

AMENDED AND RESTATED DEVELOPMENT PLAN
FOR
PLANNED DEVELOPMENT AREA NO. 77
AT
6-26 NEW STREET
EAST BOSTON, MASSACHUSETTS

_____, 2014

1. **Amended and Restated Development Plan:** Pursuant to Sections 3-1A, 53-44 through 53-49, and 80C of the Zoning Code (the “Code”) of the City of Boston (the “City”), this development plan constitutes the Amended and Restated Development Plan for Planned Development Area (“PDA”) No. 77 (this “Amended Development Plan” or “Development Plan”), for the redevelopment of a parcel in the East Boston neighborhood of Boston, comprising three contiguous lots at 6 – 26 New Street, with a total area, including watersheet, of approximately 170,873 square feet (3.92 acre) (the “Site”). GEGC 2 New Street, LLC, (the “Proponent”) owns the Site. The Site is more particularly described in Section 3, below, and in **EXHIBIT A**, attached. A locus map and a survey of existing conditions at the Site are both attached, as **EXHIBIT B**.

Pursuant to Sections 3-1A, 53-44 through 53-49, and 80C of the Code, by a vote taken on May 18, 2010, the Boston Redevelopment Authority (the “BRA”) approved a PDA Development Plan for the Site, entitled *Development Plan for Planned Development Area No. 77 at 6-26 New Street, East Boston*, and dated May 18, 2010 (the “Original Development Plan”). The Zoning Commission of the City of Boston (the “Commission”) approved Map Amendment No. 518 to establish the PDA, as well as the Original Development Plan, both of which became effective on June 16, 2010.

Under the Original Development Plan, the Site was to be redeveloped with: a seven-story addition to an existing nine-story structure (total 16 stories), with 165 residential units; a six-story structure with either 59 residential units or 106 hotel/extended stay rooms, with a first floor including a restaurant, parking spaces, residential units and a below-grade parking garage; a recreational marina; and a three-level parking garage on the northerly portion of the Site (the “Original Project”).

On June 4, 2014, the Proponent filed a Notice of Project Change (the “NPC”) and this Amended Development Plan to allow certain changes to the Original Project (the “Revised Project” or the “Project”), as further described in Section 4, below. The Revised Project comprises approximately 250 dwelling units, a maximum of 4,900 square feet (“sf”) of ground-level commercial space that will be accessible to the public, and up to 155 off-street parking spaces. The Project will result in an approximately 200 foot-high building, with northerly and southerly wings at 45 and 18 feet in height, respectively, substantial new public open space, and a new water transportation dock and other waterfront improvements.

This Development Plan amends and restates the Original Development Plan to allow development of the Revised Project in place of the Original Project. Upon approval,

this Development Plan shall constitute permanent zoning for the Site in accordance with Sections 3-1A, 53-44 through 53-49, and 80C of the Code, and the Original Development Plan will be of no further force and effect.

This Development Plan consists of 12 pages of text, plus attachments designated **EXHIBITS A** through **D**. All references to this Development Plan contained herein shall pertain only to such pages and exhibits. Unless otherwise set forth herein, all references to terms defined by the Code shall have the meanings set forth therein as of the date of this Development Plan.

2. **Proponent:** The Proponent, GEGC 2 New Street, LLC, which owns the Site, is a Delaware limited liability company, with its business address at c/o Gerding Edlen, 1477 NW Everett Street, Portland, OR 97209. Members of the Project team are identified on **EXHIBIT C**.

3. **Site:** The Site includes approximately 85,000 sf of lot area above the mean high water mark (the "Lot Area"), and approximately 85,873 sf of watersheet, for a total site area of 170,873 sf (3.92 acres). The northerly portion of the watersheet is Designated Port Area ("DPA"). Please refer to the legal description and plot plan, attached as **EXHIBIT A**, attached, as well as the locus map and survey of existing conditions at the Site, attached as **EXHIBIT B**.

The Site is bounded by New Street to the east (with the Maverick Landing residential development located across the street), City-owned LoPresti Park to the south, Boston Inner Harbor to the west, and the Boston Towing and Transportation property to the north. The Site is located within walking distance of East Boston's Maverick Square, including the MBTA Blue Line's Maverick Station.

According to Map 3A/3B (East Boston Neighborhood District), the Site is located within an underlying Waterfront Commercial Subdistrict of the East Boston Neighborhood District, and the overlaying PDA No. 77. The Site is not located within a Special Hazard Area under the Suffolk County Flood Insurance Rate Map ("FIRM") issued by the Federal Emergency Management Agency ("FEMA"), effective September 25, 2009, and so is not located within a Flood Hazard Overlay District, regulated under Article 25 of the Code.

The Site currently includes a complex of four buildings that include one-, three-, five-, and nine-story brick and concrete buildings (the "Existing Buildings"). The wharves and piers on the Site are dilapidated and not accessible to the public from the land or from the water. Security concerns of the local neighborhood and the Boston Police Department led the previous owner to honor requests to install a fence to prevent access to the Site in general, and to the dilapidated wharves and piers in particular.

On the waterside of the Site, there are two solid-fill wharves. Each has a mix of granite and concrete seawalls. On the south side of the southern wharf is a small, timber and concrete pier supported by timber piles. Approximately 27,000 sf of remaining rundown timber pile areas extend over 170 feet beyond the existing wharves. Since the date

of the existing-conditions survey, the Proponent’s predecessor-in-interest has repaired the seawall pursuant to an Order of Conditions from the Boston Conservation Commission.

4. **Project:** As summarized in Section 1, above, the Revised Project comprises approximately 250 dwelling units, a maximum of 4,900 sf of ground-level, commercial space that will be accessible to the public, and up to 155 off-street parking spaces. The Project includes the following physical elements:

- (a) Redevelopment of an existing nine-story building including the addition of seven stories, for a total of sixteen stories (the “Redeveloped Building”);
- (b) Demolition of an existing three-story building and its replacement by construction of a three-level (two-story) parking garage connected to the northerly wall of the Redeveloped Building (the “North Garage”);
- (c) Demolition of an existing five-story building to the south of the Redeveloped Building, and its replacement by construction of a three-story addition connected to the southerly wall of the Redeveloped Building (the “South Addition”).
- (d) A minimum of 33,150 sf (0.76 acres) of public open space, including a 12 foot-wide (10-foot-clear) extension of the harborwalk; and
- (e) A new water transportation dock (the “Transportation Dock”), and other waterfront improvements, including a Designated Port Area (“DPA”) vehicular access route to the DPA portion of the Site’s watershed.

A proposed site plan, a proposed landscape plan, a proposed circulation plan, and two proposed elevations for the Project (the “Project Drawings”) are attached as **EXHIBIT D**.

For a comparison of the Revised Project to the Original Project, please refer to **Table 1**, below.

Table 1: Revised Project vs. Original Project

	Original Project (2010)	Revised Project (2014)	Net Change
Lot Area (sf)	85,000	85,000	-
Gross Floor Area (sf)	278,000	241,869	-36,131
Floor Area Ratio	3.3	2.8	-0.5
Building Footprint (sf)	41,515	40,165	-1,350
Stories	Redeveloped Bldg.: 16 New Building: 6 Garage: 2	Redeveloped Bldg.: 16 South Addition: 3 North Garage: 2	Maximum unchanged
Building Height (ft)	Redeveloped Bldg.: 199 New Building: 69 Parking Garage: 26 Taxi Waiting Area: 15	Redeveloped Bldg.: 200 South Addition: 45 North Garage: 18	Maximum is 200 (+1)
Dwelling Units	165 to 224	250	+26 to +85
Parking Spaces	Garage: 164 to 193 Surface: 10 Total: 174 to 203	Garage: 124 to 144 Surface: 11 Total: 135 to 155	Garage: -40 to -69 Surface: +1 Total: -19 to -68
Public Open Space (sf)	30,278	33,150	+2,422

The Redeveloped Building will contain approximately 231 studio, one-bedroom (“1BR”) and two-bedroom (“2BR”) residential units, as well as ground-floor lobby space, interior bicycle storage, and other amenities, including a rooftop deck of approximately 1,500 sf. The South Addition will include: approximately 19 studio and 1BR residential units; a maximum of 4,900 sf of commercial space on the ground floor that will be accessible to the public, most likely a restaurant; an outdoor rooftop pool on a portion of the second floor; and a fitness center and other amenities.

The total gross floor area (“GFA”) of the Revised Project is a maximum of 241,869 sf, with a maximum floor area ratio (“FAR”) of 2.8.¹ The total building footprint is approximately 40,165 sf, and so occupies approximately 47% of the Lot Area (85,000 sf).

There will be approximately 135 to 155 parking spaces at the Site, including approximately 104 spaces within the North Garage, 20 to 40 spaces within the South Addition, and 11 surface parking spaces immediately adjacent to LoPresti Park that will be available to the public without charge. The South Addition has been designed to accept mechanical stackers, such that the number of parking spaces there would be 20 spaces without stackers and 40 spaces with stackers.

For a summary of the Project’s building program, please refer to **Table 2**, below.

Table 2: Building Program

Building	Lot Area (sf)	Bldg. Footprint (sf)	Lot Coverage	Max. GFA (sf)	Max. FAR*	Max. Bldg. Ht. (ft)**	Garage Pkg. (spcs.)	Surface Pkg. (spcs.)
Redeveloped Building	n.a.	12,300	n.a.	205,184	n.a.	200	n.a.	n.a.
North Garage	n.a.	12,600	n.a.	12,583	n.a.	18	104	n.a.
South Addition	n.a.	15,265	n.a.	24,102	n.a.	45	20 to 40	n.a.
Total	85,000	40,165	47%	241,869	2.8	n.a.	124 to 144	11

* Please refer to footnote 1, below.

** Building height is measured from the average elevation of the nearest sidewalk at the line of New Street. (Code sec. 2A-1)

5. Large Project Review: Both the Original Project and the Revised Project have undergone Large Project Review pursuant to Section 80B of the Code. This has included numerous meetings with nearby residents and other members of the public.

On September 14, 2006, the Proponent’s predecessor-in-interest filed a Letter of Intent to the BRA in accordance with Mayor’s Executive Order of October 10, 2000, as amended, governing mitigation for development projects. On September 17, 2007, an Expanded Project Notification Form (“PNF”) was filed for the Original Project.

¹ Floor area that is required to meet off-street parking requirements of the Code is excluded from limitations on FAR. (Code sec. 2A-1.) For the Revised Project, this means exempting the uppermost level (second story) of the North Garage from FAR limitations. Each level of the garage measures approximately 12,583 sf.

A community meeting to review the Original Project was held on October 1, 2007. The Mayor appointed an eight-member Impact Advisory Group (“IAG”), and the IAG participated in a Scoping Session regarding the PNF on October 2, 2007.

On March 21, 2008, the BRA Director issued a Scoping Determination requiring the preparation of a Draft Project Impact Report (“DPIR”). After revisions to the project, a DPIR for the Original Project was submitted to the BRA on June 1, 2008. Pursuant to a vote by the BRA Board on May 18, 2010, the BRA Director issued a Preliminary Adequacy Determination (“PAD”) under Section 80B-5.4(c)(iv) on June 1, 2010, finding that the DPIR adequately described potential impacts arising from the Original Project, and waiving further review under Section 80B-5.5 of the Code.

As noted in Section 1, above, on June 4, 2014, the Proponent filed an NPC to account for the Revised Project, which makes material but insignificant changes to the Original Project. As shown in the NPC, the changes from the Original Project do not significantly increase those impacts of the Original Project that are within the scope of the required review. The Proponent has, therefore, asked the BRA Director for a determination that any change in the impacts studied under the DPIR does not warrant resubmission of the PNF, re-scoping of the Project, supplementary documentation, and/or a further DPIR.

6. Proposed Location, Dimensions, and Appearance of Structures: The proposed location, dimensions, and appearance of the structures at the Site after completion of the Project are shown in the Project Drawings, attached as **EXHIBIT D**. The final location, dimensions, and appearance of the structures may change during BRA staff review of the Project, or as a result of review by other agencies, and as agreed upon by the BRA.

The Original Project included the Redeveloped Building (nine existing stories plus an additional seven, for a total of 16), a three-level garage to the north, a new six-story building to the south, and approximately 33,150 sf (0.76 acres) of public open space, including a new segment of harborwalk along the waterfront. The Revised Project adheres to the same design principles as the Original Project, with similar massing and the same commitment to high-quality waterfront spaces and amenities, to attract and support public use of the Site.

Consistent with the Original Project, the Revised Project still includes a seven-story addition to the existing nine-story, concrete-frame building (the Redeveloped Building), and a two-story (three-level) parking garage immediately north of the Redeveloped Building. However, in lieu of a new, freestanding six-story building to the south, the Revised Project includes construction of a three-story addition containing residential units, accessory parking, and amenity space (the South Addition).

Like the Original Project, the Revised Project will still provide outstanding public access to significant new open space on the East Boston waterfront, including a new 500 linear-foot segment of harborwalk, continuing from its current terminus in LoPresti Park, and a 4,900 square-foot commercial space that will be accessible to the public, most likely a restaurant. The Redeveloped Building will also include a public “thru lobby” to connect New Street and harborwalk, instead of outdoor, cross-site access under the Original Project.

Also consistent with the Original Project, the architectural language of the Revised Project takes its cues from the maritime warehouse buildings of the East Boston waterfront. Large windows organized in a two-story composition slide back and forth, juxtaposed against a gridded frame that articulates the column grid behind. Two-story glass bays are used to animate the façade and provide variety for the loft-style units. The three-story South Addition relates to the three-story residential project at Maverick Landing, directly across New Street from the Site.

7. **Proposed Uses:** As noted in Section 4, above, after completion of the Revised Project, the Site will include a maximum of 241,869 sf of gross floor area, comprising: approximately 12,583 sf of accessory parking within the North Garage; approximately 4,900 sf of commercial space on the ground level of the South Addition that is accessible to the public; and the remainder as residential use.

For a list of the uses permitted by right at the Site, please see **Table 3**, below.

Table 3: Uses Permitted by Right

Location	Uses Permitted by Right
North Garage	Accessory parking
Redeveloped Building	Multi-family dwelling; Accessory services for apartment residents
South Addition	Multi-family dwelling; Retail Uses; Service Uses; Restaurant Uses; Entertainment and Recreational Uses; Cultural uses; Community Uses; Bank and Postal Uses; Accessory services for apartment residents; Accessory parking
Exterior	Open space; Accessory parking; Ancillary parking; Water transportation; DPA vehicular access

8. **Densities:** Under Section 53-45.2 of the Code, the maximum FAR for any PDA development plan approved at the Site is 3.3. As noted in Section 4, above, the total GFA of the Revised Project is a maximum of 241,869 sf. Given the Lot Area of approximately 85,000 sf, this generates a total FAR of approximately 2.8.²

9. **Building Heights:** Under Section 53-45.2 of the Code, the maximum building height for any PDA development plan approved at the Site is 200 feet. As noted in Section 4, above, the highest building proposed as part of the Revised Project is the Redeveloped Building, at 200 feet.

10. **Public Access and Open Space:** The Project has been designed to provide outstanding public access to and along Boston Inner Harbor. Public access to the Site will be provided from sidewalks along Sumner Street and New Street, as well as from the harborwalk in LoPresti Park. A minimum of 33,150 sf (0.76 acres) of new open space will be made accessible to the public for their enjoyment, 24 hours per day, seven days per week.

At 12 feet wide (10-feet clear), the harborwalk will extend along the Site’s waterfront for approximately 500 linear feet. The public will be able connect to other segments of harborwalk, such as those planned at the Hodge Boiler Works and Clippership Wharf sites

² Please refer to footnote 1, above, on page 4.

to the east, and to Waterfront Way, which is the inland portion of harborwalk planned to run along New Street and parts of the East Boston waterfront to the north.

Viewing areas along the harborwalk will provide new places for people to enjoy panoramic views of Boston Harbor, the Boston Proper skyline, Charlestown, and the Zakim and Tobin bridges. A public terrace next to the South Addition will provide an additional place for people to enjoy the waterfront. A water transportation dock will be provided at the southern portion of the Site's, near LoPresti Park.

The Redeveloped Building will also include a public "thru lobby" to connect New Street and harborwalk. Finally, the Proponent intends to apply to the City's Public Improvement Commission ("PIC") to narrow New Street as it passes in front of the Site. The Project would include new paving and landscaping within this reclaimed space. Please refer to the landscape and circulation plans included in **EXHIBIT D**, attached.

11. Proposed Traffic Circulation: Vehicles will access the Site using New Street. Two entrances/exits to the North Garage will be located along New Street. A "hammer-head" drive from New Street, aligned with Sumner Street, will be used for pick up and drop off, to access the garage within the South Garage, and for members of the public using the 11 surface parking spaces located adjacent to LoPresti Park. As required for Chapter 91 (Waterways) licensing by the Commonwealth of Massachusetts, a Designated Port Area vehicular access route is provided to the DPA portion of the Site's watersheet. Please refer to the circulation plan included in **EXHIBIT D**, attached.

12. Parking and Loading Facilities: For the Project, off-street parking is determined during Large Project Review under Section 80B of the Code. As noted in Section 4, above, there will be approximately 135 to 155 parking spaces on the Site, including approximately 104 spaces within the North Garage, 20 to 40 spaces within the South Addition, and 11 surface parking spaces immediately adjacent to LoPresti Park, and available to the public without charge. The South Addition has been designed to accept mechanical stackers, such that the number of parking spaces there would be 20 spaces without stackers and 40 spaces with stackers.

13. Access to Public Transportation: The Site is located within an approximately seven-minute walk along Sumner Street to the MBTA's Maverick Station, located at Maverick Square. Both the MBTA Blue Line subway and buses provide public transportation from Maverick Station. The Proponent intends to implement Transportation Demand Management ("TDM") measures to reduce dependence on autos under a Transportation Access Plan Agreement with BTM. The Proponent may consider the inclusion of dedicated spaces for car-sharing services, such as Zipcar or City CarShare.

14. Green Building and Resiliency Measures: The Project will comply with the requirements of Article 37 (Green Buildings) of the Code. The design team will use the appropriate U.S. Green Building Council's ("USGBC") Leadership in Energy and Environmental Design ("LEED") green building rating system to evaluate sustainable design. Currently, the Proponent has targeted gold certification for the Project under the LEED-NC system. Compliance with Article 37 will be confirmed by issuance of one or more Certifications of Compliance under Section 80B-6 of the Code.

Climate change adaptation is increasingly important as Boston prepares for rising sea levels, and storms with greater frequency and intensity. The Revised Project does not include any subsurface parking levels, all garage entrances will remain at over 11.5 feet (NAVD88), and flood-proofing measures will conform to applicable provisions of the State Building Code, which is currently the 8th edition.

15. Public Benefits: Pursuant to the Section 53-49 of the Code, this Development Plan must include a “plan for public benefits,” including either or both: provision of affordable housing available to East Boston and Boston residents; or improvements to the aesthetic character of the development site and its surroundings, which may include the provision of open space connections, the provision of street trees and other improvements that enhance open space, the improvement of the urban design characteristics of the site and its surroundings, or the enhancement of existing open space or the creation of new open space. The Revised Project provides both.

Completion of the Project will help to revitalize an important part of the East Boston waterfront that has been underutilized and inaccessible to the public for decades. The public benefits of the Project will make the area more appealing to both residents and visitors, whether arriving by land or water. Specifically, the Project will provide the following substantial direct benefits for the City and the wider region:

Public Access and Open Space

- Redevelopment and revitalization of a 3.92-acre parcel along East Boston’s waterfront that has not been accessible to the public for decades.
- Creation of a minimum of 33,150 sf (0.76 acres) of new public open space on East Boston’s waterfront, including approximately 500 linear feet of harborwalk along Boston Inner Harbor.
- Connection of the harborwalk from the City’s LoPresti Park to the south across the entire perimeter of the Site. The harborwalk will ultimately extend over two miles, from the Harborside Hyatt Hotel to the northerly edge of the Site.
- Inclusion of an up to 4,900 sf of ground-level commercial space that will be accessible to the public, most likely a restaurant, including restrooms available to the public during business hours.
- Inclusion of a public “thru lobby” to connect New Street and the harborwalk.

View Corridors

- Extension of the Sumner Street view corridor along the southern boundary of the Site out to Boston Inner Harbor.
- Enhancement of the view corridor looking south down New Street to the Boston Proper skyline with landscaping and architectural features of the Revised Project.

- Removal of all pile fields within the approximately 85,873-sf watershed.

Protection of Maritime Uses

- Provision of a permanent vehicle access route from New Street and Sumner Street to the Designated Port Area and Water-Dependent Use Zone at the Site.
- Provision of language in lease forms or deeds for residents indicating the presence of nearby water-dependent industrial facilities and uses.
- Construction of two-storey North Garage to physically buffer the Project from the adjacent Designated Port Area.
- Construction of new docking facility to serve water taxi service and other allowable uses.
- Inclusion of glazed windows and other noise dampening specifications to ensure noise levels within residential units do not exceed of 45 dBA.

Transportation

- Support of water transportation by construction of a water taxi landing and waiting area.
- Inclusion of 11 surface parking spaces adjacent to LoPresti Park, available to the public, free of charge.
- Promoting Transit Oriented Development by creating 250 new residential units within walking distance of MBTA's Maverick Station.
- Possible inclusion of shared-care service, such as Zipcar, City CarShare, and/or smaller-sized "smart cars."
- Implementation of key Transportation Demand Measures (TDM), including installation of bicycle racks and participation in a TDM Association.

Housing Supply

- Creation of 250 new housing units, thereby expanding a constrained housing market and contributing to the City's achievement of its housing goals.
- Compliance with the affordable housing requirements of the Mayor of Boston's Inclusionary Development Policy.

Financial

- Investment of approximately \$124 million in development costs, including approximately \$90 million in construction costs.
- Generation of over \$750,000 annually in new real property tax revenues from the Project alone.
- Increased property values for the surrounding neighborhood.

- Significant increase in state and local sales tax revenues through additional commercial and residential uses.
- Creation of approximately 340 construction-phase employment opportunities and approximately 20 new permanent jobs on the Site.

Environment

- Design to be LEED-certifiable, consistent with Article 37 (Green Buildings) of the Code.
- Adoption of the City's Green Building standards and guidelines, including reduced emissions and demand for fossil fuel energy, to decrease the adverse effects of air pollution.
- Implementation of storm water controls to reduce pollution to Boston Harbor, and thereby improve the harbor as a natural habitat.
- Proximity to public transit, including water transportation, to reduce vehicle trips, mileage, and emissions by encouraging residency.
- Promotion of car sharing options.
- Incorporation of resilient design strategies in order to account for sea-level rise and other aspects of climate change.

16. Other Necessary Government Approvals: The Project has been designed to be consistent with the guidelines and recommendations of the East Boston Master Plan adopted by the BRA in 2000. Additionally, the Project conforms to the requirements of the East Boston Municipal Harbor Plan approved by the Secretary of Energy and Environmental Affairs ("EEA") on July 15, 2002, and the subsequent amendment to that plan, approved on December 17, 2008.

Pursuant to the Massachusetts Environmental Policy Act, MGL c. 30 secs. 61 *et seq.* ("MEPA"), a Final Environmental Impact Report for the Original Project, EOEEA No. 14102, was filed with the MEPA Office of the Executive Office of EEA on April 15, 2010 (the "FEIR"). On May 28, 2010, the Secretary of EEA determined that the FEIR properly complied with MEPA and its implementing regulations. The Proponent will seek confirmation that the Revised Project does not require additional MEPA review.

Under Waterways License No. 13033, the Proponent is required to pursue diligently execution of a final memorandum of agreement with the Massachusetts Historical Commission ("MHC"), whose approval shall not be unduly withheld, regarding historic and archaeological research at the Site. The results of such research will provide a source of information for interpretive plaques located on harborwalk.

The Massachusetts Department of Environmental Protection ("DEP") issued Chapter 91 (Waterways) License No. 13033 for the Original Project on July 29, 2011 (Suffolk Registry Bk 48274, Pg 026). In June 2014, the Proponent applied to DEP to amend Waterways License No. 13033 to account for changes under the Revised Project.

On August 9, 2010, the Boston Conservation Commission issued an Order of Conditions for the Original Project (DEP File Number 006-1235 (Suffolk Registry Bk 46829, Pg 218). The Proponent plans to apply to amend the Order of Conditions to account for changes under the Revised Project.

On April 22, 2008, under Article 85 of the Code, the Boston Landmarks Commission voted to not invoke a delay for demolition of the Existing Buildings. On June 3 and _____, 2014, the Boston Civic Design Commission reviewed and approved the Project.

The Site is located within 100 feet of LoPresti Park. Accordingly, pursuant to Section 7-4.10 of the Boston Municipal Code, the Proponent will apply to the Boston Parks and Recreation Commission for authorization regarding the Project.

17. Development Schedule: The Proponent currently estimates that construction of the Project will take approximately 18 months, with initial work expected to begin in the fourth quarter of 2014, and concluding during the second quarter of 2016.

18. Applicability of this Development Plan: Consistency of the Project with this Development Plan constitutes compliance with the dimensional, use, and other requirements of the Code, in accordance with Section 80C-9 of the Code, to the extent that such requirements are addressed in this Development Plan. Moreover, this Development Plan constitutes approval for any zoning nonconformity created or increased by the future separation of ownership of individual Project Components, provided that: (A) the use limitations and dimensional requirements of this Development Plan, other than FAR, with respect to each Project Component (defined in Section 22, below) are met; and (B) the FAR for the Project in the aggregate does not exceed the limit established under this Development Plan.

19. No Duty to Develop the Project: Notwithstanding anything set forth in this Development Plan to the contrary, under no circumstances shall the Proponent be obligated to proceed with the Project or any Project Component.

20. Minor Modifications to Plans: This Development Plan constitutes the zoning for the Site and the Project. Final plans and specifications for the Project or Project Components (defined in Section 22, below) will be submitted to the BRA pursuant to Section 3-1A and 80C of the Code for final design review approval and certification as to consistency with this Development Plan, and to other governmental agencies and authorities for final approval. Accordingly, subject to consistency with the use and dimensional regulations of this Development Plan, minor changes may occur to the Project's design described in this Development Plan.

21. Certifications of Consistency: Under Section 80C-8 of the Code, no building, use, or occupancy permit for the Project or for any Project Component (defined in Section 22 below) will be issued until the BRA has issued a corresponding Certification of Consistency under Section 80C-8. To the extent that the BRA Director certifies consistency

with this Development Plan, the Project or a Project Component, as the case may be, will be deemed to be in compliance with the requirements of the Code, under Code Section 80C-9.

22. **Project Components:** The Site may be reconfigured into multiple parcels, which may be under common or separate ownership, and may include subdivision or condominium ownership, developed sequentially or simultaneously, and separately developed and/or financed. Each such parcel is referred to as a “Project Component.” One or more of the Project Components may be further subdivided into one or more separate parcels which may be under separate ownership, or one or more of the Project Components may be combined to create one single parcel, or a condominium ownership structure may be created for all or part of the Project. In the event that current parcels within the Site are divided into Project Components, a Certification of Consistency may be issued for any such Project Component.

23. **Amendment of this Development Plan:** The owner of an individual Project Component may seek amendment of this Development Plan in accordance with the procedures prescribed by the Code, without the consent of the owner(s) of any other Project Component. In the event that any amendment affects the overall compliance of the Project with this Development Plan, this Development Plan will be deemed amended with respect to the Project as a whole, to the extent necessary for the overall Project to comply with this Development Plan, without requiring any modification of the requirements of this Development Plan as to any other Project Components.

LIST OF EXHIBITS

<u>EXHIBIT A</u>	LEGAL DESCRIPTION OF THE SITE
<u>EXHIBIT B</u>	LOCUS MAP AND SURVEY OF EXISTING CONDITIONS
<u>EXHIBIT C</u>	PROJECT TEAM
<u>EXHIBIT D</u>	PROJECT DRAWINGS
	- SITE PLAN
	- LANDSCAPE PLAN
	- CIRCULATION PLAN
	- EAST ELEVATION
	- SOUTH ELEVATION

FACT SHEET

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_____, 2014

- I. **Proponent:** GEGC 2 New Street, LLC
- II. **Project Location:** 6-26 New Street in the East Boston neighborhood of Boston (the "Site"). The Site includes approximately 85,000 square feet ("sf") of lot area above the mean high water mark (the "Lot Area"), and approximately 85,873 sf of watershed, for a total site area of 170,873 sf (3.92 acres). Some of the watershed is Designated Port Area ("DPA").
- III. **Existing Zoning:** The Site is located within an underlying Waterfront Commercial Subdistrict of the East Boston Neighborhood District, and overlaying Planned Development Area ("PDA") No. 77, described below.
- IV. **Project Description:** Pursuant to Sections 3-1A, 53-44 through 53-49, and 80C of the Boston Zoning Code ("Code"), a PDA Development Plan for the Site, entitled *Development Plan for Planned Development Area No. 77 at 6-26 New Street, East Boston*, and dated May 18, 2010 (the "Original Development Plan"), took effect on June 16, 2010, the same day as PDA No. 77.

On June 4, 2014, the Proponent filed a proposed Amended and Restated Development Plan for PDA No. 77 (the "Amended Development Plan") to allow certain changes to the Original Project (the "Project"). The Project includes up to 250 dwelling units, a maximum of 4,900 sf of ground-level commercial space accessible to the public, and up to 155 off-street parking spaces, with the following physical elements:

- a. Redevelopment of an existing nine-story building including the addition of seven stories, for a total of sixteen stories (the "Redeveloped Building");
- b. Demolition of an existing three-story building and its replacement by construction of a three-level (two-story) parking garage connected to the northerly wall of the Redeveloped Building (the "North Garage");

- c. Demolition of an existing five-story building, and its replacement by construction of a three-story addition to the Redeveloped Building (the “South Addition”).
- d. A minimum of 33,150 sf (0.76 acres) of public open space, including a 12 foot-wide (10-foot-clear) extension of the harborwalk; and
- e. A new water transportation dock (the “Transportation Dock”), and other waterfront improvements, including a Designated Port Area vehicular access route to the DPA portion of the Site’s watershed.

V. Project Uses: The Project includes a maximum of 241,869 sf of gross floor area (“GFA”), with: approximately 12,583 sf of accessory parking at the North Garage; a maximum of 4,900 sf of commercial space accessible to the public, on the ground level of the South Addition; and the remainder as residential use.

VI. Project Dimensions: The maximum floor area ratio (“FAR”) for any PDA development plan for the Site is 3.3. (Code sec. 53-45.2.) The effective FAR of the Project is approximately 2.8.¹ The maximum building height for any PDA development plan at the Site is 200 feet. (Code sec. 53-45.2.) The highest building proposed for the Project is the Redeveloped Building, at 200 feet.

VII. Public Benefits: Any PDA development plan for the Site must include a plan for public benefits. The Project will provide, among others, the following public benefits to the City and the wider region:

Public Access and Open Space

- Creation of a minimum of 33,150 sf (0.76 acres) of new public open space on East Boston’s waterfront, including approximately 500 linear feet of harborwalk along Boston Inner Harbor.
- Connection of the harborwalk from the City’s LoPresti Park to the south across the entire perimeter of the Site. The harborwalk will ultimately extend over two miles, from the Harborside Hyatt Hotel to the northerly edge of the Site.
- Inclusion of up to 4,900 sf of ground-level commercial space that will be accessible to the public, including restrooms available to the public during business hours.

¹ Floor area that is required to meet off-street parking requirements of the Code is excluded from limitations on FAR. (Code sec. 2A-1.) For the Revised Project, this means exempting the uppermost level (second story) of the North Garage from FAR limitations. Each level of the garage measures approximately 12,583 sf.

View Corridors

- Extension of the Sumner Street view corridor along the southern boundary of the Site out to Boston Inner Harbor.
- Removal of all pile fields within the watersheet.

Protection of Maritime Uses

- Provision of a permanent vehicle access route from New Street and Sumner Street to the Designated Port Area and Water-Dependent Use Zone at the Site.
- Construction of new docking facility to serve water taxi service and other allowable uses.

Transportation

- Inclusion of 11 surface parking spaces adjacent to LoPresti Park, available to the public, free of charge.
- Promoting Transit Oriented Development by creating 250 new residential units within walking distance of MBTA's Maverick Station.

Housing Supply

- Compliance with the affordable housing requirements of the Mayor of Boston's Inclusionary Development Policy.

Financial

- Investment of approximately \$124 million in development costs, including approximately \$90 million in construction costs.
- Generation of over \$750,000 annually in new real property tax revenues from the Project alone.
- Creation of approximately 340 construction-phase employment opportunities and approximately 20 new permanent jobs on the Site.

Environment

- Design to be LEED-certifiable, consistent with Article 37 (Green Buildings) of the Code.
- Implementation of storm water controls to reduce pollution to Boston Harbor, and thereby improve the harbor as a natural habitat.
- Incorporation of resilient design strategies in order to account for sea level rise and other aspects of climate change.

EXHIBIT A

LEGAL DESCRIPTION OF THE SITE

A certain parcel of land situated in the City of Boston, East Boston District, Suffolk County, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at the intersection of the southerly sideline of Sumner Street and the westerly sideline of New Street;

Thence running N 59°46'45" W by land now or formerly of the City of Boston, a distance of 147.23 feet;

Thence turning and running N 74°24'55" W by land now or formerly of the City of Boston, a distance of 335.85 to the Massachusetts Harbor Line, Chapter 48 of the Acts of 1882, said line is also the United States Pierhead Line approved by the Secretary of War on July 27, 1889;

Thence turning and running northeasterly along the said Harbor Line and Pierhead Line along a curve to the right having a radius of 512.30 feet, a distance of 213.01 feet (chord bearing N 14°07'20" E, chord distance 211.48 feet) to a point of tangency;

Thence running N 26°02'02" E along the said Harbor Line and Pierhead Line, a distance of 151.41 feet;

Thence turning and running S 59°45'35" E by land now or formerly of RTC New Street, LLC, a distance of 382.98 feet;

Thence turning and running N 30°14'25" E by land now or formerly of said RTC New Street, LLC, a distance of 49.76 feet;

Thence turning and running N 75°14'25" E by land now or formerly of said RTC New Street LLC, a distance of 21.21 feet;

Thence turning and running S 59°45'35" E by land now or formerly of said RTC New Street, LLC, a distance of 184.00 to the westerly sideline of New Street;

Thence turning and running S 30°14'25" W along the said westerly sideline of New Street, a distance of 63.91 feet;

Thence turning and running N 59°45'35" W along the said westerly sideline of New Street, a distance of 40.00 feet;

Thence turning and running S 30°14'25" W along the said westerly sideline of New Street, a distance of 270.00 feet to the point of beginning;

Containing an area of 170,873 square feet or 3.923 acres as shown on a plan entitled "Planned Development Area Plan, 6 – 26 New Street, East Boston District, Boston, Massachusetts" prepared by Harry R. Feldman, Inc. dated October 17, 2008.

EXHIBIT B

LOCUS MAP AND SURVEY OF EXISTING CONDITIONS

[inserted behind]

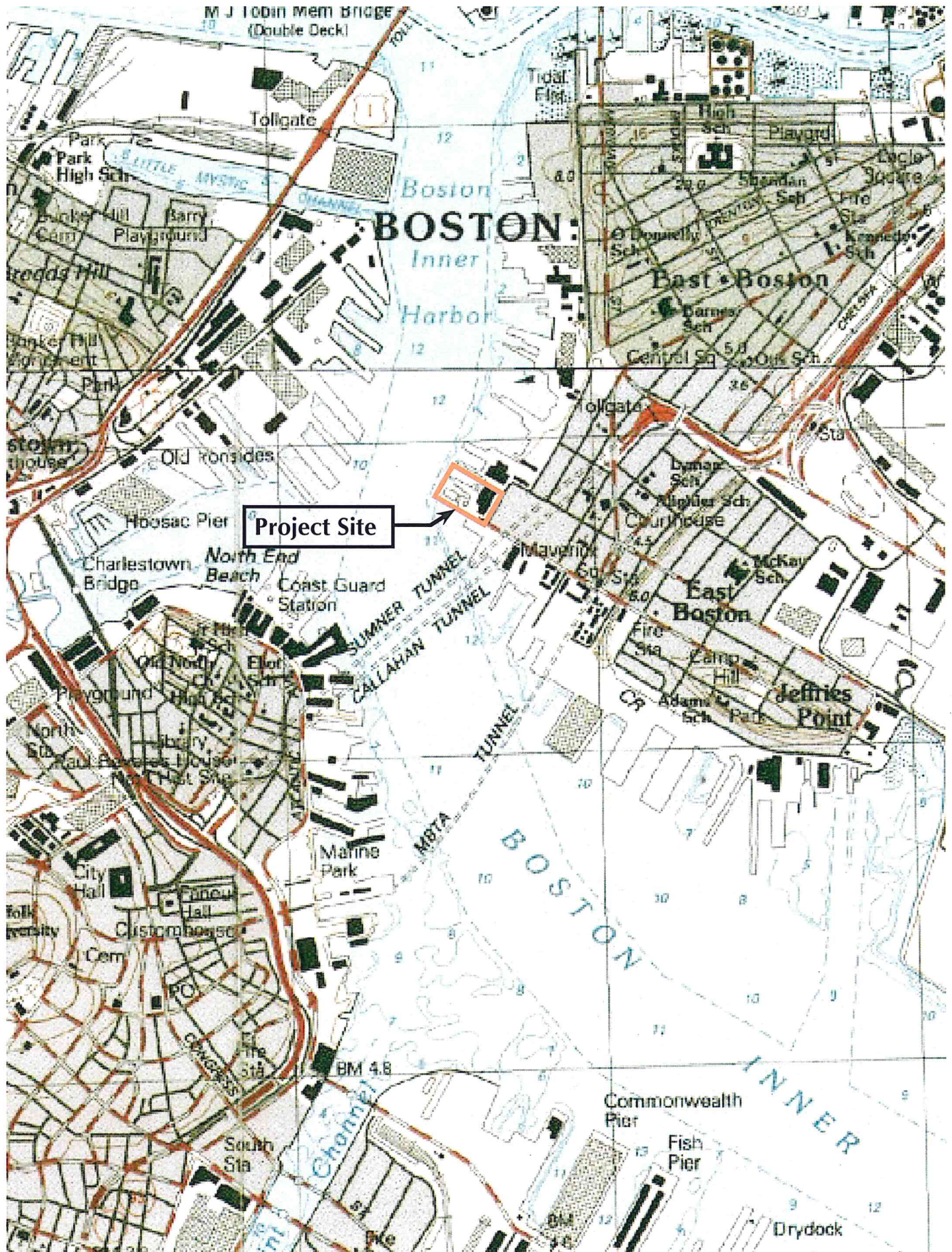


EXHIBIT C

PROJECT TEAM

Proponent: GEGC 2 New Street, LLC
c/o Gerding Edlen
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(503) 299-6000
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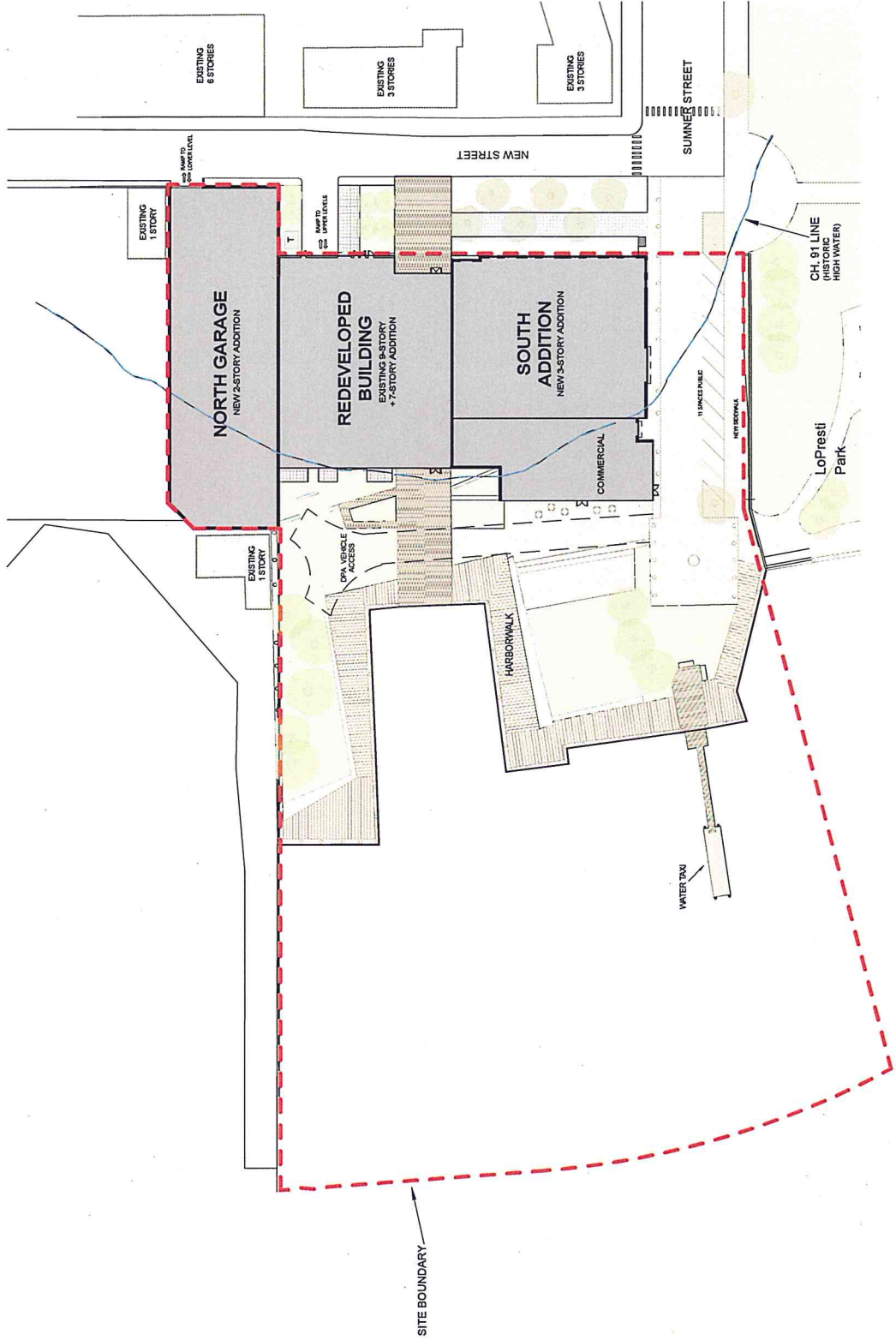
Permitting Consultant: Fort Point Associates, Inc.
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Jamie Fay
Richard Jabba
Sarah Kelly

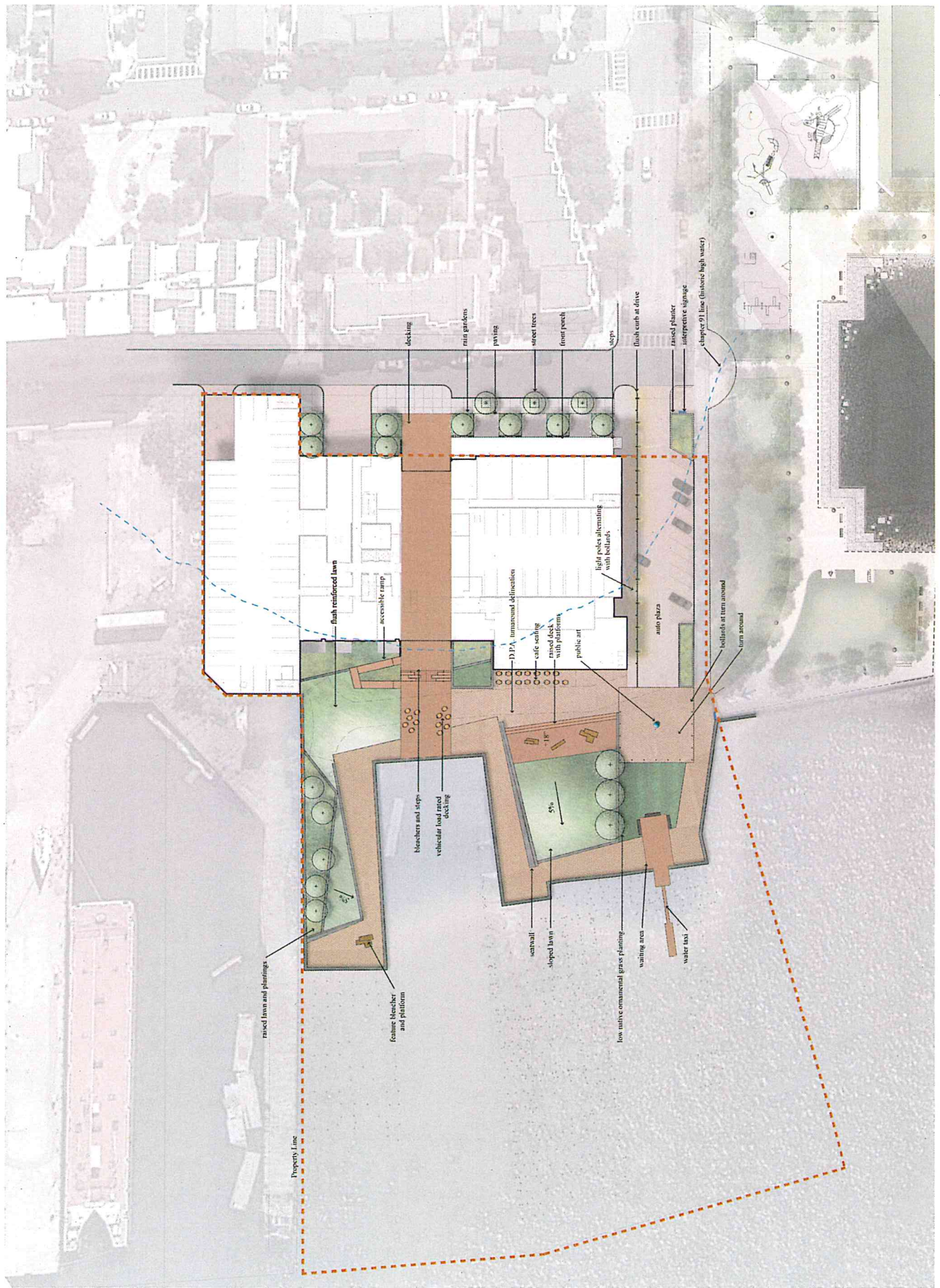
EXHIBIT D

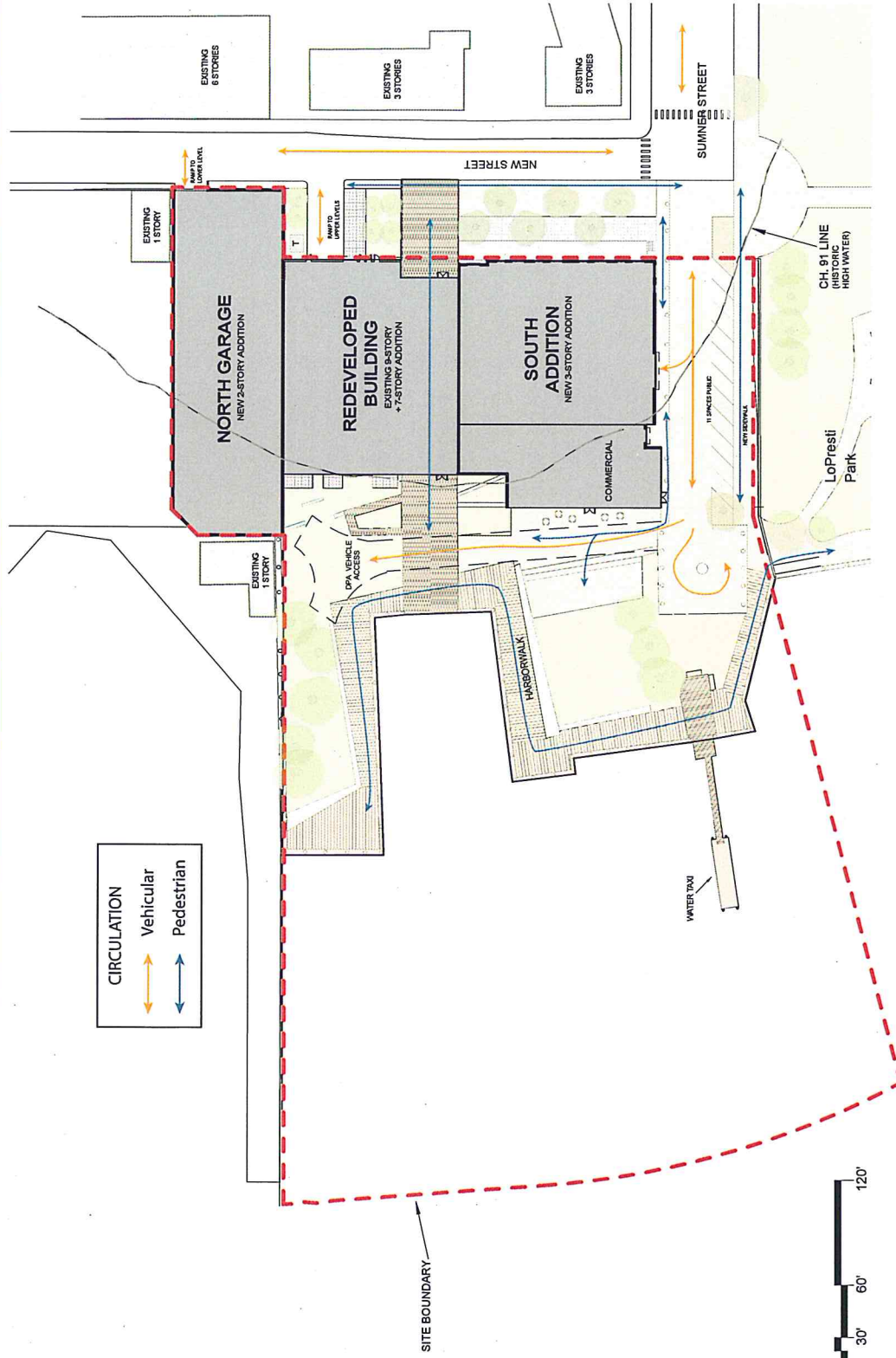
PROJECT DRAWINGS

- SITE PLAN
- LANDSCAPE PLAN
- CIRCULATION PLAN
- EAST ELEVATION
- SOUTH ELEVATION

[inserted behind]









Ramp down to lower parking level

Ramp up to second and third parking levels

Entry

Auto plaza entry/
Summer St extension

LoPresti Park





Water Taxi

Harbor

Harbor walk

Local art focal point

Commercial

South Garage Entry

Auto plaza/Summer St. extension

New Street

