

BRA Approval: Feb. 11, 1988
Zoning Comm. Approval: Mar. 16, 1988
effective: Apr. 12, 1988

Development Plan for
Planned Development Area No. 30

Clippership Wharf
East Boston, Massachusetts

Clippership Wharf Limited Partnership

February 11, 1988

I. Introduction

The following constitutes the "Development Plan" (hereinafter called the "Development Plan") for the development on Planned Development Area No. 30, Clippership Wharf, East Boston, Massachusetts (hereinafter called the "Site") of approximately 370 units of residential condominium and rental housing, an underground accessory parking garage, pedestrian walkways, a public park, a water shuttle facility and other improvements (hereinafter called the "Project"). In accordance with Section 3-1A of the Boston Zoning Code, this Development Plan sets forth information on the Project including the proposed location and appearance of structures, open spaces and landscaping; proposed uses, densities, traffic circulation, and parking and loading facilities for the Site; proposed access to public transportation; and proposed dimensions of structures. This Development Plan consists of twelve pages of text and tables plus attachments designated Exhibits A through D. All references to this Development Plan contained herein shall pertain only to those eleven pages and attachments.

II. Developer

The Developer of the Project is Clippership Wharf Limited Partnership (the "Developer"), a Massachusetts limited partnership. The address of and contact person for the Developer are:

Clippership Wharf Limited Partnership
c/o Related Companies Northeast, Inc.
One Exchange Place, 36th Floor
Boston, Massachusetts 02109
(617) 723-0990
Contact person: Mr. James Campbell
Vice President

The general partners of the Developer are:

Related Companies Northeast, Inc.
Managing General Partner
One Exchange Place, 36th Floor
Boston, Massachusetts 02109

and

Mitchell Development Corporation
29 Bowdoin Street
Boston, Massachusetts 02114

Related Companies Northeast, Inc. is a Massachusetts Corporation organized pursuant to Chapter 156B of the general laws of Massachusetts and is the managing general partner of the Developer. The corporate officers of Related Companies Northeast, Inc. are:

Edward A. Saxe, President and Director
Stephen M. Ross, Director
Sharon Rubin, Clerk

Mitchell Development Corporation is a Massachusetts corporation organized pursuant to Chapters 156B of the General Laws of Massachusetts. The officers of Mitchell Development Corporation:

James H. Mitchell, President
Robert S. Mitchell, Vice President
John D. Mitchell, Treasurer and Clerk

III. Architect

The Architect for the Clippership Wharf Project is:

CBT/Childs, Bertman, Tseckares & Casendino, Inc.
306 Dartmouth Street
Boston, Massachusetts 02116
(617) 262-4354
Contact person: Richard Bertman

IV. Description of Planned Development Area

The Site consists of a parcel of land in East Boston, Suffolk County, Massachusetts, containing approximately 12.934 acres (563,405 sq. ft.) including land under water as shown on a plan (the "Site Survey") dated May 7, 1986, revised June 24, 1986 entitled "Plan of Land, East Boston, Massachusetts, Surveyed for Harbor Landing Limited Partnership" prepared by Linenthal Eisenberg Anderson, Inc. The Site Survey is Sheet A of the set of plans entitled "Clippership Wharf East

Boston, Massachusetts," prepared by the Architect (the "Project Plans"). The Site is bounded generally by Boston Inner Harbor and Massport Pier 1 to the south; by Lewis Mall and Lewis Street to the east; by the Hodge Boiler Works to the west; and by Monsignor Jacobbe Road, the Heritage Apartments and Sumner Street to the north. A more detailed description of the Site is attached hereto as Exhibit A. The Site is identified as assessor's parcels 5397, 5400 and 5402; Ward 1.

V. Location and Appearance of Structures

The location and appearance of the structures will be as shown on the Project Plans, a list of which is attached hereto as Exhibit B. The Project will contain seven residential buildings together with several accessory buildings including a pavilion for the Project's proposed marina, a pavilion for the proposed community boating program and a pavilion for the proposed water shuttle. Also, if the existing Hines & Smart lobster facility ("Hines & Smart") is relocated on-Site, an additional building will be provided for that facility. The proposed location for Hines & Smart will be at the northerly corner of the Site, as shown on Sheet 1 of the Project Plans entitled "Site Plan". All of the buildings will have sloped roofs. The residential buildings will be constructed primarily of brick with glass and masonry details. The dimensions of the eight buildings will be approximately as described in Section IX, below.

The Project will be subject to the requirements of the Authority's continuing development review process in accordance with the Authority's Development Review Procedures, as revised in 1986.

VI. General Description of Proposed Development and Use Allocation

The Site will be primarily for residential and open space uses, with the construction of approximately 370 units of housing, an underground accessory parking garage, a separate parking facility for the affordable rental housing building, pedestrian walkways, a public park, a water shuttle facility, a small marina (with approximately 20 slips) and other improvements. The Site is presently vacant with the exception of the building occupied by Hines & Smart.

The proposed mix of residential units is for approximately 335 condominium units and 35 rental units (located as described in Section VI above and as shown on the Site Plan). Ten of the condominium units will be

targeted for moderate-income households, ten of the condominium units will be targeted for upper moderate-income households and all of the rental units will be targeted for low-income households. The twenty affordable condominium units will be located among market rate units in three of the residential condominium buildings.

Copies of the Site Plan, proposed phasing plans, building elevations and floor plans are included within the Project Plans.

VII. Estimated Construction Time

Construction will commence at such time as the initial building permits and other required permits have been issued. Subject to unforeseen delays, Buildings 1 and 2, the underground parking garage and the ticket office and docking facility for the water shuttle should be completed within sixteen months thereafter. It is anticipated that the rental housing building will be built in the first stage of construction, subject to the availability of the necessary subsidies.

Completion of the remainder of the Project will be at dates thereafter.

VIII. Projected Number of Employees

The Project will generate an estimated 175 construction jobs on an average daily basis from the commencement of construction of Phase I to the completion of the Project. Once completed, the Project will require approximately 10-12 full-time jobs, including security, maintenance, and management positions.

IX. Building Dimensions

The condominium buildings, buildings 1-6 as shown on the Site Plan, will have the following approximate dimensions:

<u>BUILDING</u>	<u>LENGTH</u>	<u>DEPTH</u>	<u>HEIGHT*</u>
One	172' 10"	70'	67' 8"
Two	151' 2"	70'	73' 8"
Three	134' 5"	72'	79' 4"
Four	275'	70'	83'
Five	300'	70"	83'
Six	173' 8"	70'	67' 8"

The approximate dimensions of the affordable rental housing building and the proposed Hines & Smart building will be as follows:

<u>BUILDING</u>	<u>LENGTH</u>	<u>DEPTH</u>	<u>HEIGHT*</u>
Rental Housing	198'	62'	32'
Hines & Smart	125'	64'	57'

X. Proposed Traffic Circulation

The Project will have two points of vehicular access. The entrances will be Clippership Lane and Marginal Street. Vehicular circulation through the Site will link the two entryways and provide clear vehicular pathways from the Site entries to central drop-off areas and the underground parking garage. A central turn-around in the middle of the Site will provide access to the underground parking garage and will be accessible from both Clippership Lane and Marginal Street.

XI. Parking and Loading Facilities

It is anticipated that the Project will have an underground garage for the residents of the condominium units with approximately 378 spaces, a separate parking area beneath the rental housing building for residents of that building with approximately 20 parking spaces and approximately 95 surface parking spaces. The

* Height is calculated in accordance with the definition of "height of buildings" in Section 2-1(23) of the Boston Zoning Code. Text Amendment 94 which amended the definition of height does not apply to the Project since the original PDA application for the Project was submitted prior to July 22, 1987.

currently proposed allocation of the 95 surface spaces is as follows: 45 spaces for visitors, 20 spaces for private use by moderate and upper-moderate income condominium units, 15 spaces for private use by the subsidized rental units, 10 spaces for community boating/public use, and 5 spaces for the proposed Hines & Smart facility and/or public use. The only loading dock is proposed for the relocated Hines & Smart building.

XII. Access to Public Transportation

The Site is located within immediate proximity to the Maverick Square Station on the MBTA's Blue Line. From Maverick Square the Blue Line runs south under Boston Harbor and provides direct access to four downtown Boston stations. Travel time from the Maverick Square station to downtown Boston on the Blue Line is usually under ten minutes. Northerly, the Blue Line runs from Maverick Square to Logan Airport and other points on the North Shore. Logan Airport is under a mile from the Site. The Maverick Square station also serves as an MBTA bus interchange for bus service into Chelsea, Everett and Revere.

A water shuttle running between the Site and downtown Boston will provide year round passenger ferry service.

XIII. Open Spaces and Landscaping

The Developer has incorporated open space into the Project in order to preserve views to the Inner Harbor and the Boston Skyline. A large portion of this space will be open to public use. The Developer will extend the existing Lewis Mall pedestrian area (adjacent to the Site) to the water's edge. This extension will establish a pedestrian passageway from Maverick Square to the waterfront. A new public, waterfront park with a performance area adjacent to the Lewis Mall extension will be provided at the southerly corner of the Site. The proposed water shuttle will be serviced by a pavilion located within this park. A waterfront plaza will also be constructed at the end of Clippership Lane. The Project will also provide a continuous public pathway along the harbor side of the Site, representing the first extension of the Boston Harborwalk concept to East Boston. Other open space areas will be provided at the Site as generally shown on the Project Plans and will include open lawns, gardens, shaded landscaped areas, public walkways and piers and bulkheads suitable for recreational fishing. It is anticipated that

approximately seventy percent of the Project area, including vehicular and pedestrian ways, will remain open space after the Project is completed.

XIV. Public Benefits

The Project will provide a wide variety of benefits to the East Boston community. A major public benefit will be the creation of public open space. The landside portion of the Site currently contains dangerous sink holes from subsurface erosion. The existing wharfs are dilapidated and decayed. Segments of the seawall are structurally unsound. As a result, the entire Site is currently fenced and posted to protect public safety. The Project will result in the transformation of this unusable space into large areas of usable public open space. As discussed above, this public open space will include the first East Boston portion of the Harborwalk, a waterfront park with a performance area and seating, the extension of Lewis Mall to the water's edge, a waterfront plaza at the end of Clippership Lane, pedestrian walkways and piers and bulkheads suitable for recreational fishing.

The Project will also incorporate a water shuttle that will provide year-round service to downtown Boston, a community boating facility that will be available for use by the East Boston community and an approximately 2,000 square foot community meeting room with conference area, kitchen and restroom facilities. The water shuttle will be available to Project residents, community residents and the general public. Fares for the water shuttle will be consistent with the lowest unsubsidized fares of comparable ferry trips within Boston Harbor, with a discount for elderly passengers. The community boating facility will utilize a floating dock which will accommodate eight to ten sail boats and an on-shore pavilion with an enclosed level to provide space for storage and operations. The Developer will provide the location, docking facilities and sailboats but it is expected that an outside organization or public agency will operate the community boating program.

The Project will also contain approximately 370 housing units, 55 of which are proposed to be affordable units. Thirty-five of the housing units will be rental units targeted for low income households. The Developer has agreed to provide the land upon which the rental housing building will be constructed, to contribute \$500,000 to subsidize the affordability of the rental housing, and to cooperate with the Boston Redevelopment Authority and the City in connection with the development and construction of the rental housing building.

The proposed timing of the construction of the above-described public benefit components of the Project in relation to the construction of the various condominium buildings will be approximately as shown on Sheets 8, 9 and 10 of the Project Plans. In the event the Developer completes no more of the Project than is shown on Sheet 8 of the Project Plans, the Developer shall nevertheless extend Lewis Mall to the water's edge.

The Developer will also provide funds for various amenities within and without the Project Site for the benefit of the East Boston community including: complete funding to rebuild the fourth floor of the Crossroads Family Shelter; \$10,000 per year for 10 years for the operation of the shelter; \$2,500 per year for ten years to the Daily Bread Food Pantry; \$50,000 for the operation of a youth drug and recreation program at the Maverick Housing Project; \$20,000 for skills and education programs at the Maverick Housing Project; \$30,000 for a van for youth and adult outreach activities at the Maverick Housing Project. The Developer will also provide landscape improvements on Lewis Mall, plant trees in Maverick Square, provide security services for the Heritage Elderly Apartments and provide free use of the community meeting room to East Boston neighborhood groups.

XV. Environmental Review

The Project is subject to the review requirements of the Massachusetts Environmental Policy Act ("MEPA"). Notice of submission of a draft Environmental Impact Report for the Project (the "Draft EIR") was published in the Environmental Monitor as October 9, 1986. The Draft EIR was approved by the Secretary of the Executive Office for Environmental Affairs (the "Secretary") on December 1, 1986. The Draft EIR certificate of approval from the Secretary stated that the Draft EIR properly complied with MEPA and listed several areas to be expanded upon in the Final EIR. The Developer is currently preparing a Final EIR that will respond to the Secretary's certificate of approval and to other comments received on the Draft EIR. The Developer will also formulate a noise mitigation plan outlining measures to be taken to mitigate the noise impacts, if any, of trucks servicing the Hines & Smart facility.

XVI. Compliance with Approved Drawings

The Developer will construct the Project in accordance with the Project Plans (which are listed on Exhibit B), as such plans may be amended pursuant to the Boston Redevelopment Authority's Development Review Procedures, as revised in 1986.

XVII. Development Review Procedures

All design plans for the Project are subject to ongoing development review and approval by the Boston Redevelopment Authority. Such review is to be conducted in accordance with the Boston Redevelopment Authority's Development Review Procedures, as revised in 1986. Final working drawings and specifications approved by the Boston Redevelopment Authority shall be conclusively deemed to be in conformity with this Development Plan.

XVIII. Proposed Uses

The entire Site is currently located within a W-2 Zoning District. The uses currently contemplated for the Project include residential condominium and rental units; park recreational, and open space uses; a water shuttle facility; both underground and surface parking; a community sailing program; the Hines & Smart lobster processing facility (if it is relocated on-Site); other similar uses and uses incidental or accessory to those described herein and to the construction and operation of the Project.

XIX. Zoning

The entire Site is currently located within a W-2 Zoning District. Upon approval of the Overlay District PDA zoning designation, the Site will be designated as a W-2-D Overlay District. The Project will require exceptions from the requirements of the Boston Zoning Code from the Board of Appeal under the procedures set forth in Sections 6A-1, 6A-2 and 6A-3 of the Boston Zoning Code. A list of such anticipated exceptions is set forth in Exhibit C hereto. Changes to such list may be made at the discretion of the Boston Redevelopment Authority, in its report and recommendations to the Board of Appeals under Section 6A-2 of the Boston Zoning Code.

XX. Density

The Floor Area Ratio ("FAR") of the Project is calculated by dividing the gross floor area of the buildings which will be located on the Site by the lot area of the Site. The maximum FAR for the Project will not exceed 2.6.

In determining the Project's FAR all vehicular and pedestrian ways, including the harborwalk were excluded from the area of the Site. The method used in determining the Project's FAR is shown on Exhibit D.

XXIII. Additional Zoning Provisions

Upon (a) the request from the Developer, (b) receipt of the certificate from the Developer that the work on the Project has commenced and is diligently proceeding and (c) a finding by the Director of the Boston Redevelopment Authority that the Project has commenced and is diligently proceeding in accordance with this Development Plan, the Boston Redevelopment Authority shall issue to the Commissioner of the Inspectional Services Department of the City of Boston a certificate pursuant to Article 6A, Section 6A-1 of the Boston Zoning Code (a "6A Certificate") stating that the work within the PDA has commenced and is diligently proceeding. This certificate shall be issued as provided for in Section 6A-1 of the Boston Zoning Code. The approval by the Boston Redevelopment Authority of this Development Plan or the issuance by the Authority of the 6A Certificate shall be conclusive evidence to the Commissioner of the Inspectional Services Department that work on the Project is diligently proceeding.

XXIV. Permits

In addition to the EIR, a number of permits and approvals are required for the Project.

With regard to water-related uses, a permit from the United States Army Corps of Engineers will be needed in connection with any dredging or filling conducted in connection with the Project. The Army Corps will require that the Massachusetts Department of Environmental Quality Engineering ("DEQE") issue a certificate indicating that any discharge from the Site entering navigable waters will comply with applicable discharge limitations or water-quality standards. In addition, the Army Corps will require a certificate that plans for the Project are consistent with the Massachusetts Coastal Zone Management Program.

Massachusetts law requires a review of the Project by the Boston Conservation Commission. In addition, a Tidelands License, which is required in certain coastal areas, will be required from the DEQE.

In order to connect sewer lines to the Site, a sewer connection and extension permit will be needed from the Massachusetts Department of Water Pollution Control ("DWPC"). The Massachusetts Water Resources Authority ("MWRA"), which operates the regional sewer system serving Boston, may also be required to issue a permit for the Project.

The provision of below-grade parking in the Project at the Site requires two approvals from the Boston Public Safety Commission. These approvals authorize the storage of gasoline in the tanks of vehicles parked within a structure and the construction and maintenance of an enclosed garage facility.

The Project may require a permit from the United States Environmental Protection Agency ("EPA") under the National Pollution Discharge Elimination Program in connection with stormwater runoff from roofs and paved parking areas in the Project Area. In addition, Massachusetts law may also require a water pollution permit from the Division of Water Pollution Control with regard to stormwater runoff from the Site.

Finally, building permits must be secured prior to construction of the various structures to be located at the Site, and certificates of occupancy, certifying the proper completion of those structures, must be obtained before any buildings are placed in use.

XXV. Relocation Information

The Project is not subject to federal or state relocation regulations. The only occupant of the Site, Hines & Smart, leases an area of approximately 12,000 square feet at a monthly rent of \$2,150 plus all utility costs. The Developer has offered to relocate Hines & Smart to a new facility to be constructed at the Site together with adequate docking space. The Project's marina and docking facilities were designed to accommodate the maneuvering and unloading requirements of boats comparable to those currently servicing the Hines & Smart facility. Hines & Smart presently employs approximately 25 persons in all shifts and has been located in its present building since 1968. Because the Site is otherwise unoccupied, no other relocations, on or off-Site, are necessary due to the construction of the Project.

XXVI. Community Participation

The Project has been subject to extensive review by state agencies, community organizations, and public interest groups in East Boston during the past two years. A list of East Boston organizations, agencies and groups with which the Developer has met and discussed the Project is attached hereto as Exhibit E. The Project has been approved by the East Boston Planning and Zoning Advisory Committee ("PZAC") and by all three of the subcommittees of the East Boston PZAC (transportation, urban design and public access, and affordable housing and community benefits, respectively). The PZAC and its subcommittees will continue to review the Project throughout its development. The public has been provided numerous opportunities to discuss and comment upon the Project and significant changes have been made since the initial Project design in response to community suggestions and concerns.

Exhibit A

Legal Description of the Site

A parcel of land in the City of Boston, Suffolk County, Massachusetts, bounded as follows:

- NORTHEASTERLY: By Sumner Street, 110.00 feet;
- SOUTHEASTERLY: by land of the Boston Housing Authority and by the westerly end of a way, 265.00 feet;
- NORTHEASTERLY: by the center line of said way, 190.00 feet;
- SOUTHEASTERLY: by the westerly end of Msgr. Albert A. Jacobbe Road, 25.00 feet;
- NORTHEASTERLY: by the southwesterly sideline of Msgr. Albert A. Jacobbe Road and by land of the Boston Housing Authority, 350.00 feet;
- SOUTHEASTERLY: by land of the Boston Housing Authority by Lewis Street and by land of owners unknown, 765.63 feet;
- SOUTHWESTERLY: by owners unknown, 24.00 feet;
- SOUTHEASTERLY: by the same, 50.00 feet;
- SOUTHWESTERLY: by the same, 3.50 feet;
- SOUTHEASTERLY: by the same, 135.00 feet;
- SOUTHWESTERLY: by the same, 13.00 feet;
- SOUTHEASTERLY: by the same, 54.57 feet;
- SOUTHWESTERLY: by the waters of Boston Harbor, 724.82 feet; and,
- NORTHWESTERLY: by land of John I. Lynch et al., 903.15 feet.

The Site, including portions of the Site under water, contains approximately 563,405 square feet (12.934 acres).

Exhibit B

PROJECT PLANS

Childs, Bertman, Tseckares & Casendino, Inc.

<u>Plan No.</u>	<u>Title</u>	<u>Date</u>
	Cover Sheet and Index	January 21, 1988
A	Property Survey	May 7, 1986, revised June 28, 1986
1	Site Plan	January 21, 1988
2	Visual Corridor	January 21, 1988
3	Sun Shadows - March/Sept 22nd	January 21, 1988
4	Sun Shadows - June 22nd	January 21, 1988
5	Sun Shadows - December 22nd	January 21, 1988
6	Sun Shadows - October 21st	January 21, 1988
7	Sun Shadows - November 21st	January 21, 1988
8	Construction Phase 1	January 21, 1988
9	Construction Phase 2	January 21, 1988
10	Construction Phase 3	January 21, 1988
11	Neighborhood Context Photographs	January 21, 1988
12	Model Photographs	January 21, 1988
13	Plans - Bldgs. 1&2	January 21, 1988
14	Plans - Bldgs. 3&4	January 21, 1988
15	Plans - Bldgs. 3&4	January 21, 1988

16	Plans - Bldgs. 5&6	January 21, 1988
17	Plans - Bldgs. 5&6	January 21, 1988
18	Elevations/Section Building Nos. 1&4	January 21, 1988
19	Elevations/Section Buildings 1,2 & 6	January 21, 1988
20	Elevations/Section Buildings 2 & 3	January 21, 1988
21	Elevations/Section Buildings 3, 4, & 5	January 21, 1988
22	Elevations/Section Buildings 5 & 6	January 21, 1988
23	Parking Level One	January 21, 1988
24	Parking Level Two/ Three	January 21, 1988
25	Unit Plans - Bldg. 1	January 21, 1988
26	Unit Plans - Bldgs 1&2	January 21, 1988
27	Pavilions - Plans/ Elevations	January 21, 1988
28	Partial Elevation/ Wall Sections	January 21, 1988

Exhibit C

List of Required Zoning Exceptions

I. USES: Exceptions to the requirements of the following sections of the Boston Zoning Code will be requested for the use of the Site and Project for approximately 370 units of residential condominium and rental housing, an underground accessory parking garage, pedestrian walkways, a public park, a water shuttle facility, other related improvements and the other uses set forth below or referred to in the Development Plan.

Code Section 8-7

<u>Use No.</u>	<u>Use Item</u>
7	Building or group of buildings for occupancy by three or more families in separate dwelling units
27	Public park or playground; public recreation building.
28	Private grounds for games and sports not conducted for profit.
29	Adult education center building; community center building; settlement house.
30	Private club.
58	Parking Lot.
59	Parking Garage.
65	Water freight or passenger terminal facility, including docks, piers, wharves, storage sheds for water borne commodities, and rail and truck facilities accessory to a water borne freight terminal.
72	As an accessory use subject to the limitations and restrictions of Article 10, a garage or parking space for occupants, employees, customers, students and visitors.
72A	As an accessory use subject to the limitations and restrictions of Article 10, a swimming pool or tennis court not within a required front yard.
85	As an accessory use subject to the limitations and restrictions of Article 10, any use ancillary to, and ordinarily incident to, a lawful main use.

Section 6-3A Additional Conditions Required for Approval of Parking Facilities in a Restricted Parking District.

II. DIMENSIONAL ASPECTS: Exceptions to the requirements of the following sections of the Boston Zoning Code will be requested for the Project.

Code Section

Required

Relief

10-1

The accessory uses on a lot, exclusive of off-street parking, shall not occupy, in the aggregate, more than twenty-five percent of the floor area of the main buildings; nor shall the accessory uses on a lot, exclusive of off-street parking required by this Code, occupy in the aggregate, more than twenty-five percent of the rear yard required by this Code or of the unbuilt lot area; nor in any residential district shall any accessory use occupy any part of the front or side yards required by this Code, except that such a side yard may be used for off-street parking located more than five feet from the side lot line; and in no other district shall any accessory use other than off-street parking occupy any part of the front or side yards required by this Code.

Because the Site is a single lot containing several residential and accessory structures, and because the Site will contain a variety of accessory uses, including a marina, a park, and a transportation water shuttle, which will occupy a large portion of the areas of open space associated with the Project, the Project may not comply with the accessory use requirements of Section 10-1 and an exception from Section 10-1 of the Code will be sought.

13-4

Any dwelling in an L, B, M, I or W district shall conform to the lot area, usable open space, and yard requirements for the nearest S, R, or H district; provided, however, that any dwelling in a B-8 or B-10 district shall conform to the lot area, usable open space and yard requirements for the least restricted district.

The Project includes dwellings in a W-2 district, therefore, the provisions of this Section apply. The nearest S, R, or H district to the site is an H-2-U district. To the extent that the Project does not comply with the lot area, usable open space and yard requirements imposed by the Code for H-2-U districts, exceptions from Section 13.4 will be sought.

15-1 and Table
B of Article 13

Maximum Floor Area ratio shall not exceed 2.0.

The gross floor areas of each of the buildings are shown in the chart attached hereto as Exhibit D. The approximate Floor Area Ratio of the Project based upon those gross floor areas and a lot area

Code Section

Required

Relief

Section 17-1 and
Table B of Article
13

Minimum usable open space per dwelling unit: 150 sq. ft. including suitably designed and accessible space on balconies of main buildings or on the roofs of accessory buildings.

of 207,845 square feet (which figure excludes land under water and all vehicular and pedestrian ways) is 2.43. Accordingly, an exception from the maximum floor area ratio requirements of Section 15-1 of the Code will be sought.

Section 17-1 requires that minimum usable open space per dwelling unit be devoted to use by occupants of each dwelling unit intended for family occupancy. Although the Project includes sufficient open space to satisfy the requirements of this Section, because a large portion of this open space is accessible to the public, the usable open space will not be devoted exclusively to occupants of the dwelling units. Accordingly, an exception from Section 17-1 of the Code will be sought.

Section 20-2

Accessory buildings may be erected in rear yards provided that no such building is more than 15 feet in height or nearer than 4 feet to any side lot line; and provided further, that in a S, R or H district the accessory buildings in any one rear yard shall not occupy in the aggregate a greater percentage of such rear yard than that specified in Table B of Section 13-1.

The Project includes a variety of accessory open space and recreational uses, and accessory buildings, such as a ticketing pavilion for the water shuttle. Due to the configuration of the residential buildings on the Site and the placement of these accessory buildings in relation to the residential buildings, the Project may not comply fully with Section 20-2. Accordingly, an exception from Section 20-2 of the Code will be sought.

Code Section

Required

Relief

Section 22-4
Section 14-5(C)
Section 18-1
Section 19-1
Section 20-1
Section 21-1

Section 22-4 provides that if on one lot there are two or more dwellings (other than temporary dwellings) designed for occupancy, or occupied by, one or more families, or if on one lot there are one or more such buildings, and one or more other main buildings, such dwellings shall be separated from each other and from such other buildings, by yards of the same minimum depths, and the provisions of Article 21 shall apply, as if each dwelling were on a separate lot; and if such dwelling is to the rear of another dwelling or other main building, the provisions of paragraph (C) of Section 14-5 shall also apply (Section 14-5(C) requires that a dwelling designed for occupancy or occupied by one or more families on the same lot as, and to the rear of, another main building, be separated from such main building by not less than twice the minimum rear yard required by the Code for such main building; and the requirement of this code with respect to lot size, open space, and front, rear and side yards shall apply as if the dwelling were on a separate lot.)

Section 22-4 provides that after public notice and hearing, the Board of Appeal may grant permission for a variation from the requirements of this Section if it finds that open space for all occupants, and light and air for all rooms designed for human occupancy, will not be less than would be provided if the requirements of this Section were met. Since the Project includes several residential buildings on a single lot, it is subject to Section 22-4. However, since a major component of the Project is accessible open space, and the main buildings will be less than eight stories and the top portions of each building are stepped-in from the at-grade portions in order to maximize the availability of light, an exception or variance, will be sought from Section 22-4 of the Code and from the sections which are applied through Section 22-4, including, without limitation, Sections 14-5(C) (dwelling to rear of another building must be separated by minimum of twice the rear yard requirement), 18-1 (minimum front yard), 19-1 (minimum side yard), 20-1 (minimum rear yards) and 21-1 (minimum setback of parapet).

Exhibit D

Method of Calculating the Project's Floor Area Ratio¹

I. Determination of approximate gross floor area of buildings to be located at the Site:

Building 1	56,819 sq. feet
Building 2	51,974 sq. feet
Building 3	49,355 sq. feet
Building 4	113,744 sq. feet
Building 5	122,981 sq. feet
Building 6	52,844 sq. feet
Proposed Hines & Smart Facility	8,000 sq. feet
Rental Housing Building	47,040 sq. feet
Ticket Office	900 sq. feet
Community Boating Pavilion	<u>415 sq. feet</u>
TOTAL	504,072 sq. feet

II. Determination of Total Lot Area²

Total area of the Site	563,405 sq. feet
Approximate area of the Site containing streets or private ways open to public use.	142,155 sq. feet ³
Approximate area of the salt water portion of the Site below the mean high tide line	213,405 sq. feet ⁴

¹ Floor area ratio is defined in Section 2-1 (20) of the Boston Zoning Code as "The ratio of gross floor area of a structure to the total area of the lot."

² Lot area is defined in Section 2-1(27) of the Boston Zoning Code as "the horizontal area of the lot exclusive (a) of any area in a street or private way open to public use . . . and (c) any salt-water area below the mean high-tide line."

³ This figure includes all vehicular and pedestrian ways located on the Site including the harborwalk.

⁴ This figure represents all of the Site which is under water.

"Lot Area" for purposes of
calculating Floor
Area Ratio under the
Boston Zoning Code 207,845 sq. feet

III. Floor Area Ratio: Gross floor
area of proposed buildings
(504,072 sq. ft.) divided by
the lot area of the Site
(207,845 sq. ft.) 2.43

2/5/88

BOSTON REDEVELOPMENT AUTHORITY

FACT SHEET

CLIPPERSHIP WHARF

East Boston, Massachusetts

DEVELOPER: Clippership Wharf Limited Partnership, with Related Companies Northeast, Inc. and Mitchell Development Corporation as general partners.

ARCHITECT: CBT/Childs, Bertman, Tseckares & Casendino, Inc.

ENVIRONMENTAL CONSULTANT: Vanasse Hangen Brustlin, Inc.

SITE DESCRIPTION: Approximately 13 acres of land and water along the waterfront in East Boston, bounded by the Boston Inner Harbor and Massport Pier 1 to the south, by Monsignor Jacobbe Road, the Heritage Apartments and Sumner Street to the north, by Lewis Mall and Lewis Street to the east and by Hodge Boiler Works to the west. The site is vacant and unused with the exception of the Hines & Smart Lobster Corporation facility, a lobster wholesaler. The site's existing wooden wharves and pier structures are in a deteriorated condition. Approximately 4 acres of the site is covered by water.

PROJECT DESCRIPTION: The project will consist of seven residential buildings, an approximately 378 space underground parking garage, open courtyards, a "harborwalk" along the waterfront perimeter of the site, a small marina, a community boating center, a transportation water shuttle for service within Boston Inner Harbor and other recreational and publicly accessible spaces. The project will consist of 335 condominium units and 35 rental units with ten of the condominium units to be targeted for moderate-income households, ten of the condominium units to be targeted for upper moderate-income households and all of the rental units to be targeted for low-income households. In connection with the rental housing, the Developer has agreed to provide the land upon which the housing will be built, to contribute \$500,000 to subsidize the affordability of the rental housing, and to cooperate with the BRA and the City in connection with the development and construction of the rental housing building.

PUBLIC BENEFITS: The project will include numerous public amenities including a waterfront perimeter harborwalk, a community boating facility and a water shuttle which will provide year round service between the project site and downtown Boston and an approximately 2,000 square foot community meeting room with conference area, kitchen and restroom

facilities. Lewis Mall, which borders the project to the east will be extended to the waterfront in order to increase the public's access to the water. The project is designed to preserve views of the Inner Harbor and the Boston Skyline and over 70% of the project land area will be devoted to open space, inclusive of vehicular and pedestrian ways. The Developer will provide complete funding for the renovation of the fourth floor of the East Boston Crossroads Family Shelter. The Developer will also contribute \$100,000 in ten annual installments of \$10,000 for the operation of the Crossroads Shelter; \$25,000 in ten annual installments of \$2,500 for the operation of the Daily Bread Food Pantry; \$50,000 for the operation of a youth drug and recreation program at the Maverick Housing Project; \$20,000 for equipment for skills and education programs at the Maverick Housing Project; approximately \$30,000 for a van for youth and adult outreach activities at the Maverick Housing Project and will provide full security services for the Heritage Elderly Apartments and Carlton Wharf. The Developer will also provide landscape improvements on Lewis Mall, plant trees in Maverick Square and provide free use of the community meeting room to East Boston neighborhood groups.

FINANCIAL INFORMATION:

(a) The total cost of constructing the project is estimated to be approximately \$85,000,000. Based on the City of Boston residential tax rates for fiscal year 1988, the project when completed is expected to generate new tax revenues in excess of one million dollars.

ZONING INFORMATION:

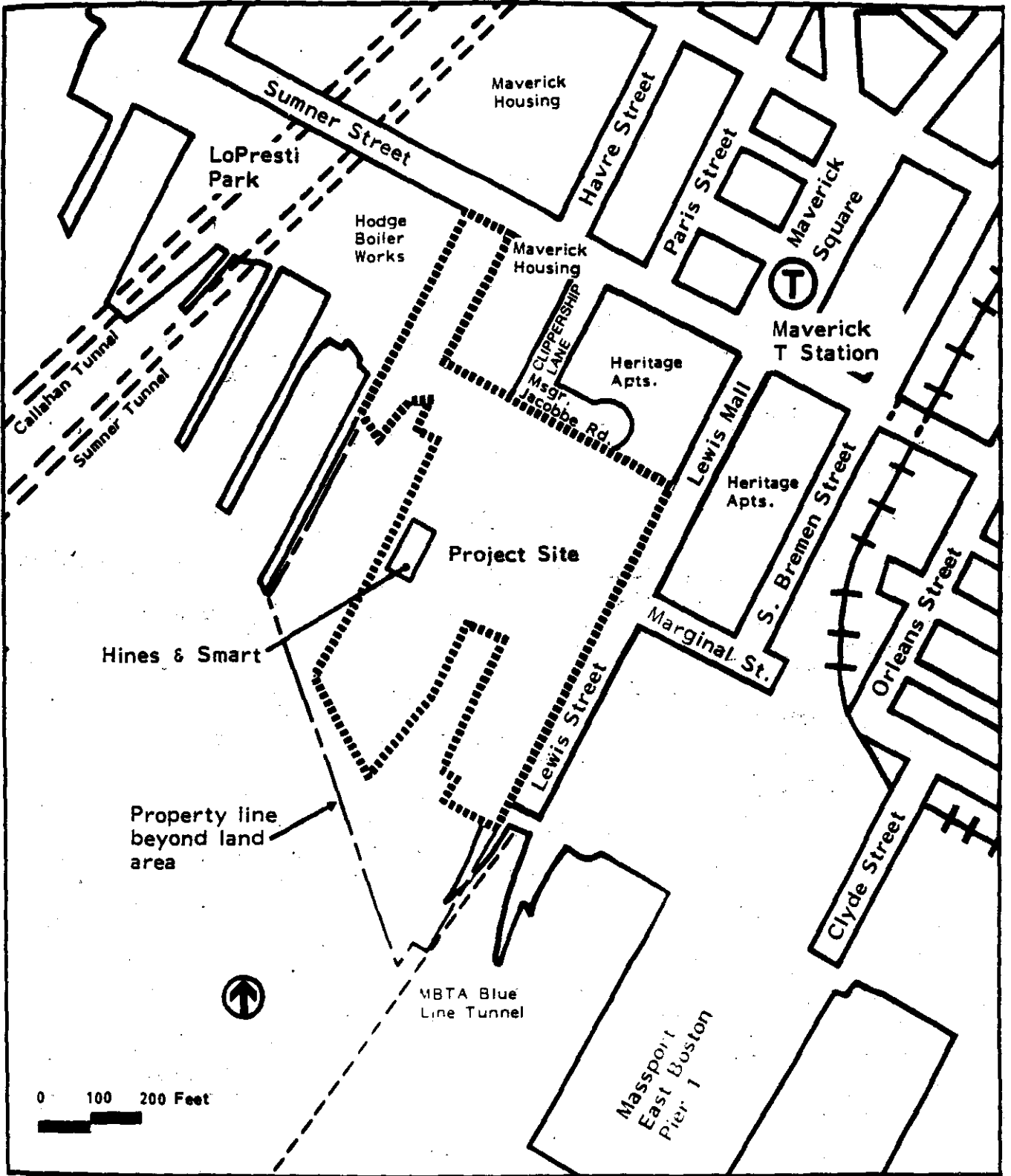
The Developer proposes that the project site be designated as a Planned Development Area pursuant to Section 3-1(A) of the Boston Zoning Code. The project area is located within a W-2 district. The zoning exceptions that will be required for the project are discussed in detail in the Development Plan.

ESTIMATED CONSTRUCTION TIME:

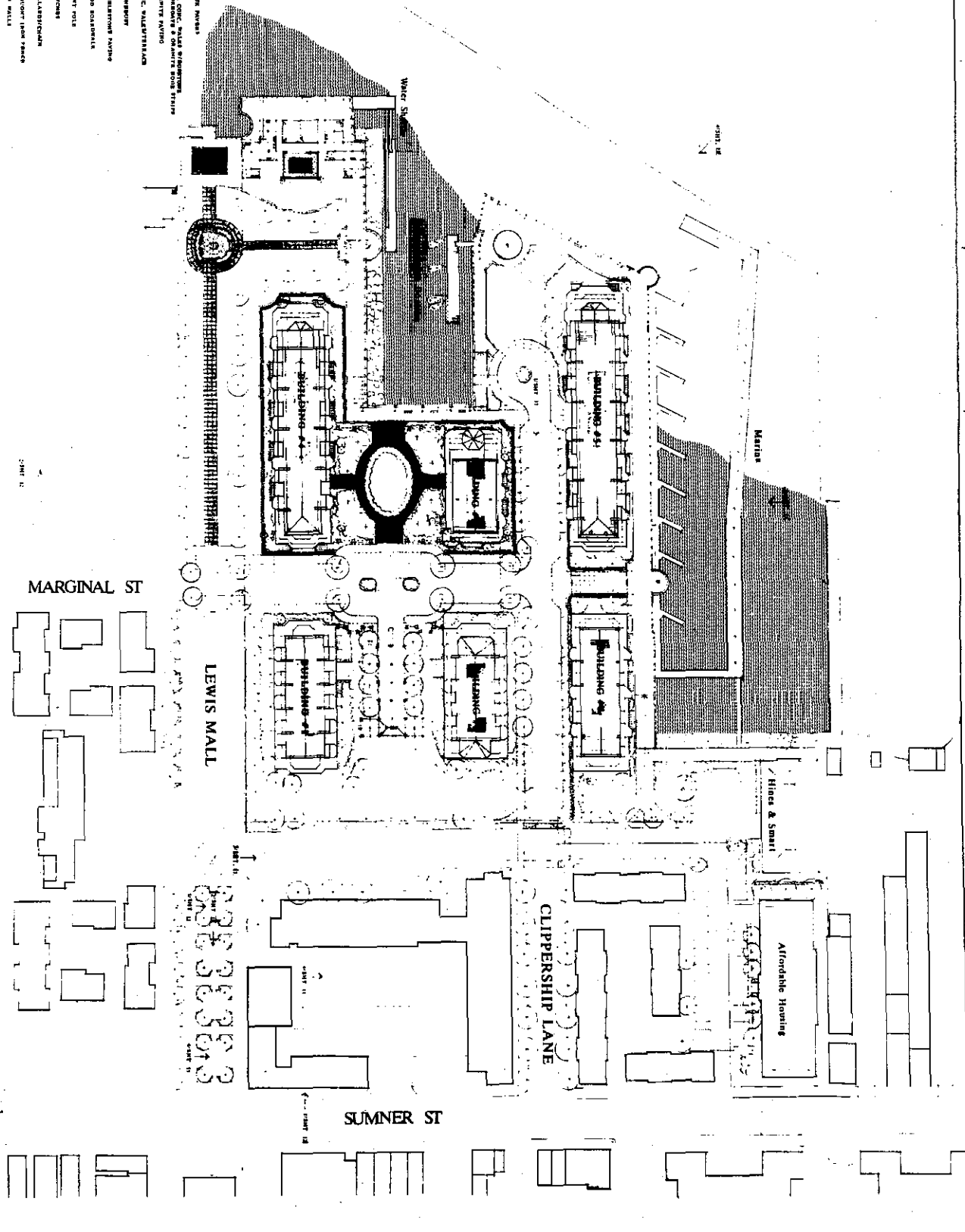
Subject to market conditions and the acquisition of necessary permits, construction is expected to commence during the summer or fall of 1988 and should be completed within four to five years.

PROJECTED NUMBER OF EMPLOYEES:

The project will generate an estimated 175 construction jobs on average per day. The operation of the condominium development is expected to require up to 10 to 12 persons.



- LEGEND**
- █ WATER AVENUE
 - ▨ MR. COPP, HALL, STEWART, ANDERSON & SMITH BOSS STRIP
 - ▨ ORNATE AVENUE
 - ▨ CONC. WALKWAYS
 - ▨ STONEWALL
 - ▨ COBBLSTONE PAVING
 - ▨ WOOD BOARDWALK
 - ▨ LIGHT POLE
 - ▨ MANHOLE
 - ▨ MILLSTONE
 - ▨ BRICK PAVEMENT
 - ▨ LOW WALL
 - ▨ PINE COVERED TRAILER
 - ▨ 2-1/2" HIGH SCHEDULE 40 METAL PIPE
 - ▨ 4" HIGH SCHEDULE 40 METAL PIPE
 - ▨ 6" HIGH SCHEDULE 40 METAL PIPE
 - ▨ 8" HIGH SCHEDULE 40 METAL PIPE
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 - ▨ 100" HIGH SCHEDULE 40 METAL PIPE



CLIPPERSHIP WHARF
EAST BOSTON, MASSACHUSETTS

CBT Charles Berenson Architects & Consultants Inc.
100 Commercial Street, Boston, MA 02110
Tel: 617-552-1234
Fax: 617-552-1235
www.cbt.com

SITE PLAN

SCALE: 1" = 40'-0"

Map Amendment Application No. 275
Planned Development Area No. 30
Boston Redevelopment Authority in
behalf of Clippership Wharf Limited
Partnership
East Boston: Clippership Wharf
W-2 to W-2-D

MAP AMENDMENT NO. 215
THE COMMONWEALTH OF MASSACHUSETTS
CITY OF BOSTON
IN ZONING COMMISSION

EFFECTIVE
April 12, 1988†

The Zoning Commission of the City of Boston, acting under Chapter 665 of the Acts of 1956 as amended, after due report, notice, and hearing does hereby approve the Development Plan for Planned Development Area No. 30 and amend Map 3 - East Boston, of the series of maps entitled "Zoning Districts - City of Boston", dated August 15, 1962, as follows:

By adding the suffix "D", indicating a Planned Development Area overlay district, to the existing W-2 designation of the parcel of land and water along the waterfront in East Boston bounded generally by Boston Inner Harbor and Massport Pier 1 to the south; by Lewis Street and Lewis Mall to the east; by Heritage Apartments, Monsignor Jacobbe Road, Maverick Housing, and Sumner Street to the north; and by the Hodge Boiler Works to the west. Said parcel is more particularly described in Exhibit A attached hereto and is shown on a plan dated May 7, 1986, revised June 24, 1986, entitled "Plan of Land, East Boston, Massachusetts, Surveyed for Harbor Landing Limited Partnership" prepared by Linenthal Eisenberg Anderson, Inc., which plan is Sheet A of the set of plans entitled "Clippership Wharf East Boston, Massachusetts", prepared by CBT/Childs, Bertman, Tseckares & Casendino, Inc.

†Date of public notice: March 4, 1988 (see St. 1956, c. 665, s. 5).

Exhibit A

Legal Description of the Site

A parcel of land in the City of Boston, Suffolk County, Massachusetts, bounded as follows:

- NORTHEASTERLY: By Sumner Street, 110.00 feet;
- SOUTHEASTERLY: by land of the Boston Housing Authority and by the westerly end of a way, 265.00 feet;
- NORTHEASTERLY: by the center line of said way, 190.00 feet;
- SOUTHEASTERLY: by the westerly end of Msgr. Albert A. Jacobbe Road, 25.00 feet;
- NORTHEASTERLY: by the southwesterly sideline of Msgr. Albert A. Jacobbe Road and by land of the Boston Housing Authority, 350.00 feet;
- SOUTHEASTERLY: by land of the Boston Housing Authority by Lewis Street and by land of owners unknown, 765.63 feet;
- SOUTHWESTERLY: by owners unknown, 24.00 feet;
- SOUTHEASTERLY: by the same, 50.00 feet;
- SOUTHWESTERLY: by the same, 3.50 feet;
- SOUTHEASTERLY: by the same, 135.00 feet;
- SOUTHWESTERLY: by the same, 13.00 feet;
- SOUTHEASTERLY: by the same, 54.57 feet;
- SOUTHWESTERLY: by the waters of Boston Harbor, 724.82 feet; and,
- NORTHWESTERLY: by land of John I. Lynch et al., 903.15 feet.

The Site, including portions of the Site under water, contains approximately 563,405 square feet (12.934 acres).

Development Plan for Planned Development

Area No. 30

Map Amendment Application No. 275

Map Amendment No. 215

Richard B. Fowler

Chairman

Vice Chairman

Joseph W. Joyce

Ed D. Conroy

Sean M. McFadden

Mutta Bernard Welch

John M. Watson

Robert Jordan

Edward J. Agostino

Ava M. Perry

In Zoning Commission

Adopted March 16, 1988

Attest:

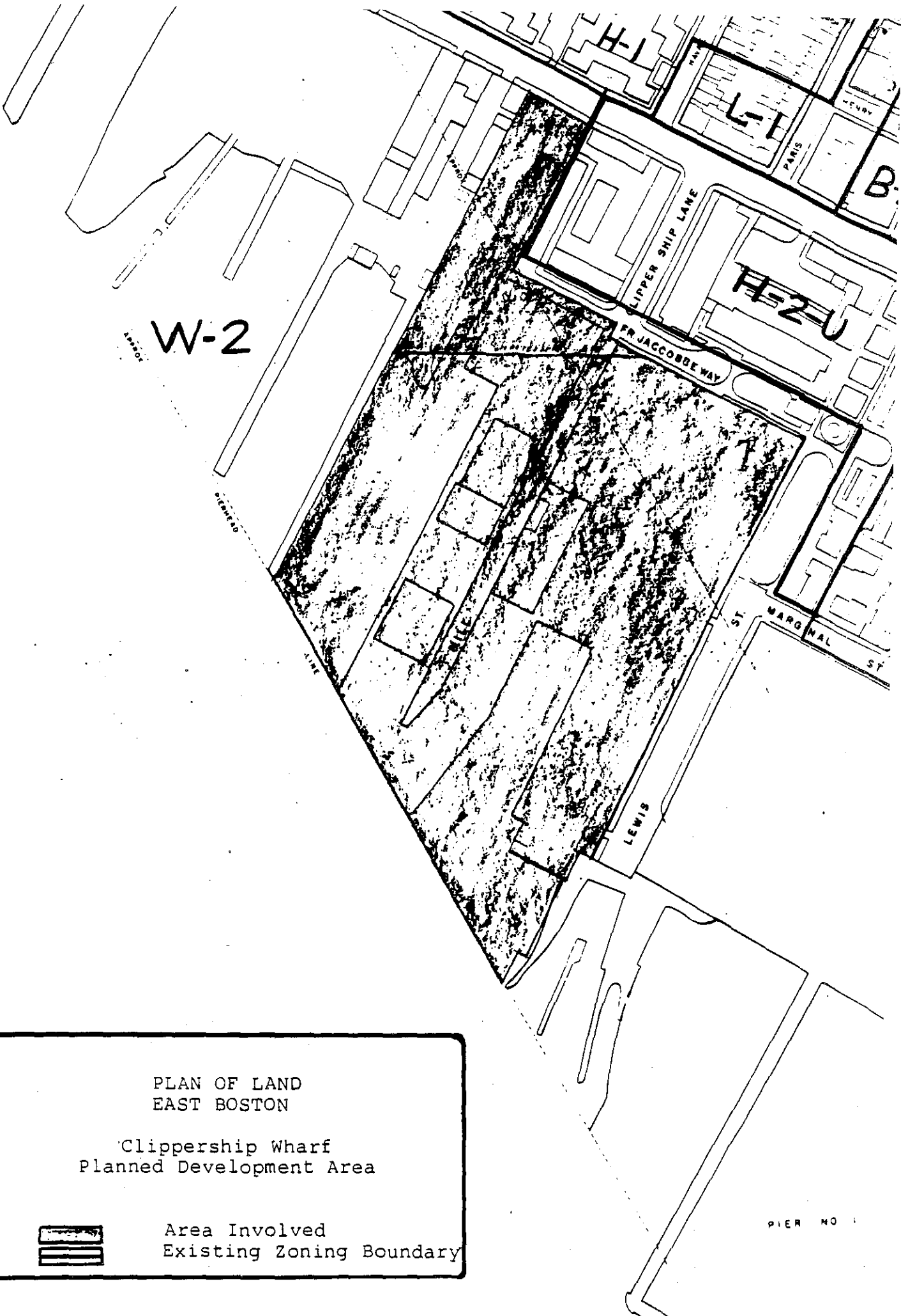
Marguerite Hildebrand
Secretary

Mayor, City of Boston

Date: _____

The foregoing amendment was presented to the Mayor on March 25, 1988, and was not returned by him with objections thereto in writing within fifteen days thereafter. The foregoing amendment, therefore, became effective on April 12, 1988, in accordance with the provisions of Section 3 Chapter 665 of the Acts of 1956

Attest: Marguerite Hildebrand



W-2

FF-2U

PLAN OF LAND
EAST BOSTON

Clippership Wharf
Planned Development Area



Area Involved
Existing Zoning Boundary