



Justin Krebs  
Executive Vice President  
Trans National Properties  
2 Charlesgate West  
Boston, MA 02115

Re: Redevelopment of 2 Charlesgate West

Dear Justin,

Thank you for taking the time to meet with our board regarding the proposed redevelopment of 2 Charlesgate West. Fenway Civic Association (FCA) is the Fenway's oldest and only all-volunteer neighborhood organization that accepts no public or developer funds. Formed in 1961, our mission is to promote a vital and livable neighborhood. Our board members have served on the Fenway Zoning Task Force, numerous Community Advisory Committee, Institutional Master Plan, and Impact Advisory Group review bodies, and regularly address zoning and development issues in the Fenway neighborhood. We appreciate your consideration of our comments.

The current zoning in the Fenway was the result of a very extended and open public process based on consensus by all parties at the table, including residents, institutions, businesses and property owners. The resultant zoning is a direct reflection of the varied needs and desires of the community. These include the need for immediate smart development and the creation of entertainment zones but also the protection of our parks, open spaces, and interior neighborhoods from development encroachment.

2 Charlesgate West is a designated gateway parcel in the Article 66 zoning. As such, this site was given special treatment in the zoning and provided additional height and FAR, reflected in the by-right height of 135 feet. Long consideration and discussion went into the creation of the gateway parcels. The resulting zoning limits reflect those discussions and compromises made by all and should be respected in any future development. (All of these discussions were recorded and there should be a public record at the BRA).

The proposed 2 Charlesgate West project came in at 363 feet in height above ground at Charlesgate (presuming no mechanicals in that number). It should also be noted that the apparent height of the building from Ipswich Street, which will be the way many pedestrians will experience the building, would be even greater. We find this height to be grossly excessive, out of scale with the surrounding buildings, and inappropriate in the context of its location adjacent to the historic Back Bay Fens.

We recognize that the "Point" parcel is also a designated gateway parcel, and that it was given very different limits in height and FAR. We feel this was done with specific intent, and provided based on its unique location. Between the time when the zoning was passed and the time when the Point location became ready for development, certain economic realities of construction and financing had changed. Noting these changed circumstances, the developer of the Point requested zoning relief equivalent to an approximately 36% increase over what was

permitted by zoning. In connection with the provision of additional affordability and more home ownership opportunities, that relief was granted.

With adequate demonstration of need, comparison of as-of-right and proposed project impacts, and provision of additional mitigation and community benefits, relief in the same ratio might be deemed appropriate at your location. However, your presentation did not make any case for need, did not even consider an as-of-right proposal for purposes of comparison, and did not discuss mitigation associated with the additional impacts. Furthermore, by our calculations, an “equivalent percentage” increase in the height permitted at your sight would allow for a building of approximately 185 feet, not the 363 feet proposed, which equates to a 168% increase in height.

FCA recognizes that Trans National Properties has cared for and provided maintenance to the parkland abutting 2 Charlesgate West for over 20 years, and that you propose to do some investment in the small portion of park adjacent to Charlesgate East and on Ipswich Street. While we feel both of these activities are admirable and helpful to the neighborhood, they are an expected part of the responsibility that comes with developing properties on the parkway. Parkland provides added value to development by offering a green and welcoming front yard for residential and commercial tenants.

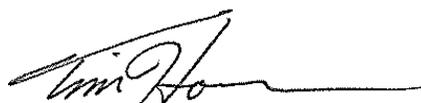
FCA also believes that the City of Boston’s Ordinance 7-4.10 may apply in regards to the height of this proposed development. Specifically, the ordinance establishes a maximum height of 70 feet for buildings constructed on land that “abuts on and has an entrance into and is within a distance of one hundred (100) feet from” certain designated parkways, including Charlesgate West. The ordinance is quite clearly intended to apply to this parcel, as it specifically calls out an exemption only from the restriction on mercantile use that would otherwise be applicable to “the lot of land on Ipswich Street bounded by and making the northwest corner of Charlesgate West and Boylston Street.”

We can find no documentation to show this parcel has relief from this restriction and ask that the proponent provide their explanation in regards to same.

Fenway Civic is a strong supporter of good projects that serve community need for housing units, including affordable and market rate condominiums and market rate and affordable rentals. We believe that these units best serve the community when they are located on site.

I would like to thank Trans National Properties once again for taking the time to meet with us and presenting your proposal for the 2 Charlesgate West site. It is a location that presents many opportunities and challenges for Trans National and for the Fenway. We hope that you consider our comments as helpful in negotiating the path to the redevelopment of 2 Charlesgate West.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Horn", with a long horizontal flourish extending to the right.

Tim Horn

President Fenway Civic Association