

**PRELIMINARY DNA COMMENTS ON THE DECEMBER 6, 2013
SUPPLEMENTAL FILING ON THE BOSTON GARDEN PROJECT**

BACKGROUND: *The Impact Advisory Group (IAG) for the Boston Garden project explicitly requested that the project proponents prepare and provide a supplemental filing that describes the changes to the planned redevelopment of the former Boston Garden site on Causeway Street that have been made subsequent to the 09.06.13 filing of the Expanded Project Notification Form (EPNF) and before any BRA Board Meeting is held to review and/or approve this project.*

A Supplemental Information (SI) was filed with the BRA and made available to the IAG on 12.06.13 in anticipation of a BRA Board Meeting on 12/19/13; and that SI describes a number of positive and important changes – prominently including, but by no means limited to, the announcement of preliminary business agreement with an affordable and full-service supermarket as part of the first phase of this project. It also outlines the basic elements of a 121A tax and zoning agreement, which is described as essential the viability of the first phase of podium development, to which its tax benefits are restricted in both scope and duration. It does not contain any change in the proposed height of the tallest building, the phase 2 residential tower, which continues to be 600 feet. What follows are preliminary observations based on initial review of the 51-page Supplemental Information document:

SUBSTANTIVE & POSITIVE PROJECT CHANGES: *The following are among the substantive project changes that have been made since the EPNF and as in many respects as direct result of discussions in the interim IAG process:*

- ❖ **Announcement of a 45Ksf Supermarket as Part of the Initial Phase of the Project:** *Although the details have yet to be released, the SI reports a preliminary business agreement with a major supermarket operator for the first phase of the project. Further information is expected before the BRA Board meeting; but there is every reason to believe that this longstanding community goal will finally be realized, and in a larger and more suitable site than has otherwise been identified to date.*

- ❖ **A Limited & Focused 121A Agreement:** *The tax agreement described in the SI is limited in both scope and duration. Its tax benefits apply only to the first phase of the project, excluding the planned hotel; and those tax benefits will result in reduced rents for the retail and office tenants in the planned podium, primarily including the new supermarket. It is our understanding that the 121A agreement is for a term of 15 years, which is consistent with the 15-year term of the initial supermarket lease. As described in the SI, this tax agreement will result in tax payments of \$51M related to the podium element alone, which is well over ten times the amount of property taxes now paid on the current undeveloped parcel; and that is before taxes for the hotel, office and residential towers are taken into account.*

- ❖ **Better Integration of the Redeveloped Causeway Street Parcel with Both TD Garden and North Station:** *The project proponents have fully embraced the view long espoused by members of the IAG that proposed redevelopment of the vacant Causeway Street parcel represents the completion of a larger complex that also includes TD Garden and North Station, and each element of which is an essential and important element of an integrated and interactive complex.*

Many of the urban design changes proposed in the SI are specifically intended to reflect and reinforce these inter-connections, particularly including widening of the planned Champions Way concourse and north-side Causeway Street sidewalk, reorganizing the related pedestrian access/egress/circulation systems, improving links to the T Orange and Green Lines Superstation, and expanding and better incorporating the retail and terminal amenities of North Station into a more consistent and continuous retail, restaurant and pedestrian experience.

- ❖ **Better Integration of the Project into the Surrounding West End Community:** *As now updated in the SI, the project is much more responsive to its neighborhood context. This is evident from the additional SI attention to the critical importance of expanded and enhanced pedestrian pathways – e.g., to/from Portal Park, Lovejoy Wharf and Beverly Street; Causeway Street and the Bulfinch Triangle; Nashua Street, Lomasney Way and Thoreau Path; and through the planned Nashua Street Residences project. The importance of these community connections is reflected in the renewed focus on the Champions Way-Canal Street visual and pedestrian link, as well as in new project commitments to assure the continued funding and the future expansion of the Bulfinch Triangle Streetscape Improvements Program and to undertake a pedestrian study of the sidewalks and pathways in the West End neighborhood as a whole.*

- ❖ **A Clear Commitment to Affordable Housing in Our Community:** *The SI clearly outlines an explicit and most welcome commitment to provide required affordable units on-site, unless they can be located elsewhere in the West End or in adjacent neighborhoods. This creative and contingent approach, which presumably meets with BRA approval, reflects the clear preference for affordable housing on-site; and it also addresses the major community objection to off-site affordable units – i.e., they typically do not benefit the project-host neighborhood.*

- ❖ **Improvements to the Design, Massing & Siting of the Office Tower:** *As the SI fully describes and illustrates, the massing, siting and orientation of the of the proposed phase-2 office tower has been significantly modified from what was proposed in the EPNF. In addition to their aesthetic advantages, these changes reduce the wind and shadows effects of the initial office tower plan and improve existing conditions in several areas on Causeway and Beverly Streets in particular.*

- ❖ **A New and Better Connection Between the Proposed Hotel and Residential Towers:** *Since the EPNF was published, there has been a new design approach to the relationship between these two towers and to the design and use of the west side of the podium from which they emerge. The two buildings are now connected at the podium rooftop level; and the podium rooftop itself has been enhanced to provide amenities for residents and hotel guests, the use of which can be shared with the community. This more open and integrated design and use approach is a significant improvement over what was initially proposed; and it provides the basis for further progress as the design review process continues.*

- ❖ **More and Better Service/Loading Facilities:** *The SI describes new loading and service facilities accessible via Legends Way, in addition to those accessible via Causeway Street, which will now be exclusively used by smaller delivery trucks. This expansion and differentiation of off-street loading and service functions and facilities reduces and simplifies pedestrian and vehicular movements on the Causeway Street sidewalk and roadway, avoiding any need for left turns and reducing the possibility of pedestrian/vehicular conflicts.*

- ❖ **A More Comprehensive/Coordinated Traffic/Transportation Plan:** *Consistent with the more holistic project perspective noted above, the traffic/transportation plan outlined in the SI acknowledges and embraces the fact that TD Garden event-related traffic issues and opportunities must be addressed as part of the traffic management strategy for this project.*

This comprehensive approach is facilitated by the fact that the projects proponents, individually or together, are responsible for management/marketing of all elements of the Causeway Street, TD Garden and North Station complex; and it assures that community collaboration on traffic management and mitigation will be a continuing one, which can be monitored to assure that present projections are accurate and further refined to address and resolve any unexpected issues and opportunities over time. In sum, the nature and scope of the current traffic strategy is now more appropriate, responsive and realistic.

- ❖ **Financial Support for West End Community Organizations:** *Not addressed in the EPNF, the SI outlines a significant series of \$50K financial contribution each to four deserving community-based organizations: Community Works Services, the West End Museum, Friends of Thoreau Path and West End Community Center. In the case of the latter, a commitment has also been made to provide pro bono office/meeting space as part of the podium complex, which can be shared for other community meeting purposes as appropriate and required. These major contributions will make a substantial difference to these invaluable community organizations; and they will enhance the project itself as well the quality of life in the West End neighborhood of which this project will become an integral element.*

THE PROPOSED HEIGHT OF THE RESIDENTIAL TOWER: *The SI does not contain any change in the proposed height of the tallest building – i.e., the 600-foot residential tower planned for phase 2. The 121A agreement would establish this height as the as-of-right zoning allowance for this structure; and that element of the 121A agreement has not changed from what was initially outlined in the EPNF.*

Although there are some within the BRA, on the BCDC and in the community who clearly believe that this height is appropriate and advisable, many members of the IAG have specifically recommended and requested that this height allowance should be reduced; and this remains a source of community controversy. But it is important to note what the 121A agreement does and does not do in this regard. It provides a zoning allowance that is permissive, and not conclusive. The conceptual height and massing illustrated in the EPNF and the SI are more than just hypothetical; but each element of the project, from the podium to the three proposed hotel, residential and office towers, is still subject to Article 80 design review.

BRA design review is a public process in which the IAG will continue to participate; and it invariably involves a refinement and revision of initial design and massing concepts. That is not to suggest that the 121A height allowances now proposed for BRA Board approval are insignificant or irrelevant; but they are allowances and not requirements; and they should not be viewed as necessarily final or conclusive at this stage in the planning and permitting process.

CONCLUSION: *In our view, the changes from the EPNF that are reflected in the SI are generally positive and very significant. This is now a better project than what was initially described in the EPNF; and for that outcome, the project proponents -- Boston Properties, Delaware North Companies and their architectural, environmental, transportation and other project consultants -- are to be commended. And so should be the members of the Impact Advisory Group. The IAG process provided the venue and vehicle for the SI that has now emerged; and many of the SI changes would not have been made without the input of feedback provided by the IAG.*

Based on that collaborative progress to date, we have confidence that further progress can and will be made as the project planning and design process continues to evolve. The project proponents have demonstrated a willingness to continue to work with the BRA, the IAG and the community to further refine this project to the greater satisfaction of all concerned, which has been the ultimate result of the IAG processes for every previous project development project in the West End community in recent years.

To that end, we continue to believe that the 09.06.13 EPNF, as now updated with the 12.06.13 Supplemental Information, and including the 121A Agreement as now proposed, should be approved by the BRA Board of Directors when this project is considered at their December 19, 2013 meeting.