



December 27, 2016

Ms. Brona Simon
Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, Massachusetts 02125

Re: **115 Winthrop Square, Boston**
EEA No. 15610

74 Joy Street
Boston
MA 02114
617.227.1922
info@bhcivic.org
www.bhcivic.org

Dear Ms. Simon:

The Beacon Hill Civic Association has strived since 1922 to improve the quality of life on Beacon Hill and to represent the interests of Beacon Hill residents in matters of urban planning.

MCAF Winthrop LLC (Millennium) has submitted an Environmental Notification Form (ENF) with the MEPA Office of the Executive Office of Energy and Environmental Affairs for the subject project. We are submitting comments to the MEPA Office on the ENF, requesting that an Environmental Impact Report (EIR) be submitted for review and requesting that the scope of environmental review include evaluation of adverse impacts of new shadows that the proposed project will cast on the Boston Common and Public Garden.

We understand that you will review the proposed project in accordance with the Commission’s regulations at 950 CMR 71.04(3) and the Massachusetts Antiquities Act, M.G.L. chapter 9, §§ 26 through 27C, either because Millenium has filed a Project Notification Form pursuant to 950 CMR 71.00 or because the Commission has taken notice of the MEPA ENF.

We respectfully request that you review the adverse impacts of the additional shadows that the proposed project will cast on the Boston Common and Public Garden, among the Commonwealth’s most important historical resources. Although not identified by Millenium among the state approvals required, the project will require legislation from the General Court to relieve the project from the limitations of Chapter 362 of the Acts of

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1990, as amended (Public Commons Shadow Act) which protects the Boston Common and Public Garden from the environmental effects of shadows cast by new buildings. To our knowledge, there is no legislation pending to provide such relief. Whether the Public Commons Shadow Act will be amended to allow the project to be constructed is not known.

To evaluate the proposed project without considering specific existing environmental statutes would not be consistent with MEPA or the Antiquities Act. Accordingly, when selecting alternative development options to consider, Millennium should also be directed to evaluate the environmental impacts of a building that would comply with existing statutes, including the Public Commons Shadow Act.

Thank you for considering our comments. If we can provide additional information on our view do not hesitate to contact us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Kiefer", written over a light blue rectangular stamp.

Mark Kiefer
Chairman of the Board

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cc:

Governor Charles Baker

Senator William Brownsberger

Senator Joseph Boncore

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Representative Byron Rushing

Mayor Marty Walsh

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