



NORTH END/WATERFRONT RESIDENTS' ASSOCIATION

P.O. Box 130319
Boston, MA 02113
www.newra.org

June 11, 2013

Secretary Richard K. Sullivan, Jr.
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Deirdre Buckley, EEA No. 15052
100 Cambridge Street, Suite 900
Boston MA 02114

Subject: Boston Garden Project Environmental Notification Form

Dear Secretary Sullivan:

North End/Waterfront Residents' Association (NEWRA) submits the following comments on the Environmental Notification Form (ENF) for the Boston Garden Project, EEA No. 15052 (the "Project") filed by Boston Properties Limited Partnership and Boston Garden Development Corporation (together, the "Proponent"). We understand from the ENF that the Project meets or exceeds a mandatory Environmental Impact Report (EIR) threshold and therefore is categorically required to prepare an EIR, and the Proponent has not requested either a waiver from the mandatory EIR, a Single EIR or a Special Review Procedure. Also, there is little information in the ENF describing the scope of the project or its potential impacts in detail. We look forward to reviewing these details in a Draft EIR when publicly available and focus our comments at this time on public participation and the scope of the EIR.

We are not aware of any public meeting that has yet been held or scheduled for the Project as now proposed. The Project likely will have, by itself or certainly together with several other major redevelopment projects in the Haymarket and North Station areas of downtown Boston¹, major implications for traffic, energy consumption, public and private utilities and infrastructure, public realm amenities and impacts, housing, open space, massing and skyline changes, groundwater resources, shadow and wind (which may affect the built environment as well as open space, open water and recreational resources along the Charles River Basin), and impacts (beneficial or adverse) to residential quality and residential and business economies in the North End and other adjacent historical neighborhoods. We ask the Secretary to require a public process including public meetings both during development of the Draft EIR and other future MEPA filings and during the respective public review and comment periods.

¹ Including the four approved projects at Bulfinch Triangle, Nashua Street Residences and Lovejoy Wharf, now or soon to be in construction; the proposed redevelopment at the Garden/West End Garage; and the proposed redevelopment of the Government Center Garage.

As described in the ENF, the Project includes 300,000 square feet of new retail space from the basement level to the fourth floor covering the entire 2.8-acre project site, a residential tower up to 600 feet in height with approximately 500 residential units, a hotel building with approximately 200 rooms, an office tower with approximately 600,000 square feet of office space and below grade parking “to sufficiently service the variety of uses in the Project.” The ENF notes that this development plan and its demands on roadways and other infrastructure fulfill or are consistent with several planning documents prepared over the past three decades. The EIR should describe in detail how the project, its economic benefits and its infrastructure demands conform to the earlier plans (including urban renewal, Zoning and traffic plans) and what mitigation may be necessary to avoid impacts where the Project falls out of conformance.

It is rarely evident at the outset of a project proposal what public funding will eventually be sought and granted. Moreover, significant public funds likely have already been expended on other elements of the Boston Garden renewal plan, including the expansion of the MBTA North Station and possibly the replacement of the arena. These public expenditures have in part made the current development proposal feasible, and they may accommodate the Project’s construction. MEPA jurisdiction should not be limited to those aspects of the Project that require state permits and/or exceed regulatory thresholds, but be broad and cover all aspects of the Project due to the large investment of public funds to date and the any additional public funding that may be sought by the Proponent for the current Project.

The Proponent states in the ENF that the Project will provide “support for new affordable housing.” Rental housing and property in the North End is fast becoming economically out of reach for many current residents, particularly the elderly and families, and this is forcing many residents out of the neighborhood. New residential units constructed in the Bulfinch Triangle are also way out of reach for most of our residents. The Project should include a significant amount of affordable units or should provide a significant amount of affordable units in the North End and/or other immediate residential areas. The Draft EIR should describe how the Project will affect the ability of existing residents in communities near the Project to remain in their communities in view of the economic changes that may be caused by the Project. One necessary component of a plan to bring economic benefits to existing populations and to new residents of the Project is the inclusion of an affordable supermarket in the Project plan.

According to the ENF, the Project will increase the number of parking spaces at Boston Garden by 50%, from 1,375 spaces to 2,075 spaces, and will more than double the average daily traffic on Causeway Street, from about 12,000 vehicle trips per day to about 25,000 vehicle trips per day. We now experience serious traffic congestion and attendant public safety risks, especially pedestrian safety risks all along Causeway Street and especially at the ill-configured intersections at Nashua Street and at North Washington Street. Adding the proposed K-8 public school at 585 Commercial Street and the children that may be walking to the school from the North End, West End and Beacon Hill or from the Haymarket or North Station MBTA and bus stations will raise the risks. In addition to comprehensively evaluating the traffic demands, roadway capacities, levels of service and public safety risks, the Draft EIR should describe

planned or necessary roadway and intersection improvements and identify schedules that show that the improvements will be in place prior to occupancy of the Boston Garden Project.

In addition, the traffic capacity and structural condition of the North Washington Street/Charlestown Bridge has been compromised for decades, and the project to replace or rehabilitate the bridge has been delayed for all that time. What is the necessary capacity of the bridge to support the demands of the Project and other major redevelopment projects in the area, and what are the consequences of an additional or full shutdown of the bridge if the bridge improvements are further delayed leading to an emergency situation? The bridge should be replaced or rehabilitated to full capacity and safe long-term structural condition before the redevelopment projects in the Haymarket and North Station areas are completed.

Another factor that may contribute to increase traffic demands is the scope and type of retail establishments that will service the new residential population. Traffic can be expected to increase if residents' retail needs are not met within the Project or in the immediate area. This is especially the case with a supermarket, but also applies to every other retail service that supports and helps define a "neighborhood."

We also question the adequacy of utilities that will serve the Project and other major redevelopment projects in the area. The Draft EIR should describe the current or proposed capacities of water, sewer, electricity, gas and other utilities that will service these projects, and how the performance of these utilities will be affected by them. We are well aware of the problems that have affected the residents and businesses in the Back Bay and The Fenway due to recent electrical station explosions, fires and shutdowns. Residents in the North End are also well aware of the longstanding gas leaks from major lines crossing the North Washington Street/Charlestown Bridge and traveling up Prince Street. How will these facilities be affected by build-out in the Haymarket and North Station areas, and will existing problems be addressed before the major projects come on-line? We also know that we share the same sewer systems with some of the major projects now proposed or under construction, and that these systems can and do overflow in large storms.

The ENF reports that the Project requires no wetlands or tidelands permit, implying that the Project is outside the jurisdiction of the Wetlands Protection Act and is exempt from Chapter 91 licensing possibly due to landlocked status. The Draft EIR should describe more fully the relationship of the project to the wetlands and tidelands jurisdictions and related regulations. The Draft EIR should also describe the potential impacts of the project, especially the environmental effects of its massing (e.g. shadow) on water resources, water based and land based recreation resources and public open space within the Charles River Basin and the upper tidal waters of Boston Inner Harbor.

The Draft EIR should also describe the needs and demands of the Project's populations (residential, office and hotel) for open space and recreational resources, and how these demands will be met. The North Station area, the North End and other surrounding neighborhoods have limited amounts of open space and recreational resources for the existing population and

Secretary Richard K. Sullivan, Jr.

EEA No. 15052

June 11, 2013

Page 4

demand. What plans are in place to augment the existing publicly funded and maintained resources to better serve the current demand and meet the additional demands from a greatly increasing population in the Haymarket and North Station development areas?

NEWRA thanks EEA and the MEPA office for this opportunity to comment on the scoping of the Boston Garden Project Draft EIR. We look forward to participating in the public process as the Project is further planned and continues to meet its MEPA obligations.

Very truly yours,

Jim Salini
President

cc: Mayor Thomas M. Menino
State Senator Anthony Petrucci
State Representative Aaron Michlewitz
City Councilor Salvatore LaMattina
Stephen Passacantilli, North End/Waterfront Neighborhood Council
Donna Freni, North End Chamber of Commerce