

BOSTON REDEVELOPMENT AUTHORITY

**SCOPING DETERMINATION
NORTH POINT PROJECT**

**SUBMISSION REQUIREMENTS
FOR DRAFT PROJECT IMPACT REPORT (DPIR)**

PROPOSED PROJECT: NORTH POINT PROJECT

PROJECT SITE: BOUNDED BY MONSIGNOR O'BRIEN
HIGHWAY IN CAMBRIDGE, PRIVATE
LANDOWNERS TO THE SOUTH AND WEST,
CHARLESTOWN AVENUE TO THE EAST,
AND MBTA COMMUTER RAILS TO THE
NORTH

PROPONENT: NORTH POINT LAND COMPANY, LLC
C/O SPAULDING & SLYE/COLLIER'S

**SCOPING
DETERMINATION DATE:** JULY 29, 2002

The Boston Redevelopment Authority ("BRA") is issuing this Scoping Determination pursuant to Section 80B-5 of the Boston Zoning Code ("Code"), in response to a Project Notification Form ("PNF") which Spaulding & Slye/Colliers, on behalf of North Point Land Company, LLC (the "Proponent"), filed for the North Point Project on May 22, 2002. Notice of the receipt by the BRA of the PNF was published in the Boston Herald on May 23, 2002 which initiated a 30-day public comment period with a closing date of June 24, 2002.

Pursuant to Section 80B-5.3 of the Code, a scoping session was held on June 4, 2002 with the City's public agencies where the proposed project was reviewed and discussed. The PNF was sent to the City's public agencies pursuant to Section 80A-2 of the Code.

On May 1, 2002, the Proponent filed a Letter of Intent in accordance with the Executive Order regarding Provision of Mitigation by Development Projects in Boston for the redevelopment of approximately 48 acres of abandoned and underutilized railroad and industrial land located in Cambridge, Somerville, and the Charlestown neighborhood of Boston, for total mixed-use development of 5.5 million square feet (the "Proposed Project").

Written comments in response to the PNF received by the BRA from agencies of the City of Boston are included in **Appendix A** and must be answered in their entirety. The DPIR should include complete responses to all comments included in **Appendix A** within the framework of the criteria outlined in the Scoping Determination.

The Scoping Determination requests information that the BRA requires for its review of the Proposed Project in connection with Article 80 of the Code, Development Review and Approval and other applicable sections of the Code.

I. PROJECT DESCRIPTION

The proposed North Point Project involves the revitalization of an underutilized 48 acre site, 86% of which is located in Cambridge, 11% of which is located in Somerville, and 3% of which is located in Boston. The site contains twenty-two (22) buildings, totaling approximately 5.5 million square feet in area.

The proposed redevelopment of the site in the PNF envisions a mixed-use program of new construction for the provision of 2,140,000 square feet of commercial space, 2,300–2,700 units of housing, 75,000 square feet of retail space, 10 acres of open space, a new MBTA station and 4,980 parking spaces. Approximately 1.5 acres (3%) of the North Point site is located within the City of Boston, and portions of the development of two (2) commercial buildings, totaling 325,000 square feet, are expected to be located within this 1.5 acres.

II. PREAMBLE

The Proposed Project is being reviewed pursuant to Article 80, Development Review and Approval, which sets forth a comprehensive procedure for project review of the following components: transportation, environmental protection, urban design, historic resources, infrastructure systems, site plan, tidelands, and Development Impact Project, if any. The Proponent is required to prepare and submit to the BRA a Draft Project Impact Report (“DPIR”) that meets the requirements of the Scoping Determination by detailing the Proposed Project’s impacts and proposed measures to mitigate, limit or minimize such impacts. The DPIR shall contain the information necessary to meet the specifications of Section 80B-3 (Scope of Large Project Review; Content of Reports) and Section 80B-4 (Standards for Large Project Review Approval), as required by the Scoping Determination. After submitting the DPIR, the Proponent shall publish notice of such submittal as required by Section 80A-2. Pursuant to Section 80B-4(c)(i)(3), the BRA shall issue a written Preliminary Adequacy Determination (“PAD”) within ninety (90) days. Public comments, including the comments of public agencies, shall be transmitted in writing to the BRA no later than fifteen (15) days prior to the date by which the BRA must issue its PAD. The PAD shall

indicate the additional steps, if any, necessary for the Proponent to satisfy the requirements of the Scoping Determination. If the BRA determines that the DPIR adequately describes the Proposed Project's impacts and, if appropriate, proposed measures to mitigate, limit or minimize such impacts, the PAD will announce such a determination and that the requirements of further review are waived pursuant to Section 80B-5.4(c)(iv). Section 80B-6 requires the Director of the BRA to issue a Certification of Compliance indicating the successful completion of the Article 80 development review requirements before the Commissioner of Inspectional Services can issue any building permit for the Proposed Project.

III. REVIEW/SUBMISSION REQUIREMENTS

In addition to full-size scale drawings, 35 copies of a bound booklet containing all submission materials reduced to size 8-1/2" x 11", except where otherwise specified, are required. The booklet should be printed on both sides of the page. In addition, an adequate number of copies must be available for community review. A copy of this scoping determination should be included in the booklet for review.

A. General Information

1. Applicant/Proponent Information
 - a. Development team
 - (1) Names
 - (a) Developer (including description of development entity and type of corporation)
 - (b) Attorney
 - (c) Project consultants and architects
 - (2) Business address, telephone number, FAX number and e-mail, where available for each
 - (3) Designated contact for each
 - b. Legal Information
 - (1) Legal judgements or actions pending concerning the Proposed Project

- (2) History of tax arrears on property owned in Boston by Applicant
- (3) Evidence of site control over project area, including current ownership and purchase options of all parcels in the Proposed Project, all restrictive covenants and contractual restrictions affecting the proponent's right or ability to accomplish the Proposed Project, and the nature of the agreements for securing parcels not owned by the Applicant.
- (4) Nature and extent of any and all public easements into, through, or surrounding the site.

B. Regulatory Controls and Permits

An updated listing of all anticipated permits or approvals required from other municipal, state or federal agencies, including a proposed application schedule shall be included in the DPIR.

C. Project Site

The DPIR shall include a complete description of the Project Site. The description should include, at minimum, square footage of the site, a map indicating the boundaries, and a legal description including meets and bounds. The DPIR shall include a calculation of FAR utilizing the definition for calculation as provided for in the Boston Zoning Code, and a calculation of the percentage of open space. Only property under the control of the Proponent should be considered in the Project Site and subsequent Project Descriptions.

D. Article 80 Review Process

Four major components regarding the Proposed Project must be addressed before Article 80 approval will be granted.

1. Urban Ring Component – Phases I, II and III;
2. Fire and Safety Component – agreements must be reached between Boston, Cambridge, and Somerville;
3. Site Specific Component:
 - Pedestrian Improvements to the Gilmore Bridge and access to the Project Site;
 - Location of other buildings on the Project Site and their relation to the buildings located within Boston;

- Traffic flow to and from the Project Site and related parking issues;
 - Specific detail with regard to the phasing of the Proposed Project; and
4. Building Specific – Additional Materials will be required with regard to the two buildings located within Boston, and said Materials will be reviewed by and must receive approval from City public agencies.

The BRA and City public agencies will be available to meet with the Proponent throughout the Article 80 process. The DPIR must address all questions and concerns in the Scoping Determination.

E. Project Description

The DPIR shall contain a full description of the Proposed Project and Scoping Alternatives and its elements, including size, physical characteristics, and proposed uses. This section of the DPIR shall present the development context of the Project (description of the surrounding environment), existing site conditions, project purpose and objectives, approximate project cost and development schedule, and all other project proposals located within the vicinity of the Proposed Project, including projects that are not located within the City of Boston.

Pursuant to Article 80B-7 of the Code, the Proposed Project constitutes a Development Impact Project. The DPIR shall include Housing and Job exaction calculations for all Development Impact Uses within the Proposed Project utilizing the applicable provisions of the Boston Zoning Code.

The DPIR shall identify the areas within the 1.5 acres located in Boston which will have retail uses, including estimated square footage, type of retail and location within the development. The BRA encourages the activation of the ground floor facing public streets with retail and/or other public uses.

F. Transportation Component

The DPIR shall include a detailed traffic and transportation analysis that examines the Proposed Project's impact on the transportation network and proposes measures intended to mitigate, limit, or minimize any adverse impact reasonably attributable to the Proposed Project. The analysis must utilize as its framework the scope as outlined in the comments of the Boston Transportation Department ("BTD") dated June 11, 2002 and June 20, 2002 included in **Appendix A.**

The DPIR will outline the mitigation program proposed for the Proposed Project, including costs, schedules and responsibilities. In carrying out the analysis of transportation impacts and mitigation measures, the Proponent shall continue working with BTB.

The public pedestrian link between the Gilmore Bridge sidewalk and the Proposed Project should include an elevator or escalator to improve the vertical circulation. Both the stairs and the mechanical circulation elements must be entirely within the public realm so that the public does not have to enter private space such as a building lobby to access them.

G. Environmental Protection Component

The DPIR shall contain an Environmental Protection Component as outlined. Opportunities for sustainable design as well as other issues are described in the written comments of the City of Boston Environment Department dated June 24, 2002 included in **Appendix A** and are incorporated herein by reference and made a part hereof.

The Boston Police Department and the Boston Fire Department should be contacted so that issues around enforcement and safety can be resolved. The Boston Public Works Department should also be contacted in order to discuss street ownership and maintenance.

Shadow and PLWs

Although actual height and massing of structures expected to have an impact on the City of Boston are not known at this stage, the Environment Department will seek to ensure that the Proposed Project will not cause PLWs and a combination of PLWs and shadow that discourage walking, bicycling, or recreational activities.

Air Quality

Permanent “No Idling” signs should be posted in parking garages and at all loading/delivery and pick-up/drop off areas in order to ensure that vehicles do not idle for more than five (5) minutes. Parking garages should have Carbon Monoxide (CO) monitors that have direct read meters as well as visuals and audible alarms.

If parking for the Proposed Project will include tandem, stacked, valet or otherwise assisted parking, a required management plan should be developed to ensure that there is no excessive queuing or idling in excess of five (5) minutes.

Solid Waste Recycling

The buildings that will be located in Boston should be constructed with sufficient dedicated space to accommodate the storage, sorting, and pick-up of recyclable materials and recycling programs should be implemented at each site.

Stormwater

If any stormdrains/catch basins from the Proposed Project drain to the Charles River, the Proponent must commit to installing permanent plaques at those catch basins that read, "Don't Dump...Drains to Charles River."

Construction Worker Transportation

A comprehensive Transportation Demand Management program should be implemented for construction workers traveling to the site.

Transportation

The Proponent must clarify if the proposed 4,980 parking spaces includes the existing 800 spaces or if the total number of spaces will be 5,780 plus on-street spaces. Also, 2000 Census Journey to Work data must be used in refining mode shares, parking ratios and TDM.

Tenants should be required to join and actively participate in a TMA. In addition, further clarification must be given with regard to the amount of space and number of employees expected to be under the control of the Proponent and the ways in which tenants will be encouraged to offer comprehensive TDM.

Showers and lockers/changing rooms should be placed at various locations in the site, with a free, shared-use strategy for employees. Any person making reservations for a room or a hotel-based conference/meeting should be sent information about ZipCar availability and rates, on-site car rentals, public transit and any shuttle service that the hotel may provide. Similar information should be provided to project employees through emails, newsletters and at orientations.

H. Urban Design Component

Additional Materials must be filed by the Proponent when the design of buildings located within Boston, identified in the PNF as "G" and "H," is substantial enough to warrant detailed review and comment. The scope of work at this stage will include detailed analysis with regard to wind, shadow, daylight, solar glare, noise, sustainable design, and geotechnical impact/groudwater.

The following urban design materials for the Proposed Project must be submitted for the DPIR and/or Additional Materials.

1. Written description of program elements and space allocation for each element
2. Plan for the surrounding area and district and sections at an appropriate scale (1" = 100' or larger) showing relationships of the Proposed Project to the surrounding area and district:
 - a. massing
 - b. building height
 - c. scaling elements
 - d. open space
 - e. major topographical features
 - f. pedestrian and vehicular circulation
 - g. land use
3. Black and white or color 8"x10" photographs of the site and neighborhood
4. Eye-level perspectives (reproducible line drawings) showing the proposal (including main entries and public passages/areas) in the context of the surrounding area. Views should include long-, mid-, and close-range viewpoints for different purposes. Views from significant public areas such as Fort Point Channel, Summer Street, and the Convention Center should complement views from key intersections or streets (i.e., A Street, First Street, viewpoints within the residential neighborhood) and potential additions to the public realm (i.e., the Wormwood corridor). Long-ranged (distanced) views of the proposed project should also be studied to assess the impact on the neighborhood, skyline or other view lines. At least one bird's-eye perspective should also be included. All perspectives should show (in separate comparative sketches) both the build and no-build conditions. The view locations should be approved by the BRA before analysis is begun. View studies should be cognizant of light and shadow, massing and bulk.
5. Site sections at 1" = 20' or larger showing relationships to adjacent buildings and spaces. Please note that it is not within the purview of the Proponent to reconfigure adjacent proposals or area plan interpretations to suit their own proposed goals, and this should be avoided in the DPIR. It is also critical to reach an understanding of the relationship of the public domain spaces and access points both to outside public ways and to lobby spaces in the Project as proposed.
6. Site plan at an appropriate scale (1" = 20' or larger) showing:

- a. General relationships of proposed and existing adjacent buildings and open space
 - b. Open spaces defined by buildings on adjacent parcels and across streets
 - c. General location of pedestrian ways, driveways, parking, service areas, streets, and major landscape features
 - d. Pedestrian, handicapped, vehicular and service access and flow through the parcel and to adjacent areas
 - e. Survey information, such as extending elevations, benchmarks, and utilities
 - f. Parcel bounds and Construction limits, with clear indications where appropriate of restrictions (the 25' easement that is intended to form 'New Street', e.g.)
7. Study model at 1" = 16' or 1" = 20' showing preliminary concept of setbacks, cornice lines, fenestration, facade composition, etc.
8. Massing model at 1" = 40' in basswood or equivalent agreed-upon material suitable for placement in the Downtown model at the BRA. Please contact the Director of the Model Shop (David Carlson). Models shall be provided for all alternatives studied. Any 'future context' models should, however, accurately depict massings which conform absolutely to plan and zoning restrictions. Photographs of the massing model(s) which do not adhere to this stricture will not be accepted.
9. Drawings at an appropriate scales (e.g., 1" =8', 1"-16', or 1"-20') to describe the facade design and proposed materials including:
- a. Building and site improvement plans
 - b. Elevations in the context of the surrounding area
 - c. Sections showing organization of functions and spaces
 - d. Preliminary building plans showing ground floor and typical upper floors
 - e. Phasing of the proposed project

10. A written and/or graphic description of the building materials and its texture, color, and general fenestration patterns is required for the proposed development.
11. Proposed schedule for submittal of all design or development related materials.

A more detailed description of the Proposed Project's phasing plan will be required for the DPIR, especially with regard to its effect on the construction of the buildings and infrastructure located within Boston, and its effect on the Urban Ring.

I. Historic Resources Component

In addition, a Historic Resources component should be included in the DPIR, as follows (as may be modified by any comments of the Boston Landmarks Commission and the Massachusetts Historical Commission).

J. Infrastructure Systems Component

An infrastructure impact analysis must be performed.

The discussion of Proposed Project impacts on infrastructure systems should be organized system-by-system as suggested below. The applicant's submission must include an evaluation of the Proposed Project's impact on the capacity and adequacy of existing water, sewerage, energy (including gas and steam), and electrical communications (including telephone, fire alarm, computer, cable, etc.) utility systems, and the need reasonably attributable to the proposed project for additional systems facilities.

Any system upgrading or connection requiring a significant public or utility investment, creating a significant disruption in vehicular or pedestrian circulation, or affecting any public or neighborhood park or streetscape improvements, comprises an impact which must be mitigated. The DPIR must describe anticipated impacts in this regard, including specific mitigation measures, and must include any and all nearby Proposed Project buildout figures in the analysis, as well as any roadway and/or utility reconfigurations currently proposed for the area.

In the case of the North Point project, the primary considerations are assurance of minimal impacts on the local infrastructure users, including short and long term project impacts on the local water table, sewage capacities, etc.; and demonstration of capacity in the systems which connect from private to public ways. Given the scope of the project as a whole, it is expected that creative exploration will be made of alternative energy and water conservation systems. The standard scope for infrastructure analysis is given below:

1. Utility Systems and Water Quality

- a. Estimated water consumption and sewage generation from the Proposed Project and the basis for each estimate. Include separate calculations for air conditioning system make-up water
- b. Description of capacity and adequacy of water and sewer systems; evaluation of the impacts of the Proposed Project on those systems
- c. Identification of measures to conserve resources, including any provisions for recycling
- d. Description of the Proposed Project's impacts on the water quality of the Fort Point Channel, Boston Harbor or other water bodies that could be affected by the project, if applicable
- e. Description of mitigation measures to reduce or eliminate impacts on water quality
- f. Description of impact of on-site storm drainage on water quality
- g. Detail methods of protection proposed for infrastructure conduits and other artifacts, including any MTA construction and BSWC sewer lines and water mains, during construction
- h. Detail the energy source of the interior space heating; how obtained, and, if applicable, plans for reuse of condensate.

Thorough consultation with the planners and engineers of the utilities will be required, and should be referenced in the Infrastructure Component section.

2. Energy Systems

- a. Description of energy requirements of the project and evaluation of project impacts on resources and supply
- b. Description of measures to conserve energy usage and consideration of the feasibility of including solar energy provisions or other on-site energy provisions.

Additional constraints or information required are described below. Any other system (emergency systems, gas, steam, optic fiber, cable, etc.) impacted by this development should also be described in brief.

- (1) The location of transformer and other vaults required for electrical distribution or ventilation must be chosen to minimize disruption to pedestrian paths and public improvements both when operating normally and when being serviced, and must be described.
- (2) Sanitary sewer drainage should not be to a combined system if at all avoidable in this area, given the size of the total project. We strongly urge that the Project connections be planned so that they can be made to separated systems (in the future if not now). Coordination with MWRA and BWSC should address this issue. Storm drains should be similarly configured and appropriately filtered. Thorough analysis and continuing discussions with BWSC are required.
- (3) Water supply systems adjacent to the project and servicing the project should be looped so as to minimize public hazard or inconvenience in the event of a main break.

IV. URBAN RING

The DPIR must contain at least one or at the most two clearly identified alternative alignments of the Gilmore Busway and transition ramp and the commitment by the Proponent to make these alignments available to the MBTA and to assist in its construction. These alignments must be established through joint discussions between the Proponent, the MBTA, and the cities of Boston and Cambridge. The Proponent will be required to enter into discussions with regard to the Proponent's financial participation in the construction of the Gilmore Busway facilities.

The DPIR must also contain a clear representation of the alternative alignments under consideration by the MBTA with regard to the construction of a rail tunnel under the site that will connect Lechmere Station with Sullivan Station. Documentation that these alignments do not conflict with the Proposed Project's site plan, including below-grade elements, must be provided for.

The DPIR must provide documentation satisfactory to the MBTA that the Proponent will provide the MBTA with ownership of the tunnel alignment eventually selected, as well as easements and rights necessary to construct the tunnel, and that ownership of the tunnel corridor and construction easements will be provided to the MBTA at no cost.

The DPIR must contain clear representations of the interface of the Urban Ring tunnel and station with the New Lechmere bus and Green Line station elements, showing the provision that will be made within the New Lechmere Station design for both circulation and for the structural capacity of the station to accept and tunnel and platforms below it.

V. ZONING APPROVAL

The BRA will consider making a recommendation of permanent zoning for the portion of the Proposed Project that is located within Boston based on the completion of the following:

- The provision of specifics and documentation with regard to Phase I, II and III of the Urban Ring;
- The addressing and provision of safety agreements with Boston, Cambridge, and Somerville; and
- Zoning approval from the City of Cambridge.

VI. REQUIRED FINANCIAL INFORMATION

The required financial information may be submitted under separate cover. Upon request, such information shall be considered confidential in accordance with M.G.L. Chapter 4, Section 7, Clause 26(g).

- A. Development Pro Forma including, but not limited to, the following information:
1. Land acquisition costs, per land square foot and total, by parcel, including any incremental disposition cost attributed to the project.
 2. Attribution of acquisition expense over project components. (per FAR square foot commercial/office, residential, retail, parking).
 3. All hard costs on a per square foot and total basis. (disaggregated into base building, tenant improvements, common space, garage costs, site work, fixtures, furniture and equipment, etc.)
 4. All soft costs on a per square foot and total basis. (disaggregated into individual line items such as architectural, engineering, legal, accounting, developer fees, and any other professional fees, insurance, permits, real estate tax during construction, etc.)
 5. All contingencies on a per square foot and total basis. (specify whether contingency is on hard cost, soft cost, or total cost)

6. All assumptions regarding financing terms on existing debt, acquisition, pre-development, construction loans, bridge or mezzanine financing and permanent financing. (include financing fees, interest rates, terms, draw-down assumptions, terms, participation and amortization)
 7. Financial approach and elements of a community benefits program.
 8. Any other project-related costs not within any of the above categories.
 9. Calculation of total development cost by component, including total and per square foot breakdown by commercial/office, residential, retail, and per parking space
 10. Appropriate return measures (return on equity, return on total development cost, internal rate of return; specify method of calculation and hurdle rates)
- B. 10-Year Operating Pro Forma including, but not limited to, the following information:
1. Tabulation of gross and net (leaseable) square feet for all uses. (Include office/commercial, number of parking spaces and residential units.)
 2. Schedule of all rents on a per square foot and total basis, including anticipate garage rates and occupancy.
 3. Anticipated operating expenses and real estate taxes on a per square foot and total basis (division of owner and tenant expenses should be clearly defined).
 4. All other revenue, expenses and vacancy assumptions as required to calculate cash available for debt service.
 5. Anticipated leasing patterns (5-yr., 10-yr., etc.) marketing costs and calculation of any operating deficits, if any.
 6. Calculation of debt service, before tax cash flow, debt coverage ratios.

