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Boston Redevelopment Authority
James Gribaudo, Senior Project Manager
One City Hall Plaza, 9th Floor
Boston, MA 02201

Dear Mr. Gribaudo,

We are writing this letter as concerned residents of Charlestown. We are extremely concerned about the development as proposed of Pier 5, and the numerous issues that have only been alluded to in the proponent's package. We will address the issues in the order in which they appear in the proponent's plan.

Summary

First, the summary indicates that "the site consists of an existing pier structure... and two upland parcels." This appears not to be correct, as Figure 1-2 clearly show that the proponent intends to utilize space that is currently open water. The proponent states that "the building has been designed as a low scale structure and will consist of a 5-story building, with a maximum height of fifty-five feet. See Figure 1-3, project rendering." Figure 1-3 is out of scale, as the proponent's building is approximately half the height of the building behind it. Properly drawn, the proponent's building would obscure most of the 11-story building behind it, when viewed from the water.

The proponent states "Overall the proposed design and development program will significantly improve the public's passive and active recreational opportunities onsite." Until last month, when a fence was erected blocking the public's access to the pier, the public had access to the entire pier. Thus, the proponent's plan will not increase the access that existed prior to May 2004.

The proponent states "the Project has been carefully designed to meet all applicable Federal, State and City requirements..." We are concerned that none of the regulatory agencies have been able to provide documentation that the 1991 Municipal Harbor Plan was renewed, as required by law, every five years. The failure to renew this Plan would leave Chapter 91 regulations governing this site, and clearly, Chapter 91 would not permit this type of development. As a former member of the Swampscott Conservation Commission, Dr. Epstein strongly objects to any move to renew the Plan for this site, as conservation of the scarce remaining open space appropriate for mass viewing of the harbor, and avoidance of disruption of local ecosystems, must be a priority. Economic concerns were never a valid reason to circumvent Chapter 91 in Swampscott, and we believe that the commitment to Chapter 91 should be as strong in Boston.

The proponent states "Implement Transportation Demand Management elements to reduce use of single occupancy vehicles." This statement is not explained, but must be, in order to evaluate the impact of the project on the traffic in the Navy Yard.

The proponent states that the project would increase the property values in the neighborhood. We do not believe this is correct. We believe that the increased traffic, inevitable failure of the projected retail space (based on failures in the adjacent areas), and impacts on wind and other factors, would significantly decrease property values in the area. Similarly, retail employment is overstated.

Figure 2-11 shows only two steps, and it appears that these steps consist are approximately 15 feet each, which we feel is inadequate.

The proponent mentions the requirement that "Building massing shall enhance the airflow channel created by sea breezes." Currently, the wind often blows light objects and furniture, around the terraces of Flagship Wharf. The proponent's building, by, as admitted in the plan, directing existing ocean breezes in the existing direction, would be expected to increase damaging windflow into the U-shaped Flagship Wharf structure, increasing the potential for damage. The proponent's plan does not include a wind study, which we feel is vital to evaluating this project.

The proponent envisions "restaurant seating outside in favorable weather, public gatherings, performances, etc. We believe these activities warrant a noise study, not only for impact on the nearby residences, but across the water, as noise travels across water.

The proponent states that "the site has been inactive for quite some and is separated from the adjacent Harborwalk on Parcel 1C by a chain link fence to restrict pedestrian access and ensure public safety." As mentioned earlier, this fence was erected within the past few weeks, and has significantly decreased public access. Prior to this time, the public enjoyed the views and open space of Pier 5. The proponent's assertions obscure the past use of and access to the pier.

Consistency with Zoning Regulations

As we mentioned earlier, we have no evidence that the Master Harbor Plan of 1990 was renewed, and as such, we believe that the project does not comply with current applicable regulations, most importantly, Chapter 91. || *

We do not believe that a parking assessment, which would factor in the special transportation needs of a residence, hotel, restaurant, and existing local traffic and transportation conditions, would conclude that 106 spaces would be adequate for this project. We strongly urge that an extensive parking and traffic assessment be performed prior to considering this plan.

MEPA History/Request for a Single EIR

We feel strongly that the issues involving this project are so complex that a single EIR is NOT warranted. It is clear that this project does NOT comply with Chapter 91, and could not be built unless the 1991 Master Harbor Plan is still in effect; there is no evidence that this is the case. |

Tidelands

As discussed earlier, we believe that the 1991 Master Harbor Plan is not in effect, and therefore Chapter 91 regulates this project. We do not believe that this project meets the criteria under Chapter 91. The proponent should apply to the Department of Environmental Protection for a ruling. |

We have significant concerns regarding environmental issues. One of the local residents recalls a sign at the end of Pier 5 forbidding swimming because of radioactive waste at the site. Any development of this site must involve exploration of the fill for evidence of radioactivity, and of the condition of the pier and its supports. We have not been provided documentation that the pier supports are not wood, and as the harbor cleanup succeeds, wood pier supports are being destroyed by wood-eating organisms. Any development of a wood supported pier should involve the replacement of the supports by steel or other materials that will last the lifetime of the structures placed upon them.

The proponent proposes to build a 21-slip marina on the watersheet adjacent to the pier. We are concerned that such a marina will not be economical and self-sustaining, and would also negatively impact the activities of the Courageous sailing center.

Project Description

The proponent claims that "the upland portions of the site are currently used as open space and for public access purpose." Actually, the entire pier, until last month when a fence was erected, was in use by the public, for jogging, picnicking, and viewing fireworks and harbor activities. The photographs provided do not accurately reflect the public's access and use of the pier prior to the installation of the fence, which is visible in the photos.

We have already addressed the issue of the "low-scale" nature of the project above. This project is not "low-scale" – in fact, it is higher than all of the nearby structures with the exception of Flagship Wharf. The plan calls for seasonal outdoor seating. The noise impact of this plan has not been addressed. Noise travels over water; currently, the noise from the local dinner cruise boats regularly awakens residents of the Navy Yard and residents of the waterfront units along the Boston side of the harbor. The proponent's plan will negatively impact the quality of life of all of these citizens.

We have already addressed the fact that the proponent's plan decreases, rather than increases, public access to the waterfront

The proposed 21 slip marina appears not to be economically viable. This marina would have a significant impact on the Courageous sailing center on the neighboring pier, which has served the children of Boston so well.

The proponent states that the residential units will be "first-class" units. The plan states that 106 parking spaces to be obtained from Flagship Wharf would be sufficient for this project. We fail to see how 106 parking spaces will be sufficient for 59 residential units, a hotel containing 30 rooms, retail space, and a 160-seat restaurant. The Navy Yard is woefully underserved by public transportation. The closest public bus is a ten minute walk away, and the water transportation runs every 15 minutes and stops mid evening. Therefore, the majority of people living, working and visiting the proposed project will bring cars. Currently, visitors of the residents of Flagship Wharf and surrounding residences utilize these spaces when they visit. We almost never see parking spaces opening up on the nearby streets, and there are always cars double-parked in front of the Children's Quarters at the corner of First and Eighth. The proponent's plan does not adequately recognize, document or provide for the serious impact on the traffic pattern that would result from this project.

We believe that creating an underground parking lot on land currently used as a park would be insufficient as well.

Urban Design Guidelines

As stated above, we do not agree with the assertions regarding increased public access, nor compliance with existing regulations covering the waterfront, including Chapter 91. We do not believe that the dwellings as designed are appropriate to areas that could be inundated during major storms (consider Providence during the hurricane of 1938, when a storm surge of over 15 feet at high tide resulted in the flooding of the city). In our experience, these areas require special considerations that are not addressed by the proponent.

The proponent states that the project is in compliance with the requirement that it "direct views and pedestrian movements toward the water." The proponent fails to address the impact on views of the building – not only from other buildings in the area, but from the pier itself. The proponent states that "the impact on the views of the neighboring structures are minimized." The proponent does not calculate the number of nearby residences that will have their views of the city or harbor blocked by 50% or more. We believe this is a significant number.

The proponent mentions the requirement that "Building elements within the Charlestown Navy Yard shall generally step down in height toward the water's edge" and claims to comply with this requirement.

Environmental

As discussed earlier, we believe that there may be a significant negative wind impact on Flagship Wharf. A formal wind study should be required. In addition, the continuous breeze from the ocean will bring significant construction dirt into the neighboring residences.

We have significant concerns regarding other environmental issues. One of the local residents recalls a sign at the end of Pier 5 forbidding swimming because of radioactive waste at the site. Any development of this site, especially involving the placement of the proposed 30 additional pilings for the 21-slip marina, must involve exploration of the fill for evidence of radioactivity. The proponent states that a geotechnical analysis for the parcel will be performed. We believe this should be performed before the project is reviewed and considered.

The condition of the pier and its existing supports must be evaluated. We have not been provided documentation that the pier supports are not wood, and as the harbor cleanup succeeds, wood pier supports are being destroyed by wood-eating organisms. Any development of a wood supported pier should involve the replacement of the supports by steel or other materials that will last the lifetime of the structures placed upon them.

The proponent admits that a good part of the proposed project lies in a velocity zone. This means that it could be expected to be impacted by storms. The proponent expects to address this by asking the Federal Emergency Management Agency to amend its map. We believe there is no evidence to support this amendment, and strongly object to such a move. The current determination would require significant additional planning work by the proponent, which we believe is necessary in order to protect the lives and property of the proposed residents and workers in the proposed project.

We disagree with the proponent that there will be no noise impact from the project. Noise travels without dissipation over water, and any noise generated on this site will not only be clearly heard in the neighboring buildings, but across the harbor as well. This statement is clearly supported by the noise that can be heard at these sites coming from dinner cruise boats.

We have significant concerns regarding the impact of construction traffic. Given the congestion and current state of double parking on Eighth Street, we believe that any additional traffic down Eighth Street resulting from the project would be a threat to public safety. The project should bring its materials in via barge.

Transportation

We do not agree with the proponent that there will be only 506 new daily vehicle trips per weekday for a complex consisting of 59 residential (family) units, a 30 room hotel, a 160 seat restaurant, retail space and the shoppers therein, and the staff to support these activities. The proponent expects this complex to be supported by 106 parking spaces. We feel this number is unrealistically low, given the current lack of free parking in the area. It is unlikely that people purchasing units costing upward of \$2 million will feel that one car is adequate for the needs of a family and visitors. This area is poorly served by public transportation. The site is served by water shuttles, which stop running at 8 pm on weekdays, and 6 pm on weekends. Therefore, if the residents do not take a private car to outside destinations, they will be taking a taxicab, thus generating additional traffic. A special study of traffic must be performed in order to accurately assess the situation. We do not feel that "normal" assumptions fit the special needs of this site.

We disagree, based on years of experience with visitors' attempting to park on-street, that 25% of the on-street parking within a 5-10 minute walk of the site, are unoccupied during the afternoon and evening. Cars are usually double parked at the corner of Eighth and First in the morning and afternoon.

The proponent states that "The Flagship Wharf Garage also provides approximately 100 valet-service, public parking spaces." These spaces are currently used by visitors to Flagship Wharf and the commercial


spaces it contains. The plan fails to note that these are the spaces the proponent intends to acquire, thus decreasing space available to visitors to Flagship Wharf and neighboring residences.

We do not see that the traffic mitigation plan mentioned by the proponent will have a significant or lasting impact on traffic generated by this project. Again, we believe that materials should be brought in by water to decrease the impact on public safety in an already congested, double-parked area.

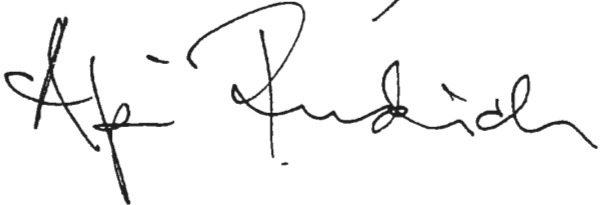
Because of the unusual parking and transportation situation in this area of the Navy Yard, we believe that a formal traffic assessment needs to be performed before the plan can be assessed.

We respectfully request that the project undergo a comprehensive review, with responses to the above issues, and attention to the requirements of Chapter 91 as it stands.

Sincerely,



Dana Epstein MD



A. J. Fudich