

TISHMAN SPEYER

May 24, 2016

Brian P. Golden, Director  
Boston Redevelopment Authority  
City Hall – 9th Floor  
Boston, Massachusetts 02201

Re: Planned Development Area No. 64 (Pier 4)

Dear Director Golden:

On behalf of 130 Northern Avenue, L.L.C. and 140 Northern Avenue, L.L.C., the owners and developers of the Phase 2 Office Building and Phase 3 Wharf Residential Building at Pier 4, I am enclosing a proposed Fourth Amendment to Development Plan for consideration by the BRA.

The Fourth Amendment does not make any change in the improvements or uses permitted by the Development Plan, modify any benefits of the project or allow any additional development.

The purpose of the Fourth Amendment is two-fold. First, in accordance with a request by Cronin Holdings LLC, the developer of 150 Seaport Boulevard, the Fourth Amendment, if adopted, will remove approximately 33,767 square feet, substantially all of which is land under water, from PDA No. 64 so it may be incorporated as part of the 150 Seaport Boulevard project. Second, Jon Cronin has proposed that the affordable housing obligations of the Pier 4 Phase 3 Wharf Residential Building and 150 Seaport Boulevard be combined to support the off-site development of 46 affordable senior housing units in the O'Connor Way senior housing project being developed by the South Boston Neighborhood Development Corporation and Caritas Communities, Inc. The Fourth Amendment, if adopted, will allow the affordable housing obligations for the Phase 3 Wharf Residential Project to be satisfied in this way in accordance with an Affordable Housing Agreement approved by the BRA.

Ten (10) copies of the proposed Fourth Amendment are enclosed. We appreciate the BRA's consideration of the proposed amendment and look forward to working with the BRA.

Sincerely yours,

Gary J. Kerr

Enclosures

cc: Phil Cohen  
Richard D. Rudman, Esq.

**FOURTH AMENDMENT TO DEVELOPMENT PLAN  
FOR  
PLANNED DEVELOPMENT AREA No. 64**

**PIER4  
SOUTH BOSTON WATERFRONT  
Boston, Massachusetts**

Dated \_\_\_\_\_, 2016

Pursuant to Section 3-1A and Article 80C of the Zoning Code for the City of Boston (the “Code”), this plan constitutes the Fourth Amendment to Development Plan for Planned Development Area No. 64 (the “Fourth Amendment”).

**I. THE EXISTING PDA DEVELOPMENT PLAN FOR PDA NO. 64 AND PROJECT BACKGROUND**

Procedural History for Planned Development Area No. 64

The following sets forth the procedural history for Planned Development Area No. 64:

- Pursuant to Section 3-1A of the Code, the Boston Redevelopment Authority (the “Authority”), by a vote taken on March 24, 2005, approved the Development Plan for Planned Development Area No. 64 (the “2005 Original Plan”) describing a phased, mixed-use project known as Pier 4 (the “Project”). On May 4, 2005, the Zoning Commission of the City of Boston (the “Commission”) approved the 2005 Original Plan and Map Amendment No. 488 establishing Planned Development Area No. 64. The 2005 Original Plan and associated Map Amendment were effective on May 10, 2005.
- The Authority, by a vote taken on December 15, 2011, approved a First Amendment to Development Plan for Planned Development Area No. 64 (the “First Amendment”) describing a change of use of the eastern-most building within the Project from office to residential use and other minor changes as set forth in said First Amendment. On January 18, 2012, the Commission approved the First Amendment. The First Amendment was effective on January 18, 2012.
- The Authority, by a vote taken on May 15, 2014, approved a Second Amendment to Development Plan for Planned Development Area No. 64 (the “Second Amendment”) describing a change in use of the Hotel/Residential building which had been proposed for the middle

building portion of the site of the Project from hotel and residential use to office uses and other minor changes set forth in said Second Amendment. On June 11, 2014 the Commission approved the Second Amendment. The Second Amendment was effective on June 11, 2014.

- The Authority, by a vote taken on June 11, 2015, approved a Third Amendment to Development Plan for Planned Development Area No. 64 (the “Third Amendment”) making certain technical corrections. On July 29, 2015 the Commission approved the Third Amendment. The Third Amendment was effective on July 31, 2015.
- The 2005 Original Plan as amended by the First, Second and Third Amendments is referred to collectively as the “Existing Development Plan”. Capitalized terms not defined herein shall have the same meaning ascribed to such terms in the Existing Development Plan or the Code as in effect as of the date of the 2005 Original Plan, without giving effect to any subsequent amendments to the Code.

## II. FOURTH AMENDMENT TO DEVELOPMENT PLAN

On May 24, 2016, 130 Northern Avenue, L.L.C. and 140 Northern Avenue, L.L.C., the Developers with respect to Phase 2 and Phase 3 of the Project, respectively, submitted the Fourth Amendment for the purpose of changing the description of the Site covered by the Development Plan and to amend the affordable housing obligations applicable to Phase 3 (the Wharf Residential Building).

## III. SPECIFIC AMENDMENTS

**Project Site.** The legal description of the Site attached to the 2005 Original Plan as Exhibit A is hereby replaced and superseded by the legal description attached hereto as Revised Exhibit A and the plan of the Site attached to the 2005 Original Plan as Exhibit B is hereby replaced with the plan attached hereto as Revised Exhibit B. As a result, approximately 33,767 square feet, substantially all of which is land under water (the “Removed Area”) now owned by 130 Northern Ave, L.L.C. shall be removed from Planned Development Area No. 64 and from the area subject to the Development Plan for all purposes. Following the removal of the Removed Area, the land included in Planned Development Area No. 64 shall be approximately 378,978 square feet (approximately 8.7 acres). The change in the Site as described above amends the Development Plan with respect to removal of the Removed Area.

**Affordable Housing Contribution.** The description of the affordable housing requirements applicable to Phase 1 (the High Rise Residential Building) and Phase 2 (the Office Building) as set forth in the Existing Development Plan is affirmed.

The affordable housing requirements applicable to Phase 3 (the Wharf Residential Building) as set forth in the Existing Development Plan shall be replaced and superseded by the following requirements, which shall be further set forth in an Off-Site Affordable Housing Agreement executed by the Developer of the Wharf Residential Project and the Authority:

The Developer of the Wharf Residential Building shall, in cooperation with the Developer of the 150 Seaport Project, facilitate the off-site construction of the O'Connor Way Affordable Senior Housing Project to be located at 5 Major Michael J. O'Connor Way, South Boston, which as proposed will contain approximately 46 affordable senior housing units ("O'Connor Way Project") or other off-site affordable housing approved by the Authority.

This Fourth Amendment does not change any uses, modify Project benefits or describe additional development rights other than those as currently set forth in the Development Plan for the Project as a whole.

REVISED EXHIBIT A  
LEGAL DESCRIPTION

EXHIBIT A

LEGAL DESCRIPTION

The Site is comprised of approximately 412,745 SF and is depicted on the plan prepared by Harry R. Feldman, Inc. and attached hereto as Exhibit B. The metes and bound description of the Site is as follows:

A certain parcel of land located on the northeast side of Northern Avenue in Boston, Massachusetts, bounded and described as follows:

Beginning at a point on the proposed northerly sideline of Seaport Boulevard, said point being the southeast corner of the herein described parcel;

thence running N 53°18'34"W, a distance of 156.65 feet by said sideline of Seaport Boulevard;

thence turning and running N 30°52'31"E, a distance of 109.48 feet by the proposed easterly sideline of East Service Road extension;

thence turning and running N 34°06'26"W, a distance of 22.02 feet along the northeasterly sideline of Northern Avenue;

thence turning and running N 30°52'03"E, a distance of 185.02 feet along the proposed easterly sideline of East Service Road extension;

thence turning and running N 58°06'49"W, a distance of 69.66 feet along the proposed northerly sideline of East Service Road Extension;

thence turning and running N 29°46'00"E, a distance of 849.69 feet by land now or formerly of Fan Pier Land Company;

thence turning and running S 61°20'15"E, a distance of 382.84 feet by Boston Inner Harbor;

thence turning and running S 29°44'50"W, a distance of 1095.37 feet by land now or formerly of the Commonwealth of Massachusetts;

thence turning and running N 57°04'54"W, a distance of 58.66 feet by land now or formerly of The McCourt Broderick Limited Partnership;

thence turning and running N 77°46'27"W, a distance of 6.43 feet by land now or formerly of The McCourt Broderick Limited Partnership;

thence turning and running N 30°24'22"E, a distance of 4.65 feet by land now or formerly of Haynes Realty Corp. of Boston;

thence turning and running N 60°22'04"W, a distance of 73.00 feet by land now or formerly of Haynes Realty Corp. of Boston;

thence turning and running S 30°32'05"W, a distance of 3.50 feet by land now or formerly of Haynes Realty Corp. of Boston;

..

thence turning and running N 59°27'55"W, a distance of 5.00 feet by land now or formerly of Haynes Realty Corp. of Boston;

thence turning and running S 30°32'05"W, a distance of 89.64 feet in part by land now or formerly of Haynes Realty Corp. of Boston to the point of beginning.

The above described parcel of land contains an area of 412,745 square feet (9.475 acres), more or less.

Except that excluded therefrom is the Removed Area described as follows:

## Tishman Area

A certain parcel of land in the City of Boston, Suffolk County, Commonwealth of Massachusetts, described as follows:

Beginning at the point shown on this plan as P3;

Thence turning and running N 57°04'54" W a distance of 58.66 feet to a point;

Thence turning and running N 77°46'27" W a distance of 6.43 feet to a point;

Thence turning and running N 30°24'22" E a distance of 4.65 feet to a point;

Thence turning and running N 60°22'04" W a distance of 69.01 feet to a point;

Thence turning and running N 31°42'01" E a distance of 35.02 feet to a point;

Thence turning and running S 60°22'04" E a distance of 10.01 feet to a point;

Thence turning and running N 31°24'30" E a distance 49.63 feet to a point;

Thence turning and running S 58°44'40" E a distance of 33.90 feet to a point;

Thence turning and running N 30°25'47" E a distance of 268.36 feet to a point;

Thence turning and running S 59°18'50" E a distance of 83.96 feet to a point;

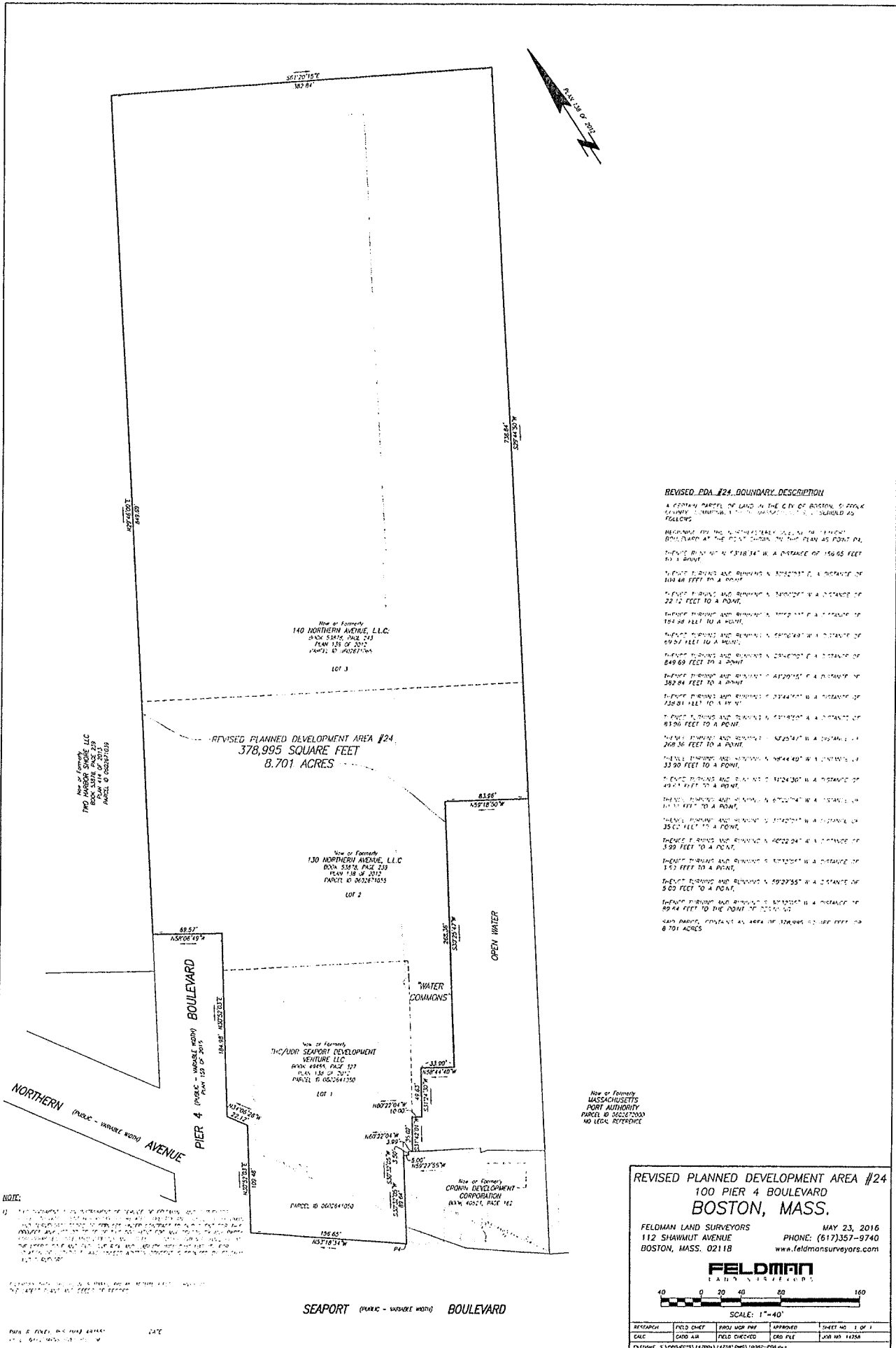
Thence turning and running S 29°44'50" W a distance of 356.53 feet to the point of beginning.

Said parcel contains an area of 33,767 square feet, or 0.775 acres.



REVISED EXHIBIT B

PLAN



**REVISED PDA #24 BOUNDARY DESCRIPTION**

A CERTAIN PART OF LAND IN THE CITY OF BOSTON, SUFFOLK COUNTY, COMMONWEALTH OF MASSACHUSETTS, IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF THE TRACT BOUNDARY AT THE POINT OF BEGINNING IN THE PLAN AS POINT PA, THENCE SOUTH 89° 18' 18" W. IN A DISTANCE OF 150.65 FEET TO A POINT.

THENCE THRU THE SAME BEARING N. BY COURSE E. A DISTANCE OF 100.48 FEET TO A POINT.

THENCE THRU THE SAME BEARING N. BY COURSE E. A DISTANCE OF 22.10 FEET TO A POINT.

THENCE THRU THE SAME BEARING N. BY COURSE E. A DISTANCE OF 109.50 FEET TO A POINT.

THENCE THRU THE SAME BEARING N. BY COURSE E. A DISTANCE OF 69.54 FEET TO A POINT.

THENCE THRU THE SAME BEARING N. BY COURSE E. A DISTANCE OF 849.69 FEET TO A POINT.

THENCE THRU THE SAME BEARING N. BY COURSE E. A DISTANCE OF 362.84 FEET TO A POINT.

THENCE THRU THE SAME BEARING N. BY COURSE E. A DISTANCE OF 135.81 FEET TO A POINT.

THENCE THRU THE SAME BEARING N. BY COURSE E. A DISTANCE OF 63.06 FEET TO A POINT.

THENCE THRU THE SAME BEARING N. BY COURSE E. A DISTANCE OF 268.36 FEET TO A POINT.

THENCE THRU THE SAME BEARING N. BY COURSE E. A DISTANCE OF 33.90 FEET TO A POINT.

THENCE THRU THE SAME BEARING N. BY COURSE E. A DISTANCE OF 49.77 FEET TO A POINT.

THENCE THRU THE SAME BEARING N. BY COURSE E. A DISTANCE OF 16.11 FEET TO A POINT.

THENCE THRU THE SAME BEARING N. BY COURSE E. A DISTANCE OF 35.00 FEET TO A POINT.

THENCE THRU THE SAME BEARING N. BY COURSE E. A DISTANCE OF 3.99 FEET TO A POINT.

THENCE THRU THE SAME BEARING N. BY COURSE E. A DISTANCE OF 3.53 FEET TO A POINT.

THENCE THRU THE SAME BEARING N. BY COURSE E. A DISTANCE OF 5.02 FEET TO A POINT.

THENCE THRU THE SAME BEARING N. BY COURSE E. A DISTANCE OF 89.44 FEET TO THE POINT OF BEGINNING.

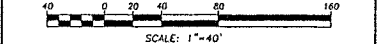
SAY PART, CONTAINS AN AREA OF 130,995.30 SQ. FEET OR 8.701 ACRES.

Now of Formerly  
MASSACHUSETTS  
PORT AUTHORITY  
PARCEL ID: 065227000  
NO LEGAL REFERENCE

**REVISED PLANNED DEVELOPMENT AREA #24  
100 PIER 4 BOULEVARD  
BOSTON, MASS.**

FELDMAN LAND SURVEYORS  
112 SHAWMUT AVENUE  
BOSTON, MASS. 02118  
MAY 23, 2016  
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**FELDMAN**  
LAND SURVEYORS



REVISION	DATE	BY	FOR	APPROVED	SHEET NO.
1	05/23/16	JWB	ISSUE FOR PERMIT	JWB	1 OF 1

NOTE:  
1. THIS DOCUMENT IS A SURVEYOR'S MAP AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.  
2. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS AND FIELD CHECKS TO VERIFY THE ACCURACY OF THE DATA AND HAS FOUND IT TO BE SATISFACTORY.  
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**SEAPORT (PUBLIC - VOUCHER #001) BOULEVARD**