

MEMORANDUM

BOARD APPROVED

SEPTEMBER 13, 2018

TO: BOSTON REDEVELOPMENT AUTHORITY AND
BRIAN P. GOLDEN, DIRECTOR

FROM: JONATHAN GREELEY, DIRECTOR OF DEVELOPMENT REVIEW
DAVID CARLSON, DEPUTY DIRECTOR OF URBAN DESIGN
AISLING KERR, PROJECT MANAGER

SUBJECT: PARCEL D OF FAN PIER PROJECT LOCATED IN SOUTH BOSTON -
CERTIFICATE OF COMPLETION

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (the "Authority") authorize the Director to issue a Certificate of Completion pursuant to the Cooperation Agreement by and between the Authority and 50 Liberty LLC dated December 15, 2015 in connection with the Fan Pier Parcel D project located at 50 Liberty Drive, South Boston (the "Parcel D Project").

PROJECT DESCRIPTION

The Parcel D Project is a residential building with street level retail and restaurant space and space dedicated to civic/cultural uses, containing fourteen (14) floors plus a two-story mechanical penthouse above a three-level underground parking facility that extends under adjacent public realm areas and contains parking for approximately 250 vehicles.

BACKGROUND AND PROJECT DESCRIPTION

On November 14, 2001, the Authority voted its authorization for the Director to issue a Certification of Compliance for the Fan Pier Project under Large Project Review pursuant to Section 80B-6 of the Boston Zoning Code ("Code") upon completion of the Article 80 review process, with such minor modifications as may

*Effective October 20, 2016, the BRA commenced doing business as the BPDA

arise from the more defined contract documents, which result from design review by the Authority, and to issue a Certification of Consistency for the Fan Pier Project pursuant to Section 80C-8 of the Code upon completion of the Article 80 review process, with such minor modifications as may arise from the more defined contract documents which result from design review by the Authority.

On November 28, 2001, a Final Adequacy Determination was issued for the Fan Pier Project pursuant to the vote of the Authority dated November 14, 2001 authorizing the Director to issue such a Final Adequacy Determination. The Development Plan for the Fan Pier Project, Planned Development Area No. 54, was approved by the Authority on November 14, 2001 and adopted by the Boston Zoning Commission effective February 28, 2002, as amended by the First Amendment to the Development Plan for Planned Development Area No. 54, approved by the Authority on December 20, 2007, and adopted by the Boston Zoning Commission on January 30, 2008, and as amended by the Second Amendment to the Development Plan for Planned Development Area No. 54, approved by the Authority on February 8, 2018, and adopted by the Boston Zoning Commission on March 7, 2018 (as amended, the "Development Plan").

On December 15, 2015, the Director issued a Partial Certification of Consistency for the Parcel D Project certifying that the Project was consistent with the Development Plan, in compliance with Article 80C-8 of the Code, with respect to the application for a building permit for the Parcel D Project and a Partial Certification of Compliance for the Parcel D Project certifying that the Project was in compliance with 80B-6 of the Code with respect to the application for a building permit for the Parcel D Project.

Pursuant to the Cooperation Agreement for Fan Pier Parcel D dated as of December 15, 2015 (the "Cooperation Agreement") between the Authority and 50 Liberty LLC, the Parcel D Project will be deemed completed when the construction of the Parcel D Project has been substantially completed in accordance with the Contract Documents, as defined in the Cooperation Agreement, approved by the Authority in accordance with the "Development Review Procedures" attached as Exhibit B to the Cooperation Agreement.

The Parcel D Project has been substantially completed in accordance with the requirements of Section 11 of the Cooperation Agreement, and is ready for

occupancy, with the exception of interior work to be performed to tenant or occupant specifications.

On August 2, 2018, the Authority received a written request from the Developer requesting the issuance of a Certificate of Completion for the Parcel D Project. Pursuant to the Cooperation Agreement, the Authority is required to respond to such request within forty (40) days of its receipt thereof. On August 28, 2018, BRA staff performed a site/building inspection of Parcel D at 50 Liberty Drive and hereby recommends the issuance of a Certificate of Completion.

RECOMMENDATION

In response to the Developer's request for a Certificate of Completion, it is the recommendation of the staff that the Authority find that the Parcel D Project has been completed in accordance with the requirements of Section 11 of the Cooperation Agreement and that the Authority authorize the Director to issue a Certificate of Completion for the Project.

An appropriate vote follows:

VOTED: That the Director be, and hereby is, authorized to issue a Certificate of Completion certifying in accordance with the provisions of Section 11 of the Cooperation Agreement for Fan Pier Parcel D by and between the Authority and 50 Liberty LLC dated as of December 15, 2015 (the "Cooperation Agreement") that the construction of the residential building with street level retail and restaurant space and space dedicated to civic/cultural uses, containing fourteen (14) floors plus a two-story mechanical penthouse above a three-level underground parking facility has been completed in compliance with the terms and conditions of the Cooperation Agreement.

MEMORANDUM

TO: JANET CARLSON
ASHLING KERR
FROM: DAVID CARLSON
DATE: SEPTEMBER 11, 2018
SUBJECT: CERTIFICATE OF COMPLETION RECOMMENDATION
FAN PIER PARCEL D PROJECT (50 LIBERTY DRIVE)

This memo is to certify that I visited the subject property on March 31, 2016, in the company of Richard Martini of The Fallon Company, BRA Project Manager Aisling Kerr, and BPDA UD staff Natalie Punzak, Jill Zick and Marcus Mello, and found the subject property constructed according to the approved plans. We met in the lobby (the condo building is fully open and sold, but not yet fully occupied), noting the concierge/doorman/mail areas. We visited the second floor amenity spaces, first a fitness center then a common room with kitchen and different social areas and a large deck fronting the park and Harbor. We then walked into the shell space designated for the retail, then the Cultural use, both with connections to the ground floor. We looked at an affordable unit on the 3rd floor, then a market-rate unit on an upper floor; both had equally high-quality finishes and fixtures, including stacked washer/dryers, with balcony access and good views. We took a quick look at the garage, interconnected with the rest of the Fan Pier west garage areas. The retail space on the north is a shell space being used currently as a construction prep area for glass panel replacement operations.

The building exterior is complete. We walked around the building perimeter, noting the recently-completed Pavilion and the completion of Fan Pier Park. The street work was completed. Richard noted that the planters were sometimes used to control parking along the roadway, which was finished in concrete pavers.

Assuming a copy of the full Certificate of Occupancy has been transmitted to the BRA, and any other obligations fulfilled, the issuance of a full Partial (if done as one of a number of parcels, most still to be done, in the Fan Pier PDA) or just plain full (if the BRA is granting full Certificates for each Parcel) Certificate of Completion for this Project is now recommended. Parcel E to the south is the last remaining Parcel in Fan Pier west, which will bring with it the completion of the roadway system. Harborwalk is already complete, and we observed a Canadian Tall ship (that will be open for public tours) arriving.