

MEMORANDUM

BOARD APPROVED FEBRUARY 14, 2019

TO: **BOSTON REDEVELOPMENT AUTHORITY**
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY (BPDA)*
AND BRIAN P. GOLDEN, DIRECTOR

FROM: JONATHAN GREELEY, DIRECTOR OF DEVELOPMENT REVIEW
MICHAEL CHRISTOPHER, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW/GOVERNMENT AFFAIRS
ALEXA PINARD, URBAN DESIGNER II
KRISTINA RICCO, SENIOR PLANNER I
MICHAEL SINATRA, PROJECT MANAGER

SUBJECT: 101 CONDOR STREET, EAST BOSTON

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (“BRA”) d/b/a the Boston Planning & Development Agency authorize the Director to: (1) issue a Certification of Approval for the proposed development located at 101 Condor Street project in East Boston (the “Proposed Project”), in accordance with Article 80E, Small Project Review, of the Boston Zoning Code (the “Code”); (2) enter into an Affordable Housing Agreement (“AHA”) in connection with the proposed development located at 101 Condor Street in East Boston (“the Proposed Project”), (“the Proposed Project”); (3) execute a Community Benefits Agreement, and take any other action and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project; and (4) recommend approval to the City of Boston Zoning Board of Appeal on Petition BOA - 856175 for zoning relief necessary to construct the Proposed Project with the proviso that the plans be submitted to the BPDA.

PROJECT SITE

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

The project is located at 101 Condor Street in East Boston, bordered between Brooks Street to the west, Putnam Street to the east, Chelsea Creek to the north and Falcon Street to the south (the "Project Site"). The Project Site consists of one (1) parcel that is approximately 8,650 square feet of land area. The current use of the parcel is garage, storage lot, auto repair and urban farm.

DEVELOPMENT TEAM

Developer and Applicant: 101 Condor Street, LLC
Greg McCarthy
279 Main Street
Charlestown, MA 02129

Legal Counsel: Law Office of Richard C. Lynds
Richard C. Lynds, Esq.
245 Sumner Street, Suite 110
East Boston, MA 02128
Tel. 617.207.1190
Email: rclyndsesq@lorcl.com

Architecture: Choo & Company
1 Billings Road #1
Quincy, MA 02171
617.786.7727

Surveyor: C&G Survey Company
37 Jackson Road
Scituate, MA 02066
877-302-8440

DESCRIPTION AND PROGRAM

The Proposed Project would consist of a new four story building. The at/slightly below-grade floor will contain 5,800+/- square feet of an enclosed parking garage, intending to accommodate the needs of the building's residents through the provision of 18 parking spaces, and 1,200 +/- square foot entrance lobby. Floors two through four will contain 18 total residential units, one (1) of which is a one bedroom unit of 640 sf, and seventeen (17) of which are two (2) bedroom units

ranging in size from 850 sf to 870 sf. There will be bicycle storage and trash handling and recycling facilities, located in the enclosed garage. In addition, there will be a common roof deck serviced by the building's elevator and two stairwells.

As with similar developments in the area, the building's massing is derived from an assessment of its site context and urban conditions. A mix of fiber cement panel, metal cladding, and cedar, along with other design elements which are consistent with the design standards set forth by the BPDA Urban Design guidelines will provide a strong identity along Condor Street, and serve to have the building become a focal point at the corner of Brooks and Condor. The design will present a unique appearance as it relates to its immediate context and will serve as a compelling precedent for the area's future and ongoing development.

The proposed building height is 39.0" to the roof of the upper story as measured from the grade at Condor Street. An elevator overrun and stairwells will rise above that height but are designed to be setback so they are not visible from the street. They will be wrapped in a fiber cement panel finish which references the materials of the façade below. A parapet of appropriate material will conceal mechanical equipment so it is not visible from the street below.

The total development cost will be \$4,500,000.00.

ARTICLE 80 REVIEW PROCESS

On December 5, 2018, the Proponent filed a Small Project Review Application with the BPDA for the Proposed Project, pursuant to Article 80E of the Code. The BPDA sponsored one public meeting, held on January 14, 2019 at the East Boston Social Center in East Boston. The meeting was advertised in *East Boston Times* and were also posted on the BPDA website. The BPDA comment period was closed on January 25, 2019.

ZONING

The site is situated within the 2F-2000 zoning district under the Boston Zoning Code. The site does not lie within a Neighborhood Design Overlay District (NDOD). The anticipated zoning variances of the Proposed Project are as follows:

Multifamily Use- Forbidden, Floor Area Ratio Excessive, Building Height Excessive, Rear yard Insufficient, Side Yard Insufficient, Usable Open Space Insufficient and Off Street Parking/Maneuverability Insufficient.

MITIGATION AND COMMUNITY BENEFITS

The Proponent shall make a Twenty-Thousand Dollar (\$20,000) contribution to the BPDA to be distributed to the City of Boston's Parks Department upon the issuance of the building permit for the Proposed Project by the City of Boston Inspectional Services Department ("ISD"). The contribution is to be used for the maintenance of Prescott Park in the Eagle Hill neighborhood of East Boston.

1. Recipient: Boston Parks Department

1010 Mass Ave

2. Use: The contribution will be used for the maintenance of Prescott Park in Eagle Hill. Specifically, the removal of the sandpit and addition of more benches and green landscape.

3. Amount: \$20,000

4. Timeline: The \$20,000 contribution is due at building permit.

In connection with the community benefits described above, the Proponent will enter into a Community Benefits Contribution Agreement.

INCLUSIONARY DEVELOPMENT COMMITMENT

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 ("IDP"), and is located within Zone C as defined by the IDP. The IDP requires that 13% of the total number of units within the development be designated as IDP units. As the Proposed Project will provide eighteen (18) new homeownership units, two (2) units within the Proposed Project will be created as IDP homeownership units (the "IDP Units"), of which at least half (1) will be made

affordable to households earning not more than 80% of the Area Median Income (“AMI”), as published by the BPDA and based upon data from the United States Department of Housing and Urban Development (“HUD”), and the remainder (1) will be made affordable to households earning greater than 80% of AMI but not more than 100% of AMI.

The proposed locations, sizes, income restrictions, and sales prices for the IDP Units are as follows:

Number of Bedrooms	Square Footage	Unit Number and Location	Percentage of Median Income	Sale Price
2 bedrooms	850 sf	Unit 4, 2 nd Floor	80% AMI	\$217,000
2 bedrooms	850 sf	Unit 12, 3 rd Floor	100% AMI	\$281,600

The location of the IDP Units will be finalized in conjunction with BPDA staff and outlined in the Affordable Housing Agreement (“AHA”), and sales prices and income limits will be adjusted according to BPDA published maximum sales prices and income limits, as based on HUD AMIs, available at the time of the initial sale of the IDP Units. IDP Units must be comparable in size, design, and quality to the market rate units in the Proposed Project, cannot be stacked or concentrated on the same floors, and must be consistent in bedroom count with the entire Proposed Project.

The AHA must be executed along with, or prior to, the issuance of the Certification of Approval for the Proposed Project. The Proponent must register the proposed project with the Boston Fair Housing Commission (“BFHC”) upon issuance of the building permit. Preference will be given to applicants who meet the following criteria, weighted in the order below:

- (1) Boston resident;
- (2) Household size (a minimum of one (1) person per bedroom); and
- (3) First time homebuyer.

Where a unit is built out for a specific disability (e.g., mobility or sensory), a preference will also be available to households with a person whose need matches the build out of the unit. The City of Boston Disabilities Commission may assist the BPDA in determining eligibility for such a preference.

The IDP Units will not be marketed prior to the submission and approval of an Affirmative Marketing Plan (the "Plan") by the and the BPDA. A deed restriction will be placed on each of the IDP Units to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with a BPDA option to extend for an additional period of twenty (20) years). The household income of the buyer and sales price of any subsequent sale of the IDP Units during this fifty (50) year period must fall within the applicable income and sales price limits for each IDP Unit. IDP Units may not be rented out by the developer prior to sale to an income eligible buyer, and the BPDA or its assigns or successors will monitor the ongoing affordability of the IDP Units.

In addition, the Proponent is required to make a partial unit IDP contribution of \$68,000 to the IDP Special Revenue Fund ("IDP Fund"), held by the City of Boston Treasury Department, and managed by the City of Boston Department or Neighborhood Development. This payment will be made at the time of the building permit. Combined, this contribution together with the two (2) designated IDP Units satisfies fully the IDP requirements pursuant to the December 10, 2015 IDP.

RECOMMENDATIONS

The Proposed Project complies with the requirements set forth in Section 80E of the Code for Small Project Review. Therefore, BPDA staff recommends that the Director be authorized to: (1) issue a Certification of Approval for the Proposed Project; (2) enter into an Affordable Housing Agreement with 101 Condor Street, LLC in connection with the On-Site IDP Units as well as any other agreements that the Director deems appropriate and necessary in connection with the Proposed Project., (3) recommend approval to the Boston Zoning Board of Appeal on Petition BOA - 856175 for zoning relief necessary to construct the Proposed Project with the proviso that the plans be submitted to the BPDA, and (4) Execute a Community Benefits Agreement, and take any other action and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

Appropriate votes follow:

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Approval pursuant to Section 80E-6 of the Boston Zoning Code (the "Code"), approving the 101 Condor Street, LLC development consisting

of a four-story building approximately 20,453 square feet and comprised of eighteen (18) residential condominium units and 18 parking spaces at 101 Condor Street (the "Proposed Project") in accordance with the requirements of Small Project Review, Article 80E, of the Code, subject to continuing design review; and

**FURTHER
VOTED:**

That the Director be, and hereby is, authorized to enter into an Affordable Housing Agreement for the creation of two (2) on-site Inclusionary Development Units and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project and

**FURTHER
VOTED:**

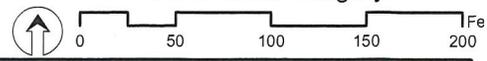
That the Director be, and hereby is, authorized to execute, a Community Benefits Agreement and deliver any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project, all upon terms and conditions determined to be in the best interests of the BRA; and

**FURTHER
VOTED:**

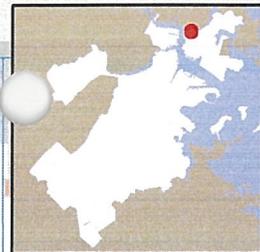
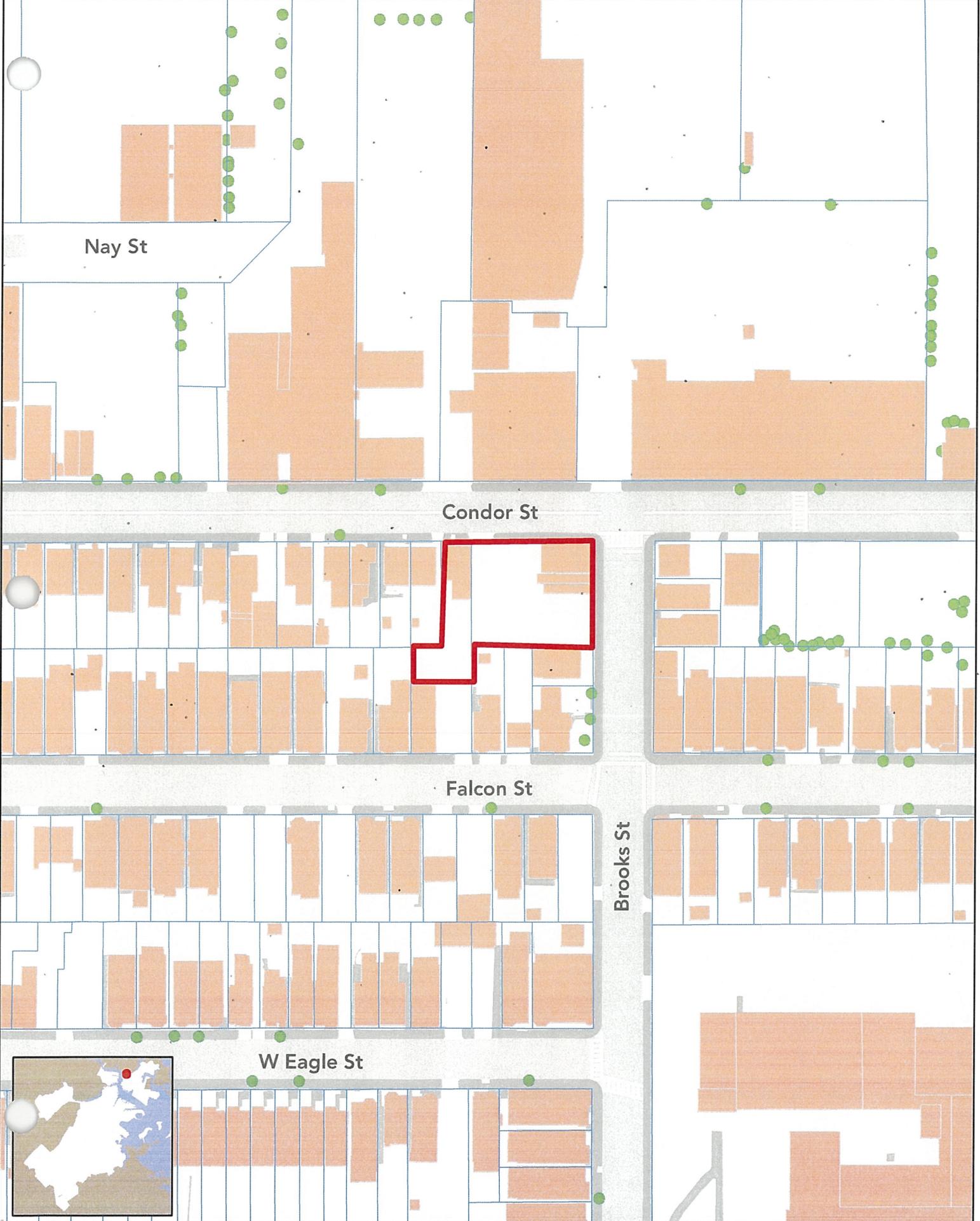
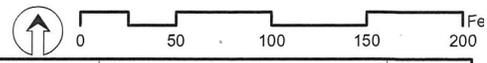
That the Director be, and hereby is authorized to issue the following recommendation to the City of Boston Board of Appeal on Petition BOA – 856175 for zoning relief necessary in connection with the Proposed Project with the proviso that the plans be submitted to the BRA and subject to ongoing design review.

97 & 101 Condor Street, East Boston

2017 aerial imagery



97 & 101 Condor Street, East Boston



**Boston Water and
Sewer Commission**



980 Harrison Avenue
Boston, MA 02119-2540
617-989-7000

December 17, 2018

Mr. Michael Sinatra, Project Manager
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02210

Re: 101 Condor Street, East Boston
Small Project Review Application

Dear Mr. Sinatra:

The Boston Water and Sewer Commission (Commission) has reviewed the Small Project Review Application (SPRA) for the proposed redevelopment project located at 101 Condor Street in the East Boston neighborhood of Boston. The Commission's comments on the SPRA are included in this letter.

The project proposed by 101 Condor Street, LLC will be built on a parcel of land totaling approximately 8,650 square feet (sf). The site currently has a one-story automobile repair shop, urban farm and outdoor storage space. 101 Condor Street LLC proposed to demolish the existing building and construct a four story, eighteen unit apartment building containing 20,453 sf. Each of the residential units will range in size from 850 sf. to 870 sf. and have two bedrooms. Building amenities will include a common roof deck, and first floor enclosed garage with a bicycle storage and parking for eighteen cars.

For water service, the Commission's facilities are a 12-inch cement lined cast iron water mains and 20-inch pit cast iron (PIC) transmission in Condor Street. The 12-inch water main was installed in 1958. The 20-inch transmission main was installed in 1896 and cleaned and cement lined in 1982. Brooks Street has a 12-inch PIC water main and a 20-inch PIC transmission main. The 12-inch water main was installed in 1888 and the 20-inch water main was installed in 1853 and cleaned and cement lined in 1982. The water mains are part of the Commission's Northern Low Pressure Zone. It should also be noted that the MWRA owns a 24-inch water main in the intersection of Condor Street and Brooks Street that connect into the Commission's water distribution system at this location.

For sewer and drain service, the Commission owns a 16-inch x 20-inch combined sewer and 18-inch storm drain in Condor Street. Brooks Street has an 8-inch combined sewer. The combined sewer in Condor Street was lined in 2008. The Massachusetts Water Resources Authority also owns a 48-inch combined sewer in Condor Street.



Water usage and sewerage generation estimates were not provided in the SPRA.

The Commission has the following comments regarding the proposed project.

General

1. Prior to the initial phase of the site plan development, 101 Condor Street, LLC, should meet with the Commission's Design and Engineering Customer Services Departments to review water main, sewer and storm drainage system availability and potential upgrades that could impact the project.
2. Prior to demolition of any buildings, all water, sewer and storm drain connections to the buildings must be cut and capped at the main pipe in accordance with the Commission's requirements. The proponent must complete a Cut and Cap General Services Application, available from the Commission.
3. All new or relocated water mains, sewers and storm drains must be designed and constructed at 101 Condor Street, LLC's expense. They must be designed and constructed in conformance with the Commission's design standards, Water Distribution System and Sewer Use regulations, and Requirements for Site Plans. The site plan should include the locations of new, relocated and existing water mains, sewers and drains which serve the site, proposed service connections, water meter locations, as well as back flow prevention devices in the facilities that will require inspection. A General Service Application must also be submitted to the Commission with the site plan.
4. The Department of Environmental Protection (DEP), in cooperation with the Massachusetts Water Resources Authority and its member communities, is implementing a coordinated approach to flow control in the MWRA regional wastewater system, particularly the removal of extraneous clean water (e.g., infiltration/inflow (I/I)) in the system. In April of 2014, the Massachusetts DEP promulgated new regulations regarding wastewater. The Commission has a National Pollutant Discharge Elimination System (NPDES) Permit for its combined sewer overflows and is subject to these new regulations [314 CMR 12.00, section 12.04(2)(d)]. This section requires all new sewer connections with design flows exceeding 15,000 gpd to mitigate the impacts of the development by removing four gallons of infiltration and inflow (I/I) for each new gallon of wastewater flow. In this regard, any new connection or expansion of an existing connection that exceeds 15,000 gallons per day of wastewater shall assist in the I/I reduction effort to ensure that the additional wastewater flows are offset by the removal of I/I. Currently, a minimum ratio of 4:1 for I/I removal to new wastewater flow added is used. The Commission supports the policy and will require proponent to develop a consistent inflow reduction plan. The 4:1 requirement should be addressed at least 90 days prior to activation of water service and will be based on the estimated sewage generation provided on the project site plan.



5. The design of the project should comply with the City of Boston's Complete Streets Initiative, which requires incorporation of "green infrastructure" into street designs. Green infrastructure includes greenscapes, such as trees, shrubs, grasses and other landscape plantings, as well as rain gardens and vegetative swales, infiltration basins, and paving materials and permeable surfaces. The proponent must develop a maintenance plan for the proposed green infrastructure. For more information on the Complete Streets Initiative see the City's website at <http://bostoncompletestreets.org/>.
6. The water use and sewage generation estimates were not stated in SPRA. The Commission requires that these values be calculated and submitted with the Site Plan. 101 Condor Street, LLC should provide separate estimates of peak and continuous maximum water demand for residential, irrigation and air-conditioning make-up water for the project. Estimates should be based on full-site build-out of the proposed project. 101 Condor Street, LLC should also provide the methodology used to estimate water demand for the proposed project.
7. The Commission will require 101 Condor Street, LLC to undertake all necessary precautions to prevent damage or disruption of the existing active water and sewer lines on, or adjacent to, the project site during construction. As a condition of the site plan approval, the Commission will require 101 Condor Street, LLC to inspect the existing sewer and drain lines by CCTV after site construction is complete, to confirm that the lines were not damaged from construction activity.
8. It is 101 Condor Street, LLC's responsibility to evaluate the capacity of the water, sewer and storm drain systems serving the project site to determine if the systems are adequate to meet future project demands. With the site plan, 101 Condor Street, LLC must include a detailed capacity analysis for the water, sewer and storm drain systems serving the project site, as well as an analysis of the impacts the proposed project will have on the Commission's water, sewer and storm drainage systems.

Water

1. 101 Condor Street, LLC should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In particular, 101 Condor Street, LLC should consider outdoor landscaping which requires minimal use of water to maintain. If 101 Condor Street, LLC plans to install in-ground sprinkler systems, the Commission recommends that timers, soil moisture indicators and rainfall sensors be installed. The use of sensor-operated faucets and toilets in common areas of buildings should be considered.
2. 101 Condor Street, LLC is required to obtain a Hydrant Permit for use of any hydrant during the construction phase of this project. The water used from the hydrant must be



metered. 101 Condor Street, LLC should contact the Commission's Meter Department for information on and to obtain a Hydrant Permit.

3. The Commission is utilizing a Fixed Radio Meter Reading System to obtain water meter readings. For new water meters, the Commission will provide a Meter Transmitter Unit (MTU) and connect the device to the meter. For information regarding the installation of MTUs, 101 Condor Street, LLC should contact the Commission's Meter Department.

Sewage / Drainage

1. In conjunction with the Site Plan and the General Service Application 101 Condor Street, LLC will be required to submit a Stormwater Pollution Prevention Plan. The plan must:
 - Identify specific best management measures for controlling erosion and preventing the discharge of sediment, contaminated stormwater or construction debris to the Commission's drainage system when construction is underway.
 - Include a site map which shows, at a minimum, existing drainage patterns and areas used for storage or treatment of contaminated soils, groundwater or stormwater, and the location of major control structures or treatment structures to be utilized during the construction.
 - Specifically identify how the project will comply with the Department of Environmental Protection's Performance Standards for Stormwater Management both during construction and after construction is complete.
2. The Commission encourages 101 Condor Street, LLC to explore additional opportunities for protecting stormwater quality on site by minimizing sanding and the use of deicing chemicals, pesticides, and fertilizers.
3. The discharge of dewatering drainage to a sanitary sewer is prohibited by the Commission. 101 Condor Street, LLC is advised that the discharge of any dewatering drainage to the storm drainage system requires a Drainage Discharge Permit from the Commission. If the dewatering drainage is contaminated with petroleum products, 101 Condor Street, LLC will be required to obtain a Remediation General Permit from the Environmental Protection Agency (EPA) for the discharge.
4. 101 Condor Street, LLC must fully investigate methods for retaining stormwater on-site before the Commission will consider a request to discharge stormwater to the Commission's system. The site plan should indicate how storm drainage from roof drains will be handled and the feasibility of retaining their stormwater discharge on-site.
5. The Massachusetts Department of Environmental Protection (MassDEP) established Stormwater Management Standards. The standards address water quality, water quantity

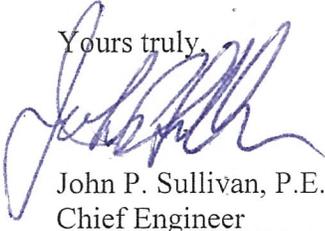


and recharge. In addition to Commission standards, 101 Condor Street, LLC will be required to meet MassDEP Stormwater Management Standards.

6. Sanitary sewage must be kept separate from stormwater and separate sanitary sewer and storm drain service connections must be provided. The Commission requires that existing stormwater and sanitary sewer service connections, which are to be re-used by the proposed project, be dye tested to confirm they are connected to the appropriate system.
7. The Commission requests that 101 Condor Street, LLC install a permanent casting stating "Don't Dump: Drains to Boston Harbor" next to any catch basin created or modified as part of this project. 101 Condor Street, LLC should contact the Commission's Operations Division for information regarding the purchase of the castings.
8. The enclosed floors of a parking garage must drain through oil separators into the sewer system in accordance with the Commission's Sewer Use Regulations. The Commission's Requirements for Site Plans, available by contacting the Engineering Services Department, include requirements for separators.

Thank you for the opportunity to comment on this project.

Yours truly,



John P. Sullivan, P.E.
Chief Engineer

JPS/RJA

cc: G. McCarthy, 101Condor Street, LLC
M. Zlody, BED by e-mail
M. Nelson, BWSC by e-mail
P. Larocque, BWSC by e-mail
K. Ronan, MWRA by e-mail



Emily Wieja <emily.wieja@boston.gov>

Project Comment Submission: 101 Condor Street

kentico@boston.gov <kentico@boston.gov>

Fri, Dec 21, 2018 at 11:18 AM

To: BRAWebContent@cityofboston.gov, michael.a.sinatra@boston.gov, jeff.ng@boston.gov, comment_email_processor@o-2zlaqa64yog14nfnqlzmbbrpfox00q4is2vvlpd3irp6a8fovy.36-1heureao.na30.apex.salesforce.com

CommentsSubmissionFormID: 4375

Form inserted: 12/21/2018 11:17:44 AM

Form updated: 12/21/2018 11:17:44 AM

Document Name: [101 Condor Street](#)

Document Name Path: /Development/Development Projects/[101 Condor Street](#)

Origin Page Url: /projects/development-projects/[101-condor-street](#)

First Name: JEsse

Last Name: Richard

Organization: -

Email: [REDACTED]

Street Address: [223 1/2 Princeton St](#)

Address Line 2: Apt 2

City: Boston

State: MA

Phone: [REDACTED]

Zip: 02128

Opinion: Support

Comments: Love the design, and would be a great addition to the neighbourhood! (Though not sure an at/below grade garage would be a good idea, given the proximity to the harbour.) Personally I'd like to see more developments with no additional parking to slow down the influx of new cars / traffic.

PMContact: michael.a.sinatra@boston.gov

Project ID: 3203