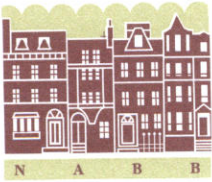


Neighborhood
Association of the
Back Bay



December 15, 2014

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Cc: Lauren Shurtleff <lauren.shurtleff@boston.gov>
Boston Redevelopment Authority
One City Hall Square, 9th Floor
Boston, Massachusetts 02201-1007

Regarding: Parcel 13 Air Rights Proposal

Dear Mr. Tuttle,

The Neighborhood Association of the Back Bay (NABB) appreciates the opportunity to comment on the proposals put forward for Parcel 13 of the Turnpike Air Rights. As you may be aware, the parcel is fully within the Back Bay Historic District, our neighborhood, which we have spent decades developing, protecting, and improving to become the desirable location it is today. Ours is a neighborhood with a delicate balance of residents, businesses and institutions. For that reason, development in this area must be particularly sensitive to its context if it is to be successful.

The Neighborhood Association of the Back Bay is pleased to endorse the designation of the Peebles Corporation as the developer of Parcel 13. The Peebles proposal is consistent with zoning, consistent with the scale of the historic district, and consistent with the Civic Vision. We are in substantial agreement with the "pro" statements concerning this submission in the CAC letter, and we believe that "cons" can be successfully addressed during the Article 80 review process. The other two applicants would build to *double* the height allowed by the permanent underlying zoning. This is unacceptable to our association, which has worked long and hard to preserve the scale of our neighborhood.

The existing 120' zoning height was passed as zoning in 1986 after a significant public process, which engaged the Back Bay business community as well as the residents. The legal height was reduced from 155 feet to 120 feet west of Fairfield Street and 90 feet to the east in order to encourage preservation of existing buildings and enhance the pedestrian experience on Boylston and Newbury Streets.

As the enabling legislation states: "The district is established for the following purposes: (1) to determine appropriate height limits balancing the demands of new development with the existing environment and the requirements for light and air; (2) to ensure that appropriate transitions in height and setback exist within the District; (3) to determine appropriate floor

area ratios in order to avoid excessive traffic and parking problems; (4) to encourage the preservation of historic structures and maintenance of architectural diversity in the district; (5) to encourage mixed-use development, where appropriate, which combines residential and commercial uses; (6) to prevent excessive development impacts on public open space; and (7) to reinforce Boylston Street as a pedestrian link between the Fenway and the Boston Common.”

The process included studies of the potential shadow impacts on Newbury Street, which concluded that buildings of 120 feet produce minimal shadows on Newbury Street, and only during the winter months. **NABB strongly supports the current zoning.**

These criteria are further reinforced by a key document developed through a separate public process, the *Civic Vision for Turnpike Development* adopted in 2000. Both city and state agencies participated in the development of this document, which is a comprehensive statement of the criteria applicable to each parcel. The document specifically states on page 72, "only one taller building above 15 stories should be allowed on Parcel 12 or 15. **No other building on these parcels (12-15) should exceed 14 stories.**"

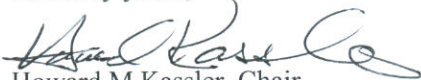
A taller building has already been conceptually approved and is planned for Parcel 15 across Boylston Street. Further, on page 73, the Civic Vision states, "Lower heights are appropriate for Parcel 13, which is in the Back Bay Architectural District. Heights should not exceed the adjacent Tower Records building (118 feet without mechanicals)." the Peebles proposal is consistent with zoning, consistent with the scale of the historic district, and consistent with the Civic Vision.

We can think of no reason why MassDOT should deviate from the Civic Vision given the proposed development already approved on the nearby parcels. The parcels were planned as a whole: The nearby parcels were always intended to generate the most revenue for the state, not parcel 13. That is why the Civic Vision kept the height lower on parcel 13. The key point is balance, not maximum return on every parcel. **NABB strongly supports the limits adopted in the Civic Vision.**

In conclusion, we are in favor of a building on Parcel 13 that is constructed within the underlying zoning envelope of 120 feet. We believe that this is not only desirable but also possible, as evidenced by the current Peebles proposal and the proposal previously submitted by Trinity Financial. It is interesting that Peebles, a firm that is new to Boston, is most attuned into the essence of the site and neighborhood. Their sketch analysis view of Boylston Street clearly shows the urban design advantage of maintaining the small scale of the neighborhood on the north side of the street. Further, they have agreed to set aside program area for neighborhood uses, and to make an effort to provide any required affordable housing on site. We believe that MassDOT should make its choice based on the criteria adopted in the Civic Vision, which reinforces the existing zoning limit, and select the only proponent who submitted a proposal that fully meets the intent of that document and is in compliance with the underlying zoning.

We look forward to the Article 80 process with the selected firm,

Sincerely yours,



Howard M Kassler, Chair

The Neighborhood Association of the Back Bay