might allow, for example, the sale of the current Boston School Department headquarters on Court Street, the proceeds of which could be used for any number of worthwhile purposes, including but not limited to building or improving new or existing school facilities throughout the City of Boston.

The above list is meant to be suggestive, and is neither exhaustive nor definitive; but hopefully it does indicate the range of possibilities that could emerge from a GCG planning and permitting process that formally contemplates the option of a new public elementary school. Making that option part of the DPIR/DEIR scope would allow the GCG development team, working with the City and the community, to bring to this effort not only invaluable experience and professional expertise, but also substantial, relevant and timely development resources.

- ❖ **With Respect to YMCA Issues/Opportunities On or Around Parcel 6:** A new YMCA continues to be one of the most valued and substantial community benefits of the CAT Project; and it has long been a shared goal of the North End, West End and Beacon Hill communities, among others. It was explicitly referenced as an important community amenity in the development guidelines prepared to attract new residential and commercial development to the adjacent Bulfinch Triangle. On that basis, it is clearly incumbent on the GCG Project avoid compromising the viability of the YMCA project; and hopefully, the GCG Project can facilitate the YMCA in whatever way it reasonably can.

At present, there remains serious and continuing concern about whether and how a new YMCA facility can be developed on the adjacent CAT Parcel 6, a complicated ramp parcel that has long been known to present very challenging accessibility and constructability problems. At one point in recent years, the YMCA announced plans to cancel the project for these and other reasons. And notwithstanding the consequent and critical support of our elected state officials, who were able to secure funds for on-site infrastructure improvements, the continuing lack of public progress on this project tends to suggest that Parcel 6 might not prove to be a viable option for this valued new facility. And even if Parcel 6 might eventually prove to be feasible, it could be many more years before that possibility becomes realistic; and it is quite unlikely that in the normal course of events, this matter will be resolved before this DPIR/DEIR process is complete.

For that reason, we would propose that the possibility that Parcel 6 cannot be redeveloped for this purpose should be addressed in the context of the DPIR/DEIR process for the GCG project, with the advice and consent of the YMCA itself. Specifically, we would recommend and request that, in the continued absence of a reliable funding/development strategy and schedule to move forward with the YMCA on Parcel 6, the DPIR/DEIR for the GCG project should include contingency plans for the development of the YMCA as an integral element of the GCG Project itself.

If that is to be seriously considered, such a course of action would have to be evaluated at this preliminary stage in the planning and permitting of the GCG project; and it would have to be done pursuant to agreed-upon financial and lease arrangements between the YMCA and the GCG developer. But if feasible and agreeable, such a strategy would avoid the Parcel 6 accessibility and constructability problems, along with their adverse financial and operational consequences. It could also allow the YMCA facilities to be designed, sited, managed and marketed both as a community and a tenant amenity – hopefully including students in a new public elementary school, which could be planned/designed in coordination with the new YMCA as well.

This contingent approach should also include identifying alternative open space designs and uses for Parcel 6 itself. These could take advantage of the public funds now available for covering this ramp parcel; and in this alternative, such a ramp cover could be sited and designed to minimize its height and profile and to enhance its usefulness and attractiveness in the context of the GCG project, the Kennedy Greenway and the adjacent neighborhoods.

That could include, for example, the possibility of a tiered amphitheatre that would extend and embrace the Greenway, provide an outlook on the new parks to the south and the new bridge to the north, and be available for civic and social events, artistic displays and performances, and outdoor market activities that would link the Cross Street and Blackstone Street merchants. Such an open space design and use might afford more breathing room and better view corridors between the North End and West End and to/from the GCG Project itself.

**WHAT WOULD BE THE TRANSPORTATION IMPACTS?** As was noted in the IAG comments, with which we fully concur, there are four major categories of potential transportation impacts that are of particular concern to the community, each of which needs to be more thoroughly addressed and fully resolved in the DPIR/DEIR:

- ❖ *Vehicular Circulation:* Given the size and density of the proposed GCG development, it seems inevitable that there will be additional vehicular traffic to and through the area; and it is essential that the new roadway system that will be created by the project will facilitate the flow of that traffic and not contribute to bottlenecks or congestion in and around the area. This is primarily a concern at peak commuting periods; but it also needs to be modeled for off-peak periods as well to assure that vehicular circulation will not become problematic during evenings and weekends, which is also the time when TD Banknorth Garden events typically occur.

Of particular concern in both peak and off-peak periods is the degree to which, on the downside, the additional vehicular traffic that will be generated by this project will increase the use of already congested neighborhood streets for regional traffic purposes and/or on the upside, the degree to which better regional traffic circulation might actually improve the local situation in that regard. A relevant issue in this regard is the future capacity of roadways like New Sudbury Street, which now carries substantial volumes of regional and would be significantly narrowed under the conceptual plan shown in the PNF/ENF.

- ❖ *Pedestrian Circulation:* Likewise, there needs to be a comprehensive projection and evaluation of future pedestrian circulation, for both regional and neighborhood purposes and in both peak and off-peak commuting purposes. In many respects, pedestrian circulation is more relevant and important since walking is the mode of choice for most neighborhood residents and most commuters once they reach the city. That analysis should include pedestrian volumes to and through the GCG Project itself, to/from North Station, and to/from TD Banknorth Garden.

But they should also take into account the new pedestrian routes that will become available in and around the area – e.g., the opening of Valenti Way through the Bulfinch Triangle, thereby better linking the North End, West End and Beacon Hill; the new supermarket that is planned for that vicinity; pedestrian circulation around the bus station; and the increased use of the more open and accessible Bowker, Congress and Blackstone Streets, which will afford multi-modal circulation options that are now available or are not presently active and attractive or safe and secure. In many cases, these pedestrian volumes cannot easily be extrapolated from past and present conditions, because some of these links do not now exist; but they are critical to an understanding of pedestrian and other connections in both peak and off-peak conditions in the future. They are also critically important to realizing a basic goal of the GCG Project, which is improved connections among the many downtown neighborhoods and districts.

- ❖ *Service/Loading and Pick-Up/Drop-Off Requirements:* Where the service and loading and pick-up and drop-off needs of a facility of this size are located and how and when they function obviously need to be specifically and satisfactorily addressed though the DPIR/DEIR scope and process:
  - The need to identify and minimize any adverse impacts from such service/loading and/or pick-up/drop-off activities on vehicular and pedestrian circulation patterns generally, particularly if those impacts might exacerbate traffic conditions in the neighborhoods or along the Kennedy Greenway and/or if they compromise desired links among surrounding downtown communities. From the conceptual design, one might conclude that this could be a particular challenge on Bowker Street and on the eastern perimeter of the site, in and around the MBTA bus facilities, as further discussed below.
  - The need to identify the special service/loading and pick-up/drop-off requirements of any public purposes proposed for the site – e.g., a new police station and/or a new public elementary school and/or a new YMCA. The siting and operation of any such facilities will require exceptional attention to these variables if they are to be viable in this vicinity.
- ❖ *MBTA Transit Operations:* The effective integration and efficient operation of on-site transit is an especially important aspect of the GCG Project, which is expected to be an exceptionally transit-oriented development site. With the full participation of relevant MBTA staff, this matter needs considerably more definitive attention in the DPIR/DEIR scope and process than has thus far been evident in the PNF/ENF. There are two important challenges in this regard:

- *Surface Bus Operations:* It is not clear in the PNF/ENF how the existing surface bus operations will be integrated into the development of the buildings east of Congress Street. Beyond the fact that the new building will provide a cover over these operations, there is little indication how they will be organized, how they will relate to on-site transit facilities, and whether they will have a capacity for future growth, which will be required by the new development itself. Also of concern in this regard is how these bus operations will be compatible with other vehicular and pedestrian circulation along the eastern perimeter of the GCG development, currently somewhat unpredictable, unattractive and unsafe.

To assure that this matters will be fully addressed, it is essential that MBTA operations, planning and real estate staff and consultants become more actively, visibly and vocally involved in the community planning process for the GCG project. We make this initial point with full confidence that the MBTA is more than ready, willing and able to do just that. Our confidence is based on the invaluable and continuing role that both the MBTA and Transit Realty Associates (TRA) have played in the long and collaborative process of planning, permitting and redeveloping the MBTA parcels in the Bulfinch Triangle. When the MBTA and TRA become more fully involved in the ongoing collaborative planning process for the GCG, we believe that new planning and development options can be considered that might substantially improve MTA operations and facilities at this location. This would include more effectively, efficiently and attractively integrating those operations and facilities into the larger GCG complex -- and into the larger community; and such options should be defined and evaluated as part of the DPIR/DEIR for this project.

- *Underground Transit Operations:* Beyond the question of how the Green Line and Orange Line facilities that pass under the GCG site will relate to the surface bus operations on-site and to the development itself, there needs to be a clear and convincing demonstration that these facilities will be capable of handling the additional demand that will be placed upon them by this development.

This would appear to be particularly relevant to the Green Line trolley operation, for which service and capacity challenges are recurring issues that could be further complicated by the proposed extension of the Green Line to Somerville and Medford. While these are not necessarily intractable problems -- indeed, they are quite similar to the transit challenges at the expanding Prudential Center complex, which could be instructive -- the IAG would emphasize the importance of addressing and resolving these capacity issues through the DPIR/DEIR scope and process, if the transit-oriented expectations and capabilities of the GCG site are to be verified and sustained over time.

**HOW MUCH PARKING SHOULD BE RETAINED ON SITE?** Parking has been among the most controversial and polarizing issues addressed in the GCG Project discussion thus far. For purposes of that discussion, the PNF/ENF contemplates 2,000 spaces -- 310 fewer than in the existing garage. Some believe that number to be wholly inadequate in comparison to the existing situation and in light of the demand created by proposed new development itself; and others consider it quite excessive for such a

quintessentially transit-oriented site. This significant difference of opinion has been reflected both in the preliminary series of six public meetings and in the published public comments on the media coverage of this project. It has clearly yet to be resolved; and it will surely have to be scoped, addressed and finally resolved as part of the DPIR/DEIR process to follow.

The matter is further complicated in this case since some elements of the surrounding communities have transportation needs that are not well or fully served by public transit, which operates on a quite limited schedule in critical off-peak periods. Some of those employed in the many hospitals in the vicinity, as well some of those who staff the numerous local bars, restaurants and hotels, regularly work on evening and/or night schedules that effectively preclude transit use, particularly on weekends. The West End community, with its rapidly growing residential sector, is still the only downtown neighborhood without a resident/visitor on-street parking program; and such programs are inadequate to the need in places like Beacon Hill and the North End, which do have them. In addition, many on-street parking spaces have been temporarily or permanently lost through the several years of public project construction that these communities have more or less patiently endured. All of which confirms the fact that achieving an optimal answer to the parking question for the GCG project will be difficult at best; and a completely satisfactory answer may be all but impossible. We certainly do not propose to suggest the parameters of any such answers herein; but we would suggest a practical approach to that matter -- and perhaps a few of the options that need to be considered -- as we attempt to achieve an acceptable solution through the DPIR scope and process.

From a community perspective, that requires a pragmatic methodology, which begins with the existing situation and works its way systematically to what will accommodate the proposed new development. On that basis, there are three categories of existing parking uses/needs as described in the PNF/ENF that should be individually evaluated in the DPIR:

- ❖ **On-Site Tenants:** There are currently 445 spaces devoted to the EPA tenants in the existing on-site offices, representing approximately 20% of its current capacity. These spaces were made available pursuant to a lease with GSA that dates back several years and is now scheduled to expire in January of 2010. When that lease was first negotiated, such an amenity made a great deal of sense for new offices on top of an existing garage; and it still does for so long as parking is the primary on-site use. For the future, however, the relevant question is to what extent on-site tenant parking is necessary and appropriate for the nature and scope of the new development uses proposed at this particularly transit-oriented site.

That is a question that likely has to be answered somewhat differently for each of the office, residential, hotel, retail, restaurant and other uses that are expected; and it has both economic and environmental dimensions, neither of which can be ignored. Tenant parking is also the category of on-site parking that is arguably most in control of the developer, since it involves tenant amenities and lease requirements that are negotiable and for which there are likely to be instructive precedents in Boston and elsewhere.

In this regard, an instructive local example could be the Prudential Center, which is also surrounded by major downtown neighborhood with their own residential and commercial parking concerns and requirements; and is also accessible by both regional highways and the Purple, Orange and Green Lines, the latter its particular capacity and equipment issues; and contains a major visitor and tourist destination in the Back Bay Convention Center. Perhaps most importantly, the Prudential Center contains the same mix of retail, residential, hotel and office uses; and perhaps most relevantly, those uses have been significantly increased as the complex has been retrofit and expanded over time without a commensurate increase in the level of on-site parking. All of which suggests that its parking experience could be most instructive.

Likewise for recent commercial development experience elsewhere. As reported in a recent GCG community meeting, the architect now selected for the GCG project, Cook + Fox, has quite recently designed the new Bank of America building at One Bryant Park in New York City with no provision for on-site tenant parking. While this is by no means standard practice in Boston, there is also no on-site parking for the new Onyx Hotel in the Bulfinch Triangle as well as for many of the older buildings in this general area; and perhaps this NYC example could also be instructive.

At present, the PNF/ENF projects a future need of 1,400 parking spaces to accommodate the parking needs of the new tenants for the proposed on-site development. That preliminary estimate is based on current Boston Transportation Department standards and guidelines, which may not be relevant or dispositive for the GCG project for at least three reasons:

- Such BTM standards and guidelines are likely to change on the basis of emerging new environmental and political mandates at the city, state and federal level, which will likely tend to discourage automobile use, encourage transit use, and support transit-oriented development.
- There is arguably no more transit-oriented development site in Boston.
- The GCG project aspires to a platinum LEED certification, which will require innovative and proactive transportation strategies and plans, progressive management and marketing policies and practices; and related tenant leases and amenities.

On that basis, it would seem reasonable to expect that even with marketing and competitive considerations taken fully and appropriately into account, the on-site tenant parking provisions that will emerge from the DPIR/DEIR process should be somewhat lower than the standard 1,400 projected in the PNF/ENF – perhaps considerably so. Given both the accessibility and aspirations of the GCG site, it would also seem reasonable to request and expect that such a number should be the result of a zero-budgeting strategy. That is to say, the projected need for tenant parking should be documented and justified from zero spaces up, based on the particular new uses proposed to be developed on this particular site and also with reference to the documented experience of comparable sites.

This total figure would vary with the proposed mix of uses; and it clearly needs to allow for some reasonable margin of error and contingency. But it should be both site-specific and use-specific,



rather than based on generic BTG guidelines. In that event, all concerned will better be able to discuss and understand the rationale for the proposed level of tenant-related parking that emerges from the DPIR/DEIR process and be also assured that those needs are being realistically met in an adequate, but not excessive manner.

- ❖ **Off-Site Monthly Leaseholders:** This category now accounts for about 50% of existing GCG capacity – a total of 1,165 spaces. As documented in PNF/ENF, these parkers primarily include commuters who are employed by organizations in the surrounding area – e.g., Massachusetts General Hospital (253), various state and federal agencies (235) and nearby office buildings (247). While it is not clear from the PNF/ENF whether or how this category of spaces is being retained – e.g., possibly as part of the commercial parking demand -- a relevant question would be how many of these monthly spaces could or should be accommodated elsewhere.

The answer to that question involves both supply and demand considerations. On the supply side, there is the availability of other nearby parking facilities that might be able to accommodate these uses either temporarily or permanently. The most obvious option in that regard would seem to involve the 1,275-space MBTA underground garage on Causeway Street, which is reportedly running at much less than 50% capacity during regular business days. While the use of this facility is complicated by its required availability for the primarily evening and weekend TD Banknorth Garden events, its convenient location and its available capacity would seem to make it suitable for many of the current GCG monthly parking leases. On the demand side, some of the current GCG tenants – e.g., the FBI – are already in the process of relocating from the nearby Center Plaza; and others – e.g., MGH – are involved in master planning processes that could result in their providing more of their own dedicated parking facilities. A systematic exploration of these supply and demand variables should be part of the DPIR/DEIR scope and process and could obviously result in a significant reduction in the total number of on-site parking spaces required for the GCG project.

- ❖ **Commercial/Public Parking:** As documented in the PNF/ENF and elsewhere, the current GCG provides 700 commercial spaces, which account for approximately 30% of its capacity – a number that the PNF/ENF also projects might be reduced by almost 30% to 500, at least for the sake of discussion. For those who have been the most vocal advocates of more on-site parking, it is the quantity of commercial parking that appears to be of most concern, in no small part because its weekday occupancy rate is 684 spaces – almost 98% of capacity.

These commercial spaces tend to serve the transient users who are most likely to patronize one or more of the commercial, professional, business and government establishments in the immediate area, both during the day and evening. These 700 commercial spaces – and frequently more -- are also heavily utilized in the evenings and on weekends by patrons of TD Banknorth Garden events, by out-of-town visitors to local restaurants and to local residents – likely even more so in the future with residential redevelopment of the Bulfinch Triangle, and by the staff of local bars, restaurants and hotels for whom limited on-street parking is becoming increasingly less available – and is virtually non-existent during Garden events.

In sum, these 700 commercial spaces are the ones that are literally and figuratively closest to home for area residents and businesses, which accounts for the persistence and vehemence of their concerns. In that context, and in contrast to new tenant-related parking for the GCG Project – for which we recommended and requested above a zero-budgeting approach in the DPIR/DEIR – we believe that the approach for the existing commercial parking should be the reverse – i.e., any reduction from the existing level of 700 spaces needs to be specifically documented and justified. That should be done with particular attention to nature and extent of local parking needs, to where and how the existing transient demand might be otherwise accommodated, and to the increased transient parking demand that might be generated by other developments in the area and by the proposed new GCG development itself. At this still preliminary stage in the planning process, it is difficult to say what level of on-site commercial parking in the new GCG project garage will be required – and why; and that calculation depends in part on the utilization, pricing and availability variables further discussed below. But the DPIR/DEIR process must address in detail all of these issues and their interaction, so that credible and reliable conclusions are reached that can be discussed and understood by all concerned.

- ❖ **Other Options:** Once an initial determination is made as to how many parking spaces are required in each of the three existing categories described above, those numbers should then be further optimized through both incentive pricing and improved utilization, which could also lead to the possibility of additional community benefits. Among the incentive and utilization opportunities that could/should be defined, detailed and evaluated in the DPIR/DEIR might be included:
  - **Peak-Period Pricing:** Commercial parking in particular could be variably priced in order to discourage use during the periods of greatest demand and encourage it at other times. The parameters for such a program would have to be carefully analyzed and evaluated through the DPIR/DEIR, with particular reference to other cases in which it has been successfully or unsuccessfully implemented; but such an incentive-pricing program it would tend to reduce the number of commercial parking spaces utilized at critical peak-use periods, increase their use in off-peak periods; and in both cases, generate incremental income.
  - **Convertible Tenant Spaces:** While the commercial spaces tend to be heavily utilized during business days and on the evenings and weekend days and evening of TD Banknorth Garden events, most of the tenant spaces, as well current monthly leased spaces, tend not to be used during the evening and overnight hours and on weekends and holidays. As suggested in the PNF/ENF and elsewhere, such spaces could be available for community or other purposes; and the DPIR/DEIR could make more informed and definitive calculations as to how many convertible spaces could be made available for such purposes based on the recommended numbers of tenant and monthly spaces that will actually be required for the future.

Among the community-related parking options that might be considered if sufficient numbers of convertible parking spaces are available – and would address some of the most pressing and persistent concerns of those from the community who are most concerned about the potential

lack of adequate public parking:

- ⇒ *Evening/weekend parking for the patrons of local business and hospitality establishments* based on agreed-upon validation rates, which is already being done to some extent.
- ⇒ *Employee parking*, likewise validated, for those for whom public transit is not a viable option, for reasons noted above.
- ⇒ *Reverse-commuter programs*, which would allow neighborhood residents who work outside of the community to park their cars overnight and on weekends/holidays at significantly reduced monthly rates.
- ⇒ *Resident-visitor parking* for area residents who would be eligible to purchase prepaid discounted coupons for such purposes.

- **Affordable Off-Street Resident Parking:** Such a program could supplement or substitute for the on-street neighborhood-resident parking programs available in neighborhoods other than Downtown North/West End; and an off-street program could be based on the same eligibility standards. Such a resident parking program could be implemented to the extent that available spaces are not required for tenant or other commercial purposes; and/or it might be done as a separate matter specifically for community-benefit purposes.

These kinds of options, and perhaps others yet to be identified, should be explored and evaluated as part of the DPIR/DEIR scope and process. Our assumption is that there is nothing in BTD policies and guidelines that would preclude the kinds of convertible community-oriented parking strategies that are described herein; but that assumption also needs to be verified – and if that is not the case, such policies and guidelines would also need to be addressed.

It should finally be noted that many of the issues referenced above would be greatly exacerbated by the absence of an adequate interim parking plan; and in that event, most of the opportunities suggested would also be either greatly compromised or effectively precluded. For that reason, and for other reasons outlined in the PNF/ENF itself, all of the comments above presume a development footprint that includes the public property and air-rights adjacent to the existing GCG site; and we believe the more constrained site option would be very problematic with respect to its adverse community parking consequences.

**WHAT ABOUT VIEW CORRIDORS?** In response to community requests, the developer has provided increasing numbers of perspectives on the proposed GCG Project from various vantage points at both street-level and from buildings in the surrounding communities. These have been helpful and informative; but they need to be refined and diversified through the DPIR scope and process.

In terms of the surrounding residential neighborhoods, view corridors from the West End and some parts of the North End appear to be most substantially affected. For that reason, we would request that as part of the DPIR/DEIR scope and process, and once the actual architectural designs are more fully evolved,

there should be many more ground-level and building perspectives provided that would illustrate to community residents, from the West End and North End in particular, both what they will see that they do not see now, and what they will not see that they do see now. And in that regard, beyond the height of the proposed new towers, there are critical matters of massing and orientation, that clearly be taken into explicit account in the design of these new buildings and of the complex as a whole.

In addition to view corridors to and through the site from elsewhere, there is also the matter of view corridors from the site in the opposite directions. This is particularly important in light of our suggestion above that the GCG complex as a whole, including its rooftops and higher floors, should become more publicly accessible and useful. In that event, the vistas from this space to the Kennedy Greenway, to Zakim Bridge, and to the communities and to the city and harbor beyond, all become matters of public relevance that should be documented and illustrated through the DPIR/DEIR scope and process.

**WHAT ABOUT CONSTRUCTION?** It is fully expected that the DPIR/DEIR scope and process will include much more information on construction strategies and methodologies in anticipation of a more detailed construction plan to follow. In this case it is critically important for the community to be made aware of construction sequencing and scheduling plans in particular as soon in that is possible given the considerable amount of public and private planning and development that is going on around the site. That is also required for the surrounding communities have just completed over two decades of construction with the CAT and MBTA North Station Improvement Projects and need to be able to prepare for what might follow in this case and when.

**WHAT ABOUT OTHER AREA DEVELOPMENT?** Again as noted in the IAG comment letter, with which we fully concur, the PNF/ENF readily acknowledges that the GCG Project will influence and be influenced by planned and potential developments in the surrounding area; and these influences need to more explicitly defined and further evaluated in the DPIR/DEIR scope and process. Among those that are worthy of mention in this regard are four planning processes that are currently ongoing under the aegis of the BRA:

- ❖ Institutional master planning processes for both Suffolk University (SU) and Massachusetts General Hospital (MGH), both of which directly involve the GCG neighborhoods.
- ❖ Public master planning process for both the Greenway District and the new Green Growth District, both of which include the GCG site in whole or in part.

These planning processes are all timely and relevant for purposes of the GCG Project DPIR/DEIR scope and process, which will be proceeding in most respects parallel with them; and the scoping of the GCG process should make specific reference to those other efforts. The objective should be to assure that these various planning initiatives are coordinated with each other and with the emerging BRA development policies and principles for the area as a whole. If and when the GCG Project is finally approved, there needs to be a more definitive development plan for the surrounding area, of which the GCG Project can be a focal point and catalyst. And in that context, it is incumbent on the BRA to assure that the relevant planning processes progress in a timely fashion.

COMMENDATION & CONCLUSION: Ee would close our comments with the same commendations to the GCG Project development team and to the BRA that were noted in the IAG comments for:

- ❖ *Proactive Community Outreach:* As previously noted, the GCG project was initially presented to the community in an unusual series of six preliminary public meetings, in which all major aspects of project planning and permitting were reviewed and previewed. The results of those interactive and inclusive meetings were generally reflected in the PNF/ENF document, including the conceptual designs included therein. This proactive approach was most welcome, though not unexpected, given the extensive past community involvement of Raymond Property Company, which leads the Bulfinch Congress Holdings, has long owned property on Canal Street, and is a vital part of the Hines Raymond Joint Venture now designated to develop the adjacent Bulfinch Triangle parcel that includes the new supermarket that has long been a community priority. We hope and fully expect that this proactive community outreach and neighborhood participation will continue through the DPIR/DEIR process.
- ❖ *Exceptional Professional Resources:* The community review process has benefited throughout from the participation of a talented and responsive urban planning and design team, featuring Chan, Krieger, Sieniewicz; and it culminated in the selection of a respected project architect, Cook + Fox. That selection followed an unusual design competition funded by the developer, the results of which were shared with the community for review and comment. From a community perspective, this also augurs well for the kind of responsive planning and design of the project that the DPIR/DEIR will require.
- ❖ *Significant Environmental Aspirations:* Although the input of Cook + Fox is not reflected in the PNF/ENF, their more recent presentations to the IAG and the community have outlined some specific energy conservation strategies for the GCG project, including the possibility of an on-site co-generation plant, that would help to attain the desired platinum LEED certification. Those kinds of aspirations and priorities have the full support of the IAG; and hopefully they will set a positive precedent for other projects in Boston and in our own communities.

We hope that these comments from the Downtown North Association will contribute to the refinement and improvement of the GCG Project, which has tremendous potential for our community as well as many issues and opportunities yet to address and resolve; and to that end, we look forward to working with all concerned through the DPIR/DEIR process that will soon ensue.

Sincerely,

Robert B. O'Brien, DNA Executive Director and  
Member of the GCG Project Impact Advisory Group

COMMENDATION & CONCLUSION: We would close our comments with the same commendations to the GCG Project development team and to the BRA that were noted in the IAG comments for:

- ❖ *Proactive Community Outreach:* As previously noted, the GCG project was initially presented to the community in an unusual series of six preliminary public meetings, in which all major aspects of project planning and permitting were reviewed and previewed. The results of those interactive and inclusive meetings were generally reflected in the PNF/ENF document, including the conceptual designs included therein. This proactive approach was most welcome, though not unexpected, given the extensive past community involvement of Raymond Property Company, which leads the Bulfinch Congress Holdings, has long owned property on Canal Street, and is a vital part of the Hines Raymond Joint Venture now designated to develop the adjacent Bulfinch Triangle parcel that includes the new supermarket that has long been a community priority. We hope and fully expect that this proactive community outreach and neighborhood participation will continue through the DPIR/DEIR process.
- ❖ *Exceptional Professional Resources:* The community review process has benefited throughout from the participation of a talented and responsive urban planning and design team, featuring Chan, Krieger, Sieniewicz; and it culminated in the selection of a respected project architect, Cook + Fox. That selection followed an unusual design competition funded by the developer, the results of which were shared with the community for review and comment. From a community perspective, this also augurs well for the kind of responsive planning and design of the project that the DPIR/DEIR will require.
- ❖ *Significant Environmental Aspirations:* Although the input of Cook + Fox is not reflected in the PNF/ENF, their more recent presentations to the IAG and the community have outlined some specific energy conservation strategies for the GCG project, including the possibility of an on-site co-generation plant, that would help to attain the desired platinum LEED certification. Those kinds of aspirations and priorities have the full support of the IAG; and hopefully they will set a positive precedent for other projects in Boston and in our own communities.

We hope that these comments from the Downtown North Association will contribute to the refinement and improvement of the GCG Project, which has tremendous potential for our community as well as many issues and opportunities yet to address and resolve; and to that end, we look forward to working with all concerned through the DPIR/DEIR process that will soon ensue.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert B. O'Brien", enclosed within a large, loopy oval shape.

Robert B. O'Brien, DNA Executive Director and  
Member of the GCG Project Impact Advisory Group

## **DOWNTOWN NORTH ASSOCIATION & COMMUNITY**

*The Downtown North Association (DNA) is a not-for-profit coalition, which represents the business, institutional, professional, recreational and residential interests in the mixed-use community historically known as the West End. It is bounded by City Hall Plaza on the south, Charles River on the north, Beacon Hill on the west and the North End on the east. The purpose of the Association is to encourage and contribute to the continued economic, social and physical revitalization and redevelopment of the Downtown North/West community as a whole. The strategies employed to accomplish that mission include collaborative planning and proactive advocacy regarding the full range of issues and opportunities that challenge and confront our neighborhood, emphasizing communication, coordination and cooperation with the public agencies and private organizations that will influence and facilitate a more cohesive and successful community.*

*The more than one hundred member organizations of the Downtown North Association represent a broad cross-section of the Downtown North/West End community, which encompasses a variety of major districts including:*

- ❖ The residential neighborhood that includes the former Charles River Park, West End Place, the Hawthorne Place, Whittier Place and Strada 234 Condominiums, the Amy Lowell House and the Blackstone as well the new Charles River Plaza retail and office complex, Holiday Inn Select, a major professional building on Staniford Street, the West End Library, Old West Church and the Harrison Gray Otis House.*
- ❖ The Bulfinch Triangle, immediately south of Causeway Street, which is home to most of the retail, bar, restaurant and hotel establishments and professional firms in the area and contains more than five acres of redevelopment parcels to be made available with the demolition of the CAT and Green Line elevated structures.*
- ❖ The North Station Economic Development Area, immediately north of Causeway Street, which includes North Station itself, TD Banknorth Garden, the Tip O'Neill Federal Building, the Causeway/Strada 234 and Lovejoy Wharf buildings, and the southern portal of the Zakim/Bunker Hill Bridge, as well as the major redevelopment parcels on the site of the old Boston Garden.*
- ❖ The adjacent Nashua Street Quadrant, which includes Spaulding Rehabilitation Hospital, the new Nashua Street Residences Project and the new Nashua Meadows Park, as well as a number of important new development parcels.*
- ❖ The medical sector, in the Cambridge Street/Charles Street area, which includes Massachusetts General Hospital, Massachusetts Eye & Ear Infirmary, Shriners Burns Hospital for Children and the Schepkens Eye Research Institute, as well as the new Liberty Hotel & Conference Center in the former Charles Street Jail.*
- ❖ The northern portion of Government Center, which includes the new Edward Brooke Suffolk County Courthouse, the Lindemann Center and Hurley State Office Building, Government Center Garage, the Area A-1 Police Station, the New Chardon Street Post Office, Channel 7, One Bowdoin Place and One Bulfinch Place.*

Kara, Kristin

---

**From:** James Goodfield [jimgoodfield@hotmail.com]  
**Sent:** Friday, April 17, 2009 5:44 PM  
**To:** Kara, Kristin  
**Subject:** Government Center Garage development project

Dear Ms. Kristin:

I wanted to go on record as being **against** the Government Center Garage development project as it is currently envisioned in the Project Notification Form, submitted on March 2, 2009.

The impact on the West End community, where we have lived for the past 10 years would be great. My biggest concerns are the height and mass of the project, and its impact on creating shadows, obscured sight lines, and increased wind currents. I also feel the development's consequence of bringing a significantly higher population into the immediate vicinity of our neighborhood, will create a negative situation because of reduced parking and greater stress on the MBTA facilities, especially the Green line. The current garage structure serves a utilitarian purpose and this neighborhood would not at all benefit from the construction of such a massive development.

Sincerely,  
Jim Goodfield

9 Hawthorne Place - Apt 17M  
Boston, MA 02114

---

Windows Live™: Life without walls. [Check it out.](#)



## Kara, Kristin

---

**From:** Hall, Deborah A., M.D. [DAHALL@PARTNERS.ORG]  
**Sent:** Friday, April 17, 2009 3:09 PM  
**To:** Kara, Kristin  
**Subject:** Gov center plans

As a resident of Strada234 I would prefer to maintain the 2000 parking spaces in the plan. Reducing the number of spaces puts more congestion and traffic on our neighborhood streets. Pedestrian safety is at risk. Thank you. Deborah Hall.  
#1001 Strada 234 Causeway St. Boston

The information in this e-mail is intended only for the person to whom it is addressed. If you believe this e-mail was sent to you in error and the e-mail contains patient information, please contact the Partners Compliance HelpLine at <http://www.partners.org/complianceline> . If the e-mail was sent to you in error but does not contain patient information, please contact the sender and properly dispose of the e-mail.

**Kara, Kristin**

---

**From:** Megan Waters [rubia512@hotmail.com]  
**Sent:** Friday, April 17, 2009 5:55 PM  
**To:** Kara, Kristin  
**Subject:** Comments on Government Center Garage Redevelopment Project

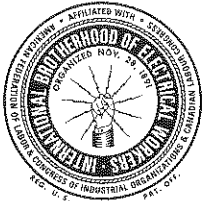
Hello.

I am writing in regards to the loss of parking spaces that we will be facing in the Bullfinch Triangle area. I live in the North End and work at a restaurant on Portland St. As it is now, parking is atrocious. If we were cut down any further, our business would severely suffer. Please reconsider this loss of parking to the area.

Sincerely,  
Megan Hughes  
71 Charter St 5F  
Boston, MA 02113

---

Rediscover Hotmail®: Get e-mail storage that grows with you. [Check it out.](#)



# Local 103 OF GREATER BOSTON

## *International Brotherhood of Electrical Workers*

256 FREEPORT STREET • DORCHESTER, MASSACHUSETTS 02122

TELEPHONE: (617) 436-3710 FAX: (617) 436-3299

TOLL FREE: (800) 218-0075

WEBSITE: [www.the103advantage.com](http://www.the103advantage.com)



April 17, 2009

Mr. John Palmieri, Director  
Boston Redevelopment Authority  
One City Hall Square, 9<sup>th</sup> Floor  
Boston, MA 02201

→ Kara

RE: Government Center Redevelopment  
One Congress Street

Dear Mr. Palmieri:

I am contacting you regarding the proposed One Congress Street Plan. As a member of Local 103 and Business Agent for the Boston area, the proposed plan would not only be an asset to the community but also would help with putting some of our members back to work in these tough economic times.

Raymond Property has been an asset to the hard working men and women of Local 103 and many other Boston Trades' members. Raymond Property allowed the members of Local 103 to earn good wages and benefits when we partner with those who care about not only their bottom line but also their community.

During these tough economic times across our country, there are many people struggling to make ends meet, both employed and unemployed. The Government Center Redevelopment Expansion would create thousands of construction and related jobs for many residents of the City of Boston.

Due to Mayor Menino's strong support of the Boston Resident's job policy, this project would also give an opportunity to Boston's youth in the Building Trades' Apprenticeship Programs to learn a trade for a lifetime.

Also, at a time when every city is faced with increased pension and health care costs for their employees and years of decline in state and federal aid, there is no better time to add another building, which would contribute, via property taxes, to the City of Boston.

Please accept this letter as a formal request to do everything in your power to move this project through the process in a timely manner.

Respectfully,

Donald F. Sheehan  
Business Agent

/jmf

## Kara, Kristin

---

**From:** Peter Mitton [mittop@hotmail.com]  
**Sent:** Friday, April 17, 2009 3:07 PM  
**To:** Kara, Kristin  
**Subject:** Government Center Garage Redevelopment

Kristin,

I am a North End resident, and I wish to make clear my opposition to decreasing public parking at the Government Center Garage as part of the proposed redevelopment plans.

Although I am a strong supporter of redeveloping the structure/area into something far less brutal, the reduction of available parking will have a strong negative impact on the surrounding neighborhood. Some of those effects:

- More expensive parking for Garden events as an already limited parking supply is further restricted.
- More cases of illegal parking in surrounding neighborhoods, displacing legal residents.
- Increased difficulties for customers at local businesses, creating negative economic incentives on already distressed local businesses.

Please consider alternatives in order to ensure that there be no negative net decrease in publicly available parking.

Sincerely,

Peter Mitton  
Boston, MA

---

Rediscover Hotmail®: Get e-mail storage that grows with you. [Check it out.](#)

## Kara, Kristin

---

**From:** Scott Nogueira [scottn@234causewaycondos.com]  
**Sent:** Friday, April 17, 2009 2:29 PM  
**To:** Kara, Kristin  
**Cc:** Scott Nogueira  
**Subject:** Government Center Garage Redevelopment Project -PNF Comments

Dear Kristin,

I am a property owner in the Strada 234 building in the Bulfinch Triangle neighborhood of Boston. I wish to comment on the proposed reduction of public parking in the Government Center Garage Redevelopment Project PNF.

Parking in this neighborhood is already difficult to impossible, and is only exacerbated by the large transient parking needs for Garden events.

Currently there are roughly 2000 spots allocated to public parking in the existing Government Center Garage. According to the garage owners, at the current (pricey) parking rate, peak usage is about 1400-1600 public parkers.

The PNF indicates a drop to 500 public parking spots, leaving a deficit of 900-1100 peak public parking spots in this neighborhood.

This will adversely effect my life, and those of my neighbors in the North and West Ends with this many displaced parkers.

I respectfully request that the city via the BRA and BTB seriously consider whether this drastic change in parking is wise, beneficial or necessary.

I do not support this reduction in public parking.

Sincerely,

Scott D. Nogueira  
Tax Payer and Voter  
234 Causeway St  
Unit 918  
Boston, MA 02114



## NORTH END/WATERFRONT RESIDENTS' ASSOCIATION

P.O. Box 130319  
Boston, MA 02113  
[www.newra.org](http://www.newra.org)

April 17, 2009

Secretary Ian A. Bowles  
EOEEA, Attn: MEPA Office  
Holly Johnson, EOEA No. 14383  
100 Cambridge Street, Suite 900  
Boston MA 02114

John F. Palmieri, Director  
Boston Redevelopment Authority  
Attn: Kristin Kara, Senior Project Manager  
One City Hall Square, 9<sup>th</sup> Floor  
Boston, MA 02201-1007

Subject: Government Center Garage Redevelopment, Boston (EOEA# 14383)

Dear Secretary Bowles and Mr. Palmieri:

The North End/Waterfront Residents' Association (NEWRA) appreciates the opportunity to submit these comments on the Environmental Notification Form (ENF) and the Project Notification Form (PNF) for the Government Center Garage Redevelopment filed by Bulfinch Congress Holdings, LLC (the "Proponent") on March 16, 2009 and March 2, 2009, respectively. As stated in these documents, the Government Center Garage Redevelopment (the "Project") would replace the 4-acre Government Center Garage, which is owned by the Proponent, in its entirety, and potentially also replace adjacent public rights-of-way and City-owned buildings west of Bowker Street totaling 1.58 acres. The Project would create approximately 3.8 million square feet of new "mixed use" development among five major buildings, ranging in height from approximately 60 to 710 feet, including two towers primarily for office use. The Project would include space for office, residential, hotel, and retail uses, as well as space for the surface MBTA Haymarket Station and a relocated District A-1 Police Station. The Project would also include aboveground and underground parking garages totaling approximately 2,000 spaces, 310 fewer than the existing Garage. The Proponent anticipates a 10-year construction period, with completion of the Project by 2020.

The ENF and PNF also present two project alternatives to a conceptual planning level: 1) the No-Build Alternative and 2) an alternative that limits the project site to land presently owned by the Proponent, namely the existing Garage, and does not include the additional properties owned by the City, the Boston Redevelopment Authority (BRA) or NSTAR. Various architectural alternatives for the recommended Project are also depicted in the documents, along with the selected architect's design.

NEWRA does not oppose redevelopment of the Government Center Garage area. However, as a result of the concerns raised and described in our comments below, NEWRA is opposed to the project proposed in the ENF and PNF by Bulfinch Congress Holdings, LLC. Neither the Proponent nor the BRA has yet completed any comprehensive planning to provide the

Secretary Ian A. Bowles, EOEEA  
John F. Palmieri, Director, BRA  
April 17, 2009  
Page 2

information necessary for a reasonable benefit and impact assessment. The BRA only recently began master planning studies that will involve the Garage and surrounding districts, including the Government Center Green Growth District Study and the Greenway Design Study. Moreover, we believe the mixed-use development proposed by Bulfinch Congress Holdings, LLC will have significant adverse impacts with little or no public benefit.

The Project will be the largest in the vicinity of the North End/Waterfront since construction of the Central/Artery project. It will have significant impacts during the 10-year construction period. It will have significant long-term effects to our residential and historical neighborhood, to other adjacent neighborhoods, to the great public investment that is the Rose Fitzgerald Kennedy Greenway, and to the even greater public investment that is the public realm, public facilities and public services of our city's Government Center.

It is imperative that adverse impacts be mitigated, that the public realm and public services be improved and not compromised, and that the Project conform to and promote planning and design standards that protect and enhance our neighborhoods. These should be the goals as the Project is reshaped through the MEPA and Article 80 Large Project reviews and as the related master plans are developed by the BRA with public participation.

#### Summary of Concerns

NEWRA's comments on the Project and on the necessary scope of the state MEPA and city Article 80 reviews fall into the following major areas of concern:

1. The Project's height, density, massing and predominant office use are greatly out-of-scale and incompatible with the district it would sit within and with the surrounding residential and commercial neighborhoods. Its construction and long-term presence, as well as its overwhelming office use (2.7 million square feet of the total 3.8 million square feet proposed), together with its increase in parking demand and decrease in parking supply, will place significant burdens on adjacent neighborhoods, historical resources, open spaces, public facilities, public services and infrastructure.
2. The Project is inconsistent with and may compromise current zoning, uses and planning in the Government Center area and the surrounding open space and neighborhood districts. The Project may begin an expansion of the Financial District into Government Center, displacing the existing government and public service uses and encumbering adjacent neighborhoods and open spaces. If not scaled, designed and programmed appropriately, the Project could serve to isolate - not connect - the surrounding neighborhoods and could remove the efficient citizen access to their government and social services that Government Center was publicly purchased, designed and built to provide, and does provide. At a minimum, the Project in any final, approved form must conform to the planning goals and design guidelines being established in master planning now underway by the BRA for Government Center and the Greenway.

3. The Proponent proposes to include in the Project existing public properties and rights of way that would expand the development beyond the Proponent's own site. The Proponent also seeks relief from current zoning regulations to allow greater height and massing. The public benefits of the project, including open space, public parking, public facilities, and/or other public uses and amenities, as well as the financial benefit to the city, must be commensurate with these public contributions to the Proponent's project. Furthermore, all public/social services currently provided on the garage and city-owned sites must, at a minimum, be maintained within the project proposal or appropriately relocated in a way that does not compromise their missions and the public service they provide.

### Public Process

The Proponent held a series of "community meetings" in the summer and fall of 2009. The Proponent also made a Project presentation to NEWRA in December 2008. Following the filings of the ENF and PNF in March, the BRA held one public meeting and has begun a series of meetings of the Impact Advisory Group (IAG) it established for this project.

NEWRA appreciates the efforts of the Proponent and the BRA to provide opportunities for the sharing of information, and NEWRA has gained considerable knowledge about the Project and its potential impacts from these meetings. Still, we believe that most of the residents in the area of the Project and most of the citizens of Boston are not informed about the Project or its impacts, and a different approach to the public process conducted so far is needed, especially because the Project may greatly affect the future of our neighborhoods and the city.

It is not clear that the "community process" held over the past several months had any influence on the Project. The plan presented in the ENF and PNF seems to be no different from the plan presented by the Proponent at its very first community meeting nine months ago, even though serious concerns have been raised regarding construction impacts; massing (height and FAR); the planned office use; increased traffic; potential for compromising existing public transit; reduction of public parking and impact on parking in adjacent neighborhoods; shadows on the Greenway and adjacent neighborhoods; the planning context of the Project as an expansion of the Financial District into Government Center (the Proponents' own characterization) and the effect such expansion will have on the rest of Government Center and the adjacent neighborhoods; and the inclusion of city-owned properties in the Project without a full assessment of the public impacts and benefits.

The Project will have a significant bearing on zoning, disposition of public property, public transportation, other public services and social services, traffic management, and protected resources including historical resources and city/state owned open public spaces. Because of these potential impacts, NEWRA requests that a Citizens Advisory Committee be established by the Secretary of Energy and Environmental Affairs for this project. The scope and purpose of the BRA-led IAG review are limited and insufficient to address the full scope of state



Secretary Ian A. Bowles, EOEEA  
John F. Palmieri, Director, BRA  
April 17, 2009  
Page 4

jurisdiction, especially with respect to lands, facilities and services that are controlled by state agencies, such as the MBTA.

NEWRA requests that both the MEPA Office and the BRA facilitate a series of public discussions during development of the Draft Environmental Impact Report (DEIR) and the Draft Project Impact Report (DPIR) aimed at ensuring that public process will influence any recommended plan and the substance of the environmental assessments and Article 80 considerations in the DEIR and DPIR. NEWRA also requests that all future submissions related to the MEPA and Article 80 reviews be consolidated submissions, to promote a cohesive and efficient public process.

The DEIR and DPIR should continue to present and evaluate the three alternatives presented in the ENF and PNF, at a minimum. Our comments below relate to both the Proponent's current preferred alternative (the "Baseline Plan"), which includes the adjacent public properties, and the "Garage Site Only Alternative." The Baseline Plan should include considerably greater public benefits, including public spaces, to justify the transfer of existing public properties to augment the development site. Both alternatives warrant considerable public benefits for the significant zoning relief the Proponent seeks. As stated earlier, it is also not clear that the Garage should be replaced, and the No-Build Alternative may be preferred by the public once a comprehensive analysis of impacts and benefits is available.

#### Impacts of Proposed Project Massing

The Proponent intends to seek zoning relief in the form of variances or amendments to provisions of the City of Boston Zoning Code for proposed exceedances of maximum allowed height and Floor Area Ratio (FAR). The proposed height of 710 feet is more than seven times the Zoning height limit of 80 feet or the conditional height limit of 100 feet in the Sudbury Street Restricted Growth Area, within which the entire Project is situated. Furthermore, within the Sudbury Street Restricted Growth Area, maximum allowed FAR (the ratio of total building floor space to the footprint area of the property) is 6.0, with a conditional maximum of 7.0. The Proponent seeks to build to an overall FAR for the entire project of 14.9, and portions of the project on blocks west of Congress Street will far exceed FAR of 14.9.

Section 45-6 of the Zoning Code states that "Restricted Growth Areas were established in order to protect existing moderately scaled development." It is clear that the Sudbury Street Restricted Growth Area was established in the Zoning Code to provide special protections from large development in this area. The Sudbury Street Restricted Growth Area is surrounded by historical resources, low-scale neighborhoods, and the public spaces and facilities of Government Center. The DEIR and DPIR should define and evaluate the scope and purpose of these special protections in Zoning, in part through a detailed review of historical supporting documents. The DEIR and DPIR should also fully explain why the protections should now be abandoned and replaced with zoning or zoning relief that will allow much greater height and mass, as great or greater than nearly any other area of downtown Boston.

The Proponent has stated at its community meetings that the proposed height is consistent with a decades-old, unofficial sketch showing a T-shaped line of skyscrapers, with the cross of the "T" running through Government Center and the North Station area. Furthermore, the Proponent has stated that its Government Center Garage Redevelopment will be the linchpin to further expansion of large scale commercial development (i.e. extension of the Financial District) into the Government Center and North Station areas.

The proposed height and density of the Project are out-of-scale with the districts and neighborhoods that surround it. We are concerned that the Bulfinch Triangle, West End, North End and Beacon Hill neighborhoods, the nearby Market areas, and public open spaces along the Rose Fitzgerald Kennedy Greenway and the adjoining waterfront may be burdened by mass and shadow, along with the loss of sky and visual connections, by introducing financial district-type towers and streetscapes into the Government Center area. The DEIR and DPIR should fully evaluate these possible impacts of the Project's height and massing on each of the adjacent residential, commercial, historical and open space areas. The Project should not cause any significant increase in shadow in any of these areas.

#### Consistency with Open Space Planning

The Proponent notes in the ENF and PNF that the City of Boston's *Open Space Plan 2008-2012* identifies that the Central Boston area is underserved by open space available to residents. According to the Proponent, the project will create "new green open space" that will be available for public use and enjoyment, will greatly enhance the pedestrian environment, and will improve connections to the Rose Fitzgerald Kennedy Greenway. NEWRA believes these are key requirements for inclusion in the project proposal, especially in light of the expected 10-year construction impacts, the zoning relief that is sought, and the public properties that may be acquired to augment the project site. Open space should be a key, significant component of the public benefits of the project in order to help mitigate the project's impacts and provide commensurate return for the public contributions to the project.

But the Project as proposed in the ENF and PNF shows very little benefit or even real promise of benefit in terms of open space. The documents focus primarily on the open public space between Parcels 1a and 1b. This is not "new open space" but essentially a reconfiguration of the existing paved public plaza and adjacent wide, treed sidewalks that surround the entrance to the Haymarket MBTA station and busway. The Project proposal seems not to significantly expand this public space, if at all, though it would increase the demands on the space from the thousands of new office workers, hotel guests and residents and from direct use by the "residential" buildings proposed to surround it.

The Project proposal also calls for "opening up" Congress Street, Bowker Street and Hawkins Street to enhance the pedestrian connections between neighborhoods and the pedestrian experience at and through the site. But this short block of Congress Street, as well as reconfigured Bowker and Hawkins Streets, will instead be burdened by very large buildings

along what appear to be narrow sidewalks on both sides. Because of these new buildings, most hundreds of feet high, these streets will see very little sun and likely will not accommodate or invite public activity, except passage. It is unclear whether the streetscape design and proposed sidewalk level uses of the buildings will attract pedestrians or dissuade them. In particular, the use of Bowker Street for deliveries and other building services may present conflicts with pedestrian use and risk to public safety.

NEWRA believes that insufficient open public space has been included in the Project proposed in the ENF and PNF. The Proponent should also reconsider its proposal to narrow the existing, wide sidewalks and instead consider providing sidewalk amenities that may enhance public use and complement the street level uses in the new buildings. The EIR and DEIR should include detailed descriptions, renderings and simulations for all public spaces and public streets to demonstrate that they can accommodate all proposed uses and to validate the Proponent's contention that they will "enhance connections to the surrounding neighborhoods and encourage vibrant pedestrian activity at and around the site."

#### Consistency with Appropriate Growth and Land Use Planning

The DEIR and DPIR should fully evaluate the impacts of the proposed large-scale development on infrastructure, including roads, sidewalks, the various means of public transportation serving the area, access to public transportation, and utilities. The Project plans should include upgrades and enhancements where existing infrastructure may not have adequate capacity for the combination of existing demand, planned demand from other projects in the area, and the additional demand from the Project itself. Where the Project includes changes to existing infrastructure, such as roads and sidewalks, the Project's plans should not be limited to avoiding further impact, but should ensure that existing capacity problems or inefficiencies are corrected.

Pedestrian access to the area of the Government Center Garage is presently inefficient, difficult and potentially dangerous. The Central Artery Project has left our neighborhood and those passing through it with inefficient access to the I-93 and East Boston tunnels, causing localized gridlock, delays and long lines of stopped vehicles at times, increasing pollution in the area. At the same time, the movement of vehicles on area streets has become more aggressive. Any roadway changes should be designed to meet future demands, solve current traffic problems, and improve pedestrian access and safety.

Traffic generation from the Project should not increase the amount of traffic on Cross Street or North Washington Street. The Project should not result in an increase in the time that cars must wait at red lights on Cross Street or North Washington Street. The Project should not result in a lengthening of the interval between pedestrian "Walk" signals or the duration of the "Walk" signal at any pedestrian crossing, but instead should have the design objective to reduce pedestrian wait times and lengthen "Walk" signal durations.

The Government Center Garage MBTA subway station and MBTA busway are critical components of public transportation for the immediate Government Center uses and for the North End/Waterfront neighborhood, as well as for thousands of commuters and visitors arriving to their jobs or downtown attractions from other points in the city and from surrounding cities and towns and beyond. The busway provides extraordinary access to the rest of the public transit system, including the subway system and commuter rail. The busway, in particular, provides the only economical means for many workers to get to their jobs in the city. At the same time, the existing surface busway has inadequate space for waiting and movements, poor accommodations for riders (inadequate shelter and seats), and presents safety hazards for riders accessing the station across the bus lanes, especially from the North End. The Project's plans for the busway should address these concerns and existing deficiencies.

We expect the Project will generate a significant increase in the demand for public transportation. There are already capacity problems during rush hour, especially on the Green Line. The DEIR and DPIR should determine the expected increase in ridership on subways, buses and commuter rail, and evaluate whether these systems have adequate capacity or can be expanded to meet the new demand. Inadequate capacity will result in more reliance on automobiles, with a greater number of vehicles on the roads and a greater demand for parking.

The DEIR and DPIR should fully assess the Project's demands for water, sewer and electric service and demonstrate that the systems have, or will be provided with, adequate capacity to prevent any impacts in service to the surrounding neighborhoods. We appreciate the Proponent's commitment to incorporate maximum sustainable design elements into the Project, in part to further the City's Green Growth goals. The DEIR and DPIR should also quantify the level of electromagnetic waves that will be generated by the Project and related health risks for the nearby population.

#### Public Realm and Public Benefits

The Project would replace sites and facilities that are part of the public service oriented function of Government Center. As it was originally planned when large swaths of private property were taken through Urban Renewal, Government Center continues to be a public resource, providing many of the offices and functions of municipal, state and federal government, as well as publicly owned and non-profit social services and a district police station, along with considerable public transportation and parking support. Government Center is located at an "extraordinary confluence of subway, bus and commuter rail access" (ENF, p. 8) that provides the citizens of Boston and visitors with premier and economical access to government, including state courts, and nearby social services. The Government Center Garage, in particular, continues to provide a high level of public parking for Government Center, as well as for events at the TD Banknorth Garden and for visitors to the adjacent neighborhoods, including the North End.

The Project would remove these public oriented functions on the site and replace most of them with a mixed-use development comprising office, retail, housing, and hotel uses. As stated in the

Secretary Ian A. Bowles, EOEEA  
John F. Palmieri, Director, BRA  
April 17, 2009  
Page 8

ENF and PNF, the project has enormous potential to act as a catalyst to help bring about similar redevelopment of the larger Government Center area. As stated by the Proponent's development team at community meetings, the project also has the potential, and possibly the objective, to be a catalyst for expanding the Financial District into Government Center. This is evident in the "mix" of mixed uses of the Project, which calls for 2.5 million square feet of Class A commercial office space, or 66% of the Project's floor space not counting the parking that is ancillary to office use. At the same time, the Mayor has proposed that high, privately owned towers replace City Hall and City Hall Plaza.

What kind of redevelopment will occur in the Government Center area, at our neighborhood's doorstep? What will be the impacts of that type of development on the adjacent neighborhoods? What are the plans to replace or relocate governmental, social service and other public uses that have long been accessible to the citizens of Boston at Government Center? How will public properties be transferred for private development purposes, through what public process? These questions should be answered by the recently commissioned BRA master planning study called the "Government Center Green Growth District Study." Planning and public review for the Government Center Garage Redevelopment Project should be coordinated with this master planning, and there should be assurances that the Project will conform to the master planning goals, zoning recommendations and design guidelines that are established by the BRA's master plan. Similarly, planning and public review for the Project should also be coordinated with the BRA's ongoing Greenway Design Study, and the Project should fully conform to its recommended development guidelines. The DEIR and DPIR should report on these coordination efforts, the status of the master planning studies, and the Project's conformance with the master planning recommendations from these studies.

We are opposed to an expansion of the Financial District into Government Center. While mixed-use developments may bring more public activity and vitality to the Government Center area from all neighborhoods surrounding it and serve to create connections between these neighborhoods, massive towers, especially filled with commercial offices that will be empty at night and on weekends, have the potential to create new and greater barriers than the existing garage. It is clear from the Proponent's own maps, that expansion of the Financial District northward will create a wedge between the North End, West End and Beacon Hill neighborhoods, not a connection. The DEIR and DPIR should describe in detail how the Project will create neighborhood connections, addressing the proposed structures, the uses, and the streetscapes.

The Project plans to date are significantly lacking in terms of creating or enhancing the public realm. The plans call for narrowing existing streets and sidewalks and creating narrow streets that will pass between large buildings, precluding or greatly limiting pedestrian capacity, landscaping, and sidewalk activities, such as outdoor cafés. Little or no public green space is shown in the plans, though it is mentioned in the text of the ENF and PNF. The DEIR and PNF should focus considerable attention and detail showing and describing the public spaces that will

Secretary Ian A. Bowles, EOEEA  
John F. Palmieri, Director, BRA  
April 17, 2009  
Page 9

be created by the project, the public connections through the project (both exterior and interior), and the public accommodations within the proposed buildings.

Lessons may be available from the redesign of 45-year old Prudential Center, which in its original form did not work for the public or the owners. Significant elements contributing to the public realm have been added to Prudential Center over the past 25 years, and they continue to be added. As a result, there is no comparison of Prudential Center to the Financial District, with the exception of the high office towers, and the Prudential Center today has a high level of public use and activity.

The ENF and PNF reports that the existing Garage has a total of 1,865 commercial parking spaces and 445 employee (ancillary) spaces. The Proponent proposes to include a total of approximately 2,000 spaces of aboveground and belowground parking for the building uses, including approximately 500 public commercial parking spaces, and including parking for a relocated Area A police station. The ENF and PNF also estimate that approximately 1,500 ancillary spaces will be needed for Project uses, leaving less than 400 spaces for commercial public use and police.

We urge the Proponent and the Boston Transportation Department (BTD) not to reduce the number of parking spaces commercially available to the public, which is now approximately 1,865 spaces, unless the Proponent or BTD can show that there has not been a full demand at any time of day for the existing number of commercial spaces. Any reduction in the number of currently used public spaces will increase the demand on other commercial parking garages, possibly driving up garage costs, and will exacerbate illegal parking in our neighborhood and the misuse of marked visitor spots for non-neighborhood purposes. A reduction in the number of public spaces on the Project site may also hurt area businesses.

Truly “sustainable” and “green” development should include special measures to greatly reduce the ancillary parking demand. Specific strategies that go beyond what typically has been implemented for recent developments should be included in the Project’s plans to minimize parking demand. Even with special mitigation measures, we expect that ancillary parking needs will be great, especially to support the Class A commercial office space that is proposed. The project will increase parking demand, not reduce it. The Project includes a reduction in the number of parking spaces on the site. This is unacceptable.

We support a higher level of housing and a lower level of office use than currently proposed. The Project should include affordable housing on-site and housing units that accommodate families. On-site housing should not be located where it may be impacted by conflicting uses, such as high traffic areas, the proposed busway, or areas expected to generate considerable noise especially at night, including large public gathering locations and late night businesses. The DEIR and DPIR should evaluate the compatibility of adjacent uses and ensure a level of quiet enjoyment in the housing units, to the extent possible.

The Project must include plans to accommodate and enhance, or appropriately relocate and enhance, the public and social services that may be displaced by the Project, including the Area A police station, city offices, Bay Cove Human Services and other social service organizations. The Proponent should, through written agreements, identify and guarantee specific accommodations for these offices and agencies during construction and for the long term.

NEWRA supports and urges the inclusion of other public benefits to mitigate remaining impacts of the Project. A public school serving the adjacent neighborhoods of the North End, West End and Beacon Hill would be an appropriate public accommodation in the Government Center area, either within the development project or nearby.

The Proponent's local development manager is Raymond Property Company LLC ("RPC"), which has been engaged in the acquisition, permitting, development, renovation, ownership and management of residential and commercial real estate in Boston for 40 years. RPC is currently a member of a joint venture, Hines Raymond LLC, which is developing Parcels 2A/2B/2C in the Bulfinch Triangle, known as Greenway Center, which includes a proposed supermarket. RPC's involvement with the Government Center Garage redevelopment should not be allowed to place the supermarket at Greenway Center at risk.

#### Mitigation of Construction Impacts

The North End and other neighborhoods near the Project only recently gained relief from the construction impacts of the Central Artery Project, which lasted more than 20 years. The Proponent should present a detailed plan for construction and construction phasing that ensures that the Project will have no significant construction impacts to the surrounding neighborhoods, including the impacts of dust, noise, vibrations, loss of ground or groundwater (both during construction and in the long-term), rodents, pollution, parking demand and traffic disruption. The construction mitigation plan should be developed in consultation and close coordination with the neighborhoods, which have gained great experience and skill in impact mitigation over the past two decades. The plan should be presented in the DEIR and DPIR to a level that provides public assurance that full mitigation is feasible for a project of this size in this area.

The Project plans and state and local approvals should aim to provide maximum assurance that the project will be constructed as approved, that impacts will be mitigated and minimized, and that public benefits will be realized as early in project implementation as possible. NEWRA expects that the public will have input to the various conditions in city and state approvals. The City must have complete and formal assurance of the financial feasibility of the project before any construction or demolition permit is issued.

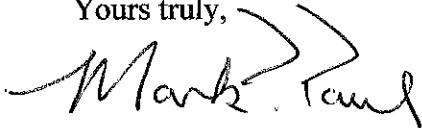
Construction phasing must also be formally regulated and enforced. At recent public meetings, the Proponent has shown a construction phasing approach that would have construction proceed

Secretary Ian A. Bowles, EOEEA  
John F. Palmieri, Director, BRA  
April 17, 2009  
Page 11

from Parcels 1a and 1b on the east end of the development (adjacent to the Greenway) through to Parcel 3 on the west end of the development, closer to Cambridge Street. Any approved phasing approach should bring to reality the highest public benefits of the project as early as possible and push out in time the greatest impacts. This will be especially important if a decision is made to expand the development site to include the existing city-owned parcels. Construction on these parcels should not proceed until most of the commensurate public benefits and mitigation are in place. NEWRA is concerned this may not be the case in the construction phasing that is ultimately recommended by the Proponent, because it appears that the highest financial gain for the Proponent may be in the portions of the Project proposed to be constructed on existing public land.

NEWRA looks forward to continuing to represent the North End/Waterfront residents' interests and coordinating with residents in the West End and Beacon Hill through the MEPA and Article 80 reviews for this Project. However, it is doubtful to us that the concerns we describe above can be resolved with the project currently proposed.

Yours truly,

A handwritten signature in black ink, appearing to read "Mark P. Paul", with a large, stylized flourish extending from the end of the signature.

Mark P. Paul  
President

cc: Mayor Thomas M. Menino  
State Senator Anthony W. Petrucci  
State Representative Martha M. Walz  
City Council President Michael P. Ross  
City Councilor Salvatore LaMattina  
City Councilors Mark Ciommo, John R. Connolly, Robert Consalvo, Maureen E. Feeney,  
Michael Flaherty, Bill Linehan, Stephen J. Murphy, John Tobin, Chuck Turner,  
Charles C. Yancey, and Sam Yoon  
Daniel Grabauskas, General Manager, MBTA  
Thomas J. Tinlin, Commissioner, Boston Transportation Department  
Nicole Leo, Neighborhood Coordinator, Mayor's Office  
Bill Musto, President, North End/Waterfront Neighborhood Council  
Duane Lucia, President, West End Civic Association  
John Achatz, Chairman, Beacon Hill Civic Association



**KATHLEEN M. RYAN**

*2 Hawthorne Place, #11J  
Boston MA 02114*

April 17, 2009

Kristin Kara  
Senior Project Manager  
BRA  
One City Hall Square  
Boston, MA 02201

**Re: Government Center Garage Redevelopment – Project Notification Form**

Dear Kristin:

I appreciate the opportunity to comment on the Project Notification Form for the above proposed redevelopment. I am writing as a long-time resident of Charles River Park in the West End, a community of several thousand homes, many successful businesses, and many offices of a major academic teaching hospital. I am also a current and founding member of the West End Council, comprised of the Boards of Trustees of West End Homeowner Associations; a member of the Hawthorne Place Neighborhood Relations Committee; a former Hawthorne Place Condominium Trustee; and a former IAG member for several prior neighborhood developments. As a Massachusetts General Hospital employee, I truly “live, work, and play” in my neighborhood.

Although I have not been able to attend most of the community meetings relating to this proposal, I have read all the publicity surrounding it and have also read the PNF. I urge the Boston Redevelopment Authority not to waive further review of this Project in the Scoping Determination since it is a project of major portent to my neighborhood as well as other surrounding neighborhoods. I also urge the BRA to seriously consider the ramifications of the request for a “U” designation or conditional use permit—although I know from past history this will most likely happen, it needs to be properly structured to protect the surrounding residential neighbors.

The developer, Bulfinch Congress Holdings, LLC has been working with the community in a most cooperative manner to date both here at the Garage site and in the Bulfinch Triangle. I have enjoyed my meetings, though infrequent, with them and the ability to comment publicly to a receptive developer. Hopefully this spirit of cooperation will continue as this Article 80 process continues. I personally am excited that there is an opportunity to hopefully replace this “Berlin Wall” with something that all of us can point to proudly as a great joint City, developer, and community project.

As stated in the PNF, Bulfinch Congress Holdings’ proposal to demolish the current garage would indeed be a welcome removal of the “last physical and psychological barrier separating the West End and Bulfinch Triangle (neighborhoods) from downtown Boston.” The appropriate redevelopment of the site would indeed make for a vibrant addition to our communities. However, the proposal before us also extends the so-called spine of high towers downtown into the residential environs of those very neighborhoods as well as the North End and Beacon Hill.

The project calls for multiple buildings with two Prudential-sized towers (710 square feet and 555 square feet, not including mechanicals). Current zoning, which would have to be amended, appears to cap the height at 80 feet, with consideration that would be given up to 150 feet, the height of the neighboring buildings in the Bulfinch Triangle and North End. Also, the proposed project calls for 3.8 million square feet of new development (or an alternate 3.6 million square feet) vs. the current project site size of 1.3 million square feet – **that is almost triple the size!** In

addition, the Floor Area Ratio (FAR) is 14.9 (or 20.3 for the alternate plan). This is in comparison to a permitted FAR of between 6 and 8, so again another need for zoning relief. I find it hard to believe the developer thinks this height and massing "respects the historic scale of the adjacent neighborhoods."

Much is also made of the view corridors and sky that will be opened up along Congress Street, but no mention is made of the West End views that will be completely obliterated of the Harbor, downtown and the Custom House Tower – historic views that, in my opinion, should be protected by City law or otherwise, much as in other areas of Boston. This is a direct negative impact for the neighborhood as it impacts quality of life and market value of homes—and we all know view sells.

Also, throughout the PNF, the developer emphasizes how this project knits and reconnects the neighborhoods at a scale that fits the area. This project, particularly Parcel 3 with its towers, does **not** blend into and connect with the surrounding neighborhoods at all; rather it makes a bold statement of its own by its very height and mass. The PNF says the "height, detail and rhythm" has been "shaped by adjacent buildings and neighborhoods." If so, we would have an extension of the North End and Bulfinch Triangle. I am mystified. Further, and equally important, the "arrangement of the towers on the site" may consider Greenway impacts, but most definitely ignores our adjacent neighborhoods as shown by new acknowledged shadow, wind and noise impacts, not to mention destruction of views. I hope the Scoping Determination and the State MEPA process will address this.

Finally, with all the endless years of construction going on around us, it is really insulting for the developer to continually assert that a benefit of this project is "(it) will inspire" and "jump start" redevelopment of this area; as we all wearily know, that has been underway for years with the Bulfinch Triangle Master Plan, the big Dig, and the new West End Residences, among others.

Thank you again for the opportunity to comment.

Sincerely,

***Kathleen M. Ryan***

Cc: West End Council  
West End Civic Association  
Downtown North Association  
Mayor Thomas Menino  
Nicole Leo, Mayor's Office of Neighborhood Services  
Michael Ross, Boston City Council President  
Martha Walz, State Representative

## Kara, Kristin

---

**From:** Hall, Deborah A., M.D. [DAHALL@PARTNERS.ORG]  
**Sent:** Friday, April 17, 2009 3:17 PM  
**To:** Kara, Kristin  
**Subject:** Gov center garage

I do not support reducing the number of parking places in the Gov Ctr Garage plans. We are trying to establish a neighborhood in the new Bulfinch Triangle. Reducing parking puts more cars on our residential streets and endangers our children and neighbors. Thank you. Robert Sarno ( from my wife's Blackberry )  
#1001 Strada 234 Causeway St Boston

The information in this e-mail is intended only for the person to whom it is addressed. If you believe this e-mail was sent to you in error and the e-mail contains patient information, please contact the Partners Compliance Helpline at <http://www.partners.org/complianceline> . If the e-mail was sent to you in error but does not contain patient information, please contact the sender and properly dispose of the e-mail.

## Kara, Kristin

---

**From:** Sandra Swaile [sswaile@att.net]  
**Sent:** Friday, April 17, 2009 12:11 AM  
**To:** Kara, Kristin  
**Subject:** GovCtrGarage

Where is the Gov. Ctr. plan?

Why does the project dictate the plan?

The existing area was on the drawing board for years before actual construction.

Many modifications must be made to the original concept, but we should be mindful that most of it's existing shortcomings are the result of recent energy realities & technical advances, metal detector entries, barrier strewn approaches, and lack of maintenance.

The Gov Ctr Green Growth District is critical & should be approached with vision & realty; no green wash, no political posturing, no in vogue styles.

Maybe in ten years it might be appropriate to revisit the garage, but now? Extending the financial district?

The Garage is fine; the existing bus station, one of the best anywhere.

The existing crossing over Congress is a bit overbearing, but could be readily modified with removal of some of the mass at this section, braced with steel & skinned with glass. An additional elevator @ the eastern end might help. Relocating the social services on Bowker Street to the vacant garage's top floor would create a ready made elementary school for the natives. If the developer is anxious to tackle a new structure, there is a huge hole up at Washington & Franklin.

Let's get on with the Gov Ctr Green Growth District.

April 17, 2009

Kristin Kara  
Senior Project Manager  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201

RE: Comments on the Government Center Garage Redevelopment Project Notification Form

Dear Ms. Kara,

I appreciate the opportunity to provide comments on the Project Notification Form (PNF) for the Government Center Garage Redevelopment (the "Project"). The PNF offers two plans for the potential redevelopment of the Government Center Parking Garage (the "Garage"). My comments are in response to the "Baseline PNF Plan", as this plan, when juxtaposed with the "Alternative PNF Plan", offers superior benefits for the city.

The Project, as proposed in the "Baseline PNF Plan", is an improvement over existing conditions. The Garage is a large and foreboding structure. Its potential removal, and the reopening on Congress Street and Merrimac Street to the sky, is a very appealing benefit to this project that cannot be ignored. All Project impacts must be viewed through the lens that existing conditions come quite close to blighting the area. However, the Project offers additional benefits other than simply improving existing conditions. We trust that any project approval will condition the following proposed improvements to ensure they are included or required in the final design for the site:

- a. The removal of the overhead parking decks and associated office space, yielding the return of sunlight to Congress Street and Merrimac Street.
- b. The proposed pedestrian-only extension of Canal Street through the newly configured Parcel One. Such a walkway will greatly benefit the significant rush-hour foot traffic to and from North Station. However it is imperative that this walkway does not appear to be private property, or appear to be the courtyard of a condominium complex. The streetscape design for the walkway must appear welcoming to all pedestrians.
- c. The narrowing and redesign of Sudbury Street.
- d. The redesign of the adjacent .43 acres of poorly designed sidewalk space created by the Central Artery Tunnel Project into "vibrant pedestrian paths".
- e. The extension of Bowker Street, making it a through way. This proposal will eliminate the stairs that a pedestrian must climb to reach Sudbury Street after Bowker Street dead-ends.
- f. The provision for covered, secure bicycle storage for building occupants, as well as on-site external bicycle racks for visitors.

The Project, if built, will be a landmark development that will have a lasting effect on the built environment of the immediate neighborhood, the Government Center Green Growth District, and the entire downtown core of Boston. However, the built Project could stand for generations as a lost opportunity to redevelop a sizeable and prominent site in a way that takes advantage of its tremendous pedestrian and transit access. The Proponent is positioned to capitalize on these features, and it is incumbent upon the BRA and the City of Boston that the final Project stands as an example of Transit-Oriented Design (TOD). We believe that the plans offered in the PNF move the Project towards TOD, but they do not go far enough. I believe the following design

changes and suggested mitigation will need to be made or agreed to before I can support this Project:

1. The proposed Project contains too much office space. It appears that the two largest towers are planned without any residential space therein. This Project will only be "vibrant" if the amount of office space is reduced and redesigned to be more mixed-use. Unless such a reduction is made to the office space, the proposed project will be as lifeless as the Garage after working hours.
2. The Project includes too much parking. The 2,000 parking spaces proposed, along with the approximated 2,746 new daily auto trips generated as a result of the Project, are wholly inappropriate for a site that is located above two rapid transit subway lines, adjacent to a major bus terminal, a short distance from a third rapid transit subway line, and roughly two blocks from North Station, a major commuter rail terminus. The 500 public parking spaces proposed should be more than sufficient for a project blessed with such transit amenities. The 1,500 ancillary parking spaces being provided for the proposed office use should immediately be eliminated from the proposal. All of the provided parking, if any, should be for general use and be shared between public, office, hotel and residential use, and be available on a first come, first serve, short-term basis. Having attended multiple community and IAG meetings on this Project, I believe the Proponent would like to build a greener and more sustainable development with considerably less parking. However, the Proponent is dedicating 1,500 ancillary parking spaces for the proposed office tenants, simply to meet Boston Transportation Department parking ratios. These ratios do not account for a site with such tremendous transit access, and it is imperative that these parking ratios are not generically applied to this project. The Proponent built a considerably larger project in Manhattan without providing parking. I hope that Boston can be as forward thinking during the permitting process.
3. Any curb cuts provided for newly configured garage space should be kept to a minimal width, and appropriate vehicle exiting warning signs must be provided for pedestrian safety. The existing Garage parking areas ingress and egress is too wide and pedestrians on the sidewalk are often in conflict with automobiles traveling at fast speeds into and out of the Garage.
4. After discussions with the MBTA, the Proponent does not plan to make any significant changes to the Haymarket bus operations, other than upgrading and integrating the bus way and head houses into the main project. I surely hope this is not that case, as the current pedestrian design of this area is less than desirably. It is unlikely that the MBTA officials reviewing the Project and its impacts on Haymarket Station are primarily concerned with safe, efficient and pleasurable pedestrian access to and from the station. The BRA should require the Proponent commit to additional design work with the MBTA and WalkBoston to improve the function of this area, as it is hard to imagine that the current configuration, which is without a single pedestrian connection across Surface Street, is the most optimal for pedestrians.
5. It is unclear why the Proponent is not treating Hawkins Street similarly to Bowker Street. Bowker Street is being remade into a through way, and the stairs that connect this dead-end to Sudbury Street are being re-graded into an ADA complaint sidewalk. We believe Hawkins Street should be given the same treatment, even though a small portion of it is technically offsite. If Hawkins Street cannot be made a through way, the stairs that connect its dead-end to Sudbury Street should be re-graded into an ADA complaint sidewalk.
6. While the Project claims to reconnect long divided Boston neighborhoods, it fails to offer the North End the same pedestrian benefits as it does for the West End, Government Center and Bullfinch Triangle neighborhoods. While the proposed pedestrian-only extension of Canal Street will be a wonderful amenity, the design of this area results in

the building on Parcel One turning its back towards the North End. In order for the site to truly offer a connection between the North End and the West End, a pedestrian connection to the Canal Street extension and to the Greenway should be provided across Surface Street to the North End. The eastern most proposed building might need to be bifurcated to accomplish this desired goal.

7. The aforementioned pedestrian connection to the North End should be explored in greater detail, and in conjunction with the planned YMCA on the adjacent Central Artery ramp parcel. The additional plans for this area should include improved connections to the Greenway and the YMCA ramp parcel, as the pedestrian design of this latter area will prove to be quite cumbersome for a non-profit organization. The proposed Project is noticeably silent in relation to the plans for the abutting YMCA development, and we believe a nexus between the two projects offers an excellent opportunity for mitigation. We believe the Proponent, the BRA and the City of Boston should focus its mitigation efforts on this location. Additional pedestrian benefits could be exacted for the benefit of the YMCA, and correspondingly for the benefit of the North End, if a pedestrian flyover were built across the YMCA ramp parcel, connecting the Project directly to the North End. Such a pedestrian flyover could later be included and accommodated within the planned grading and design for the YMCA. The Proponent, the BRA and the City of Boston could also explore extending the development envelope so as to include the YMCA ramp parcel, in addition to the previously included city and BRA owned parcels. Such an expansion could include the Proponent supplying the required decking over the tunnel ramps, or the construction of the YMCA facility itself, as part of a larger Project within an expanded development envelope. The construction of the pedestrian flyover, in conjunction with the proposed YMCA mitigation, is both a possibility and an opportunity that should be explored in greater detail.
8. The existing pedestrian controlled walk signal and small mid-crossing island at the intersection of New Chardon Street and Canal Street will need to be redesigned. The addition of the proposed pedestrian-only extension of Canal Street, through the newly configured Parcel One, will siphon existing North Station foot traffic away from adjacent streets. As a result, this pedestrian walk signal and the narrow mid-crossing island are likely to be overwhelmed by the additional foot traffic on Canal Street.
9. More detail is needed for the promised improvements to the New Chardon Street, Sudbury Street, Merrimac Street and Congress Street pedestrian crossings. This detail should include the elimination (or infill) of the truck turning lanes at the corner of Merrimac Street and New Chardon Street, as well as the corner of New Chardon Street and Congress Street.
10. Additional detail and mitigation is needed for the pedestrian crossing at the intersection of Friend Street and New Chardon Street. Friend Street is second only to Canal Street in terms of servicing rush-hour foot traffic emanating to and from North Station. The proposal already includes significant pedestrian improvements to Canal Street, via its extension through New Chardon Street. A similar degree of effort should be given to improve the pedestrian experience at the intersection of Friend Street and New Chardon Street.
11. The Project is silent to maintaining or improving the pedestrian connection that skirts the northwestern edge of the site, from New Chardon Street, up Brattle Way and ultimately out towards Cambridge Street. The Brattle Way pedestrian-only walkway is well traveled during the day and it should be considered with the Project's design, and as a potential site for mitigation.
12. The provision for on-site external bicycle racks for visitors should, if possible, be supplied in covered locations.

Thank you for the opportunity to comment on the PNF for the Government Center Garage Redevelopment. I believe this site provides a once in a lifetime opportunity to develop a transit-oriented, mixed-use project that will serve as the gold standard for pedestrian friendly and environmentally conscious design for both the newly formed Government Center Green Growth District and for the future redevelopment of downtown Boston. I look forward to watching this Project evolve into a proposal that I can fully support.

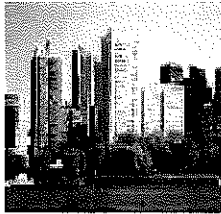
Thank you in advance for taking my comments into consideration during the permitting of this Project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Todd Thomas', with a long horizontal flourish extending to the right.

Todd Thomas  
300 Commercial Street  
#209  
Boston, MA 02109





# **WEST END CIVIC ASSOCIATION**

**Committed to Enhancing the Quality of Life in Our Community**

April 17, 2009

Secretary Ian A. Bowles  
EOEEA, Attn: MEPA Office  
Holly Johnson, EOEA No. 14383  
100 Cambridge Street, Suite 900  
Boston, MA 02114

John F. Palmieri, Director  
Boston Redevelopment Authority  
Attn: Kristin Kara, Senior Project  
One City Hall Plaza, 9<sup>th</sup> Floor  
Boston, MA 02201-1007

Subject: Government Center Garage Redevelopment Project, Boston (EOEA# 14383)

Dear Secretary Bowles and Mr. Palmieri:

- 1.) The impact of two tall towers on the site of the Government Center Garage will be much greater on the West End than on Beacon Hill, North End or Greenway because in the other neighborhoods one tower masks the other, while we will view the cross-section of both. The residents on the southeast side of Staniford Street will lose two periods of morning sunlight. The developer has stated the towers will be built on a plinth so they can be rotated, and that he has rotated them to give extra sunlight to the Greenway in the evening. We feel residents deserve this benefit more than the grass.
- 2.) We request the BRA order the developer to orient the towers to give minimum cross-section to the West End. The longer axis must be parallel to Merrimac Street, and the tower sides should be parallel to Merrimac. The air conditioning and other mechanical devices on the top must also be designed to give minimum shadows to the West End.
- 3.) We also insist that if the city decides to cede the site of the two Bowker Street shelters to the developer, the new sites must be announced before the final decision is made so that the shelters have time to protest.
- 4.) It is crucial that the residences in the buildings east of Congress Street be available for families as well as couples. We request that some 2-bedroom and 3-bedroom units be built, and that the affordable housing units be on-site.

Sincerely,

Duane Lucia

West End Civic Association - President

**WEST END CIVIC ASSOCIATION**

P.O. Box 6503 · Boston, MA 02114 · Tel.: 617-416-0718

Duane Lucia - President      E-Mail : [fitserv@rcn.com](mailto:fitserv@rcn.com)

**Kara, Kristin**

---

**From:** Brian Trojan [bpt\_1999@yahoo.com]  
**Sent:** Sunday, April 19, 2009 10:04 PM  
**To:** Kara, Kristin  
**Subject:** RE: Please - take 2 minutes TODAY to send an email

I am upset about the plans to reduce the amount of public parking in the redevelopment from 2000 public parking spots to

only 500, and the impact that would have on the neighborhood.

i would like to talk to you about this.

Thanks,  
Brian Trojan  
234 causeway st  
Boston

**Kara, Kristin**

---

**From:** BobSkole@aol.com  
**Sent:** Monday, April 20, 2009 4:33 PM  
**To:** Kara, Kristin  
**Subject:** PNF for Government Center Garage

TO: Kristin Kara, Senior Project Manager, BRA

Re: PNF for Government Center Garage Redevelopment Project

Dear Ms. Kara,

Tearing down the Government Center Garage and replacing it with towering glass towers would be an insult to North End residents.

We endured almost 20 years of the Big Dig construction. We finally have some peace and quiet in our neighborhood. We can now, at last, enjoy the Greenway, a delightful new park. As just as the North End slowly recovers from the years of total construction chaos, a new huge project is proposed -- to turn a piece of the North End into an early Prudential Center monster.

Tearing down the Garage would mean we would be forced to suffer many more years of pollution, diesel exhaust, dust, dirt, noise, heavy truck traffic, dirty air, pile-driving, excavation, driving and walking blocked, detours, disrupted bus service, sidewalks and streets torn up, groundwater levels affected. All in all, years of miserable living.

And what will we residents get in return? Absolutely nothing. The developers have not given one solid advantage for the neighborhood residents and the local community. We do not need the developers to bring us the Financial District. I have never heard a North or West Ender moan, "Oh, if we only had the Financial District glass towers to improve life in our historic neighborhood. "

The developers claim the Garage is an eyesore. That's their opinion. But to a non-developer, it's a classic representation of an architectural school and era. And what do the developers offer as a replacement? Copies of catalog buildings slapped up all over America. You've seen the same boring, uninspired glass structures in Topeka, Little Rock, Oshkosh. Out of town tourists will see them and think they are back home.

I strongly recommend that the Garage be left as it is. The top floors would make a great school, which some residents have urged for the community. Or, since the owners claim there is need for office space, there should be no trouble to find new, eager tenants for the offices. And if the owners want to truly and honestly contribute to the community, part of the ground floor could be transformed into a supermarket -- similar to the one that is in the Lincoln St. parking garage in Chinatown.

Let the Government Center Garage remain, and give the North End some well-deserved peace and quiet

Sincerely,

Robert Skole  
357 Commercial St., APT 715

Boston, MA 02109  
617-7421264  
[bobskole@aol.com](mailto:bobskole@aol.com)

---

Access 350+ FREE radio stations anytime from anywhere on the web. [Get the Radio Toolbar!](#)

**Kara, Kristin**

---

**From:** Justin [justin@freynik.net]  
**Sent:** Wednesday, April 22, 2009 5:03 PM  
**To:** Kara, Kristin  
**Subject:** In support of the Government Center Garage Plan

I am writing this short letter to voice my support for the destruction of the Government Center Garage and the building of the towers currently proposed. I think this is an extremely important project for the city and goes a long way toward continuing the trend of knitting our neighborhoods back together. It will also provide much needed construction jobs at a time when they are most needed. The garage is an obstruction and an eyesore. The plan will add much needed life to the area and do so in an environmentally friendly way. Please do what you can to see that this project stays on track. Thank you very much for your attention and consideration.

**Kara, Kristin**

---

**From:** J R [rossoneri08@gmail.com]  
**Sent:** Wednesday, April 22, 2009 2:25 PM  
**To:** Kara, Kristin  
**Subject:** Gov't Center Garage Redevelopment

Dear Mrs. Kara:

I am writing you to let you know of my support for the Government Center Garage Redevelopment plan. After reading over the PDF by the developer, I think that this is a landmark project for the city of Boston. I believe that the Garage that currently occupies the land is not only unpleasing aesthetically, but also a waste of space and opportunity.

The economic benefits that this project will bring cannot be ignored either. This project will not only create jobs during the construction phase, but also once the buildings are established. With the hotel and other businesses proposed, the North End eateries and businesses will also see a spike in their bottom lines, as well as other businesses in that part of the city.

I urge you and the rest of the Boston Redevelopment Authority to green light this project that myself and so many others are behind. It's a chance to take something unpleasant and create new vibrancy and opportunity.

Thank You.

**Kara, Kristin**

---

**From:** Matt Ossen [MOssen@ArrowstreetCapital.com]  
**Sent:** Thursday, April 23, 2009 1:42 PM  
**To:** Kara, Kristin  
**Subject:** Proponent of Government Center Garage Redevelopment

Dear Kristin,

This is a message to simply inform you that I am a proponent of the Government Center Garage Redevelopment plan as proposed by Raymond Property Co as well as all other large scale proposals of the last few years. But what transcends any opinion on the matter is this simple fact: The city of Boston HAS to grow.

The most economical and environmental-friendly way to achieve steady growth is to embrace the pro-development mindset that the city has seemed to be avoiding for too long, especially when there are limited areas to build high due to the proximity of Logan Airport. I do applaud the city and the BRA for adhering to the opinions and support of city communities. But for too long now, the BRA has and the city has succumb to the cries of selfish residents (and not even nearby residents, mind you) who either fear change or are too selfish to realize that he/she has chosen to live in a thriving urban center. Furthermore, the loss of lucrative tax revenues and loss of existing businesses continue to cost the city much more than any lack of voter support by a relatively small group of citizens that speak loudly and have too much time on their hands. Our beautiful world-class city cannot afford to put developers and planners through such lengthy hoops anymore, especially when thousands of jobs would go to waste in one of the worst economical crisis's that our country has ever faced.

Lastly, this particular parcel (and future adjacent parcels) will draw more people from the north and northwest suburbs to commute to the city by means of MBTA. It is proven that most commuters who would rely on North Station do not work in this city due to the distance between the station and bulk of commercial office space. It is time to open up this area and bring more commuters and employers into Boston.

I appreciate you taking the time to read this, and I urge that you take all of the points into heavy consideration.

Sincerely,  
Matt Ossen  
[mossen@arrowstreetcapital.com](mailto:mossen@arrowstreetcapital.com)



# walkBoston

April 23, 2009

Secretary Ian Bowles  
Executive Office of Energy and Environmental Affairs, MEPA Office  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Kristin Kara  
Senior Project Manager  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201

RE: Comments on the Government Center Garage Redevelopment Environmental Notification Form (ENF) and Project Notification Form (PNF)  
EOEA #14383

Dear Secretary Bowles and Ms. Kara,

WalkBoston appreciates the opportunity to provide comments on the Environmental Notification Form (ENF)/Project Notification Form (PNF) for the Government Center Garage Redevelopment (the "Project"). We understand from the PNF that two plans are offered for the potential redevelopment of the Government Center Parking Garage (the "Garage"). The "Baseline PNF Plan" includes parcels owned by the Boston Redevelopment Authority (BRA) and the City of Boston, as well as NSTAR air rights within the proposed development envelope. The "Alternative PNF Plan" includes only the immediate site of the Garage. Our comments are in response to the "Baseline PNF Plan," as this plan, when juxtaposed with the "Alternative PNF Plan," offers superior pedestrian benefits, as well as a plethora of additional benefits to the city that lie outside the scope of WalkBoston's comment letter. If the city and the proponent decide to move forward with the "Alternative PNF Plan," WalkBoston will offer an additional comment letter that focuses more acutely on this plan, though many of our comments are applicable to either design.

#### Summary of comments

- Subsequent filings should include documentation and assessment of the volumes, directionality, and seasonality of pedestrian traffic within and along the site at different times of day to ensure that very good levels of service are provided for pedestrians both along sidewalks and at all street crossings.
- The project has a net positive result for pedestrians. We are especially pleased to see the creation of a pedestrian-friendly grid network with the extension of Bowker and Canal Streets (potentially Hawkins as well).
- Many pedestrian trips take place within the parking garage and should be safely accommodated.
- Parking garage curb cuts should be compatible with pedestrian walkways.
- The MBTA should be engaged to plan for improvements that benefit pedestrians.
- Hawkins Street may need redevelopment similar to the plans for Bowker Street



- Pedestrian connections to the North End deserve more attention. A second-level walkway between this site, the proposed YMCA site and the North End should be explored.
- Pedestrian walk signals at New Chardon where it meets Merrimac, Canal and Friend Streets need careful adjustment to safely handle large volumes of foot traffic
- Changes in the dimensions of sidewalks and street cross sections of New Sudbury and New Chardon Streets should be discussed in more detail.

### **1. Pedestrian data and assessment**

The project sits at the nexus of many heavily used pedestrian paths and pedestrian generators, and will itself generate a great deal of pedestrian use. In order to be sure that sidewalks, crosswalks, traffic signals and timing, and pedestrian amenities serve and enhance the pedestrian experience the proponent should provide an assessment of future pedestrian traffic that includes existing and proposed uses on and off-site. As a site perfectly situated to take advantage of superb transit access, pedestrians should be given preferential treatment (by comparison with private vehicles) to encourage transit use and reduce the number of vehicle trips generated by the project.

### **2. General improvements**

We believe the Baseline PNF Plan is a positive proposal for pedestrians compared to existing conditions. The existing Garage is a large, foreboding structure from the pedestrian viewpoint. While the potential removal of the Garage and the reopening of Congress and Merrimac Streets to the sky is appealing in its own right, the proposed development offers additional benefits. As the Project is further refined during subsequent reviews, MEPA and the BRA must ensure that these benefits are not lost during future plan revisions or project changes. We trust that any project approval will condition the following proposed improvements to ensure they are included in the final design:

- The removal of the overhead parking decks and associated office space, returning sunlight to Congress Street.
- The proposed pedestrian-only extension of Canal Street through the newly-configured Parcel One – this greatly benefits heavy rush-hour foot traffic to/from North Station.
- The narrowing and redesign of New Sudbury Street, including the elimination and replacement of the angled Police Department parking from the right-of-way.
- The extension of Bowker Street to make it a through street, eliminating the stairs pedestrians must presently climb to reach New Sudbury Street where Bowker Street now dead-ends.

The Project could potentially provide very substantial benefits that would have a lasting effect on the built environment of the immediate neighborhood, the City's "Government Center Green Growth District," and the entire downtown core of Boston. Careful attention must be paid to the pedestrian experience in and around the site to take advantage of its tremendous pedestrian and transit access. This Project is positioned to capitalize on these features and it is incumbent upon MEPA, the BRA and the City of Boston to ensure that the final design fully accounts for these opportunities.

### **3. Walking inside the garage**

Many daily pedestrian trips will take place inside the proposed parking garages, but these thousands of pedestrian trips are not currently assessed by the ENF/PNF or addressed by the Project's proposed pedestrian amenities. Given the propensity for pedestrian - auto conflicts in the loosely-structured driving situations that parking garages provide, and the large

number of foot trips that drivers will make in accessing their cars, it is important for pedestrian safety that a walking system be established in the parking garages. The Proponent should include provisions for sidewalks or designated walkways through the parking garages with signage and directional markings to make the garage safe for pedestrians.

#### **4. Curb cuts for the garage**

All curb cuts provided for the new garage should be kept to a minimum width where they cross the sidewalk, and appropriate vehicle exiting warning signs must be provided for pedestrian safety. The existing Garage access drives are too wide and pedestrians on the sidewalk are often threatened by automobiles traveling at high speeds into and out of the Garage's overly wide parking access ramps.

#### **5. MBTA on-site improvements**

"No significant changes to the Haymarket bus operations are planned as part of the project, other than upgrading and integrating the bus way and headhouses into the main project."<sup>1</sup> We agree that the project should not interfere with normal MBTA bus operations, but we think that possible changes should at least be discussed. MBTA officials reviewing the proposal should be vitally concerned with safe, efficient and attractive pedestrian access to its buses and Haymarket Station. We believe that the Proponent and the MBTA should commit to additional design work to improve the walking environment in this area to accommodate the large number of pedestrians, including the additional pedestrian volumes that will be generated by this very large project.

#### **6. Hawkins Street**

The Proponent should treat Hawkins Street similarly to Bowker Street. Bowker Street is being remade into a through street, and the stairs that connect this dead-end to New Sudbury Street are being re-graded into an ADA compliant sidewalk. We believe Hawkins Street should be given the same treatment, even though a small portion of it is technically offsite. If Hawkins Street cannot be made a through street, the stairs that connect its dead-end at New Sudbury Street should also be re-graded into an ADA compliant sidewalk.

#### **7. North End Access**

While the Project reconnects some long divided Boston neighborhoods, it fails to offer the North End the same pedestrian benefits it does for the West End, Government Center and Bullfinch Triangle. A North End pedestrian connection should be explored in greater detail, and in conjunction with the planned YMCA on the adjacent Central Artery ramp parcel. The connection should work to interconnect the Canal Street Extension through Parcel 1 of the project, North End residents, the Green and Orange Line MBTA subway stations, and the Greenway. One possibility would be a second-level pedestrian walkway from the project across the MBTA bus area through the YMCA parcel (above the Artery ramps) into the North End. Such a pedestrian walkway could be included and accommodated within the future design of the YMCA. The proposed Project is noticeably silent in relation to the plans for the abutting YMCA development, and we believe the nexus between the two projects offers an excellent opportunity to solve thorny pedestrian circulation issues when the Y is constructed. The Proponent, the BRA and the City of Boston, and the YMCA could also explore expanding the development envelope to include the construction of the new YMCA on the ramp parcel,

---

<sup>1</sup> Government Center Garage Redevelopment Project Notification Form dated March 2, 2009, p. 3-8.

in addition to the previously included city and BRA owned parcels. Such a multi-party discussion might also include consideration of a public school which has been raised by many community members, including shared use of facilities.

#### **8. WALK Signals**

The existing pedestrian WALK signals at the intersection of New Chardon Street and Canal Street will need to be adjusted. The addition of the proposed pedestrian-only extension of Canal Street through the newly configured Parcel 1 will siphon existing North Station foot traffic away from adjacent streets. As a result, this pedestrian walk signal and the narrow mid-crossing island are likely to be overwhelmed by the additional foot traffic on Canal Street. All WALK signals on New Chardon Street, Friend Street, New Sudbury Street and Merrimac Street should be adjusted to handle the additional pedestrian traffic that the Project will create.

#### **9. Narrowing New Sudbury and New Chardon Streets**

A detailed study of the potential for narrowing both New Sudbury and New Chardon Streets is essential. Such a study should include provisions for wider sidewalks, coordinate with improvements being planned for neighboring streets as part of the Cross Roads Initiative and potential bike lanes. Further pedestrian crossing improvements should be explored including the elimination (or infill) of the truck turning lanes at the corner of Merrimac/New Chardon Street and Congress Street.

#### **10. Other pedestrian ways**

The document does not address whether the proponent will maintain or improve pedestrian connections that skirt the northwestern edge of the site, from New Chardon Street, up the Brattle Way pedestrian mall and ultimately out towards Cambridge Street. This pedestrian mall/walkway and associated small park area is well used during the day and it should be considered with the Project's design. The short length of Brattle Way could be an excellent candidate for expanded pedestrian use.

Thank you for the opportunity to comment on the ENF/PNF for the Government Center Garage Redevelopment. We believe this site provides an opportunity to develop a transit-oriented, mixed-use project that will serve as a gold standard for pedestrian friendly and environmentally conscious design for both the planned Government Center Green Growth District and for the future redevelopment of downtown Boston. We hope our comments on the ENF/PNF are incorporated into your requirements for the next phase of design and permitting documents.

Please contact us for any clarification or additional comments that would be useful.

Sincerely,



Wendy Landman  
Executive Director



Robert Sloane  
Senior Planner

## Kara, Kristin

---

**From:** McCarthy, Thomas F [TFMcCarthy@StateStreet.com]  
**Sent:** Wednesday, April 29, 2009 5:33 PM  
**To:** Kara, Kristin

Hell Ms. Kara,

This letter is to express my support of the redevelopment plan of the Government Center garage set forth by Raymond Property Co. This is a project that will not only destroy what I consider to be one of the biggest eyesores in the city, but bring prosperity to an area of the city that is recently finding new life since the completion of the Big Dig. To this point, the Rose-Kennedy Greenway has not been extremely successful (some have called it a glorified median strip), but this project would bring workers, new citizens and other visitors to the area in order to live, work and play. As a result, the Greenway would have a better chance to be the successful public space it is intended to be.

We are in the middle of what many consider to be the worst economic crisis since the Great Depression. This developer already has outside financing in place! This project would provide thousands of temporary and permanent jobs to our great city. Tax revenue generated by this project would be significant. The proximity to the Haymarket T Station would help to increase ridership on the T for commuters. It seems like this project is such a financial win-win situation for both the city and surrounding businesses, which of course would benefit from the increased number of people in the area.

The cries of opposition towards this project seem to be unfounded. Many of these groups don't even live near this area, yet they are selfish enough to do everything they can to get ambitious projects such as this cancelled. Unfortunately in the past it has seemed in order to get their way, these groups just need to be loud rather than show evidence as to why projects like this would be significantly detrimental to the city.

I hope the BRA will look past these unfounded criticisms and see the project for what it is: an ambitious, environmentally friendly, beautiful project, which will bring much more benefit to our city than detriment.

Thank you very much for taking the time to read my letter. I hope this project will be approved soon.

---

Thomas McCarthy

State Street Corporation

Fund Accountant

Columbia Management Group

617-937-1786

[TFMcCarthy@StateStreet.com](mailto:TFMcCarthy@StateStreet.com)

The information contained in this email and any attachments have been classified as limited access and/or privileged State Street information/communication and is intended solely for the use of the named addressee(s). If you are not an intended recipient or a person responsible for delivery to an intended recipient, please notify the author and destroy this email. Any unauthorized copying, disclosure, retention or distribution of the material in this email is strictly forbidden.

## Kara, Kristin

---

**From:** Philip Boucher [kz1000ps@gmail.com]  
**Sent:** Wednesday, April 29, 2009 3:12 PM  
**To:** Kara, Kristin  
**Subject:** Public Comment re: Congress Street Garage proposal

Hi Kristin,

I'm emailing you to express my support for Raymond Property's proposal to replace the Congress St. garage with a development much, much more worthy of that site.

First, I'll just state my bias by saying I'm what you would call an architecture and urban planning enthusiast, and with that my mind leans towards a pro-development viewpoint. However, I also recognize a bad development when I see one (Druker's proposal for the corner of Boylston and Arlington springs to mind). But having said that, I see very little downside to this project as proposed.

The mixture of uses is in tune with its location, the site plan does its best to stay away from superblocks, the architecture promises to be a cut above the typical (my definition of "typical" recent projects being 33 Arch or Trilogy), and the overall size and scale of the project is appropriate for the site.

Despite what the NIMBYs may say, this project is located "downtown," and skyscrapers are nothing if not appropriate in a "downtown" environment. If they are afraid of tall buildings, why are they living in the North End or West End? (especially so in the West End, since it's made up of nothing BUT high-rises!).

At this point, I'll go ahead and say what you're probably picking up on: NIMBYs get my blood boiling.

Here in Boston they seem to oppose any and every project over twenty inches in height. And yet they never make a peep when crap like Fallon's sinfully bland Park Lane Seaport development is proposed. Not to get too presumptuous, but in my opinion it shows they don't understand how a successful and attractive city works on a rather fundamental level, and for that I feel their voices should be only marginally regarded. The local neighborhood-level media (the *Courant*, for example) already gives them more than enough soapbox time than as it is, and it all seems very provincial.

And as the chorus of cries for the height of these towers to be cut down starts to swell (as it surely will), I would like to remind both you and all those afraid of height that height really doesn't matter. What difference does it make when you're walking by a tall building whether it's 35 stories or 45? Your brain tells you, "this is a tall building!" and moves on with its life. So I don't see what is to be gained by doing the typical chop-off-five-stories-to-appease-the-NIMBYs thing. All that ends up happening is the floorplates of the towers are made fatter to make up for the lost space, and we end up with a building whose proportions could best be described as "girthy." Simply put, I don't see these kind of actions as a net gain for the public.

So to wrap up this long-winded rant, I like the proposal and hope the locals don't derail the approval process too much. Boston could use something big and bold like this.

Sincerely,  
Philip Boucher

518-265-8190

12 Champney St #1, Brighton 02135  
Resident of Boston for over four years

**Kara, Kristin**

---

**From:** Matthew DaPrato [dapratom@gmail.com]  
**Sent:** Wednesday, April 29, 2009 12:02 PM  
**To:** Kara, Kristin  
**Subject:** Congress Street garage redevelopment

Ms. Kara,

I am writing to you to express my support for the proposed redevelopment of the Congress Street garage. The garage is an eyesore, and the proposed replacement is a beautiful and iconic addition to the city. On the ground, the plan knits together government center, the north end, the west end, and the bulfinch triangle, whereas the current structure does its best to push people away.

As a person who has been through the area often for work and recreation, this development will help tremendously. People will flock to the area, and people will fill out the area around it in a way that is positive and dynamic. The new and underutilized greenway stands to benefit the most from this project.

In this day and age, if a city does not grow it will die. The siting and timing are perfect for this project. I have heard, though obviously cannot confirm, that the developer is well financed. If this gets built, it will add greatly to the city's life and dynamism, as well as its tax roll.

Please get this project done for the good of Boston. Thank you for your time.

--

Matthew DaPrato  
Boston College, Class of 2009

**Kara, Kristin**

---

**From:** Michael Rocca [mjrocca@gmail.com]  
**Sent:** Wednesday, April 29, 2009 6:46 PM  
**To:** Kara, Kristin  
**Subject:** Congress Street Garage Redevelopment

Dear Ms. Kara,

I'm writing to urge the BRA to support the Congress Street Garage redevelopment plans. I am a metro Boston resident and frequently spend time in the city. I believe this project will help knit the city together and repair a great wrong of urban renewal. This project would be great for the region's economy and with the developer having secured financing the city cannot afford to hinder the project.

The Cook + Fox designs are stunning and appear to take into account the nature of the area. The thought put into pedestrian circulation and the opening up of the area truly impress me. In closing I hope the BRA and the city support this project for both it's benefits to the economy and the community.

Regards,

Michael Rocca  
718 Mount Auburn Street  
Watertown, MA 02472  
[mjrocca@gmail.com](mailto:mjrocca@gmail.com)



## Kara, Kristin

---

**From:** Kent Xie [xie.k@neu.edu]  
**Sent:** Wednesday, April 29, 2009 10:24 PM  
**To:** Kara, Kristin  
**Subject:** Congress Street Garage

Dear Kristin,

As a resident of Boston all my life and a current student of Northeastern University studying architect, I have decided to write a letter to you in an effort to make a difference in the future of Boston.

After many years of sitting back and watching events go by without trying to contribute, I've notice how Boston have become a city which fears change. Most recently, the proposed project to replace the Congress Street garage, an urban blight and an unsightly eyesore that has put a wall separating Government Center and the West End, has been put under criticisms from the neighboring community of the North End, as well as a few in our government.

Although it is well within the neighboring communities' right to give their opinions and criticisms, most of these criticisms are quite unfounded. Here are some which I have picked up from newspaper

- The fear of shadow cast over the Rose Kennedy Greenway.

While there will be shadows create by this project, the location of the two towers will be nearly directly east of the section of the Greenway which contains mainly ramps and a bus station. The parks neighboring park parcels will remain relatively shadow free (although shadow casted on the Greenway would be beneficial due to the lack of shade on the Greenway)

- The fear of height.

Indeed, this seems to be the most important factor in most cases.

However, we must remember that Boston is not a sunbelt city or a city that is large in land area. There is simply not much land space for Boston to grow. Any propose spread into the neighboring low-rise area surrounding downtown Boston and the Back Bay will be shot down immediately. This effectively constrains the area in which Boston can build. If developers are not allowed to build up, or allowed to build out, then there is simply no place to build in Boston. From the many projects that have been proposed in Boston (specifically high-rises), the number one issue was height. Take your pick, the Condo project down at Copley, the new high-rises at the Prudential Center, the high-rise project over the Dainty Dot, and etc. I have come to realize, regardless of how tall a project is, whether it is in 200ft or 700ft, the complaint is that the project is too tall. A good example is the proposed high-rises which I believe none exceeds the height of 300ft.

Many of the neighboring residents complained that they are too tall and out of scale even though the 750ft Prudential Tower, along with the 550ft 111 Huntington Avenue is behind them. While height on a project should be reasonable, fear of height seems to be only an excuse used to derail a project.

The current proposal to demolish the Congress Street Garage provides many benefits as well. It gets rid of an urban blight and connects the West End as well as the North End. It provides badly needed job during the construction. It provides office space to a city which saw it's office vacancy rate dip significantly below the national average. Hopefully, it will also provide some shade over the RKG which it sorely needs. It will create street activity to the area, and possibly a school if included.

To wrap up my e-mail, I wish to say that Boston is a dynamic city and should be behaving more like one. However, it seems like some of the city's residents wish Boston will stay as it is. If this sentiment continues to persist for every development proposed in Boston, the city of Boston will become a museum city, a city that becomes static, a city that will trail behind other cities. I wish to thank you for taking your time to read my e-mail. I trust that the BRA and you will make the right decision.

Best Regards,  
Kent Xie.

**Kara, Kristin**

---

**From:** Grieci, Cesare [cgrieci@amsa.com]  
**Sent:** Friday, May 08, 2009 2:29 PM  
**To:** Kara, Kristin  
**Subject:** BRAVO>>>>

Thank you for thinking outside of the box and I know this project to demolish the government center garage will be quite successful.

Wishing all the best

**APPENDIX D**  
**SUBMISSION REQUIREMENTS FOR DESIGN DEVELOPMENT**  
**AND CONTRACT DOCUMENTS**

- A. Phase II Submission: Design Development
  - 1. Written description of the Proposed Project.
  - 2. Site sections.
  - 3. Site plan showing:
    - a. Relationship of the proposed building and open space and existing adjacent buildings, open spaces, streets, and buildings and open spaces across streets.
    - b. Proposed site improvements and amenities including paving, landscaping, and street furniture.
    - c. Building and site dimensions, including setbacks and other dimensions subject to zoning requirements.
  - 4. Dimensional drawings at an appropriate scale (e.g., 1" = 8') developed from approved schematic design drawings which reflect the impact of proposed structural and mechanical systems on the appearance of exterior facades, interior public spaces, and roofscape including:
    - a. Building plans
    - b. Preliminary structural drawings
    - c. Preliminary mechanical drawings
    - d. Sections
    - e. Elevations showing the Proposed Project in the context of the surrounding area as required by the Authority to illustrate relationships or character, scale and materials.
  - 5. Large-scale (e.g., 3/4" = 1'-10") typical exterior wall sections, elevations and details sufficient to describe specific architectural components and methods of their assembly.
  - 6. Outline specifications of all materials for site improvements, exterior facades, roofscape, and interior public spaces.
  - 7. Eye-level perspective drawings showing the Proposed Project in the context of the surrounding area.
  - 8. Samples of all proposed exterior materials.

9. Complete photo documentation (35 mm color slides) of above components including major changes from initial submission to the Proposed Project approval.

#### Phase III Submission: Contract Documents

1. Final written description of the Proposed Project.
2. A site plan showing all site development and landscape details for lighting, paving, planting, street furniture, utilities, grading, drainage, access, service, and parking.
3. Complete architectural and engineering drawings and specifications.
4. Full-size assemblies (at the project site) of exterior materials and details of construction.
5. Eye-level perspective drawings or presentation model that accurately represents the Proposed Project, and a rendered site plan showing all adjacent existing and proposed structures, streets and site improvements.
6. Site and building plan at 1" = 100' for Authority's use in updating its 1" = 100" photogrammetric map sheets.

#### Phase IV Submission: Construction Inspection

1. All contract addenda, proposed change orders, and other modifications and revisions of approved contract documents, which affect site improvements, exterior facades, roofscape, and interior public spaces shall be submitted to the BRA prior to taking effect.
2. Shop drawings of architectural components, which differ from or were not fully described in contract documents.