

**Commonwealth of Massachusetts**

**Executive Office of Environmental Affairs ■ MEPA Office**

**ENF**

**Environmental Notification Form**

For Office Use Only Executive Office of Environmental Affairs
EOE No.: <i>14411</i> MEPA Analyst: <i>Aisling Eglinton</i> Phone: 617-626- <i>1024</i>

The information requested on this form must be completed to begin MEPA Review in accordance with the provisions of the Massachusetts Environmental Policy Act, 301 CMR 11.00.

<b>Project Name: Harbor Garage Redevelopment</b>		
<b>Street: 70 East India Row</b>		
<b>Municipality: Boston</b>	<b>Watershed: Boston Harbor</b>	
<b>Universal Transverse Mercator Coordinates:</b>	<b>Latitude: 71°3'3.241"W</b>	
<b>UTM Zone 19 North 331065.396389, 4691641.83532</b>	<b>Longitude: 42°21'30.287"N</b>	
<b>Estimated commencement date: Fall 2011</b>	<b>Estimated completion date: Spring 2017</b>	
<b>Approximate cost: \$1 billion</b>	<b>Status of project design: 10% complete</b>	
<b>Proponent: RHDC 70 East India, LLC c/o The Chiofaro Company as development agent</b>		
<b>Street: One International Place</b>		
<b>Municipality: Boston</b>	<b>State: MA</b>	<b>Zip Code: 02110</b>
<b>Name of Contact Person From Whom Copies of this ENF May Be Obtained:</b>		
<b>Corinne Snowdon</b>		
<b>Firm/Agency: Epsilon Associates, Inc.</b>	<b>Street: 3 Clock Tower Place, Suite 250</b>	
<b>Municipality: Maynard</b>	<b>State: MA</b>	<b>Zip Code: 01754</b>
<b>Phone: (978) 897-7100</b>	<b>Fax: (978) 897-0099</b>	<b>E-mail: csnowdon@epsilonassociates.com</b>

Does this project meet or exceed a mandatory EIR threshold (see 301 CMR 11.03)?  
 **Yes**  **No**

Has this project been filed with MEPA before?  
 **Yes (EOEA No. \_\_\_\_\_)**  **No**

Has any project on this site been filed with MEPA before?  
 **Yes (EOEA No. \_\_\_\_\_)**  **No**

Is this an Expanded ENF (see 301 CMR 11.05(7)) requesting:

a Single EIR? (see 301 CMR 11.06(8))	<input type="checkbox"/> <b>Yes</b>	<input checked="" type="checkbox"/> <b>No</b>
a Special Review Procedure? (see 301CMR 11.09)	<input type="checkbox"/> <b>Yes</b>	<input checked="" type="checkbox"/> <b>No</b>
a Waiver of mandatory EIR? (see 301 CMR 11.11)	<input type="checkbox"/> <b>Yes</b>	<input checked="" type="checkbox"/> <b>No</b>
a Phase I Waiver? (see 301 CMR 11.11)	<input type="checkbox"/> <b>Yes</b>	<input checked="" type="checkbox"/> <b>No</b>

Identify any financial assistance or land transfer from an agency of the Commonwealth, including the agency name and the amount of funding or land area (in acres): N/A

Are you requesting coordinated review with any other federal, state, regional, or local agency?  
 **Yes (Specify \_\_\_\_\_)**  **No**

List Local or Federal Permits and Approvals:  
**Environmental Protection Agency** - NPDES Construction Stormwater Discharge General Permit Filings (Construction Dewatering and Runoff); **Federal Aviation Administration** - Determination of No Hazard to Air Navigation; **Boston Redevelopment Authority** - Article 80 Review, Approvals under Urban Renewal Plan, Municipal Harbor Plan Amendment coordination, Board Approval for Disposition of Land (Portion of East India Row); **Boston Conservation Commission** - Order of Conditions; **Boston Zoning Commission and Zoning Board of**

**Appeals** - Zoning map modifications and/or variances, as applicable; **Boston Civic Design Commission** - Design Review; **Boston Air Pollution Control Commission** - Permit Modification; **Boston Water and Sewer Commission** - Sewer Use Discharge Permit, Site Plan Approval, Dewatering Discharge Permit, Sewer Connection Permit, Stormwater Connection, Cross Connection/Backflow Prevention Permit, Hydrant Meter Permit; **Boston Inspectional Services Department** - Building and Occupancy Permits; **Boston Inspectional Services Department, Committee on Licenses** - Amendment of Fuel Storage License; **Boston Transportation Department** - Construction Management Plan, Transportation Access Plan; **Boston Fire Department** - Fuel Storage Tank Removal Permit, Fuel Storage Tank Permit (to the extent required for fuel serving boilers and generators, if any); **Boston Public Improvement Commission** - Street Opening Permit(s), Street Discontinuance, Street/Sidewalk Repair, Projection Permit; **Boston Parks and Recreation Commission** - Project Approval; **Boston Licensing Board** - Innkeeper's/Alcohol License; **Boston Landmarks Commission** - Determination of no significance.

Which ENF or EIR review threshold(s) does the project meet or exceed (see 301 CMR 11.03):

- |                                 |  |  |
|---------------------------------|--|--|
| <input type="checkbox"/> Land   | <input type="checkbox"/> Rare Species          | <input checked="" type="checkbox"/> Wetlands, Waterways, & Tidelands |
| <input type="checkbox"/> Water  | <input checked="" type="checkbox"/> Wastewater | <input checked="" type="checkbox"/> Transportation                   |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Air                   | <input type="checkbox"/> Solid & Hazardous Waste                     |
| <input type="checkbox"/> ACEC   | <input type="checkbox"/> Regulations           | <input type="checkbox"/> Historical & Archaeological Resources       |

Summary of Project Size & Environmental Impacts	Existing	Change	Total	State Permits & Approvals
<b>LAND</b>				<input checked="" type="checkbox"/> Order of Conditions <input type="checkbox"/> Superseding Order of Conditions <input checked="" type="checkbox"/> Chapter 91 License <input type="checkbox"/> 401 Water Quality Certification <input type="checkbox"/> MHD or MDC Access Permit <input type="checkbox"/> Water Management Act Permit <input type="checkbox"/> New Source Approval <input checked="" type="checkbox"/> DEP or MWRA Sewer Connection/ Extension Permit <input checked="" type="checkbox"/> Other Permits <i>(including Legislative Approvals):</i> (a) Approval of Amendment to City of Boston Municipal Harbor Plan (EEA) (b) Sewer Use Discharge Permit & Construction Dewatering Permit (MWRA) (c) Determination of No Adverse Effect (MHC) (d) Federal Consistency Certificate (MCZM) (e) Outdoor Advertising (MHD), if necessary
Total site acreage	1.32 <sup>1</sup>			
New acres of land altered		0		
Acres of impervious area	1.32	0	1.32	
Square feet of new bordering vegetated wetlands alteration		0		
Square feet of new other wetland alteration		0		
Acres of new non-water dependent use of tidelands or waterways		0		
<b>STRUCTURES</b>				
Gross square footage	418,626	1,041,232	1,500,000	
Number of housing units	0	130	130	
Maximum height (in feet) <sup>2</sup>	95	595	690	
<b>TRANSPORTATION</b>				
Vehicle trips per day				
Unadjusted	6,820	11,738	18,558	
Adjusted	3,647	1,620	5,267	
Parking spaces	1,475	(75)	1,400	

1 Not including an area of BRA-owned land along East India Row, which will lie above a portion of the proposed below-grade parking.  
 2 Per Boston Zoning Code, maximum height is to the top of the highest occupiable floor.

WATER/WASTEWATER			
Gallons/day (GPD) of water use	6,600	134,145	140,745
GPD water withdrawal	0	0	0
GPD wastewater generation/ treatment	5,940	122,010	127,950
Length of water/sewer mains (in miles)	0	0	0

**CONSERVATION LAND:** Will the project involve the conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97?

Yes (Specify \_\_\_\_\_)  No

Will it involve the release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction?

Yes (Specify \_\_\_\_\_)  No

**RARE SPECIES:** Does the project site include Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities?

Yes (Specify \_\_\_\_\_)  No

**HISTORICAL /ARCHAEOLOGICAL RESOURCES:** Does the project site include any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?

Yes (Specify \_\_\_\_\_)  No

If yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources?

Yes (Specify \_\_\_\_\_)  No

**AREAS OF CRITICAL ENVIRONMENTAL CONCERN:** Is the project in or adjacent to an Area of Critical Environmental Concern?

Yes (Specify \_\_\_\_\_)  No

**PROJECT DESCRIPTION:** The project description should include (a) a description of the project site, (b) a description of both on-site and off-site alternatives and the impacts associated with each alternative, and (c) potential on-site and off-site mitigation measures for each alternative (You may attach one additional page, if necessary.)

- a) **Project Site:** The proposed Project will be located on an approximately 1.32-acre (57,346-square-foot) parcel of land located at 70 East India Row on downtown Boston's waterfront along the newly reconstructed Rose Fitzgerald Kennedy Greenway. It is bounded by Atlantic Avenue, Milk Street, and East India Row, and sits between the New England Aquarium and the Harbor Towers (see Attachment 3). The Project site currently contains a seven-story unattractive 418,626-sf Harbor Garage building which provides approximately 29,800 sf of retail space and is licensed for 1,475 parking spaces. The Project site is immediately adjacent to office, commercial, cultural, and residential uses, and has excellent access to public transportation and major vehicular transportation systems. Attachment 1 contains an existing conditions survey plan. To maintain parking at all times both for the Harbor Towers and the Aquarium, the Proponent intends to petition the Boston Redevelopment Authority to acquire property rights for construction of the below-grade parking garage in a portion of East India Row adjacent to the site (see Project Phasing section below).

**Project Description:** The proposed Project will transform the site of the existing unattractive Harbor Garage into a vibrant, pedestrian-friendly mixed-use environment. The Project consists of an 860,000-sf office tower, 220,000 sf of luxury condominium space, and a 300,000-sf hotel with an additional 50,000 sf of hotel function space and amenities. The 40-story office tower (Building A) will be approximately 560 feet in height, and the 59-story residential and hotel tower (Building B) will reach up to approximately 690 feet. Those elements will sit above a 70,000-sf retail podium and be connected by an innovative and exciting skyframe, approximately 770 feet high, which will connect the two towers and provide a prominent design feature and focus on the waterfront. A below-grade parking garage will provide 1,200–1,400 parking spaces (for purposes of this ENF, we have assumed 1,400 spaces); access to and egress from the parking garage will be from Milk Street and East India Row. Attachment 2 shows proposed conditions and renderings for the Project.

The mix of uses will make the Project a destination point linking the Financial District, the North End and the waterfront. The Project is designed to be Leadership in Energy and Environmental Design (LEED) certified and to serve as a model of sustainability; it is transit-oriented and will include substantial open space commitments and extensive public programming and on-site activation. The Project will provide ground floor facilities of public accommodation to activate and promote use and enjoyment of the waterfront. The latest design currently includes restaurant, retail, and commercial facilities; public restrooms are also planned.

A major feature of the Project will be an indoor promenade open to the public which will serve as a physical and visual connection between the Greenway and the waterfront. Through its innovative design, the building itself will foster an interconnectedness between interior and exterior spaces. The indoor promenade is designed to provide a temperature-controlled multi-story public space for year-round use and enjoyment. The soaring glass ceiling combined with expansive glass walls will produce a light-filled, welcoming atmosphere that will feel spacious and exciting to pedestrians. With significant flexibility for layout and activation, the promenade will serve the diverse needs of its users as a meeting-place, a setting for quiet contemplation with picturesque views of the waterfront and Greenway, and as a social arena for special events. By transforming the site of an existing unattractive parking garage with no public access into a beacon of interest for various year-round pursuits, the Project will activate an underutilized property fortuitously positioned between active wharfs and the Aquarium, the Greenway, and other active waterfront uses.

**Project Phasing:** Construction of the Project will be in two general phases anticipated over a period of six years between 2011 and 2017. Construction of Phase 1 is expected to commence in the fourth quarter of 2011 and be completed in the first quarter of 2014. The Phase 1 program will include a partial demolition of the existing seven-story Garage, utility relocations and construction of a portion of the permanent below-grade parking spaces in order to maintain parking for both Harbor Towers and the Aquarium, assuming the necessary property rights are obtained from the City of Boston to accommodate such phasing. Construction of Phase 2 is expected to commence in the second quarter of 2014 and be completed in the second quarter of 2017. The Phase 2 program involves demolition of the remaining portion of the existing Garage, construction of the remaining below-grade permanent parking spaces and construction of the two towers.

The Proponent has met with the New England Aquarium to ensure coordination of Project activities with the Aquarium's current roadway, parking, and programming needs. The Proponent fully understands the critical importance of maintaining Milk Street as the access way to the Aquarium, and Project construction will be fully coordinated with the Aquarium to ensure proper access.

- b) **Alternatives Analysis:** Prior to submitting this ENF, the Proponent considered alternatives that included a No-Build alternative and a Chapter 91-compliant building. These alternatives were determined to be infeasible and undesirable since they would distort the vision of a vibrant mixed-use development that would unite the historic harbor, financial district, Aquarium, and new Greenway.

Should the Proponent decide not to pursue the proposed redevelopment (i.e., the No-Build alternative), underutilization of the existing site would continue and preclude the site activation that would otherwise accompany the development of 24-hour residential and hotel uses, office space, retail activity, and enhanced connectivity with and public use of the Greenway and Boston Harbor. In addition, the No Build alternative would prevent the realization of other important Project benefits such as approximately \$16 million in net new annual tax revenue, creation of 3,000-4,000 construction jobs and approximately 4,720 permanent jobs, and improved stormwater treatment at the site. A Chapter 91-compliant alternative would result in a significantly smaller project that would not only trim public benefits but would also be financially infeasible.

- c) **Mitigation:**

***Smart Growth/Transit-Oriented Development:*** The redevelopment of this site into an attractive mixed-use development will help create a thriving urban community in Boston's downtown waterfront area. This mixed-use Project is adjacent to the MBTA Blue line, approximately mid-way between the South Station and North Station bus and rail terminals, and walking distance to water taxis and commuter ferries. The Project embodies the major tenets of a transit-oriented development (TOD) and will provide residents, employees and visitors with a variety of transportation options. Its location is also compatible with the downtown business community's growing interest and support for a shuttle service between the MBTA South and North Stations. In addition, the Project's setting adjacent to Boston's commercial employment core and some of the City's main tourist attractions makes it ideal for promoting walking as a means of transport.

***Sustainable Design/Green Building:*** The Proponent has evaluated the Project under the U.S. Green Building Council's LEED system and is committed to making this Project serve as the model for a green building for the City and the Commonwealth. As such, the Project incorporates elements of sustainable design that will promote energy efficiency, encourage effective use of transportation infrastructure, enhance open space, and minimize impacts to natural resources. Numerous elements help make this Project a responsible and sustainable model for development:

- ◆ A location adjacent to the busy MBTA Blue line and easily accessible from other public transit alternatives;
- ◆ Mixed-use, smart growth development design providing walkable space and a vibrant combination of commercial, office, and cultural activities with open space and housing;

- ◆ Accessibility through and compatibility with multiple transportation mode options including walking, bicycling, bus or rapid transit, and adjacent water transportation;
- ◆ Incorporation of low-impact development measures designed to reduce stormwater runoff, which may include use of pervious materials, green roofs, cisterns and bioswales; and
- ◆ Water conservation measures designed to conserve potable water coupled with measures to capture and reuse rainwater on-site.

In addition, the Project will meet or exceed the requirements of the City of Boston's Zoning Code ordinance encouraging so-called "green" buildings (Article 37).

***Improved Street and Pedestrian Environment:*** The current use of the site, a garage with limited street activity, will be replaced by a vibrant new development. The Project's retail, office and residential components will foster pedestrian activity and contribute to the vitality of the area throughout the course of the day and during the evening hours, no matter what the season.

***Bike Share Programming:*** The City is currently promoting bike-sharing and working to implement a green alternative transportation mode for the Boston area. The Proponent is interested in working with the Mayor and City planners to incorporate bike share programming or partnership opportunities within the Project.

***Enhanced Public Realm:*** The existing garage was built next to the elevated expressway. At the time, no attention was paid to the ground floor or potential access to the Harbor, and as a result the garage now blocks a natural connection from the Greenway to Boston Harbor. The Project will enhance pedestrian connections between these features, and the indoor promenade will also encourage year-round activity on the site and provide a temperature-controlled venue for viewing both the waterfront and Greenway. The soaring glass ceiling combined with expansive glass walls will produce a light-filled, welcoming atmosphere that at a pedestrian scale will feel spacious and exciting. With significant flexibility for layout and activation, the promenade will serve the diverse needs of its users as a meeting-place, a setting for quiet contemplation with picturesque views of the waterfront and Greenway, and as a social arena for special events. By activating this underutilized property, and by providing attractive landscaping and public amenities to create a welcoming setting, the Project will facilitate and encourage movement between the Greenway, waterfront, and adjacent uses along the Harborwalk such as the Aquarium.

The ground floors of the Project's two towers will be dedicated primarily to facilities of public accommodation including areas for pedestrians to relax and view the waterfront, retail stores, restaurants, cafes, and similar uses including a planned food market. These spaces will be designed to promote connections to the Greenway and the waterfront. Uses which activate and enliven the waterfront will be encouraged including seasonal outdoor patios and seating areas, seasonal programming for families and residents, and the inclusion of appropriate and visible signage.

***Increased Housing:*** The proposed 130 residential units will promote the vibrant mix of uses envisioned by the City for this area. The addition of housing in this location will provide support for much-needed neighborhood retail.

**Affordable Housing:** The Project will comply with the City of Boston policy that any residential project seeking zoning relief must set aside at least 15% of its units as affordable to moderate income and middle income households or contribute to a housing creation fund a per unit subsidy for 15% of the total number of project units.

**Economic Development:** The Project will create 3,000-4,000 new construction jobs and will draw approximately 4,720 permanent jobs to the site in the form of office, retail, and hotel employees, as well as those in building management and maintenance.

**New Property Tax Revenue:** The Project has significant economic benefits as well, including an estimated \$16 million in annual tax revenue.

**Linkage:** An additional economic benefit of the Project will be an estimated \$10 -11 million in linkage payments made to the City of Boston under the Boston Zoning Code.

**Stormwater Management:** The Project will comply with DEP Stormwater Management Policy Standards. The existing site is entirely impervious, and stormwater currently discharges to separated sewers in the Project vicinity. Stormwater discharge from the Project will be limited to runoff from areas (such as roofs, driveways, parking areas and exterior walkways) that are separated from any industrial activities and will not result in the discharge of pollutants other than stormwater runoff into the waters of the Commonwealth. It is anticipated that the stormwater will be directed via multiple connections from the Project site to the separated system in adjacent streets. Additional information on water quality and stormwater management will be provided in the DEIR.

**Water Supply Conservation:** The Project is designed to be LEED certifiable through City's Article 37 Green Building Program, which requires the use of water-conserving fixtures. As such, water conservation measures including low-flow toilets and urinals, restricted flow faucets, and sensor-operated sinks, toilets, and urinals will be incorporated into the design where possible and applicable.

**LAND SECTION – all proponents must fill out this section**

**I. Thresholds / Permits**

A. Does the project meet or exceed any review thresholds related to **land** (see 301 CMR 11.03(1))  
 Yes  **No**; if yes, specify each threshold:

**II. Impacts and Permits**

A. Describe, in acres, the current and proposed character of the project site, as follows:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Footprint of buildings	<u>1.09 (47,700 sf)<sup>3</sup></u>	<u>0.13</u>	<u>1.22 (53,346 sf)</u>
Roadways, parking, other paved areas	<u>0</u>	<u>0</u>	<u>0</u>
Other altered areas (building overhang)	<u>0.22 (9,646 sf)<sup>3</sup></u>	<u>(0.22)</u>	<u>0</u>
Undeveloped areas	<u>0</u>	<u>0</u>	<u>0</u>

B. Has any part of the project site been in active agricultural use in the last three years?  
 Yes  **No**; if yes, how many acres of land in agricultural use (with agricultural soils) will be converted to nonagricultural use?

<sup>3</sup> Including the building overhang, the existing Harbor Garage covers the extent of the Project site while the ground-level footprint is 47,700 sf (see Attachment 1, Existing Conditions Survey Plan).