

COMMONWEALTH OF MASSACHUSETTS
THE GENERAL COURT
STATE HOUSE, BOSTON 02133-1053

October 31, 2011

Peter Meade, Director
Boston Redevelopment Authority
One City Hall Plaza
Boston, MA 02201

Dear Mr. Meade:

We are writing to comment on the DPIR for the Copley Place Retail Expansion & Residential Addition. We urge the BRA to require the preparation of a Final Project Impact Report. As set forth below, much work remains to be done before numerous issues are resolved, and we believe those issues should be resolved prior to a BRA Board vote to approve the project.

We have participated in the Citizens Advisory Committee reviewing this project and support only the comments of CAC members set forth in an October 31 letter to you that are unanimously agreed upon.

We are convinced the CAC does not have enough information to make informed recommendations on numerous issues, including the street wall expansion and connections along Stuart Street; pedestrian issues on the south side of Stuart Street by the Turnpike off ramp; the Massachusetts Turnpike off ramp; wind mitigation; the most appropriate way to mitigate the shadows cast on Copley Square Park; the design of the public space described as a "winter garden"; the redesign of the intersection of Dartmouth and Stuart streets; and the width and design of the Dartmouth Street sidewalk. Just as the CAC has insufficient information on these points, so too does the BRA. We believe it is premature to waive an FPIR and for the BRA Board to vote on the project.

To date there has not been a satisfactory resolution of the dangerous pedestrian and traffic conflicts that occur along Stuart Street and at the intersection of Dartmouth Street and Stuart Street. We agree with our CAC colleagues that further analysis is required and support the request that traffic calming measures on the Massachusetts Turnpike off ramp be introduced and enforced through a collaborative effort between the project proponent and MassDOT. MassDOT should enhance the safety of this area through physical changes to the off ramp and Stuart Street (including the creation of a single lane once traffic merges from the ramp onto Stuart Street) as well as through electronic signage to slow traffic both on the Exit 22 ramp and at the point of merger with Stuart Street. We believe we should see the end-result of this planning in order to properly fulfill our role as advisors to the BRA. Safety in this area must be appropriately enhanced whether or not the project is approved and, in any case, before the introduction of new pedestrian and vehicular traffic from the proposed project.

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We agree with the other members of the CAC that the "Winter Garden" should be a public space that functions year round and welcomes all. The current design treats the space as an entrance to the shopping mall and does not achieve this goal. This is not a matter of refining design details. Rather, the design needs considerable work and should be agreed upon before the BRA waives further review.

The CAC has not seen any wind mitigation measures, and with our CAC colleagues, we request that wind mitigation/reduction measures be incorporated into the project design, especially at the problematic intersection of Dartmouth and Stuart streets. We believe the changes required to mitigate the project's wind impacts should be determined as part of a FPIR and certainly prior to a vote to approve the project by the BRA Board. To do otherwise is to put the community at risk for intolerable wind conditions. Too often in the past we have seen wind mitigation alluded to in presentations only to find that the end result on our streets and sidewalks is unsatisfactory.

We also write to comment on affordable housing in this project. We value income diversity as part of the overall diversity of our neighborhoods. We support the 15% affordable housing requirement on developers and urge the BRA to insist that Simon not be given the option to satisfy this requirement by making a contribution to the general fund for affordable housing. As part of the neighborhood benefits for this project, we urge the BRA to insist that the developer provide an additional 10% affordable housing. This total of 25% affordable housing reflects the plan in the original lease and the percentage in the Harcourt Street housing presently on the site. We encourage the developer to work with local community development corporations on finding a solution to satisfy this affordable housing provision. We urge the BRA to insist that Simon build the total affordable housing on site. (If the BRA in cooperation with local CDCs finds this solution not possible, we urge the BRA to insist that the affordable housing be located in the South End and/or Back Bay neighborhoods and that construction of this housing be started before construction begins on the Copley Expansion and Residential Tower.)


We cannot support the project as it is currently proposed. There remain several fundamental issues that require further analysis; our obligation to advise the BRA cannot be fulfilled with the information at hand. We wish to continue working on the issues identified above and in the letter submitted by our CAC colleagues and believe such work should continue prior to a BRA Board vote to approve the project. We remain concerned that some issues may not be satisfactorily resolved; if the BRA Board approves the project, our communities may be adversely affected by a building whose negative features outweigh its positive ones.

As the State Representatives for the affected neighborhoods and as the members of the CAC representing the Ellis South End Neighborhood Association, the Neighborhood Association of

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the Back Bay and the residents of Tent City (the people most directly affected by the proposed project), we urge the BRA to require the submission of a Final Project Impact Report.

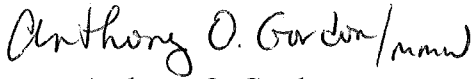
Sincerely,



Byron Rushing
State Representative
9th Suffolk District



Martha M. Walz
State Representative
8th Suffolk District



Anthony O. Gordon
Ellis South End
Neighborhood Association



Zeina Grinnell
Neighborhood Association of the Back Bay



Nikki Fortes
Tent City