



NORTH END / WATERFRONT RESIDENTS ASSOCIATION

October 15, 2021

By email: Brian.Golden@Boston.gov; Lance.Campbell@Boston.gov

Brian P. Golden, Director
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201

Subject: Supplemental Filing Cross Street Hotel, North End

Dear Mr. Golden:

By this letter, the North End/Waterfront Residents' Association (NEWRA) issues its strong opposition to the Cross Street Boutique Hotel project as proposed by Cross Street Ventures, LLC (the "Proponent") at 42 Cross Street in the North End for the reasons discussed in our comment letter of April 9, 2021, and further outlined below.

Background

The Proponent seeks approval to construct a 140-room hotel with two ground-floor restaurants totaling 234 seats plus a 285-seat seasonal rooftop bar and dining terrace. The hotel is proposed as a five-story building rising to 55 feet (not including roof-top terrace and mechanicals) over the entire project site from the Chase Bank building adjacent to Salem Street to a residential building at Endicott Street. The site presently includes one-story buildings that until recently housed retail establishments along with an ancillary surface parking lot.

On September 15, 2021, the Proponent submitted to the BPDA a report entitled "EPNF Supplemental Filing." The Supplement Filing responds to an August 20, 2021, BPDA request for specific information to supplement the information presented by the Proponent in its Expanded Project Notification Form (EPNF) submitted to the BPDA on February 12, 2021. The Supplemental Filing also includes the Proponent's responses to public comments on the EPNF, including NEWRA's comment letter of April 9, 2021, and it describes recent project changes.

Public Process Concerns

We are concerned that the BPDA apparently has complete discretion to end Article 80 public review of this project at any time when it alone decides that there is public consensus. Public comments submitted on the EPNF and voiced in recent BPDA Impact Advisory Group and public meetings shows that there is no consensus at this time.

Furthermore, neither BPDA, the Proponent, nor City Neighborhood Services provided notification of the availability of the Supplemental Filing to most of those who submitted comments on the EPNF. Instead, the BPDA stated that its notification involved a legal notice in the Boston Herald, which is totally inadequate.

We understand that the Proponent has actively sought out those who may support the project. But while requesting on September 16 – one day following issuance of the Supplemental Filing – to make a presentation to and take questions and hear comments from residents at the October 14 NEWRA meeting, the Proponent notified NEWRA on October 14 that it was cancelling its attendance. While offering to meet with NEWRA in November, the Proponent is not willing to extend the public comment period beyond the current October 18 deadline.

These are manipulations of the public process that appear to be intended to control public input for the Proponent’s benefit.

NEWRA reaffirms its request that the BPDA prepare and issue a scope for a Project Impact Report that responsively addresses the issues and assesses the potential impacts raised in all public comments on the EPNF and the Supplemental Filing. The BPDA should ensure that all commenters and the North End community are adequately notified of the Project Impact Report’s availability, the comment period, and related public meetings.

Compliance with the City of Boston Zoning Code

As proposed, the hotel would have a Floor Area Ratio (FAR), the total 5-story floor area of the building on the site, of 5.36, nearly twice the allowed FAR, and the Proponent intends to seek a variance from the Zoning Board of Appeal (ZBA). The Zoning Code limits FAR on the site to 3.0, which limits a building covering the site to be no more than three stories. Alternatively, the Zoning Code allows a 5-story building(s) that covers no more than 60 percent of the site.

The Proponent must obtain a second variance because the proposed hotel includes no rear yard setback (from Morton Street and Cutillo Park in the rear). In addition, the project as proposed requires Conditional Use approvals from the ZBA because “Hotel” is not an “Allowed” use in the Code and because any increase in height above the height of the existing 1-story buildings is also not allowed by right. NEWRA requests information from the BPDA and/or the Proponent regarding the parameters by which the ZBA will review and may approve the hotel and how the project satisfies those parameters. In reviewing the increased height, the ZBA must consider shadow, light and privacy impacts to abutters.

The Zoning Code is intended to provide public protections. The dimensional requirements, especially those requirements noted above that the hotel proposal violates, as well as the restrictions on hotel use and increased height, provide for development options that can protect the abutters, Cutillo Park, and the North End neighborhood as a whole.

NEWRA’s Opposition to the Project as Proposed

In its comment letter of April 9, 2021, NEWRA raised several concerns with the project as proposed, but did not express either support or opposition. The EPNF was the first step in Article 80 public review, and NEWRA looked forward to the BPDA’s scoping of a Project Impact Report that would assess the potential project impacts raised in public comments.

We are now concerned from statements made by the BPDA’s project manager at the Impact Advisory Group (IAG) meeting on September 30, 2021, that the BPDA appears to have decided not to scope a Project Impact Report and may soon move to seek approval of the hotel project by its

Board of Directors based on the EPNF, the Supplemental Filing, and the public process conducted so far.

Therefore, **NEWRA is compelled to state its opposition to the hotel project at this time and for the following reasons**, many of which we raised as concerns in our comments on the EPNF. We therefore attach our comment letter of April 9, 2021.

The project site is an inappropriate location for a 5-story, 140-room hotel with restaurants and rooftop dining.

The hotel would be shoe-horned into a tight site immediately abutting a small neighborhood park which will soon undergo complete renovation by the City, and abutting numerous residences and an already problematic junction of heavily used pedestrian, bicycle and vehicular ways. The monolithic hotel structure and hotel operations inherently would impose considerable impacts to these sensitive receptors compared with other potential redevelopment alternatives (uses other than a hotel) and compared with other potentially available sites, including larger, more accessible, and long undeveloped local sites owned by the BPDA. But the City and the BPDA may approve this hotel proposal in the absence of community planning that could consider a range of redevelopment options and their impacts and establish protective development guidelines. No such responsive planning has been conducted by the City or the BPDA.

Neither the Supplemental Filing nor the BPDA, separately, provides any response to our April 9 comment regarding the lack of responsive planning or the absence of protective development guidelines. Furthermore, no changes have been made to the project to avoid or reduce real impacts. Instead, the Proponent commits to providing funding for North End organizations it does not name and for Cutillo Park renovation and maintenance, and providing some space within the hotel – undefined - for community use.

The hotel structure and its operations will impose significant impacts to the environment and community use of Vincent Cutillo Park.

After decades of neglect, the park was recently redesigned by the Boston Parks and Recreation Department (the “Parks Department”) for upcoming renovation by the City with the promise of active community recreational use and long-term effective City maintenance and improved security. The potential for serious impacts to the park were raised in numerous public comments on the EPNF last spring, including comments from NEWRA, the Friends of Cutillo Park, and the Parks Department. The Parks Department noted, *The height and massing will impact the public's experience of the park, year-round. Views over the existing (one-story) commercial buildings provide access to light and sky in the dense North End neighborhood. Containing this side of the park with a 67' tall building (with rooftop structures) will reduce the quality of the open space. Vegetation will receive fewer hours of sunlight which may reduce the viability of new plantings (existing trees will survive but new trees in the future may not be successful).*”

Equally concerning are the impacts to enjoyment of this neighborhood park by the operations of a 140-room hotel and proposed first floor restaurant facing the park and the rooftop bar/dining terrace. How will the park be affected by open hotel windows, by the large glass doors of the proposed restaurant that will open up to the park, by outdoor restaurant seating that may be added to the proposed park passageway, and by mechanical and ventilation equipment?

In response to these concerns, the Proponent reports in the Supplemental Finding that the majority of mechanical equipment previously shown on the roof has been relocated within the hotel. The proposed 55-foot height and horizontal expanse of the building is unchanged, and it appears that much of the hotel room cooling equipment has been decentralized to the exterior of the hotel rooms, with the potential for greater noise impact to Cutillo Park and residential abutters. The Proponent also states that it will work with the Parks Department to promote healthy plantings for the park, including shade-tolerant tree and plant species, so that future trees can be successful in this location. The Proponent also makes a commitment to provide \$45,000 for funding of park improvements and additional resources for long-term park maintenance. These resources may excuse (as in, “pay to play”), but do not mitigate, the project’s impacts.

NEWRA awaits further comment from the Parks Department, but remains firm in its opposition to the construction and operation of a hotel, restaurants and large rooftop bar/dining terrace adjacent to any neighborhood park, and especially tiny and sensitive Cutillo Park. We also request that the Parks Department not accept, now or at any time in the future, park changes requested by the Proponent or future hotel operator for their benefit.

The hotel, restaurants and its use and operations will impose significant long-term impacts to abutting residences on Endicott, Stillman and Salem streets.

The Proponent has not changed the massing (height and horizontal expanse) of the hotel, so there has been no mitigation of what will be loss of view, sunlight and privacy to immediate abutting residences. Hotel and restaurant activity will compromise the peaceful enjoyment and real estate values of these residences. The many hotel rooms and the restaurant that will face and abut Cutillo Park, and especially the proposed 285-seat rooftop bar and dining terrace, will create significant new noise and privacy concerns during most hours of the day and night, impacting residences on Stillman and Salem Streets.

The hotel project continues to lack residential community purpose or other needed public benefit.

As we noted in our April 9 comments, the project site has a hundreds-year history of being part of and serving the North End residential community. The proposed hotel will serve only additional visitors to a neighborhood already over-saturated and overburdened with nearly one hundred restaurants and cafes, outdoor patios, alcohol licenses, and a tourist trade that has brought congestion to our streets and sidewalks with thousands of daily visitors, tour groups, rideshare vehicles, and delivery and trash trucks. A hotel and additional restaurants and alcohol licenses will increase this burden on our residential neighborhood while providing no neighborhood service.

As for the public benefit of additional hotel rooms in the city, every major candidate for mayor of Boston in the recent Preliminary Elections raised housing as a critical need, while not one mentioned the need for additional hotels. And while the BPDA may approve this hotel project in our residential neighborhood, it also appears ready to approve a project change at the nearby Government Center Garage (aka “Bulfinch Crossing”) that would replace an earlier approved plan for a hotel and residential, office and retail buildings with a large Life Sciences/Laboratories building.

The hotel project continues to propose major modifications to the public sidewalk and parking plaza in front of the site (“Cross Street Plaza”), as well as Cross Street itself, with the sole purpose of accommodating hotel/restaurant operations and guests, and with no separate community process conducted or proposed by the City or BPDA.

The hotel plans include redesigning and repurposing Cross Street Plaza and reducing the size of vehicular travel lanes in Cross Street. The current layout and use of Cross Street Plaza were established through a focused community process conducted by the BPDA a decade ago. The hotel project includes removing public parking that has supported neighborhood residents and businesses, adding a bicycle lane through the plaza that replaces the current bicycle lane in Cross Street, and operating outdoor dining. The project also includes a realigned pedestrian path.

Changes recently made to the hotel project now include narrowing the two vehicular lanes in heavily-used Cross Street, including the MBTA bus lane, in addition to relocating the current bicycle lane into Cross Street Plaza. The purpose of narrowing Cross Street is to provide a (likely inadequate) 5-space zone for hotel and hotel restaurant purposes, including guest arrivals and departures, valet parking for hotel guests and restaurant patrons, deliveries, and trash removal. At this already difficult stretch of Cross Street, the two travel lanes would be reduced from 15 feet wide each to 11 feet wide. There is a reason these lanes are 15 feet wide, given the traffic congestion, awkward alignment of Cross Street, and pedestrian crossings in this area. Narrowing these lanes may make driving more difficult, which in turn will create greater risk to pedestrians. Is any other stretch of Cross Street only 11 feet wide?

By relocating the bicycle lane from Cross Street to Cross Street Plaza, pedestrians crossing from the Greenway and MBTA Haymarket Station to the North End will have to cross separated traffic and bicycle lanes, instead of the one signaled crossing that presently exists. Furthermore, it is unclear how the proposed bicycle lane will connect at both ends without imposing pedestrian and traffic impacts at Salem, Hanover and Endicott streets.

Any proposed changes to Cross Street Plaza and Cross Street should be presented and discussed in a separate, focused community process facilitated by the BPDA and the Boston Transportation Department.

The project includes no open space, and it proposes to commandeer most of the public open space that is Cross Street Plaza, as well as narrow Cross Street itself solely for hotel benefit. A proposed ground-floor opening through the hotel building from the Greenway to Cuttillo Park would be a welcome amenity as part of any project at this site, but it does little to offset the impacts to the park from the proposed building’s height, massing and hotel/restaurant activity. Furthermore, the Proponent has reduced the size of this opening from two stories to one story, and also reduced the width of the opening, adding more floor area to the hotel entrance and the second floor.

Transportation Impacts

The project removes public/resident parking in Cross Street Plaza and along Cross Street. The Proponent has committed to working with the City to create additional resident parking nearby, but we believe this to be infeasible until it is defined and approved by the City. The estimate of hotel and restaurant related vehicle trips is based in part on the Proponent’s own

interpretation of the availability of nearby MBTA services, including bus routes, the Green Line and the Orange Line. But it is apparent that one of two public transportation conditions will exist for the foreseeable future. Either we will return to pre-pandemic conditions, when the Green and Orange lines were crowded and over capacity – even before the construction and occupancy of residential and office towers at Government Center Garage and North Station, or much of the public will continue to choose personal vehicles and rideshares over public transportation as it has done for the past two years.

Furthermore, any private events that will be held in meeting rooms, the restaurants, and the rooftop terrace will generate even greater traffic in this already high traffic area, as well as overload the proposed drop-off/pick-up space, which NEWRA believes is critically underestimated, with risk of vehicles stopping in the travel lane or utilizing connecting neighborhood streets (i.e., Endicott and Salem).

In closing, we reaffirm that the BPDA include the above concerns in its scoping of the Proponent's next Article 80 filing and in the public and community process ahead.

Given these concerns and potential serious impacts of development on the Cross Street site, of utmost importance is the evaluation of development alternatives that include variations of height, massing and use, and comparison of the impacts and benefits of the alternatives with the proposed hotel development. The public should not have to accept only what a developer proposes, especially in the absence of planning and with the need for zoning variances.

Sincerely,



Cheryl Delgreco
President, NEWRA

cc: Mayor Kim Janey
Senator Joseph Boncore
Representative Aaron Michlewitz
District 1 Councilor Lydia Edwards
At-Large Councilors Anissa Essaibi George, Michael Flaherty, Julia Mejia, Michele Wu
Rev. Mariama White-Hammond, Chief of Environment, Energy and Open Space
Ryan Woods, Commissioner, Boston Parks and Recreation
Members of the Boston Parks and Recreation Commission
Christopher Cook, Executive Director, Rose Fitzgerald Kennedy Greenway Conservancy
Members of the Board of Rose Fitzgerald Kennedy Greenway Conservancy
Members of the Cross Street Hotel Impact Advisory Group
John Romano, Mayor's Office of Neighborhood Services
Joel Faller, President, North End/Waterfront Neighborhood Council