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Association of the
Back Bay



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Geoff Lewis
Boston Redevelopment Authority
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Boston, MA 02201
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Re: 40 Trinity Place/426 Stuart Street

Dear Mr. Lewis,

The Neighborhood Association of the Back Bay (NABB) is a volunteer organization whose mission is to halt deterioration of the neighborhood, maintain its architectural beauty, and further its historic residential character.

We are writing on behalf of NABB in connection with the 40 Trinity Place/426 Stuart Street Project Notification Form filed by Trinity Stuart LLC. The PNF presents a preliminary description of the proposed project. We support Trinity Stuart LLC's approach to the Article 80 process and agree that a project of this importance requires and merits a two-stage review process, requiring both Draft Project Impact and Final Project Impact Reports (DPIR and FPIR).

Our comments are intended to respond to the request for recommendations for additional research and study that the development team will address in the next phase of the Article 80 process. We anticipate discussing other issues such as materials and fenestration in the next phase, when those items are presented by the development team in more detail.

Environmental Impacts

As density is increased, the importance of open space increases. Boston is and should remain a livable walking city. Copley Square has a place among the elite public squares in the world because of its unique charm and its historical significance. It is the City's prime gathering place for special events. Sunlight is key to the vitality that permeates this area. However, the excessive wind we all experience in the square makes it less than desirable at many times of this year. This is also true of the area near the John Hancock Tower, where the winds can be dangerous. In addition to their damage to the walking environment, the wind impacts upon existing buildings created by the proposed project may be an undesirable side effect.

At the BRA Scoping Session on November 20th, we emphasized the importance of thorough, high quality environmental impact studies for the preservation of sunlight, particularly in the public realm during winter months; comprehensive, reality based wind studies; comprehensive traffic studies of impacts on neighboring City streets, as well as the nearby Mass Pike on and off ramps; and preservation of groundwater.

Sunlight: We endorse the legislation proposed by Rep. Walz, which prohibits the casting of new shadows on Copley Square between the first hour after sunrise and the last hour before sunset, and urge the BRA to adopt that criterion.

The current BRA proposal would allow any new building to cast shadow on the square for two hours every day between March and October. Thus three or four projects, strategically placed, could eliminate the sun from the square entirely. There is no limitation on new shadow in the winter months, when sunlight is even more important. We feel strongly that following these criteria will negatively affect Copley Square, turning it into a darkened, windswept plaza for much of the year.

We request detailed sunlight studies that illustrate the path of travel of the proposed building (and alternatives) throughout the year. We request quantification of the areas of Copley Square and the Dartmouth Street Mall that are in shadow and the times they are in shadow. We also request a study that illustrates the movement of shadow on the faces of the key historic buildings facing Copley Square: the Boston Public Library and Courtyard, Old South, and Trinity Church. Spring and Fall studies should show hourly progression of the shadow on these areas.

Wind: It is commonly acknowledged that the John Hancock Tower is responsible for a majority of the excessive and uncomfortable wind impacts on pedestrians in Copley Square and surrounding areas throughout the year. We cannot allow this situation to worsen.

The Clarendon project (circa 2004) requirements included requests for post-construction monitoring of wind conditions. However, we have not seen the requested real-time data on current wind conditions. If this information is available, it would be of great use at this time. If it is not available, we again urge that monitoring equipment be installed and the data mined to improve the accuracy of predicted wind study information, which is currently based on physical and mathematical models. We request the study area to extend along Dartmouth and Clarendon Streets to the River and an equal distance to the south, east and west. We request that the Wind Study Reports be translated into units and language lay people can relate to and understand. Further, we request a program of post construction monitoring for this project.

It should be noted that the Landmarks Commission asked for a study of the wind effects on historic resources in the area near the Clarendon. This should

be included in the next submission.

Traffic: We request a comprehensive traffic study for the area, including vehicular and pedestrian movements and their interactions. (These are particularly important during peak hours, when automobile and transit commuting is heavy.) Impacts on access routes to the area should be included, particularly those that pass through residential areas such as Dartmouth, Clarendon, and Berkeley Streets. Special attention should be given to parking and circulation in and near the project during Farmer's Market Days. Peak hour impacts on the Green and Orange Line should be quantified, and their capacity to absorb these impacts assessed. We request a study of Trinity Place and potentially closing it off. As with all of the impact studies, we request a traffic study that analyzes the situation with and without the improvements anticipated if the Simons project is built and if it is not built.

The Green and Orange Lines appear to be close to or even over capacity at peak times now. We request current information about each line as well as the added projected impact related to the proposed project.

Historic Preservation: We request that the study include impacts on protected buildings, such as Trinity Church, the Library, and Old South Church, as well as "eligible" or rated I-III buildings, such as John Hancock Clarendon Building, the Carriage Houses on Stanhope Street, the Publishers Building, the Salvation Army Building and the New England Power Building.

Sustainability: Proposed development in the area should readily be able to attain LEED Silver, in part due to its proximity to public transportation. It also should respect the right to solar access of properties within the impact area. The precepts in the LEED certification program run in tandem with the objectives of the Mayor's Climate Action Plan. Consistent with the City's Climate Action objectives and its leadership as one of thirteen inaugural Solar America Cities under the Solar America Initiative of the U.S. Department of Energy, "As-of-Right" development should be required to achieve LEED Gold and "Enhanced" development should achieve LEED Platinum.

Groundwater: Data reported by The Boston Groundwater Trust indicate that there is a significant groundwater drawdown nearby, along Stuart Street. There has been a history in this area of large basements with aging construction, leaking foundation walls and high volume sump pumping, all of which can contribute to groundwater depression. Of particular concern, in that regard, is the existing building at this location, which is understood to have an extensive basement and a deeper partial sub-basement. Both of these basements are proposed to be incorporated into the development and have potential for groundwater breaches.

We request that the project team further identify and study the existing basements and all utility connections for potential groundwater issues and recommend possible waterproofing mitigation measures as part of the DPIR and FPIR.

Further, we request that the highly unusual methodology proposed for constructing supplemental new foundations be analyzed and explained because of the hazard it may introduce by penetration through the aquifer that currently preserves existing wood pile foundations.

Other provisions of the study should include the following:

- Identify wood pile-supported buildings nearby.
- Develop construction phase protocols, such as water level monitoring, stop work, notice to authorities & abutters and recharging in the event of lowered water levels.
- Detail specification of a permanent storm water recharge system from rooftop into the aquifer.
- A commitment to permanently manage groundwater protection measures by annual inspection and reporting to the City, following completion of the development.

Urban Design & Uses

Massing: The importance of limiting the height of buildings within proximity to the original Hancock building cannot be overlooked. The maximum height of the Clarendon project is below the shoulder of the Hancock building. The height limit is intended to reinforce and preserve the iconic skyline defined by the original Hancock building and should be no taller, including mechanicals, than the shoulder of that building, or 356 feet. NABB has consistently argued against the concept of the “High Spine”, which would create a wall of high rise buildings walling off the South End from the Back Bay. Although it may seem attractive as viewed from surrounding expressways, it is extremely detrimental to the surrounding neighborhoods.

Enlivening the streetscape: The project site is located within a block that will benefit from new active uses to link the abutting neighborhoods--Ellis, Bay Village, and the Back Bay--by enlivening the streetscape and encouraging residential use and pedestrian activity in what is today a dead zone at night. Despite the proposed programming for the lower floor of the building, the link is broken by the street access from the Hancock Garage at Trinity Place.

Affordable Housing and Linkage: We strongly encourage the BRA and Trinity Stuart LLC to work creatively to forge a package for the project to provide all required Affordable Housing on-site, as well as expending any linkage funds for housing to develop uses particularly well-suited to this block in the Back Bay. NABB has consistently advocated that all the required affordable units be on-site and does so for this project as well.

Alternatives


We appreciate the deliberate pace of the planning and design for this site, which affords the exploration of options for building uses, massing, and design. Options, for example:

- A project design similar to the Old Police Headquarters, designed within the limitations of existing zoning should be included.
- An alternative massing at 356' should be included in the DPIR.
- Affordable Housing Options should be explored, especially to provide housing for families in three bedroom units. We believe the Affordable Housing Policy has the flexibility to provide much needed family housing.
- The Downtown Neighborhoods are severely hampered by the lack of a K-8 school within walking distance. Incorporation of an urban school should be studied, perhaps by using the air rights over Trinity Place or the parking Garage.

Conclusion

The Back Bay is not valuable as a consequence of the towers around it, but the other way around. The most dense, walkable, livable, vibrant, mixed-use, urbane and valuable areas of Boston are the small-scale, tightly packed ones, the historic neighborhoods. In Back Bay, the vibrant urban density is here, in the low-scale historic district; this is from whence the character and life of the Back Bay spring. This is what draws people--visitors, residents, shoppers, tourists, and businesses--from all over the world to Boston, not the towers around it. Putting it into the perpetual shadow of a "high spine" of towers will only maim that golden goose. Any high-rise development must be carefully designed to be respectful of its neighbors and its physical environment.

Sincerely,



Howard M. Kassler, Chair
Neighborhood Association of the Back Bay

Cc: Mayor Thomas M. Menino
BRA Director Peter Meade
Senator Will Brownsberger
Representatives Byron Rushing and Marty Walz