

The Residences at 245 Sumner Street East Boston



Application for Article 80 Small Project Review
Boston Redevelopment Authority
April 14, 2014

Developer/Proponent:
Architect:
Counsel:

Velkor Realty Trust / Brian J. Hosker
Clinton Design Architects
The Law Offices of Richard C. Lynds
1216 Bennington Street
Boston, Massachusetts 02128
Tel. 617-207-1190

The Residences at 245 Sumner Street East Boston

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April 14, 2014

VIA IN HAND DELIVERY

Mr. Brian Golden, Acting Director
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201-1007

**Re: Project Notification Form
Article 80 Small Project Review Application
245 Sumner Street, East Boston**

Dear Director Golden:

This office represents the interests of Velkor Realty Trust and Brian J. Hosker (the "Proponent") with respect to the real property located at 245 Sumner Street, East Boston (Ward 1). On behalf of the proponent, please accept the enclosed application for Small Project Review pursuant to Article 80-E-2 of the Boston Zoning Code.

Situated on approximately 16,000 square feet of land, and just a few hundred feet from Maverick Square and Maverick T Station, the proposed project contemplates the demolition of an existing warehouse and manufacturing building in order to construct a five (5) story, 40 unit residential structure with on site parking for 40 vehicles beneath. In addition, the proposed project will include approximately 2000 square feet of commercial space to be located on the first level along Sumner Street. The warehouse has no historic or architectural significance to the surrounding neighborhood. Its presence and appearance actually detracts from the neighborhood.

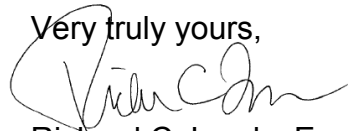
The proposed structure will contain approximately 47,983 square feet of gross floor area, with the 40 residential units located mainly on four levels, with two penthouse units on the fifth level. Six (6) of the units will be designated affordable (15%) pursuant to the City of Boston's Inclusionary Development Policy. In what will hopefully be a gateway project for the Jeffries Point Neighborhood, the building has been designed and modified with input from

neighbors and residents of the Jeffries Point community through community outreach and over the course of four (4) meetings held to date since August 2013 with the Jeffries Point Neighborhood Association (JPNA). In addition, the proponent has engaged in discussions with the local elected delegation and has had preliminary discussions with BRA staff. The goal of engaging in an early community process and dialogue was to ensure that the proposed development reflects the desires of the immediate community.

Attached to this application is the refusal letter issued by the Inspectional Services Department ("ISD") along with the Proponent's petition to the Board of Appeal requesting zoning relief for this project.

Thank you for your consideration and please do not hesitate to contact me if there are any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard C. Lynds". The signature is fluid and cursive, with the first name "Richard" being the most prominent.

Richard C. Lynds, Esq.

cc: District One City Councilor Salvatore J. LaMattina
Corine Petraglia, Mayor's Office of Neighborhood Services
State Senator Anthony Petruccelli
State Representative Carlo Basile
Jeffries Point Neighborhood Association
Raul Duverge, BRA Project Manager

The Residences at 245 Sumner Street East Boston

Project Team

Owner-Developer:

Velkor Realty Trust

Brian J. Hosker, Trustee

Legal Counsel:

Law Offices of Richard C. Lynds

1216 Bennington Street

East Boston, MA 02128

Richard C. Lynds, Esq.;

email rclyndsesq@lorcl.com

Tel. 617-207-1190

Fax. 617-207-1195

Architect:

Clinton Design Architects

PO Box 6687

Holliston, MA 01746

Tel. 774-233-0176

Edward F. Clinton, NCARB, LEED AP

Email: efc@clintondesign.com

Civil Engineer - Surveyor:

AGH Engineering

166 Water Street

Stoughton, MA 02072

Tel. 781-344-2386

Antoni Szerszunowicz, PLS

The Residences at 245 Sumner Street East Boston

Project Description

Located at 245 Sumner Street, in the Jeffries Point Section of East Boston and just a few hundred feet from Maverick Square and Maverick T Station, the proposed project contemplates the demolition of an existing warehouse and manufacturing building in order to construct a four (4) story (plus penthouse), 39 unit residential structure with on site parking for 39 vehicles beneath. In addition, the proposed project will include approximately 2154 square feet of commercial space to be located on the first level along Sumner Street. The existing warehouse has no historic or architectural significance to the surrounding neighborhood. Its presence and appearance actually detracts from the neighborhood.

The proposed structure will contain approximately 46,146 square feet of gross floor area, with the 39 residential units located mainly on four levels, with two penthouse units located on the 5th level. Six (6) of the units will be designated affordable (15%) pursuant to the City of Boston's Inclusionary Development Policy. In what will hopefully be a gateway project for the Jeffries Point Neighborhood, the building has been designed and modified with input from neighbors and residents of the Jeffries Point community through community outreach and over the course of five (5) meetings held since August 2013 with the Jeffries Point Neighborhood Association (JPNA).

The following is a synopsis of the unit square footage and mix of unit types within the proposed building:

Type	Quantity
Market Rate Units - Mix of 1, 2 & 3 Bedrooms	33
BRA Restricted Affordable Units – Mix of 1, 2, & 3	6
Commercial Space (approximately 2154 square feet)	1

Unit Mix

TOTAL AREA				
Number	Name	Level	Area	Comments
100	COMMON CORRIDOR	Level 1	990 SF	
101	UNIT 101 2 BR	Level 1	1065 SF	
102	UNIT 102 2BR	Level 1	974 SF	
103	UNIT 103 3BR	Level 1	1043 SF	
104	UNIT 104 2BR	Level 1	881 SF	
105	UNIT 105 2BR	Level 1	882 SF	
106	UNIT 106 3 BR	Level 1	992 SF	
107	UNIT 107 2BR	Level 1	1032 SF	
108	UNIT 108 2BR	Level 1	1007 SF	
110	UNIT 110 COMM.	Level 1	2154 SF	COMMERCIAL
Level 1: 10			11020 SF	
200	COMMON CORRIDOR	Level 2	837 SF	
201	UNIT 201 2BR	Level 2	1188 SF	
202	UNIT 202 2BR	Level 2	973 SF	
203	UNIT 203 3 BR	Level 2	1086 SF	
204	UNIT 204 2BR	Level 2	919 SF	
205	UNIT 205 2 BR	Level 2	921 SF	
206	UNIT 206 3BR	Level 2	1030 SF	
207	UNIT 207 2BR	Level 2	1015 SF	
208	UNIT 208 2 BR	Level 2	1009 SF	
209	UNIT 209 2 BR	Level 2	973 SF	
210	UNIT 210 2BR	Level 2	1285 SF	
Level 2: 11			11236 SF	
300	COMMON CORRIDOR	Level 3	837 SF	
301	UNIT 301 2BR	Level 3	1188 SF	
302	UNIT 302 2BR	Level 3	973 SF	
303	UNIT 303 3 BR	Level 3	1086 SF	
304	UNIT 304 2BR	Level 3	919 SF	
305	UNIT 305 2BR	Level 3	921 SF	
306	UNIT 306 3BR	Level 3	1030 SF	
307	UNIT 307 2BR	Level 3	1015 SF	
308	UNIT 308 2BR	Level 3	1009 SF	
309	UNIT 309 2BR	Level 3	973 SF	
310	UNIT 310 2BR	Level 3	1285 SF	
Level 3: 11			11236 SF	
400	COMMON CORRIDOR	Level 4	908 SF	
401	UNIT 401 2BR	Level 4	1152 SF	
402	UNIT 402 2BR	Level 4	947 SF	
403	UNIT 403 3BR	Level 4	944 SF	
404	UNIT 404 2BR	Level 4	837 SF	
405	UNIT 405 2BR	Level 4	839 SF	
406	UNIT 406 2 BR	Level 4	620 SF	
407	UNIT 407 2BR	Level 4	990 SF	
408	UNIT 408 2BR	Level 4	983 SF	
409	UNIT 409 2BR	Level 4	850 SF	
Level 4: 10			9069 SF	
500	COMMON CORRIDOR	Level 5	493 SF	
501	UNIT 501 3BR	Level 5	1842 SF	
502	UNIT 502 2BR	Level 5	1251 SF	
Level 5: 3			3585 SF	
Grand total: 45			46146 SF	

The Residences at 245 Sumner Street East Boston

Neighborhood Context

The proposed project will be located at the corner of Orleans and Sumner Street just outside of Maverick Square and at the unofficial entrance to Jeffries Point. There are a mix of commercial, residential, and industrial properties in the immediate area, including buildings ranging from one story to eight stories.

Public Benefits: Affordable Housing and Job Creation

Rental housing in East Boston is at an all time high for demand, resulting in limited inventory and higher rents. The project will eliminate an out of date industrial warehousing use in exchange for much-needed residential rental housing in a manner that is consistent with and complimentary to the surrounding neighborhood, thereby enhancing the residential nature of the community. The rehabilitation and conversion of this property into much-needed residential housing will also designate six (6) of the residential units as affordable. The proposed project will continue to build upon the City's long standing goals of creating additional affordable housing.

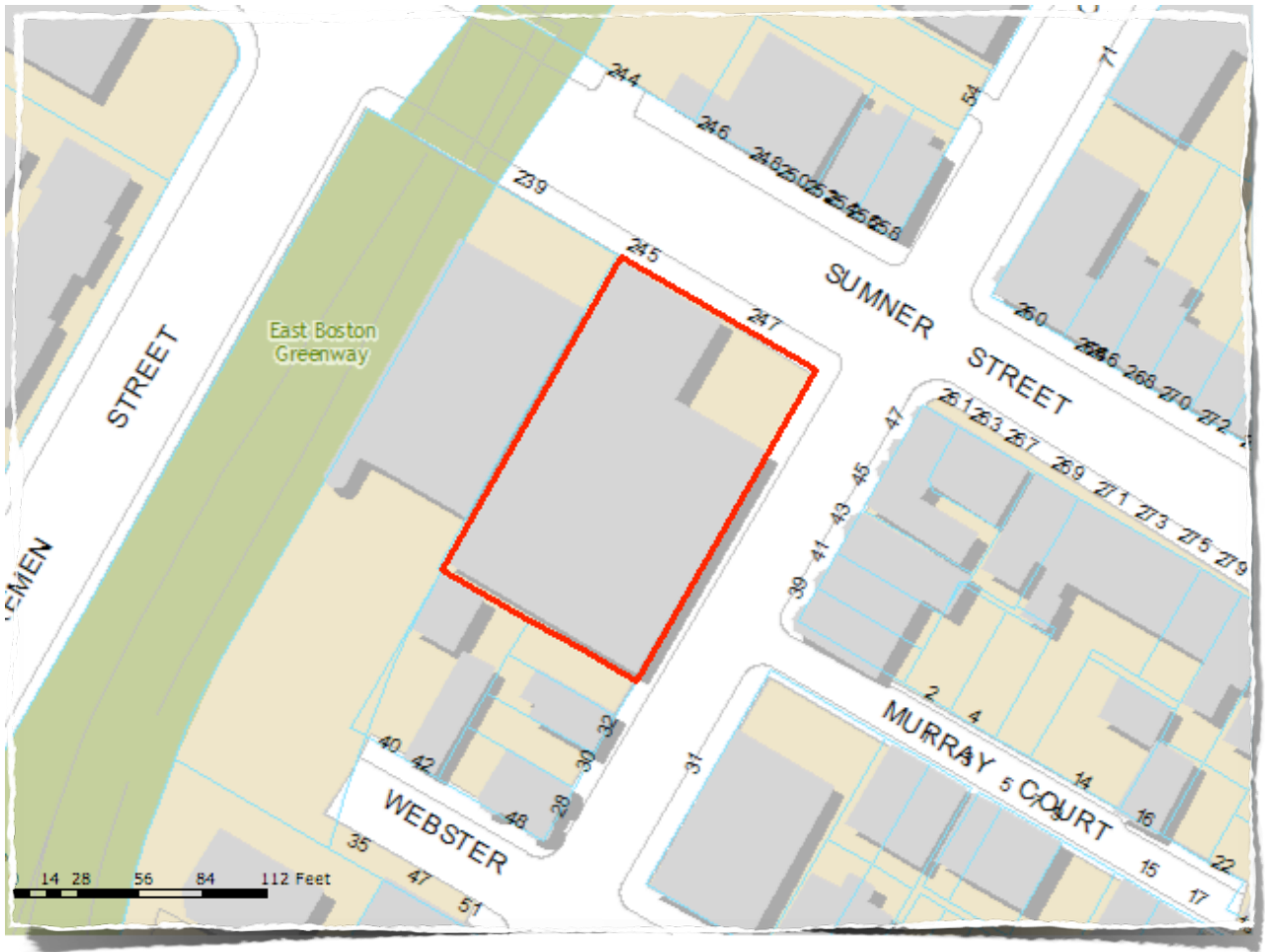
In addition to the creation of housing and designation of certain affordable units, the proposed project will create a number of construction jobs as well, for which the project proponent is committed to hiring locally.

Traffic, Parking and Vehicular and Pedestrian Access

The proposed project will provide an opportunity for accessible, transit oriented housing which will be located along an MBTA Bus Route and less than 150 yards from the entrance to the Maverick T Station (Blue Line). In addition, the project proponent proposes to provide on site parking with up to thirty nine (39) parking spaces located in a garage beneath the building along with up to spaces for thirty (30) bikes.

The Residences at 245 Sumner Street East Boston

Neighborhood Site Map



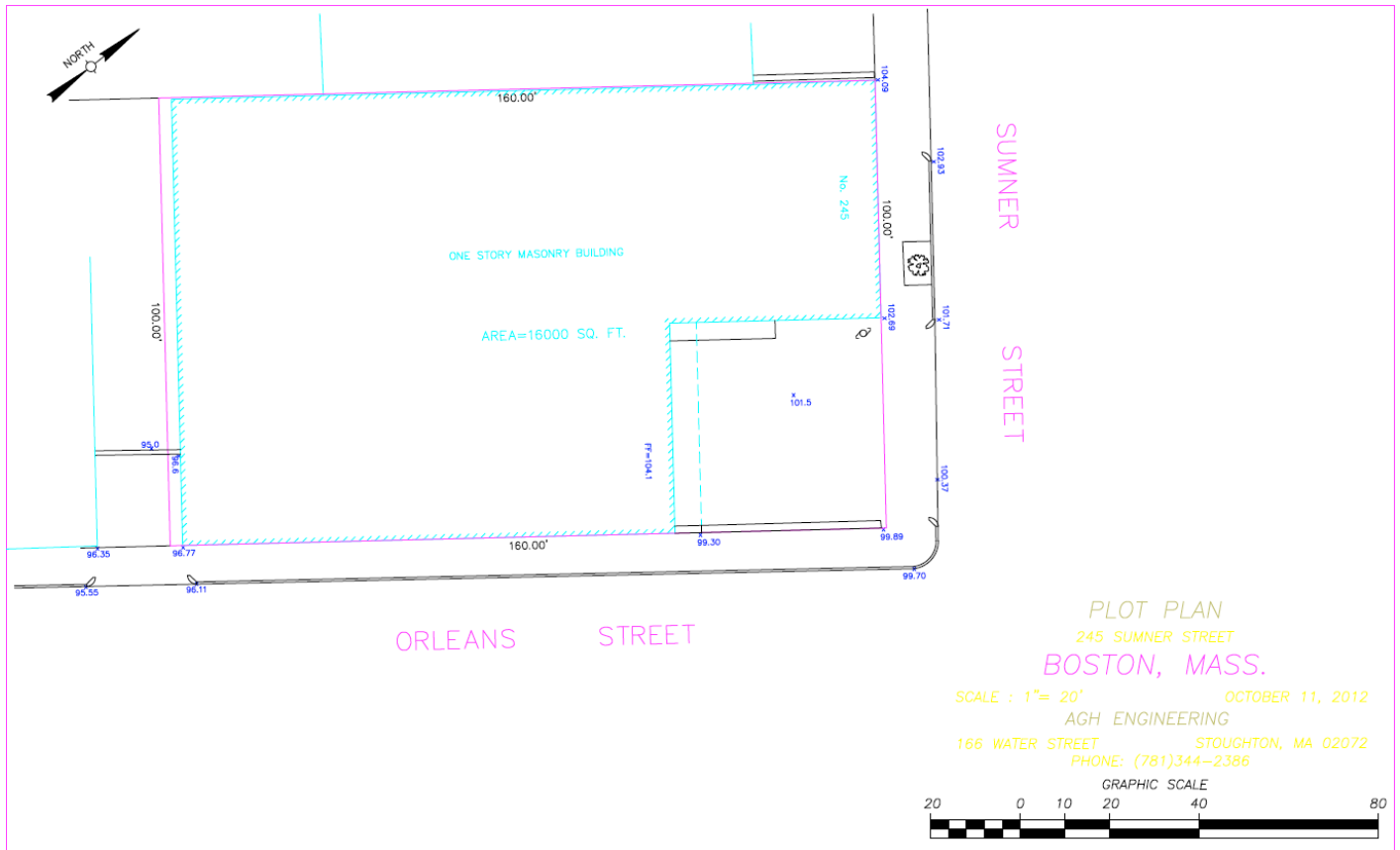
The Residences at 245 Sumner Street East Boston

Neighborhood Site Map (Aerial)



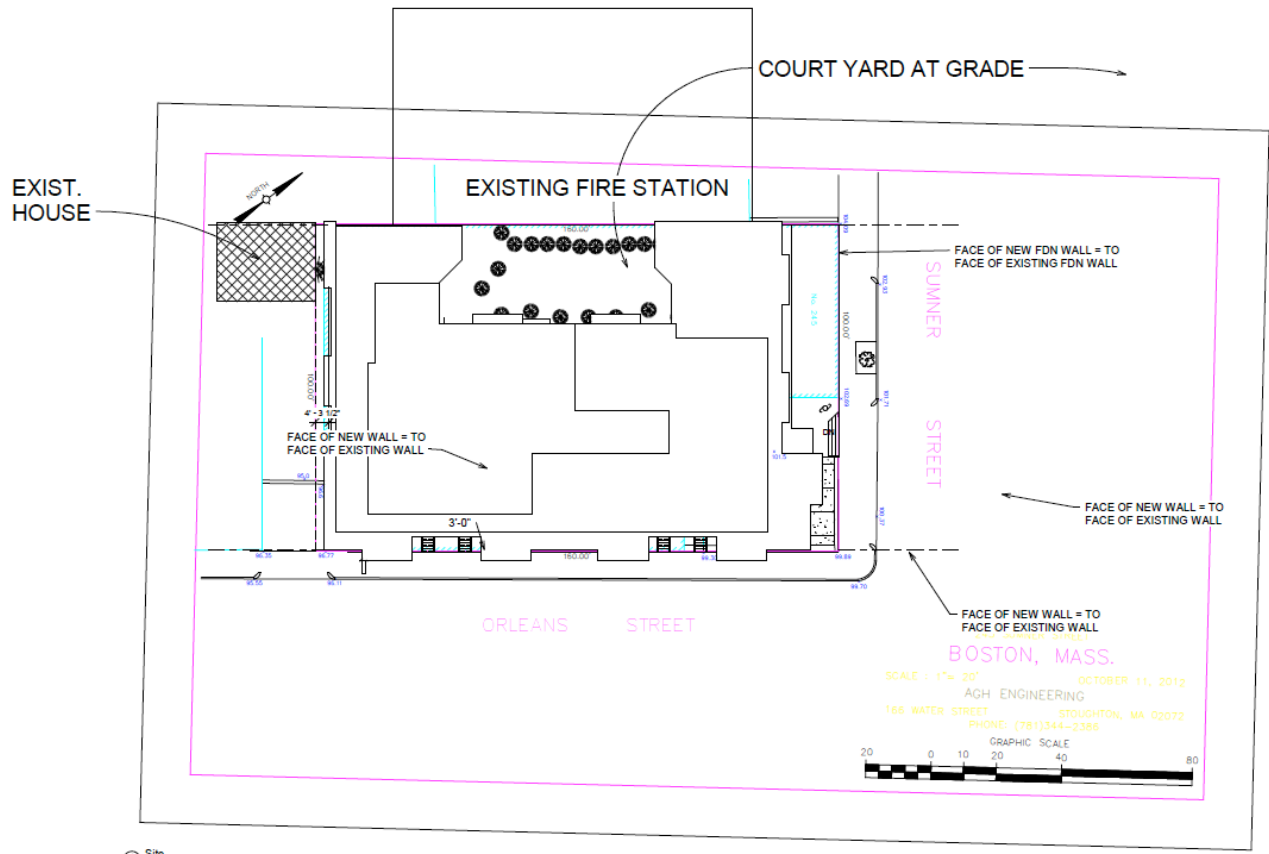
The Residences at 245 Sumner Street East Boston

Existing Site Plan



The Residences at 245 Sumner Street East Boston

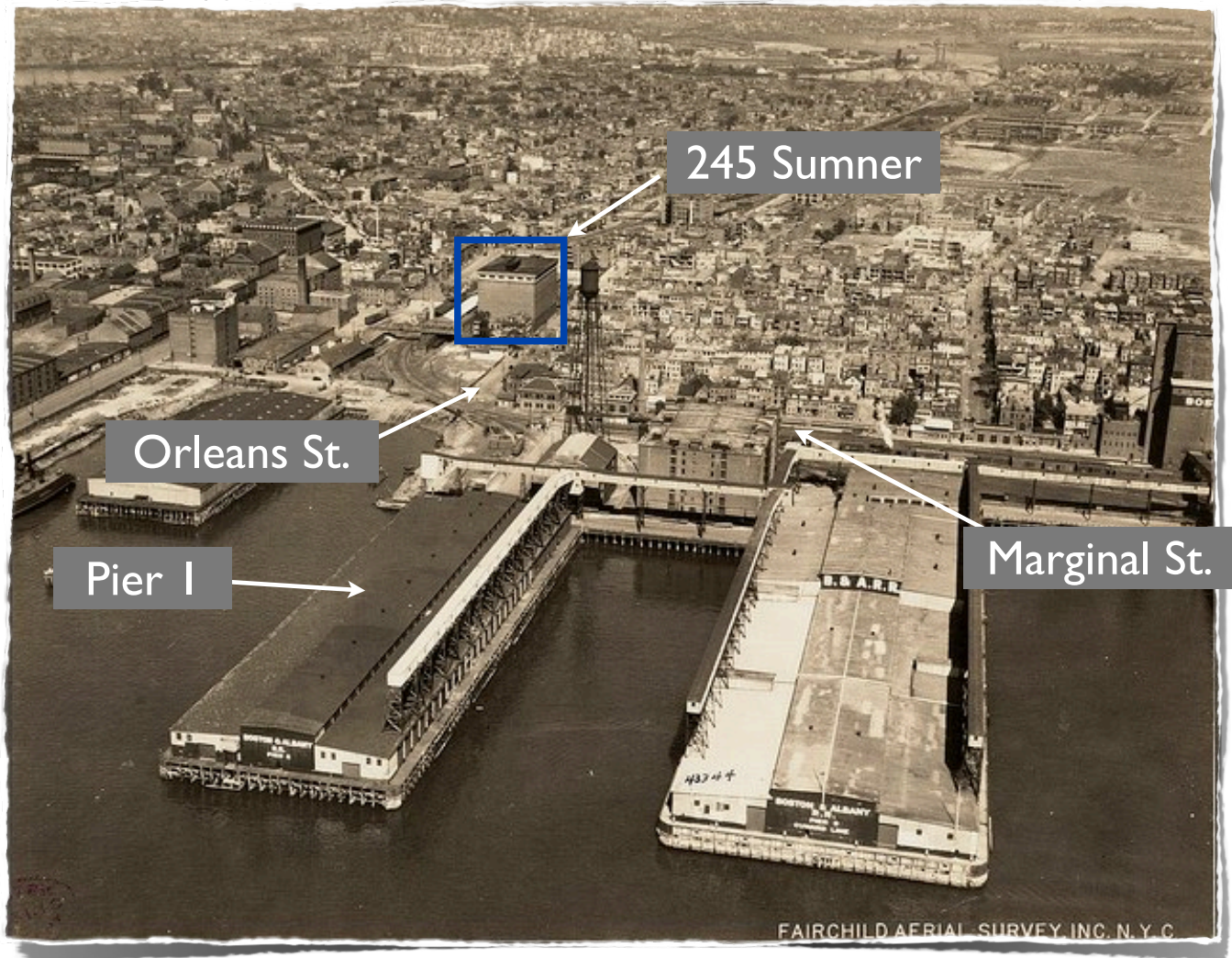
Proposed Site Plan



SITE PLAN

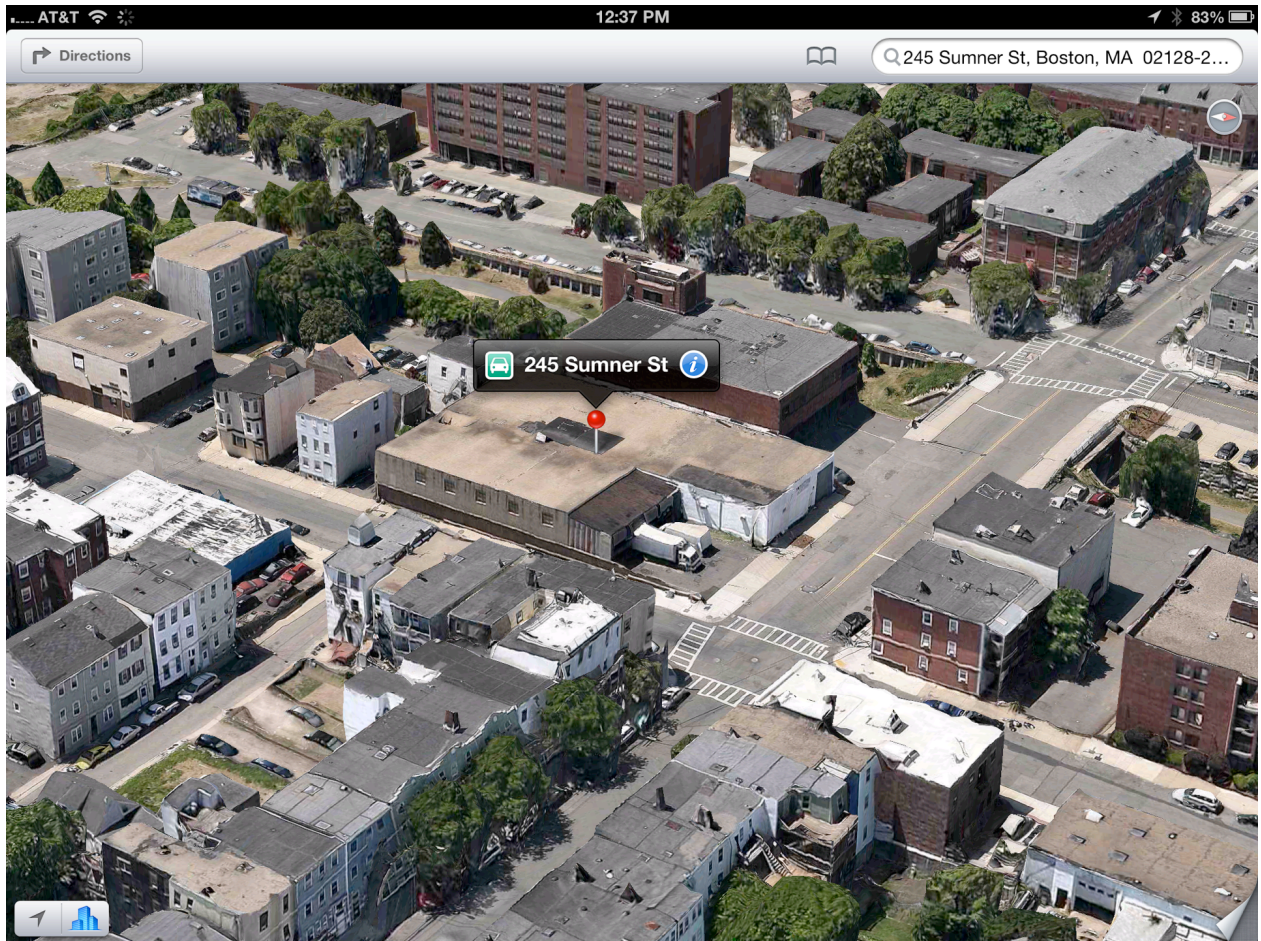
The Residences at 245 Sumner Street East Boston

Historic Photographs



The Residences at 245 Sumner Street East Boston

Neighborhood Photographs (Current Conditions)



The Residences at 245 Sumner Street East Boston

Neighborhood Photographs (ctd)



The Residences at 245 Sumner Street East Boston

Neighborhood Photographs (ctd)



The Residences at 245 Sumner Street East Boston

Zoning Analysis

District: 3F-2000

Uses Permitted: 1, 2 and 3 Family Dwellings

Frontage and
Setbacks Required: Frontage 20'
Front Yard 5' or Modal
Side Yard 2.5'
Rear Yard 30 Feet

**Proposed Frontage and
Setbacks Provided**

Frontage	160 feet (Orleans); 100 feet (Sumner)
Front Yard	Modal
Side Yard	None (Variance Requested)
Rear Yard	8 feet to >20 feet (Variance Requested)

FAR Allowed: 1.0
Total Site Area: 16,000 sq. ft.
Total Building Area Allowed: 16,000 sq. ft.
Total Building Area Proposed: 46,146 sf

FAR Provided: 2.88 (Variance Requested)

Height Allowed: 35 Ft / 3 Stories
**Height Provided: Varies 59 Feet +/- /
4 Stories from grade to top of parapet;
5th story penthouse (Variances Requested)**

Parking spaces Required: 2.0 spaces per unit above 10 units (33 market rate x 2 = 66 spaces)
0.7 spaces per affordable units (6 affordable x 0.7 = 4)
Total 68 Spaces required

Parking spaces Provided: 39 parking spaces on site (Variance Requested)

Open Space Required: 300 s.f. per dwelling unit (40 x 300 = 12,000 s.f. of open space)
Open Space Provided: <12,000 s.f. (Variance Requested)

The Residences at 245 Sumner Street East Boston

Anticipated Permits and Further Public Review

Pursuant to the requirements of Small Project Review under Article 80 of the Boston Zoning Code, the proposed project shall undergo further public comment and community process. Prior to submitting this Article 80 Application, however, the project team has conducted extensive preliminary outreach with local elected officials and has made four (4) presentations to Jeffries Point Neighborhood Association Planning and Zoning Subcommittee, which abutting land owners were notified of. This application includes the input received in the preliminary outreach process with interested parties.

The table below lists the public permits and approvals that are anticipated to be required for the project.

Anticipated Permits and Approvals

AGENCY	APPROVAL
Boston Redevelopment Authority	Article 80 Small Project Review Application
Boston Public Works Department	Curb cut improvements
Boston Transportation Department	Construction Management Plan (if required)
Boston Water and Sewer Commission	Site Plan approval for water and sewer connections
Public Improvement Commission	Specific repair plan approval;
Zoning Board of Appeals	Variances/Conditional Use Permits
Inspectional Services Department	Review/Compliance State Building Code
Boston Landmarks Commission (if required)	Determination of Applicability
Boston Parks Commission	Parks Commission Approval

The Residences at 245 Sumner Street East Boston

**Appendix A: Notice of Intent to File PNF
(See attached)**

LAW OFFICES OF
RICHARD C. LYND

1216 BENNINGTON STREET
E. BOSTON, MASSACHUSETTS 02128
TEL: 617.207.1190
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EMAIL: RCLYNDESQ@LORCL.COM

April 14, 2014

VIA IN HAND DELIVERY

Mr. Brian Golden, Acting Director
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201-1007

Re: NOTICE OF INTENT
Article 80 Small Project Review Application
245 Sumner Street, East Boston

Dear Director Golden:

The purpose of this letter is to notify the Boston Redevelopment Authority ("BRA") of the intent of Velkor Realty Trust, as prospective owner and developer of the parcel located at 245 Sumner Street, East Boston (the "Property") and defined below as the "Project Proponent" to file a Project Notification Form ("PNF") with the BRA under Article 80 Small Project Review.

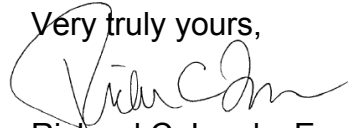
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neighbors and residents of the Jeffries Point community through community outreach and over the course of four (4) meetings held to date since August 2013 with the Jeffries Point Neighborhood Association (JPNA). In addition, the proponent has engaged in discussions with the local elected delegation and has had preliminary discussions with BRA staff. The goal of engaging in an early community process and dialogue was to ensure that the proposed development reflects the desires of the immediate community.

Please advise at your earliest convenience if there are any questions you may have of the Project Proponent as we prepare to submit.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard C. Lynds". The signature is fluid and cursive, with the first name "Richard" being the most prominent.

Richard C. Lynds, Esq.

cc: District City Councilor Salvatore J. LaMattina
Corinne Petraglia, Mayor's Office of Neighborhood Services
State Senator Anthony Petruccelli
State Representative Carlo Basile
Jeffries Point Neighborhood Association
Raul Duverge, BRA Project Manager

The Residences at 245 Sumner Street East Boston

Appendix B: Permitting Applications and Appeal Petition

ISD Zoning Code Refusal for ALT and Appeal Petition



THOMAS M. MENINO
Mayor

BOSTON INSPECTIONAL SERVICES DEPARTMENT

November 19, 2013

Richard Lynds
1216 Bennington St
East Boston, MA 02128

Re: Application No. ERT272894; **Zone:** East Boston N.D. 3F-5000; **Filed:** August 9, 2013; **Location:** 245 Sumner St
Ward: 01

Purpose:

Erect a 4 story (plus penthouse) mixed use 40 unit residential structure (34 Market Rate Units / 6 BRA Restricted Affordable Units per Inclusionary Zoning Development Policy), with 40 parking spaces located beneath, with approximately 2,000 square feet of commercial space (retail/restaurant w/takeout). Project will be subject to Article 80E-2 (Small Project Review).*
YOUR APPLICATION REQUIRES RELIEF FROM THE BOARD OF APPEAL AS SAME WOULD BE IN VIOLATION OF THE BOSTON ZONING CODE TO WIT: CHAPTER 665, ACTS OF 1956 AS AMENDED:

East Boston Neighborhood District

Residential Subdistricts

Article 53, Section 8	Use: Multi-family dwelling (Forbidden)
Article 53, Section 8	Use: Retail (Forbidden)
Article 53, Section 8	Use: Restaurant (Forbidden)
Article 53, Section 8	Use: Take-out Restaurant (Forbidden)
Article 53, Section 9	Lot Area for additional dwelling unit (s) insufficient
Article 53, Section 9	Floor Area Ratio excessive
Article 53, Section 9	Height excessive
Article 53, Section 9	Usable Open Space insufficient
Article 53, Section 9	Side Yard insufficient
Article 53, Section 9	Rear Yard insufficient

Miscellaneous Provisions

Article 53, Section 56	Off-Street Parking Insufficient
Article 53, Section 56	Off-Street Loading Insufficient

*IBC review pending and subject to construction documents.

THIS DECISION MAY BE APPEALED TO THE BOARD OF APPEAL WITHIN FORTY-FIVE (45) DAYS PURSUANT TO CHAPTER 665 OF THE ACTS OF 1956, AS AMENDED. APPLICATIONS NOT APPEALED WITHIN THAT TIME PERIOD WILL BE DEEMED ABANDONED. COMMUNITY PARTICIPATION IS AN INTEGRAL PART OF THE BOARD OF APPEAL PROCESS. **WE STRONGLY SUGGEST THAT YOU READ THE ENCLOSED MATERIAL AND YOU MUST CONTACT THE MAYOR'S OFFICE OF NEIGHBORHOOD SERVICES AT 617-635-3485 TO ENSURE THAT YOU TAKE THE NECESSARY STEPS TO ENSURE ANY REQUIRED COMMUNITY PARTICIPATION IN THE BOARD OF APPEAL PROCESS FOR YOUR APPLICATION.**

Luis Santana

This form must be completed and signed by the owner-of-record, their attorney and/or authorized agent. If form is not signed by property owner, please attach a signed letter of authorization designating the authorized agent.

Appeal Must Be Typed

APPEAL

under Boston Zoning Code



Thomas M. Menino
Mayor

Boston, Massachusetts, November 29, 2013

To the Board of Appeal in the Inspectional Services Department of the City of Boston:

Orleans Sumner Realty Trust (by Richard C. Lynds, Esq. - Authorized Agent)

The undersigned, being

The Owner(s) or authorized agent

245 Sumner Street

WARD - 1

East Boston

of the lot at

number

street

ward

district

hereby appeal(s) under St. 1956, c. 665, s. 8, to the Board of Appeal in the Inspectional Services Department of the City of Boston the action taken by the Inspectional Services Commissioner as outlined in the attached refusal letter.

DESCRIBE IN DETAIL THE REASON(S) FOR THIS APPEAL

The Petitioner seeks permission to erect a four story (plus penthouse) mixed use, 40 unit multifamily residential structure (34 Market Rate Units / 6 BRA Restricted Affordable Units), with 40 parking spaces located beneath, with approximately 2,000 square feet of commercial space to be used for retail, restaurant with take out. Project will be subject to Article 80E-2 (Small Project Review) all pursuant to Building Permit Application No. ERT272894 and plans on file therewith. By letter dated November 19, 2013, the Commissioner of Inspectional Services refused to issue a permit citing various provisions of Article 53-Sections 8, 9 and 56. A copy is attached and incorporated herein.

STATE REASONS FOR THIS PROPOSAL

The Petitioner seeks to re-use an existing manufacturing warehouse, which sits on 16,000 square feet of land for a use more compatible with the surrounding Neighborhoods. The Proposed Project will provide quality market rate housing, which is in significant demand, along with a commercial use at the ground level along Sumner Street, which provides good retail/restaurant exposure for the immediate neighborhood. The Applicant seeks relief from the Board of Appeal in the form of interpretations (as needed), a Conditional Use Permit, and/or Variances from the provisions cited in the Commissioner's Refusal Letter dated November 19, 2013.

PROVIDE REASONS WHY BOARD SHOULD GRANT RELIEF

The proposal would involve the conversion of pre-existing warehouse manufacturing site which has existed for more than 50 years in what is now a 3F-2000 neighborhood subdistrict. Without significant investment, the site will remain an incompatible and neglected use in the neighborhood. The proposed project will bring significant private investment, economic development, construction jobs and quality housing to the neighborhood and will be designed in a manner sensitive to the surrounding community. Accordingly, relief may be granted without substantial detriment to the surrounding neighborhood and without substantially derogating from the purpose or intent of the code.

COMMENTS

For the foregoing reasons, the reasons stated in the Project Notification Form filed with the Boston Redevelopment Authority, and for other reasons, which will be presented and made part of the record at the Public Hearing, The petitioner/ applicant requests that the relief be granted.

Orleans Sumner Realty Trust

OWNER

AUTHORIZED AGENT Richard C. Lynds, Esq.

ADDRESS 1216 Bennington Street

East Boston, MA 02128

TELEPHONE 617-723-4568

FAX 617-344-4794

The Residences at 245 Sumner Street East Boston

Appendix C: Architectural Plans