

Final Draft

Rose Fitzgerald Kennedy Greenway Conservancy

Protocol For

**Conservancy Review of Proposed Development
Projects Impacting the Greenway**

September 14, 2009

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1.0 THE ROSE FITZGERALD KENNEDY GREENWAY CONSERVANCY

As established in Chapter 306 of the Laws of 2008 of the Commonwealth of MA, the Rose Fitzgerald Kennedy Greenway Conservancy (the Conservancy) is a private, non-profit corporation dedicated to raising broad-based support to ensure standards of excellence in the design, sustainability and use of the Rose Fitzgerald Kennedy Greenway (the Greenway). To secure the Greenway's future as one of America's foremost urban parks, the Conservancy will advocate standards of consistency and excellence in design; manage its operations; work collaboratively to create, finance, promote and coordinate public programs and events; and raise adequate and stable funding to support the long-term sustainability of its public uses.

2.0 PURPOSE OF THE DEVELOPMENT REVIEW PROTOCOL

Pursuant to the Conservancy's enabling legislation, this Protocol has been developed to provide a clear and transparent framework to guide the Conservancy's participation in the review of proposed new construction and/or alteration of buildings or structures impacting the Greenway. This Protocol is intended to complement and supplement City of Boston and State official regulatory and design review processes; to the extent they are applicable.

This Protocol outlines the Conservancy's particular issues of concern, drawn from its unique perspective as operator and steward for the Rose Fitzgerald Kennedy Greenway. The goal is to establish a process whereby the Conservancy will contribute comments and identify issues of concern that can be addressed and integrated during early project development phases. The Conservancy will view each proposed project for positive and negative impacts to the Greenway (See Section 4) that may contribute to or detract from the overall quality of the park experience.

It is intended that this Protocol will be revised and amended as needed..

3.0 CONSERVANCY REVIEW CRITERIA

3.1 VISION FOR THE ROSE KENNEDY GREENWAY

The center of the Conservancy's mission is for the Greenway to become a vibrant urban park system that invites residents and visitors to return again and again because it is welcoming, engaging, beautiful, fun, memorable, and contributes to our sense of shared community life. Achieving this vision requires an ongoing, broad, collaborative effort that extends beyond the immediate park boundaries.

The city will grow around and through the new Greenway park system. Appropriate development along the edges can enhance the Greenway as a dynamic and excellent urban park that provides an enormous asset to the public. Inappropriate development can overwhelm or reduce the public experience this new asset can afford.

For the Greenway parks to realize their full potential, there must be a partnership between the City, State, Conservancy and the public that is committed to environmentally responsible, creative, and collaborative city planning and urban place making. Because the Conservancy is solely focused on the Greenway, it plays a critical and seminal role in this partnership.

3.2 Assessment of Impacts

The Greenway parks provide an important environmental, economic and social asset for the adjacent private development lining the corridor. The relationship should be reciprocal; proposed new development must be a net asset for the abutting public park system. This will be the crux of the Conservancy's review.

The Conservancy will rigorously evaluate each proposed development in terms of its overall qualitative impact on the Greenway parks and the associated public realm spaces. Development will be reviewed in terms of its ability to enhance and complement the public experience in the parks, and to further enhance public use on the Greenway.

To enable a constructive and creative dialogue about the Greenway, the Conservancy requires that developers engage, as part of their design teams, highly experienced, professional expertise in the fields of landscape design, horticulture, park operations, programming and public use to undertake the impact analyses related to the Greenway parks. To have an optimal impact, this expertise should be engaged during the very early planning stages of a development project such that any recommendations can be integrated at the outset.

The following sets forth issues that are of primary concern to the Conservancy in its review of development projects impacting the Greenway park system.

3.2.1 Assessment of Direct Impacts on the Parks

The Greenway parks offer a welcome open space resource in the heart of the city. It is therefore of paramount importance that any development proposed along the corridor protect this new public resource and environmental asset. The responsibility should be placed on the Proponent to undertake the necessary analyses and explore alternate design or programmatic solutions to protect and enhance the important environmental qualities of the parks.

Impact categories that can directly affect the park environment, horticultural conditions, and pedestrian experience, and which must be addressed in detail include:

a. Park Environment

- Sun/shadow/daylight
- Glare/ reflection

- Nighttime lighting levels
- Wind
- Noise
- Air Quality
- Site Drainage and Runoff

For each of these elements, the Proponent should describe the existing baseline conditions in the parks and provide a qualitative as well as quantitative assessment of the impacts the proposed development may have. The Proponent must address impacts on the: (1) park user and pedestrian experience, (2) horticultural collections and planting environment, (3) the ability to execute public programming, and (4) park maintenance,

b. Circulation and Access

Locations of delivery and service access, parking garage entrances/exits, public entrance doors, taxi drop off, etc all can impact the access, safety and experience of the public using the adjacent parks. Proposed site circulation plans must be assessed in terms of the impacts on the successful functioning of the adjacent park(s). Proposed pedestrian and traffic circulation should support or creatively relate to pedestrian circulation on the adjacent Greenway Parks. The volume of new park users generated by a development should be studied to evaluate the adequacy of park circulation and access points to accommodate the projected increased pedestrian volumes.

Proposed developments must not in any way limit public access to the parks, nor significantly impact the flexibility of the Conservancy to execute public programming.

All proposed development will be evaluated for a commitment to a design that emphasizes walking. The Greenway parks and their pathways are core elements of the vision for this corridor to be a sustainable district that promotes walking. Development abutting the parks should complement this widely shared civic goal.

Sidewalks that connect pedestrians to the Greenway should be preserved or enhanced to accommodate these connections. These important sidewalks provide major connections to and from the Greenway parks, helping integrate the new park system into the city, and promoting public use of the parks.

c. Construction Management

For all proposed projects, the Proponent must include the Conservancy staff in construction management working sessions to develop a construction plan that minimizes the impacts on

the existing Greenway parks and open spaces. Specific mitigation measures, staging plans and construction phasing must be approved by the Conservancy and formally incorporated into environmental approvals, interagency agreements and construction documents prior to the start of any construction.

While impacts will vary depending upon the location, nature and size of the development project, key impacts that must be addressed include: noise/dust, vibration, ground water, site drainage, park circulation related to traffic staging, interruptions to public access routes, impacts on plant material, impacts on public programming, and impacts on vendor revenue to the Conservancy.

3.2.2 Assessment of Indirect Impacts on the Parks

a. Visual and Aesthetic Experience

While a sense of containment can provide a welcome aspect of the park user's experience, another compelling component is the quality of the views out of the parks. The impact of proposed development on enhancing or obstructing views of adjacent landmark buildings and/or the Boston Harbor should be assessed. New development should preserve and enhance key views from the perspective of the public experience within the parks.

Additionally, there should be careful review of proposed exterior lighting plans and/or exterior signage to make certain their scale, materials, and lighting levels are compatible with and do not overwhelm the adjacent park experience.

b. Ground Level Design and Uses

A successful street environment will be a strong contributor to the success of the Greenway parks. Proponents should describe how the program for the ground level of a building's interior and exterior contributes variety, daytime/nighttime attraction, and activities which will establish an inviting pedestrian environment for all types of park users along the Greenway edges.

c. Open Space Connections and Harbor Walk

There will be opportunities to link the many small exterior open spaces adjacent to a proposed new or renovated building into a network of public spaces with common characteristics. Wherever possible, the proposal should expand the overall public realm such that the open space experience of the larger Greenway parks can flow to and from the adjacent development.

d. Public Amenities

Unless there are major overriding circumstances, all proposed new buildings or buildings undergoing major renovation should be required to provide accessible public bathrooms for

use by the public regardless of patronage. Wherever possible, support spaces for community or non-profit organizations should be provided that can contribute to vibrant public programming and activation.

e. Sustainability

Environmental sustainability should be a goal framing the review process for all new construction and building renovation along the Greenway. All projects should set a high bar on sustainability, incorporating innovative site planning, design and engineering practices into all of the project phases. The Conservancy intends to work in collaboration with our abutters and the City to realize a “state of the art” green corridor in Boston.

4.0 CONSERVANCY PARTICIPATION IN THE DEVELOPMENT REVIEW PROCESS

4.1 Existing City and State reviews

In its capacity as operator and steward of the Greenway park system, the Conservancy will work within existing design review processes for proposed development on the Greenway corridor, including, but not limited to, those conducted by the Boston Parks Department, the Boston Redevelopment Authority, the DEM Chapter 91 process, and all MEPA regulatory requirements.

These existing design review and environmental regulatory processes provide ample reporting requirements for project proponents to document and respond to most issues outlined in this Protocol. Therefore, at this time there does not appear to be a need for a separate documentation process to address the Conservancy’s concerns; **provided that the impact categories described in this Protocol are required components of project review and reporting. The Conservancy may request additional written responses as deemed necessary on a project specific basis.**

Additionally, the Conservancy does not intend to schedule separate public meetings or hearings for the purpose of soliciting public comments on a development proposal to the extent that they would duplicate current city and state regulatory processes. The Conservancy staff will participate in hearings/meetings, and offer opinions and feedback as appropriate. If deemed necessary, the Greenway Leadership Council (GLC) may elect to convene a public meeting.

4.2 Conservancy Internal Review Process

The Conservancy will:

- Conduct its own independent assessment of the proposed development
- Solicit input from the Greenway Leadership Council
- Present review comments to the Conservancy Board of Directors in open public session

- Submit comments to all involved public agencies, including the Boston Parks and Recreation Commission
- Post official written comments on the Conservancy's website

4.3 Conservancy Participation in External Design Review

THE CONSERVANCY WILL:

- Work within the framework of existing design review and public hearing processes
- Participate as a member of all **Impact Advisory Groups** formed by the BRA
- Attend public hearings and community meetings scheduled by the BRA or other involved public agencies
- Upon completion of the initial project approval process, participate in the subsequent design development process conducted by the BRA. The Conservancy will assure that Greenway park stewardship and operational considerations are retained as the design is refined.
- Review construction documents to assure mitigation measures related to the Greenway parks, committed to as part of the development review process, are fully incorporated

4.4 Distribution and Submission of Comments

Official written comments prepared by the Conservancy related to the design review of private development subject to this Protocol will be available to the public and any interested parties upon request. The Conservancy will post official comments on its website. Such comments will be part of the public record once submitted as part of any city or state development review process.

In accordance with the enabling legislation, Conservancy comments will be submitted to the Boston Parks and Recreation Commission as an advisory opinion to their statutory design review .