

CHAIRMAN STATEMENT

November 17, 2016

Development Plan for Planned Development Area No. 109

This is a public hearing before the Boston Redevelopment Authority, doing business as, the Boston Planning & Development Agency, being held in conformance with Article 80 of the Boston Zoning Code, to consider the Development Plan for Planned Development Area No. 109 in connection with the proposed Marine Wharf project in the South Boston neighborhood. The Proposed Project calls for the construction of an approximately 320,000 square foot hotel with 411 rooms.

The hearing was duly advertised on November 3, 2016 in the Boston Herald.

In a Boston Planning & Development Agency hearing on a proposed petition by the Agency, staff members will first present their case and are subject to the questioning by members of the Agency. Thereafter, others who wish to speak in favor of the proposed petition are afforded an opportunity to do so under the same rules of questioning. Following that, those who wish to speak in opposition may do so, again under the same rules of questioning. Finally, the proponents are allowed a brief period for rebuttal if they so desire. In an effort to accommodate all who would like to speak about this proposal, each person will be given up to two minutes to comment. BPDA staff will indicate when thirty seconds remain. At that time, please conclude your remarks so that the hearing may continue and others may be heard.

Gary will now begin the presentation.

MEMORANDUM

NOVEMBER 17, 2016

**TO: BOSTON REDEVELOPMENT AUTHORITY
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY
AND BRIAN P. GOLDEN, DIRECTOR**

**FROM: JONATHAN GREELEY, DIRECTOR OF DEVELOPMENT REVIEW
MICHAEL CHRISTOPHER, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW/GOVERNMENT AFFAIRS
GARY UTER, PROJECT MANAGER**

**SUBJECT: PUBLIC HEARING TO CONSIDER THE DEVELOPMENT PLAN FOR
PLANNED DEVELOPMENT AREA NO. 109, MARINE WHARF, 660
SUMMER STREET, RAYMOND L. FLYNN INDUSTRIAL PARK, PARCEL A,
SOUTH BOSTON, AND TO CONSIDER THE PROPOSED MARINE WHARF
PROJECT AS A DEVELOPMENT IMPACT PROJECT**

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority ("BRA") authorize the Director to: (1) approve the Development Plan for Planned Development Area No. 109, Marine Wharf, 660 Summer Street, Raymond L. Flynn Marine Park, Parcel A, South Boston (the "Development Plan"), pursuant to Section 80C of the Boston Zoning Code (the "Code"); (2) petition the Zoning Commission of the City of Boston for approval of the Development Plan and the accompanying map amendment, pursuant to Sections 3-1A.a and 80C of the Code; (3) issue a Scoping Determination Waiving Further review pursuant to Article 80, Large Project Review of the Code for the Marine Wharf Development (the "Proposed Project") described in the Development Plan; (4) authorize the Director to issue one or more Certification(s) of Compliance or Partial Certification(s) of Compliance for the Proposed Project pursuant to Section 80B-6 upon successful completion of the Article 80 review process; (5) authorize the Director to issue one or more Certification(s) of Consistency or Partial Certification(s) of Consistency for the Proposed Project pursuant to Section 80C of the Code; (6) approve the Proposed Project as a Development Impact Project ("DIP") within the meaning of Section 80B-7 of the Code; and (7) enter into a Cooperation Agreement, Development Impact Project

Agreement, Boston Residents Construction Employment Plan, and any and all related documents deemed appropriate and necessary by the Director in connection with the Development Plan and the Proposed Project.

PROJECT SITE

The Proposed Project has a street address of 660 Summer Street, which is an approximately 50,993 square foot parcel of land (or 1.17 acres) located within the Raymond L Flynn Marine Park in the South Boston Waterfront neighborhood of Boston. The site is located along a major Massachusetts Bay Transportation Authority bus route and is within walking distance from several Silver Line stations (the "Project Site").

DEVELOPMENT TEAM

The Development Team for the Proposed Project consists of:

Proponent: Harbinger Development LLC
Eamon O'Marah
John Matteson

Architect: Perkins + Will
Robert Brown
Sandra Smith
Morel Orta

Landscape Architect: Lemon Brooke
Christian Lemon
Jennifer Brooke

Legal Counsel: Dalton & Finegold, LLP
Jared Eigerman, Esq.

Permitting Consultants: Epsilon Associates, Inc.
David Hewett
Andy Magee
Erik Rexford

Transp. Consultant: Howard Stein Hudson
Elizabeth Peart

MEP Engineer: WSP Parsons Brinkerhoff
Jeremy Pinkham

DESCRIPTION AND PROGRAM

The Proposed Project includes the construction of a maximum 320,000 square foot hotel with 411 rooms, managed by two individually branded operators: Hampton Inn and Homewood Suites by Hilton. The hotel will include a mix of approximately 245 select-service hotel rooms and 166 extended-stay hotel rooms, as well as approximately 3,500 square feet of ground floor restaurant, retail, and service uses. Parking for approximately 75 vehicles will be located in an approximately 25,000 square foot, second-floor garage, accessed from the hotel courtyard, off Terminal Street. The Proposed Project will have a maximum building height of 160 feet.

It is estimated that the Proposed Project will have a total development cost of approximately \$160,000,000.

ARTICLE 80 REVIEW PROCESS

On January 19, 2016, the Proponent filed a Letter of Intent in accordance with the BRA's policy regarding Provision of Mitigation by Development Projects in Boston.

The Proponent filed a Project Notification Form ("PNF") and the Development Plan for the Proposed Project on August 9, 2016. Notice of the receipt by the BRA of the PNF and the Development Plan was published in the Boston Herald on August 9, 2016, which initiated a public comment period, which was extended until September 23, 2016. The notice, the PNF and the Development Plan were sent to the City's public agencies pursuant to Section 80A-2 of the Code.

Pursuant to Section 80B-5.3 of the Code, a Scoping Session was held on August 24, 2016 with the City's public agencies during which the Proposed Project was reviewed and discussed.

On September 13, 2016, the BRA held a Public Meeting to discuss the PNF and the Development Plan at 22 Drydock Avenue. The meeting was advertised in South Boston Online and South Boston Today on September 6, 2016, listed on the BRA website, and distributed to the South Boston email list.

The Proposed Project also comes under jurisdiction of the Boston Civic Design Commission ("BCDC"), pursuant to Article 28 of the Code. The Proposed Project was approved by BCDC on November 1, 2016.

ZONING

The entire Project Site is located within: (i) the underlying I-2 General Industrial zoning district; (ii) Restricted Parking Overlay District (RPOD); and (iii) the South Boston Parking Freeze Area Piers Zone established in accordance with 310 CMR 7.33 and Section III of the Procedures and Criteria for Issuance of Parking Freeze Permits of the City of Boston Air Pollution Control Commission. A small portion of the site, at its northwesterly corner, is located within the South Boston Interim Planning Overlay District ("South Boston IPOD"), established in accordance with Article 27P of the Code. No portion of the new hotel building is proposed within the South Boston IPOD.

The Project Site is included within an area subject to multiple detailed planning and community review processes, which resulted most notably in the development of: the Final Master Plan of the Boston Marine Industrial Park ("MIP Master Plan"); the Port of Boston Economic Development Plan; and, the Seaport Public Realm Plan.

Zoning relief for the site is being pursued via Sections 3-1A.a and 80C (Planned Development Area Review) of the Code.

PUBLIC BENEFITS

The underlying I-2 General Industrial district does not establish planning and development criteria, including public benefits, for Planned Development Areas. However, the Proposed Project will provide the following substantial direct benefits:

Public Access and Open Space

- New street lighting, signage, plantings, and public seating.
- Inclusion of approximately 3,500 square feet of ground-floor restaurant-retail-services use, plus other ground-floor public amenities.
- Publicly accessible corridors through the new hotel building, connecting to a public courtyard on site, and existing parkland beyond owned by BRA/Economic Development and Industrial Corporation ("EDIC").

- One-time contribution of \$50,000 toward capital improvements at Martin Richard Park, to be located along Fort Point Channel, at Children's Wharf.
- Maintenance of adjacent EDIC open space.

Support for Adjacent Uses

- Development of a long vacant parcel at the Summer Street entrance to the Raymond L. Flynn Marine Park.
- Addition of both select-service and extended-stay hotel rooms to support the expansion of the vibrant live, work, and play area that the Seaport District has become.
- Placement of a variety of accommodations within walking distance to the more than 380,000 passengers who use Cruiseport Boston each year.

Financial

- Investment of approximately \$160 million in development costs, including approximately \$110 million in construction costs.
- Estimated Development Impact Project payments of nearly \$2.0 million.
- Significant increase in state sales and local sales, hotel occupancy, and property tax revenues through new commercial uses.
- Creation of approximately 250 full-time-equivalent ("FTE") construction-phase employment opportunities, and approximately 105 new FTE permanent jobs on the Project Site.

Environment

- Design to be LEED-certifiable at a "Gold" level, consistent with Article 37 (Green Buildings) of the Code.
- Stormwater 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.

- Incorporation of resilient design strategies in order to account for sea-level rise and other aspects of climate change.

DEVELOPMENT IMPACT PROJECT (“DIP”) EXACTION

The 2016 Proposed Project constitutes a DIP under Article 80B-7 of the Code. Based on the present plans, the Proponent will provide the Neighborhood Housing Trust payment contribution of approximately \$1,626,300 and a Neighborhood Jobs Trust payment contribution of \$325,650. These estimated linkage payments are calculated as follows:

Housing Linkage:

DIP Uses	295,000	square feet (garage excluded)
Exclusion	-100,000	
	195,000	
	<u>x \$8.34</u>	/square foot
	\$1,626,300	

Jobs Linkage:

DIP Uses	295,000	square feet (garage excluded)
Exclusion	-100,000	
	195,000	
	<u>x \$1.67</u>	/square foot
	\$325,650	

The DIP gross floor area for the 2016 Proposed Project is subject to final calculation based on the final design plans and applicable provisions of the Development Impact Project Agreement.

RECOMMENDATION

Based on the foregoing, BRA staff recommends that the BRA: (1) approve the Development Plan, which is being proposed by the Proponent pursuant to Section 80-C of the Code and associated Map Amendment; (2) authorize the Director of the BRA to petition the Zoning Commission to approve the Development Plan pursuant to Section 3-1A.a and 80C of the Code and the associated Map Amendment; (3) authorize the Director of the BRA to issue a Scoping Determination waiving further review pursuant to Section 80B-5.3(d) of the Code; (4) authorize the Director of the BRA to issue one or more Certifications of Compliance or Partial Certifications of Compliance for the Proposed Project pursuant to Section 80B-6 of

the Code, upon successful completion of Article 80 Large Project Review; (5) authorize the Director of the BRA to issue one or more Certifications of Consistency or Partial Certifications of Consistency for the Proposed Project pursuant to Section 80C-8 of the Code, upon successful completion of Article 80 Planned Development Area Review; (6) approve the Proposed Project as a DIP within the meaning of Section 80B-7 of the Code; and (7) authorize the Director of the BRA to take any and all actions and execute any and all documents deemed necessary and appropriate by the Director in connection with the foregoing, including, without limitation, executing and delivering a Boston Residents Construction Employment Plan, a Cooperation Agreement, and a Development Impact Project Agreement.

Appropriate votes follow:

VOTED: That, in connection with the Development Plan for Planned Development Area No. 109, Marine Wharf, 660 Summer Street, Raymond L. Flynn Marine Park, Parcel A, South Boston (the "Development Plan") presented at a public hearing, duly held at the offices of the Boston Redevelopment Authority (the "Authority") on November 17, 2016, and after consideration of evidence presented at and in connection with the hearing, the Authority finds that with respect to the Development Plan that: (a) such Development Plan is not for a location or Proposed Project for which Planned Development Areas are forbidden by the underlying zoning; (b) the Marine Wharf project (the "Proposed Project") described in such Development Plan complies with any provisions of the underlying zoning, that establish use, dimensional, design or other requirements for Proposed Projects in Planned Development Areas; (c) such Development Plan complies with any provisions of the underlying zoning that establish planning and development criteria, including public benefits, for Planned Development Areas; (d) such Development Plan conforms to the plan for the district, sub-district, or similar geographic area in which the Planned Development Area is located, and to the general plan for the City as a whole; and (e) on balance, nothing in the Development Plan will be injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all benefits and burdens; and

FURTHER

VOTED: That the Authority hereby approves, pursuant to Sections 3-1A.a and 80C of the Boston Zoning Code (the "Code"), the Development Plan and associated Map Amendment, all in substantial accord with the

versions presented to the Authority at its public hearing on November 17, 2016; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to petition the Boston Zoning Commission pursuant to the provisions of Section 3-1A.a and Article 80C of the Code to approve the Development Plan and the associated Map Amendment, all in substantial accord with the versions presented to the Authority at its public hearing on November 17, 2016; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a Scoping Determination waiving further review (the "Scoping Determination") under Section 80B-5.3(d) of the Code which: (1) finds that the expanded Project Notification Form submitted to the Authority by Harbinger Development, L.L.C. (the "Developer") on August 9, 2016 adequately describes the impacts of the Proposed Project consisting of the construction of a new, fifteen-story hotel building of a maximum of 320,000 gross square feet; and (2) waives the requirement for the preparation and submission of a Draft Project Impact Report and Final Project Impact Report under subsections 4 and 5 of Section 80B-5 of the Code, subject to continuing design review by the Authority; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue one or more Certifications of Compliance or Partial Certifications of Compliance for the Proposed Project after the Director has determined that the Proposed Project complies with: (1) the terms of the Scoping Determination; and (2) to the extent applicable, the following provisions of the Code: (a) Section 80B-8, Disclosure of Beneficial Interests, (b) Section 80C-8, Planned Development Area Review, and (c) Article 28, Boston Civic Design Commission review; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue one or more Certifications of Consistency or Partial Certifications of Consistency for the Proposed Project pursuant to Section 80C-8 of the Code when the Director finds that the Development Plan has been approved by the Authority and the Boston Zoning Commission in accordance with the

applicable provisions of Section 3-1A.a and Article 80C of the Code;
and

FURTHER

VOTED: That the Authority approve the Proposed Project as a Development Impact Project within the meaning of Section 80B-7 of the Code; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to take any and all actions and execute any and all documents deemed necessary and appropriate in connection with the foregoing, including, without limitation, executing and delivering a Boston Residents Construction Employment Plan, a Cooperation Agreement, a Development Impact Project Agreement, and any and all other documents as may be deemed necessary and appropriate by the Director upon terms and conditions determined to be in the best interest of the Authority, in connection with the Proposed Project and the Development Plan.

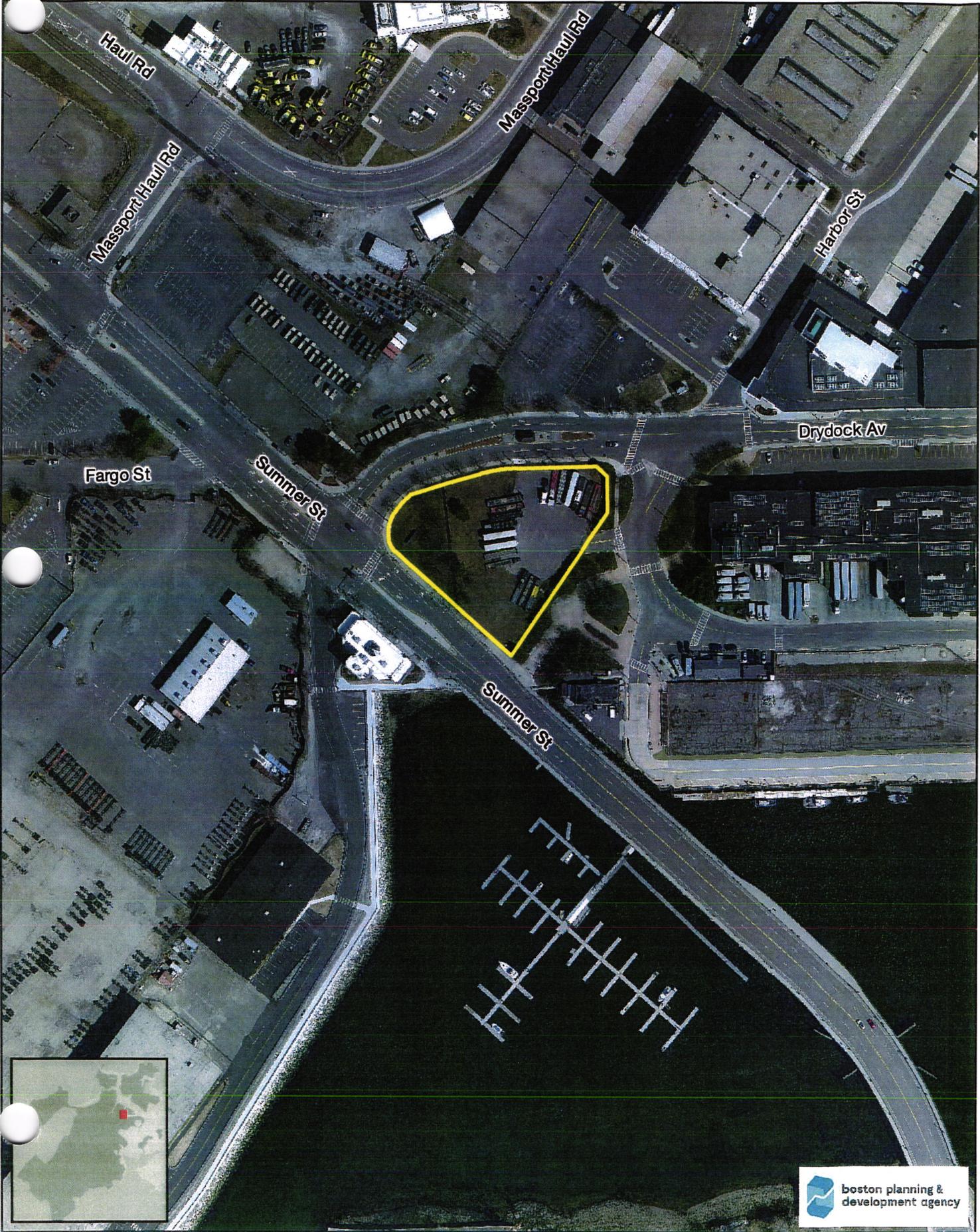
Marine Wharf

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Marine Wharf

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**DEVELOPMENT PLAN
FOR
PLANNED DEVELOPMENT AREA NO. 109**

MARINE WHARF

**660 SUMMER STREET
RAYMOND L. FLYNN MARINE PARK, PARCEL A
SOUTH BOSTON, MASSACHUSETTS**

November 17, 2016

1. Development Plan: Pursuant to Sections 3-1A and 80C of the Zoning Code (the “Code”) of the City of Boston (the “City”), this development plan constitutes the Development Plan for Planned Development Area (“PDA”) No. 109 (this “Development Plan”), for the redevelopment of the parcel in the South Boston neighborhood of Boston, commonly known as 660 Summer Street, and comprising so-called Parcel A of the Raymond L. Flynn Marine Park (the “Project Site,” or “Parcel A”). Upon approval, this Development Plan shall constitute permanent zoning for the Project Site.

The Economic Development Industrial Corporation (“EDIC”), which merged with the Boston Redevelopment Authority doing business as the Boston Planning & Development Agency (“BPDA”) in 1993, owns the Project Site. The BPDA/EDIC has tentatively designated Harbinger Development LLC (the “Proponent”) to enter into a long-term ground lease to redevelop Parcel A. The Project Site is more particularly described in Section 3, below, and in **EXHIBIT A**, attached. A site map and a survey of existing conditions at the Project Site are both attached, as **EXHIBIT B**. The Proponent proposes to develop a dual-branded, 411-room hotel at the Project Site, as further described in Section 4, below (the “Project”).

This Development Plan consists of nine (9) 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, Harbinger Development LLC, is a Delaware limited liability company, with its business address at P.O. Box 812111, Wellesley, MA 02482. Members of the Project team are identified on **EXHIBIT C**.

3. Project Site: The Project Site is currently undeveloped, and comprises approximately 50,993 square feet (“sf”), or 1.17 acres, commonly known as Parcel A of the Raymond L. Flynn Marine Park (the “Marine Park”).¹ Although Parcel A is located within

¹ When the MIP Master Plan (defined below) was adopted in 2000, the Project Site was understood to include two parcels: Parcel A and Parcel A-1. EDIC now refers to both, together, as “Parcel A.”

the Marine Park, it has no immediate access to the adjacent Reserved Channel, and it is not located within the South Boston Designated Port Area (“South Boston DPA”). Please refer to the legal description of the PDA, attached as **EXHIBIT A**, as well as the site map and survey of existing conditions at the Project Site, attached as **EXHIBIT B**.

The Project Site is located within the area of the Boston Marine Industrial Park Master Plan (the “MIP Master Plan”), which the Executive Office of Environmental Affairs (now the Executive Office of Energy and Environmental Affairs [“EEA”]) approved on March 16, 2000. The MIP Master Plan is intended to guide future development within the Marine Park “in a manner that ensures a strong manufacturing and water-dependent industrial base in the City of Boston.” Parcel A is one of two sites in the Marine Park where development is not limited to either maritime or industrial projects. The MIP Master Plan provides that the Project Site’s attributes, in particular its exclusion from the South Boston DPA, allow it to serve a unique role within the context of the Marine Park, in that its proposed commercial uses can generate significant economic activity and jobs that will ultimately support the water-dependent and industrial uses of the Marine Park.

Parcel A, though contemplated in the MIP Master Plan, is not subject to the BPDA/EDIC-held Chapter 91 Master License (the “MIP Master License”) for the South Boston DPA-portion of the Marine Park. (DEP Waterways Lic. No. 10233, Special Cond’n #1a.) The MIP Master Plan requires that jurisdictional areas of parcels not subject to the MIP Master License obtain approval from the Massachusetts Department of Environmental Protection (“DEP”) in a process separate from the Master Written Determination.

The entire Project Site is located within: (i) the underlying I-2 General Industrial zoning district; (ii) the Restricted Parking Overlay District (the “RPOD”); and (iii) the South Boston Parking Freeze Area Piers Zone. An insignificant portion of the site, at its extreme northwesterly corner, is located within the South Boston Interim Planning Overlay District (the “South Boston IPOD”); no portion of the new hotel building is proposed within the South Boston IPOD.

Federal Emergency Management Agency (“FEMA”) Flood Insurance Rate Maps (“FIRM”) indicate that portions of the Parcel A lie within the 100-year flood zone, and within an area of moderate wave action (Community Panels Numbered 25025C 0081 J and 25025C 0083J). Along Drydock Avenue, a portion of the site is outside the special flood hazard area, with the remainder of the site designated as Zone AE, and therefore within a Flood Hazard Overlay District, regulated under Article 25 of the Code.

4. Project: As summarized in Section 1, above, the Project entails construction at the Project Site of a new hotel building with 411 rooms, managed by two individually branded operators. The hotel will include a mix of approximately 245 select-service hotel rooms, and 166 extended-stay hotel rooms, as well as approximately 3,500 sf of ground-floor restaurant-retail-services use, plus other ground-floor public amenities. Parking for approximately 75 vehicles will be located in an approximately 25,000-sf, second-floor garage, accessed from the hotel courtyard, off Terminal Street. There are three loading bays.

The total gross floor area (“GFA”) of the Project is a maximum of 320,000 square feet (“sf”), with a maximum floor area ratio (“FAR”) of 6.3. The new building will have 15-

stories, and have a building height of up to 160 feet. A proposed landscape plan, a proposed circulation plan, four proposed elevations, and a series of rendered views for the Project (the “Project Drawings”) are attached as **EXHIBIT D**.

The Project is designed to comply with all applicable regulations imposed under Article 25 of the Code for development in a special flood zone. The hotel building will be built with a base elevation above the 100-year flood elevation. The base grade of any adjacent open space will not be significantly elevated, but will be graded and landscaped to limit wave run-up. There are no below-grade structures or occupied spaces.

5. **Large Project Review:** The Project will undergo Large Project Review pursuant to Section 80B of the Code. On January 18, 2016, the Proponent filed a Letter of Intent to the BPDA in accordance with Mayor’s Executive Order of October 10, 2000, as amended, governing mitigation for development projects. On August 9, 2016, an Expanded Project Notification Form (“EPNF”) was filed for the Project, along with this Development Plan, a Fact Sheet, and a map of the PDA.

Large Project Review has included meetings with nearby property and business owners, as well as other members of the public. Also on August 9, 2016, this EPNF, as well as this Development Plan and other Project-related documents were submitted to the Impact Advisory Group formed for the Project (the “IAG”). The Project team met with the IAG on November 8, 2016, and presented information about the Project.

Under Section 80B-7 of the Code, a Development Impact Project (“DIP”) is required to make mitigation payments, or provide equivalent in-kind contributions, to create affordable housing and job-training programs. The Project constitutes a DIP for purposes of Section 80B-7, and will comply by paying a housing exaction of \$8.47 and a jobs-creation exaction of \$1.67, for each gross square foot of hotel or restaurant-retail-services floor area in excess of 100,000 square feet, minus the Project’s accessory parking garage space.

6. **Proposed Location, Dimensions, and Appearance of Structures:** Parcel A is one of two “gateways” to the Marine Park (the other is at Seaport Boulevard/Northern Boulevard), and so the building and landscape program is intended to redefine the Marine Park’s Summer Street entrance. The Project will help to create the Marine Park’s “sense of place” in relation to the nearby South Boston Seaport developments and the Boston Convention and Exposition Center (“BCEC”), by creating a bookend to the Summer Street corridor, and by improving the Marine Park’s connectivity to the adjacent neighborhood. The proposed location, dimensions, and appearance of the structures at the Project 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 BPDA staff review of the Project, or as a result of review by other agencies, and as agreed upon by the BPDA, but will remain within the dimensional maximums set forth in this Development Plan.

7. **Proposed Uses:** As noted in Section 4, above, after completion of the Project, the Project Site will include a maximum of 320,000 sf of gross floor area, which includes up to 411 hotel rooms, and approximately 3,500 sf of ground-floor restaurant-retail-

services use, plus other ground-floor public amenities. Expected hotel amenities include meeting spaces, restaurants, fitness center, indoor pool, and an exterior terrace on the third floor. For a list of the uses permitted by right at the Project Site, please see **TABLE 1**, below.

Table 1: Uses Permitted by Right

Location	Uses Permitted by Right
Interior	Hotel uses; Retail uses; Service uses; Restaurant uses; Entertainment and Recreational Uses; Cultural uses; Community uses; Bank and Postal uses; Accessory services for Hotel, Retail, Service, Restaurant, Entertainment and Recreational, Cultural, Community, and Bank and Postal Uses; Accessory uses; and Accessory parking
Exterior	Vehicular, bicycle, and pedestrian circulation; Open space; and Accessory uses

8. **Densities:** There is no maximum floor area ratio (“FAR”) for PDA development plans approved within the I-2 General Industrial district. As noted in Section 4, above, the total GFA of the Project is a maximum of 320,000 sf. Given the Lot Area of approximately 50,993 sf, this generates a total FAR of approximately 6.3, which is the maximum FAR allowed pursuant to this Development Plan.

9. **Building Heights:** There is no building height for PDA development plans approved within the I-2 General Industrial district, just as there is none for by-right projects within that district. As noted in Section 4, above, the new building will have a building height of up to 15 stories, and up to 160 feet, as defined under Article 2A of the Code.

10. **Public Access and Open Space:** The new building has been designed to enhance the pedestrian experience around the Project Site. Along Summer Street will be a newly tree-lined sidewalk and a generous building setback, to create an expanded pedestrian plaza between the ground-floor uses and Summer Street. The expanded building setback along Summer Street will also allow seasonal expansion outdoors by ground floor commercial tenants. The Project will improve pedestrian access to Marine Industrial Park Entrance Plaza from the Marine Park’s Summer Street entrance considerably, by replacing the existing barriers with high-quality hardscaping, lighting, and other public amenities. A planted, pedestrian streetscape is proposed on the Drydock Avenue edge of the site. Finally, the hotel’s proposed courtyard entrance on Terminal Street will facilitate easy drop-off and pick-up, away from the high traffic volumes at the intersection of Summer Street and Drydock Avenue, to the benefit of vehicles, pedestrians, and bicycles, alike. Please refer to the landscape and circulation plans included in **EXHIBIT D**, attached.

11. **Proposed Traffic Circulation:** Vehicles will access Parcel A using Terminal Street, and proceed either to the circular drop-off driveway, or to the parking garage ramp located beyond the circular driveway, at the southwesterly edge of the site. The circular driveway will have capacity for approximately nine (9) vehicles, and will be used primarily by taxicabs and other ride-sharing services that are picking-up or dropping-off passengers, and

by hotel guests in private automobiles who are arriving on-site for the first time and checking-in. Subsequent automobile trips by hotel guests will proceed directly to the on-site parking garage via the circular driveway. 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 75 parking spaces on the Project Site, all located within the building's second level. Three (3) loading bays will be provided at grade.

13. Access to Public Transportation: The Project Site is located close to several MBTA bus routes, most notably the MBTA Silver Line, which runs to Washington Street. MBTA bus routes 4 and 7 make stops at the Summer Street/Drydock Avenue intersection and the SL2 stops along Drydock Avenue at the Boston Design Center. The Proponent intends to implement Transportation Demand Management ("TDM") measures to reduce dependence on autos under a Transportation Access Plan Agreement ("TAPA") with the Boston Transportation Department ("BTD").

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 v3 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 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: The underlying I-2 General Industrial district does not establish planning and development criteria, including public benefits, for Planned Development Areas. (See Code § 80C-4.) However, the Project will provide the following substantial direct benefits:

Public Access and Open Space

- New street lighting, signage, plantings, and public seating.
- Inclusion of approximately 3,500 sf of ground-floor restaurant-retail-services use, plus other ground-floor public amenities.
- Publicly accessible corridors through the new hotel building, connecting to a public courtyard on site, and existing parkland beyond owned by BPDA/EDIC.

- One-time contribution of \$50,000 toward capital improvements at Martin Richard Park, to be located along Fort Point Channel, at Children’s Wharf.
- Maintenance of adjacent EDIC open space.

Support for Adjacent Uses

- Development of a long vacant parcel at the Summer Street entrance to the Raymond L. Flynn Marine Park.
- Addition of both select-service and extended-stay hotel rooms to support the expansion of the vibrant live, work, and play area that the Seaport District has become.
- Placement of a variety of accommodations within walking distance to the more than 380,000 passengers who use Cruiseport Boston each year.

Financial

- Investment of approximately \$160 million in development costs, including approximately \$110 million in construction costs.
- Estimated Development Impact Project payments of nearly \$2.0 million.
- Significant increase in state sales and local sales, hotel occupancy, and property tax revenues through new commercial uses.
- Creation of approximately 250 full-time-equivalent (“FTE”) construction-phase employment opportunities, and approximately 105 new FTE permanent jobs on the Project Site.

Environment

- Design to be LEED-certifiable at a “Gold” level, consistent with Article 37 (Green Buildings) of the Code.
- Stormwater 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.
- 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 will require other government approvals in addition to this Development Plan. As noted in Section 5, above, the Project is undergoing Large Project Review pursuant to Article 80 of the Code. The Proponent filed the EPNF for the Project on August 9, 2016.

Under Article 28 of the Zoning Code, the Boston Civic Design Commission (“BCDC”) must review any new construction of over 100,000 sf, and, to the extent that a PDA development plan is established, BCDC may provide review based upon applicable design guidelines. BCDC approved the Project on November 1, 2016.

As noted above, the use of Parcel A has been the subject of several planning efforts, including review under the Massachusetts Environmental Policy Act, MGL c. 30 secs. 61 *et seq.* (“MEPA”) as a component of the MIP Master Plan update for the Marine Park (EEA #8161). The Secretary of Energy and Environmental Affairs (“EEA”) issued a MEPA Certificate for the MIP Master Plan on March 16, 2000. The Project is subject to MEPA jurisdiction because the lease of the property by the EDIC to the Proponent constitutes a “Land Transfer” as defined in the MEPA regulations. The Project exceeds MEPA review thresholds requiring the filing of an Environmental Notification Form (“ENF”). On September 15, 2016, the Proponent filed an ENF with the MEPA Office. By a certificate dated October 21, 2016, the EEA Secretary determined that the Project does not require an Environmental Impact Report (“EIR”).

The Project Site is located within the former Boston Army Supply Base (MHC # BOS.RT), which is included in the Inventory of Historic and Archaeological Assets of the Commonwealth, and which is determined eligible for listing in the National Register of Historic Places. The Project will potentially be subject to State Register Review (950 CMR 71.00 *et seq.*) by the Massachusetts Historical Commission (“MHC”), as a result of the need for one or more state permits, or other state actions. MHC received a copy of the ENF, thus satisfying State Register Review.

Portions of the Project are subject to review and licensing under the Massachusetts Public Waterfront Act, M.G.L. c. 91, and the Waterways Regulations at 310 CMR 9.00 *et seq.* (together, “Chapter 91”). As noted in Section 2, above, the Project Site is not subject to the MIP Master License for the DPA-portion of the Marine Park. Accordingly, the Proponent will submit an application for a Waterways License with DEP.

The Project Site is located adjacent to existing parkland owned by BPDA/EDIC. Accordingly, pursuant to Section 7-4.10 of the Boston Municipal Code, the Boston Parks and Recreation Commission may be required to grant authorization regarding the Project.

17. Development Schedule: The Proponent currently estimates that construction of the Project will take approximately 24 months, with initial work expected to begin in the middle of 2017, and concluding during the middle of 2019.

18. Applicability of this Development Plan: Consistency of the Project with this Development Plan, as evidenced by the issuance of a Certification of Consistency, 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 (defined in Section 22, below), provided that: (A) the use limitations and dimensional requirements of this Development Plan, other than FAR, with respect to each Project Component 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 Project Site and the Project. Final plans and specifications for the Project or Project Components (defined in Section 22, below) will be submitted to the BPDA 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 BPDA has issued a corresponding Certification of Consistency under Section 80C-8. To the extent that the BPDA 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 Project 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 Project 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.

EXHIBIT A

LEGAL DESCRIPTION OF THE PROJECT SITE

Beginning at the intersection of the northeasterly sideline of Summer Street and the northwesterly sideline of former Harbor Street. Thence running N 49°18'46" W along said northeasterly sideline of Summer Street, a distance of 220.96 feet to a point of curvature at the intersection of the northwesterly sideline of Summer Street and the southerly sideline of Drydock Avenue;

Thence turning and running on a curve to the right, having an radius of 30.07 feet, an arc length of 20.24 feet, a chord length of 19.86 feet, and a chord bearing of N 30°01'40" W to a point of compound curvature;

Thence turning and running on a curve to the right, having an radius of 48.50 feet, an arc length of 42.72 feet, a chord length of 41.35 feet, and a chord bearing of N 14°29'23" E to a point of compound curvature;

Thence turning and running on a curve to the right, having a radius of 172.23 feet, an arc length of 31.10 feet, a chord length of 31.06 feet, and a chord bearing of N 44°53'43" E to a point of non-tangency;

Thence turning and running N 73°33'43" E, a distance of 56.87 feet to a point;

Thence turning and running N 74°23'39" E, a distance of 47.24 feet to a point of curvature;

Thence turning and running on a curve to the right, having a radius of 223.00 feet, an arc length of 54.49 feet, a chord length of 54.35 feet, and a chord bearing of N 81°23'40" E to a point of tangency;

Thence running N 88°23'39" E, a distance of 114.55 feet to a point;

Thence turning and running S 46°36'21" E, a distance of 20.00 feet to a point;

The last eight courses being along the sideline of Drydock Avenue;

Thence turning and running along said southerly sideline of Drydock Avenue S 01°36'21" E, a distance of 50.76 feet to the northwesterly sideline of former Harbor Street;

Thence turning and running along said northwesterly sideline of former Harbor Street S 34°56'39" W, 242.71 feet to the point of beginning.

Containing an area of 50,933 Square Feet or 1.169 Acres.

LIST OF EXHIBITS

<u>EXHIBIT A</u>	LEGAL DESCRIPTION OF THE PROJECT SITE
<u>EXHIBIT B</u>	SITE MAP AND SURVEY OF EXISTING CONDITIONS
<u>EXHIBIT C</u>	PROJECT TEAM
<u>EXHIBIT D</u>	PROJECT DRAWINGS
	- LANDSCAPE PLAN
	- CIRCULATION PLAN
	- SOUTH/NORTH AND EAST/WEST PROPOSED ELEVATIONS
	- RENDERED VIEWS

EXHIBIT B

SITE MAP AND SURVEY OF EXISTING CONDITIONS

[inserted behind]

EXHIBIT C

PROJECT TEAM

Proponent: Harbinger Development LLC
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Eamon C. O'Marah
John M. Matteson

Land Owner: Economic Development and Industrial Corporation (EDIC)
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(617) 918-6221
Dennis Davis, Deputy Director for
Industrial Development &
Commercial Leasing

Architects: Perkins + Will
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Robert Brown
Sandra Smith
Morel Orta

Landscape Architects: Lemon Brooke
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Christian Lemon
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Jeremy Pinkham

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Boston, MA 02118
(617) 357-9740
Karl A. McCarthy
Sean McDonagh

EXHIBIT D

PROJECT DRAWINGS

- LANDSCAPE PLAN
- CIRCULATION PLAN
- SOUTH/NORTH AND EAST/WEST PROPOSED ELEVATIONS
- RENDERED VIEWS

[inserted behind]