

VIEW FROM BENNINGTON STREET.

Application for Article 80 Small Project Review Boston Redevelopment Authority May 19, 2015

Developer/Proponent: Velkor Realty Trust / Brian J. Hosker

Architect: Clinton Design Architects
Counsel: The Law Offices of Richar

The Law Offices of Richard C. Lynds

1216 Bennington Street Boston, Massachusetts 02128

Tel. 617-207-1190

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LAW OFFICES OF RICHARD C. LYNDS

1216 BENNINGTON STREET E. BOSTON, MASSACHUSETTS 02128 TEL: 617.207.1190 FAX: 617.207.1195

EMAIL: RCLYNDSESQ@LORCL.COM

May 15, 2015

VIA IN HAND DELIVERY

Mr. Brian Golden, Director Boston Redevelopment Authority One City Hall Square Boston, MA 02201-1007

Re: Project Notification Form

Article 80 Small Project Review Application 1181-1183 Bennington Street, East Boston

Dear Director Golden:

This office represents the interests of Velkor Realty Trust and Brian J. Hosker (the "Proponent") with respect to the real property located at 1181-1183 Bennington Street, East Boston (Ward 1). On behalf of the proponent, please accept the enclosed application for Small Project Review pursuant to Article 80-E-2 of the Boston Zoning Code.

Situated on approximately 18,000 square feet of land, and within a few hundred yards of both Suffolk Downs and the Orient Heights Blue Line Train Stations, the proposed project contemplates the demolition of an existing auto repair shop and a multifamily dwelling in order to construct a four (4) story, 44 unit residential structure with on site parking for at least 44 vehicles beneath. The existing auto repair and multifamily home have no historic or architectural significance to the surrounding neighborhood. Its presence and appearance actually detracts from the neighborhood.

The proposed structure will contain approximately 49,000 square feet of gross floor area, with the 44 residential units located mainly on four levels. Seven (7) of the units will be designated "affordable" (15%) pursuant to the City of Boston's Inclusionary Development Policy. In what will be an important project for the Orient Heights Neighborhood, the building has been designed and modified with input from neighbors and residents of the Orient Heights community through community outreach and over the course of four (4) meetings held to date since

October, 2014 with the Orient Heights Neighborhood Council (OHNC) and abutters. In addition, the proponent has engaged in discussions with the local elected delegation and has had preliminary discussions with BRA staff. The goal of engaging in an early community process and dialogue was to ensure that the proposed development reflects the desires of the immediate community.

Attached to this application is the refusal letter issued by the Inspectional Services Department ("ISD") along with the Proponent's petition to the Board of Appeal requesting zoning relief for this project.

Thank you for your consideration and please do not hesitate to contact me if there are any questions.

Very truly yours,

Richard C. Lynds, Esq

cc: District One City Councilor Salvatore J. LaMattina

State Senator Anthony Petruccelli State Representative Adrian Madaro

Claudia Correa, Mayor's Office of Neighborhood Services

Orient Heights Neighborhood Councol Phil Cohen, BRA Project Manager

Project Team

Owner-Developer: Velkor Realty Trust Brian J. Hosker, Trustee

Legal Counsel:

Law Offices of Richard C. Lynds

1216 Bennington Street East Boston, MA 02128 Richard C. Lynds, Esq.; email rclyndsesq@lorcl.com Tel. 617-207-1190 Fax. 617-207-1195

Architect:

Clinton Design Architects

PO Box 6687 Holliston, MA 01746 Tel. 774-233-0176 Edward F. Clinton, NCARB, LEED AP Email: efc@clintondesign.com

Civil Engineer - Surveyor:

AGH Engineering 166 Water Street Stoughton, MA 02072 Tel. 781-344-2386 Antoni Szerszunowicz, PLS

Project Description

Located at 1181-1183 Bennington Street, in the Orient Heights Section of East Boston and just a few hundred feet from Suffolk Downs Train Station (Blue Line), the proposed project contemplates the demolition of an existing auto repair and auto salvage along with a multifamily dwelling in order to construct a four (4) story, 44 unit residential structure with on site parking for at least 44 vehicles beneath. The existing auto body and multifamily dwelling have no historic or architectural significance to the surrounding neighborhood. Their presence and appearance actually detracts from the neighborhood.

The proposed structure will contain approximately 49,000 square fee of gross floor area, with the 44 residential units located mainly on four levels. Seven (7) of the units will be designated affordable (15%) pursuant to the City of Boston's Inclusionary Development Policy. In what will be a substantial improvement for the site in the Orient Heights Neighborhood, the building has been designed and modified with input from neighbors and residents of the Orient Heights community through community outreach and over the course of four (4) meetings held since October 2014 with the Orient Heights Neighborhood Council (OHNC).

The following is a synopsis of the unit square footage and mix of unit types within the proposed building:

Type	Quantity
Market Rate Units - 2 Bedrooms BRA Restricted Affordable Units - 2 Bedrooms	37 7
Commercial Space	None

Unit Mix

Level	Name	RESIDENTI AL UNIT	Area	BEDROOM S	Comments
.evel 1	COMMON CORRIDOR		1603 SF	0	
_evel 1	UNIT 101	1	1018 SF	2	
evel 1	UNIT 102	1	968 SF	2	
.evel 1	UNIT 103	1	1013 SF	2	
.evel 1	UNIT 104	1	1013 SF	2	
.evel 1	UNIT 105	1	955 SF	2	
evel 1	UNIT 106	1	984 SF	2	
.evel 1	UNIT 107	1	906 SF	2	
evel 1	UNIT 108	1	1011 SF	2	
.evel 1	UNIT 109	1	1062 SF	2	
evel 1	UNIT 110	1	966 SF	2	
.evel 1	UNIT 111	1	1134 SF	2	
.evel 1: 12		11	12635 SF	22	
evel 2	COMMON CORRIDOR		1268 SF	0	
evel 2	UNIT 201	1	1018 SF	2	
evel 2	UNIT 202	1	968 SF	2	
evel 2	UNIT 203	1	1013 SF	2	
evel 2	UNIT 204	1	1013 SF	2	
evel 2	UNIT 205	1	955 SF	2	
evel 2	UNIT 206	1	984 SF	2	
evel 2	UNIT 207	1	906 SF	2	
evel 2	UNIT 208	1	1011 SF	2	
evel 2	UNIT 209	1	1062 SF	2	
evel 2	UNIT 210	1	966 SF	2	
evel 2	UNIT 211	1	1134 SF	2	
evel 2: 12		11	12300 SF	22	
evel 3	COMMON CORRIDOR		1268 SF	0	
evel 3	UNIT 301	1	1018 SF	2	
evel 3	UNIT 302	1	968 SF	2	
evel 3	UNIT 303	1	1013 SF	2	
evel 3	UNIT 304	1	1013 SF	2	
evel 3	UNIT 305	1	955 SF	2	
evel 3	UNIT 306	1	984 SF	2	
evel 3	UNIT 307	1	906 SF	2	
evel 3	UNIT 308	1	1011 SF	2	
evel 3	UNIT 309	1	1062 SF	2	
evel 3	UNIT 310	1	966 SF	2	
evel 3	UNIT 311	1	1134 SF	2	
	UNIT 311				
evel 3: 12	COMMON CODDIDOD	11	12300 SF	22	
evel 4	COMMON CORRIDOR		1268 SF	0	
evel 4	UNIT 401	1	1018 SF	2	
evel 4	UNIT 402	1	968 SF	2	
evel 4	UNIT 403	1	1013 SF	2	
evel 4	UNIT 404	1	1013 SF	2	
evel 4	UNIT 405	1	955 SF	2	
evel 4	UNIT 406	1	984 SF	2	
evel 4	UNIT 407	1	906 SF	2	
evel 4	UNIT 408	1	1011 SF	2	
evel 4	UNIT 409	1	1062 SF	2	
evel 4	UNIT 410	1	966 SF	2	
evel 4	UNIT 411	1	1134 SF	2	
-01017					

Neighborhood Context

The proposed project will be located at the intersection of Bennington Street and Palermo Street (Private Way) just north of Orient Heights Train Station (Blue Line). There are contains a mix of commercial, residential, and industrial properties in the immediate area, including buildings ranging from one story to four stories.

Public Benefits: Affordable Housing, Job Creation and Environmental Remediation

Housing in East Boston is at an all time high for demand, resulting in limited inventory and higher rents and purchase costs. The project will eliminate an incompatible industrial use in exchange for much-needed residential housing in a manner that is consistent with and complimentary to the surrounding neighborhood, thereby enhancing the residential nature of the community. The rehabilitation and conversion of this property into much-needed residential housing will also designate seven (7) of the residential units as affordable. The proposed project will continue to build upon the City's long standing goals of creating additional affordable housing.

In addition to the creation of housing and designation of certain affordable units, the proposed project will create a number of construction jobs as well, for which the project proponent is committed to hiring locally.

Lastly, as the site is presently the subject of a Department of Environmental Protection (DEP) Response Action Outcome under the provisions of G. L. c. 21E, the redevelopment of the site will result in remediation of the site to levels consistent with use for residential dwellings.

Traffic, Parking and Vehicular and Pedestrian Access

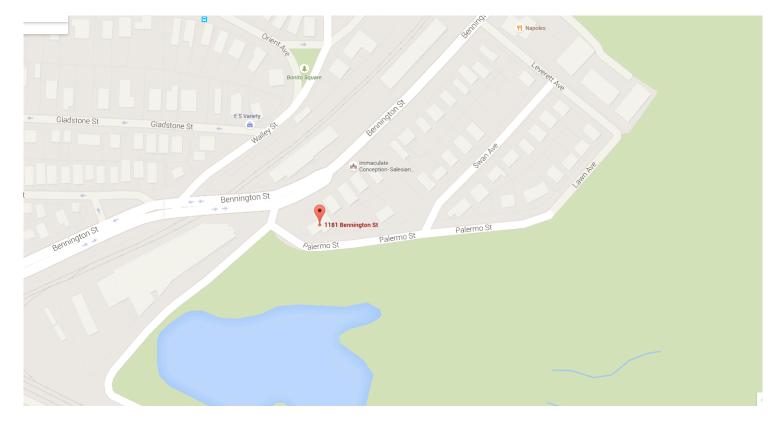
The proposed project will provide an opportunity for accessible, transit oriented housing which will be located along both an MBTA Bus Route and less than 150 yards from the entrance to the Suffolk Downs Train Station (Blue Line). The site is also located in close proximity to Orient Heights Station. In addition, the project proponent proposes to provide on site parking with at least forty four (44) parking spaces located in a garage beneath the building along with up to spaces for thirty (30) bikes.

Neighborhood Assessor Map

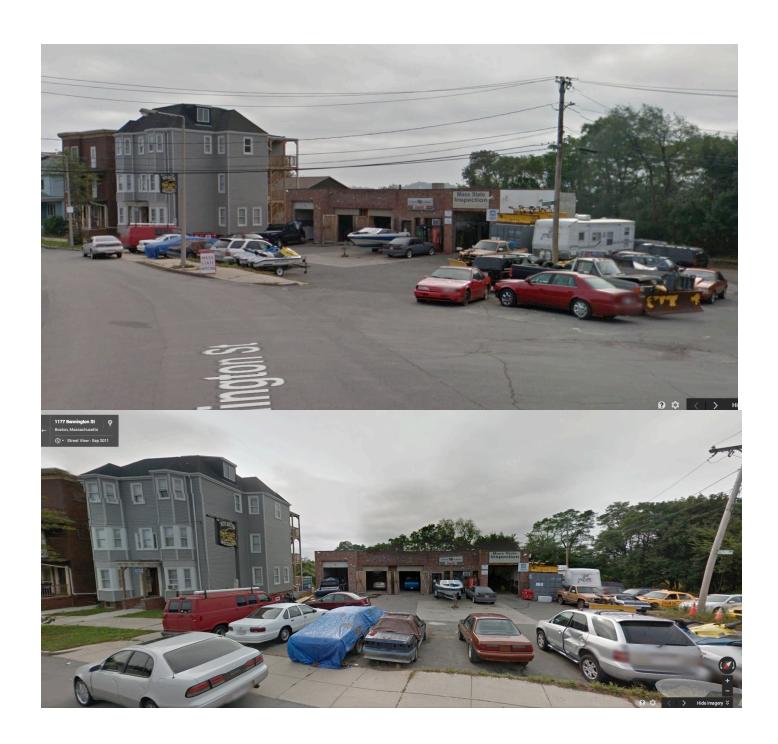


The Residences at 1181-1183 Bennington Street, East Boston Neighborhood Context (Location Map)

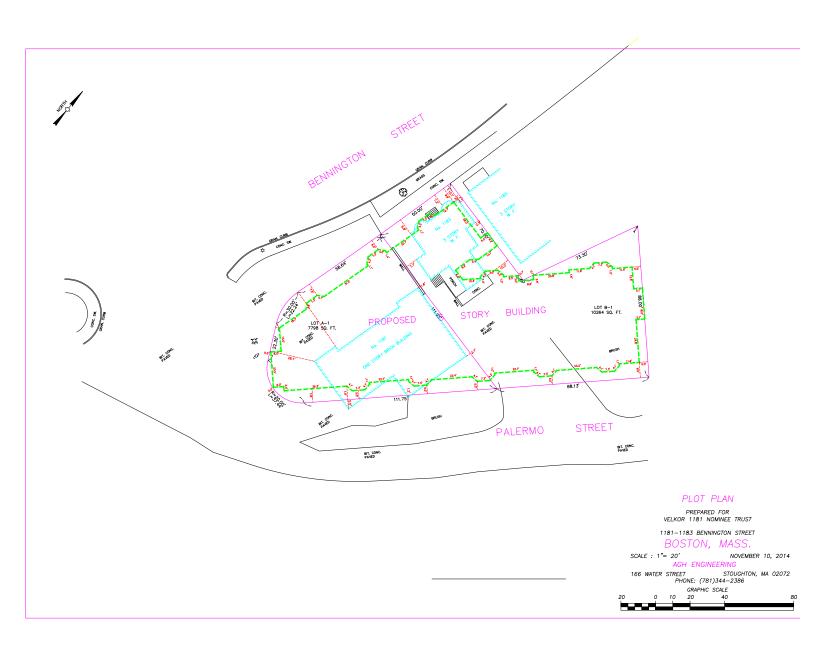




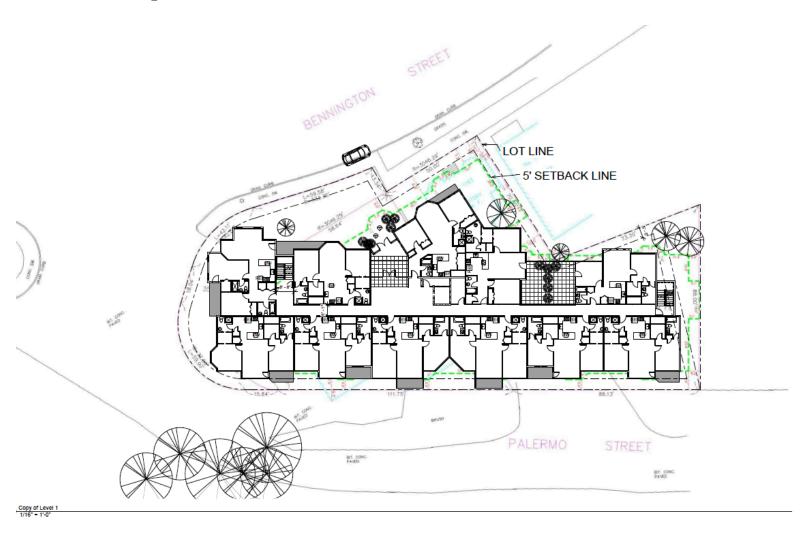
Neighborhood Context (Street View)



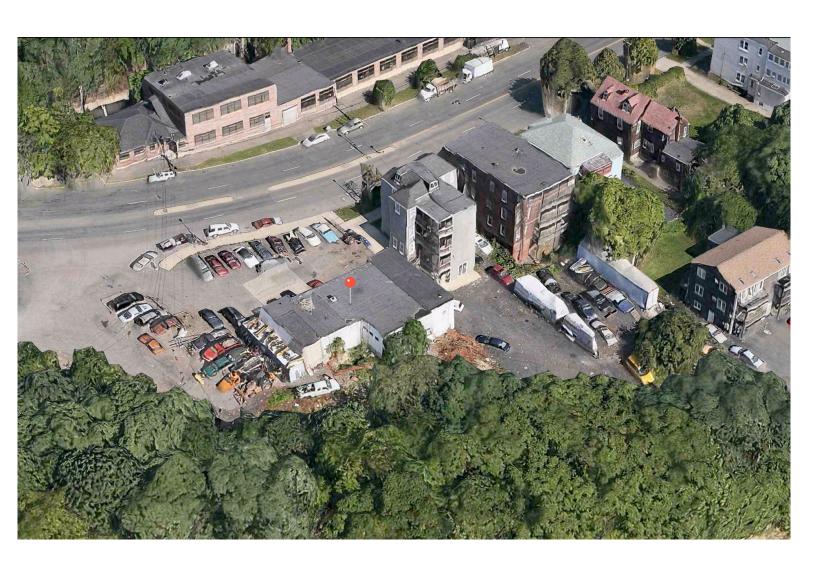
Existing Site Plan



Proposed Site Plan



Context Photographs



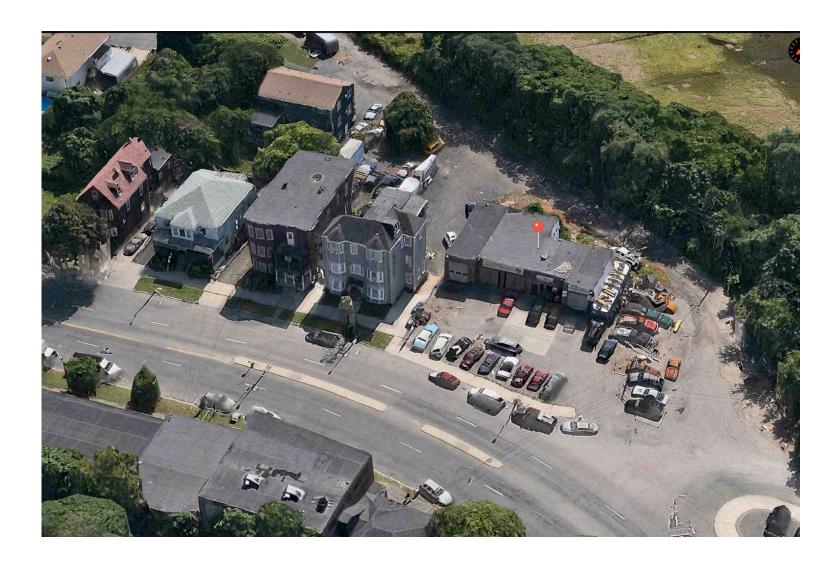
Neighborhood Photographs (Current Conditions)



Neighborhood Photographs (ctd)



Neighborhood Photographs (ctd)



Zoning Analysis

District: 3F-2000

Uses Permitted: 1, 2 and 3 Family Dwellings

Frontage and

Setbacks Required: Frontage 20'

Front Yard 5' or Modal

Side Yard 2.5' Rear Yard 30 Feet

Proposed Frontage and

Setbacks Provided Frontage >20 feet (Bennington);

Front Yard Modal

Side Yard Varies (Variance Requested)

Rear Yard 8 feet to >20 feet (Variance Requested)

FAR Allowed: 1.0

Total Site Area: 18,000 sq. ft.
Total Building Area Allowed: 16,000 sq. ft.
Total Building Area Proposed: 49,535 sf

FAR Provided: 2.88 (Variance Requested)

Height Allowed: 35 Ft / 3 Stories

Height Provided: (Varies) 45 Feet +/- /

4 Stories from grade to top of parapet (Variances Requested);

Parking spaces Required: 2.0 spaces per unit above 10 units (37 market rate x = 74 spaces)

0.7 spaces per affordable units (7 affordable x 0.7 = 4.9)

Total 79 Spaces requrired

Parking spaces Provided: 44 parking spaces on site (Variance Requested)

Open Space Required: 300 s.f. per dwelling unit $(44 \times 300 = 13,200 \text{ s.f.})$ of open space)

Open Space Provided: <13,200 s.f. (Variance Requested)

Anticipated Permits and Further Public Review

Pursuant to the requirements of Small Project Review under Article 80 of the Boston Zoning Code, the proposed project shall undergo further public comment and community process. Prior to submitting this Article 80 Application, however, the project team has conducted extensive preliminary outreach with local elected officials and has made four (4) presentations to the Orient Heights Neighborhood Council, which abutting land owners were notified of. This application includes the input received in the preliminary outreach process with interested parties.

The table below lists the public permits and approvals that are anticipated to be required for the project.

Anticipated Permits and Approvals

AGENCY	APPROVAL
Boston Redevelopment Authority	Article 80 Small Project Review
Boston Public Works Department	Curb cut improvements
Boston Transportation Department	Construction Management Plan; Signal Improvement
Boston Water and Sewer Commission	Site Plan approval for water and sewer connections
Public Improvement Commission	Specific repair plan approval; Discontinuance;
Zoning Board of Appeals	Variances
Inspectional Services Department	Review/Compliance State Building Code
Boston Landmarks Commission (if required)	Determination of Applicability
Boston Parks Commission	Parks Commission Approval
Boston Conservation Commission	Order of Conditions

Appendix A: Notice of Intent to File PNF

(See attached)

LAW OFFICES OF RICHARD C. LYNDS

1216 BENNINGTON STREET E. BOSTON, MASSACHUSETTS 02128 TEL: 617.207.1190 FAX: 617.207.1195

EMAIL: RCLYNDSESQ@LORCL.COM

May 19, 2015

VIA IN HAND DELIVERY

Mr. Brian Golden, Acting Director Boston Redevelopment Authority One City Hall Square Boston, MA 02201-1007

Re: NOTICE OF INTENT

Article 80 Small Project Review Application

245 Sumner Street, East Boston

Dear Director Golden:

The purpose of this letter is to notify the Boston Redevelopment Authority ("BRA") of the intent of Velkor Realty Trust, as prospective owner and developer of the parcel located at 1181-1189 Bennington Street, East Boston (the "Property") and defined below as the "Project Proponent" to file a Project Notification Form ("PNF") with the BRA under Article 80 Small Project Review.

Situated on approximately 18,000 square feet of land, and within a few hundred yards of both Suffolk Downs and the Orient Heights Blue Line Train Stations, the proposed project contemplates the demolition of an existing auto repair shop and a multifamily dwelling in order to construct a four (4) story, 44 unit residential structure with on site parking for at least 44 vehicles beneath. The existing auto repair and multifamily home have no historic or architectural significance to the surrounding neighborhood. Its presence and appearance actually detracts from the neighborhood.

The proposed structure will contain approximately 49,000 square feet of gross floor area, with the 44 residential units located mainly on four levels. Seven (7) of the units will be designated "affordable" (15%) pursuant to the City of Boston's Inclusionary Development Policy. In what will be an important project for the Orient Heights Neighborhood, the building has been designed and modified with input from neighbors and residents of the Orient Heights community through community outreach and over the course of four (4) meetings held to date since

October, 2014 with the Orient Heights Neighborhood Council (OHNC) and abutters. In addition, the proponent has engaged in discussions with the local elected delegation and has had preliminary discussions with BRA staff. The goal of engaging in an early community process and dialogue was to ensure that the proposed development reflects the desires of the immediate community.

Attached to this application is the refusal letter issued by the Inspectional Services Department ("ISD") along with the Proponent's petition to the Board of Appeal requesting zoning relief for this project.

Please advise at your earliest convenience if there are any questions you may have of the Project Proponent as we prepare to submit.

Very truly yours,

Richard C. Lynds, Esq

cc: District One City Councilor Salvatore J. LaMattina

State Senator Anthony Petruccelli State Representative Adrian Madaro

Claudia Correa, Mayor's Office of Neighborhood Services

Orient Heights Neighborhood Councol Phil Cohen, BRA Project Manager

Appendix B: Permitting Applications and Appeal Petition

ISD Zoning Code Refusal for ALT and Appeal Petition

This form must be completed and signed by the owner-of-record, their attorney and/or authorized agent. If form is not signed by property owner, please attach a signed letter of authorization designating the authorized agent.



APPEAL

under Boston Zoning Code

BOSTONIA. 1630. Bosto	on, Massachusetts .	February 19	, 20
To the Board of Appeal in the Inspection Services Department of 1181 Bennington Realty LLC The undersigned, being	(by Richard C. Lyr		ed agent)
The Owner(s) or at 1181-1183 Bennington Street	uthorized agent	Ward 1 - East E	Boston
of the lot atstreet	ward	district	
hereby appeal(s) under St. 1956, c. 665, s. 8, to the Board of Appe	eal in the Inspection	nal Services Depar	tment of the City
of Boston the action taken by Inspectional Services Commissione	er as outlined in th	e attached refusal	letter.
DESCRIBE IN DETAIL THE REASON(S) FOR THIS APPEAL Petitioner seeks to comibe lots 1516001 and 1516000 and erect ERT430945). On December 11, 2014 (updated), the Commiss 56, and 57 all as described in the Commissioner's Letter attach Petitioner seeks relief in the form of interpretation or in the alter accordance with Articles 6 and 7 of the Code. STATE REASONS FOR THIS PROPOSAL This proposal involves the construction of a newwmultifamily dv 18,062 square feet with parking beneath which will provide nee investment in the neighborhood. whil cleaning a contaminated states.	ct a 44 unit Dwellir sioner refused to is ned hereto and inco rnative a condition	ssue the permit cit orporated herein t al use permit and	ing Article 53-8, by reference.
PROVIDE REASONS WHY BOARD SHOULD GRANT RELIGIOUS The proposal seeks to add market rate housing in a neighborhous its proximity to public transportation The proposal is consister housing and is located in close proximity to multiple public transwill provide adequete off street parking. The Board may grant of the Code. COMMENTS	ood that has high on the with the scope s sportation nodes.	scale, density and In addition the pro	size of nearby posed project
For this and other reasons, which shall be presented to the Board at the Public Hearing, it is respectfully requested that the relief requested herein be granted.	AUTHORIZI	181 Bennington R Rich ED AGENT Law Offices of Ri	nard C. Lynds, Esq.
		1216 Bennington	Street
	TELEPHON	617-207-1190	,

® 31

617-207-1195



Mayor

Boston Inspectional Services Department Planning and Zoning Division

1010 Massachusetts Avenue Boston, MA 02118 Telephone: (617) 635-5300

ZONING CODE REFUSAL

Gary P. Moccia Inspector of Buildings

RICHARD LYNDS 1216 BENNINGTON STREET EAST BOSTON, MA 02128

December 11, 2014

Location:

1181 BENNINGTON ST EAST BOSTON, MA 02128

Ward:

Zoning District:

East Boston

Zoning Subdistrict:

2F-5000

Appl. #:

ERT430945

Date Filed:

Purpose:

December 01, 2014 On combined lots (A-1 with B-1) Construct 44 Unit Multifamily Dwelling with parking beneath as

per plans.

Parcel # 0101516001& 0101516000 = 18,062 sf

Anticipate ZBA

YOUR APPLICATION REQUIRES RELIEF FROM THE BOARD OF APPEAL AS SAME WOULD BE IN VIOLATION OF THE BOSTON ZONING CODE TO WIT: CHAPTER 665, ACTS OF 1956 AS AMENDED:

Violation	Violation Description	Violation Comments
Art. 09 Sec. 02	Nonconforming Use Change	Conditional
Art. 53 Sec. 01	Extension of nonconforming use is conditional	
Art. 53 Sec. 09 *	Dimensional Regulations	Side yard set back is insufficient
Art. 53 Sec. 09 *	Dimensional Regulations	Height excessive
Art. 53 Sec. 09 *	Dimensional Regulations	# of stories exceeded
Art. 53 Sec. 09 *	Dimensional Regulations	Rear yard setback is insufficient
Art. 53 Sec. 09 **	Floor Area Ratio Excessive	
Art. 53 Sec. 52	Roof Structure Restrictions	
Art. 53 Sec. 53-57	Appl. of dimensional Req.	Item #3) Traffic visibility across corner
Art. 53 Sec. 54	Screening/Buffering	None proposed
Art. 53 Sec. 56*	Off-St.Parking Requirements	Insufficient # of spaces due to handicap accessibility spots required in accordance with 521 CMR
Art. 53 Sec. 56*	Off-St.Parking Requirements	Design (Parking space size and maneuverability)
Art. 53 Sec. 57	Dimensional Application	Item # 5) Special provisions for corner lots
Art. 53, Section 56 * **	Off-Street Loading Insufficient	None proposed
Art. 80E Sec. 2	App sm proj review	
Notes		Minimal information has been submitted at this time, however, based on the plans submitted, if the design team is looking to obtain variances for: Type of construction, 521 CMR compliance etc at this stage of the review, please let us know so that a building code refusal letter may be prepared for you as well.

RICHARD LYNDS 1216 BENNINGTON STREET EAST BOSTON, MA 02128

December 11, 2014

Location:

1181 BENNINGTON ST EAST BOSTON, MA 02128

Ward:

01

Zoning District:

East Boston 2F-5000

Zoning Subdistrict: Appl. #:

ERT430945

Date Filed:

December 01, 2014

Purpose:

On combined lots (A-1 with B-1) Construct 44 Unit Multifamily Dwelling with parking beneath as

per plans

Parcel # 0101516001& 0101516000 = 18,062 sf

Anticipate ZBA

THIS DECISION MAY BE APPEALED TO THE BOARD OF APPEAL WITHIN FORTY-FIVE (45) DAYS PURSUANT TO CHAPTER 665 OF THE ACTS OF 1956, AS AMENDED. APPLICATIONS NOT APPEALED WITHIN THAT TIME PERIOD WILL BE DEEMED ABANDONED. IF YOU HAVE INQUIRIES REGARDING THE NEIGHBORHOOD PROCESS AND PUBLIC PARTICIPATION, PLEASE CONTACT THE MAYOR'S OFFICE OF NEIGHBORHOOD SERVICES AT 617-635-3485.

Francesco D'Amato

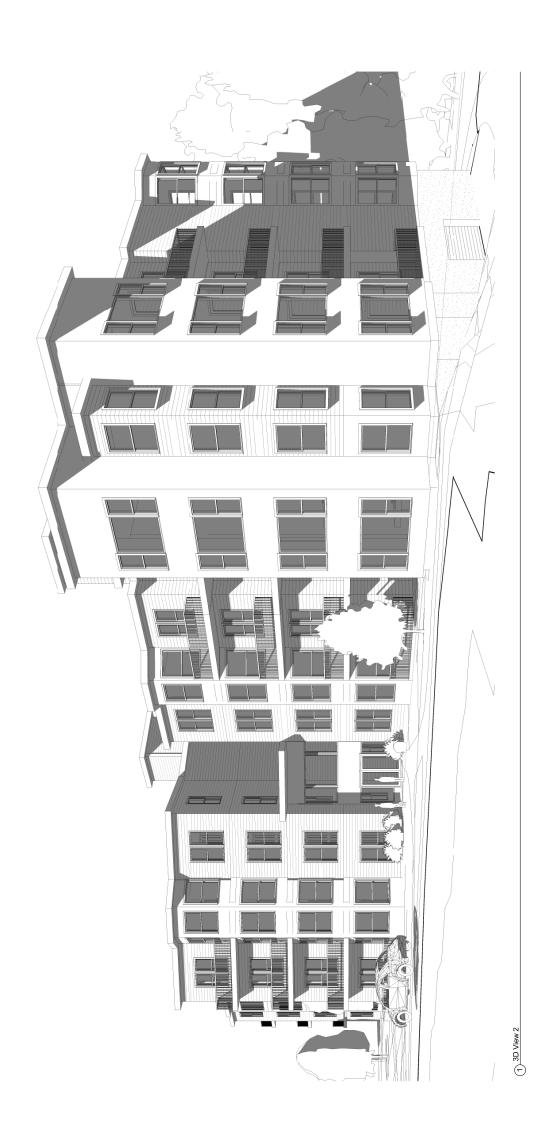
for the Commissioner

Refusal of a permit may be appealed to the Board of Appeal within 45 days. Chapter 802, Acts of 1972, and Chapter 656, Acts of 1956, Section 19.

Appendix C: Architectural Plans

A98

EAST BOSTON MA



A98.1



VIEW FROM BENNINGTON STREET.

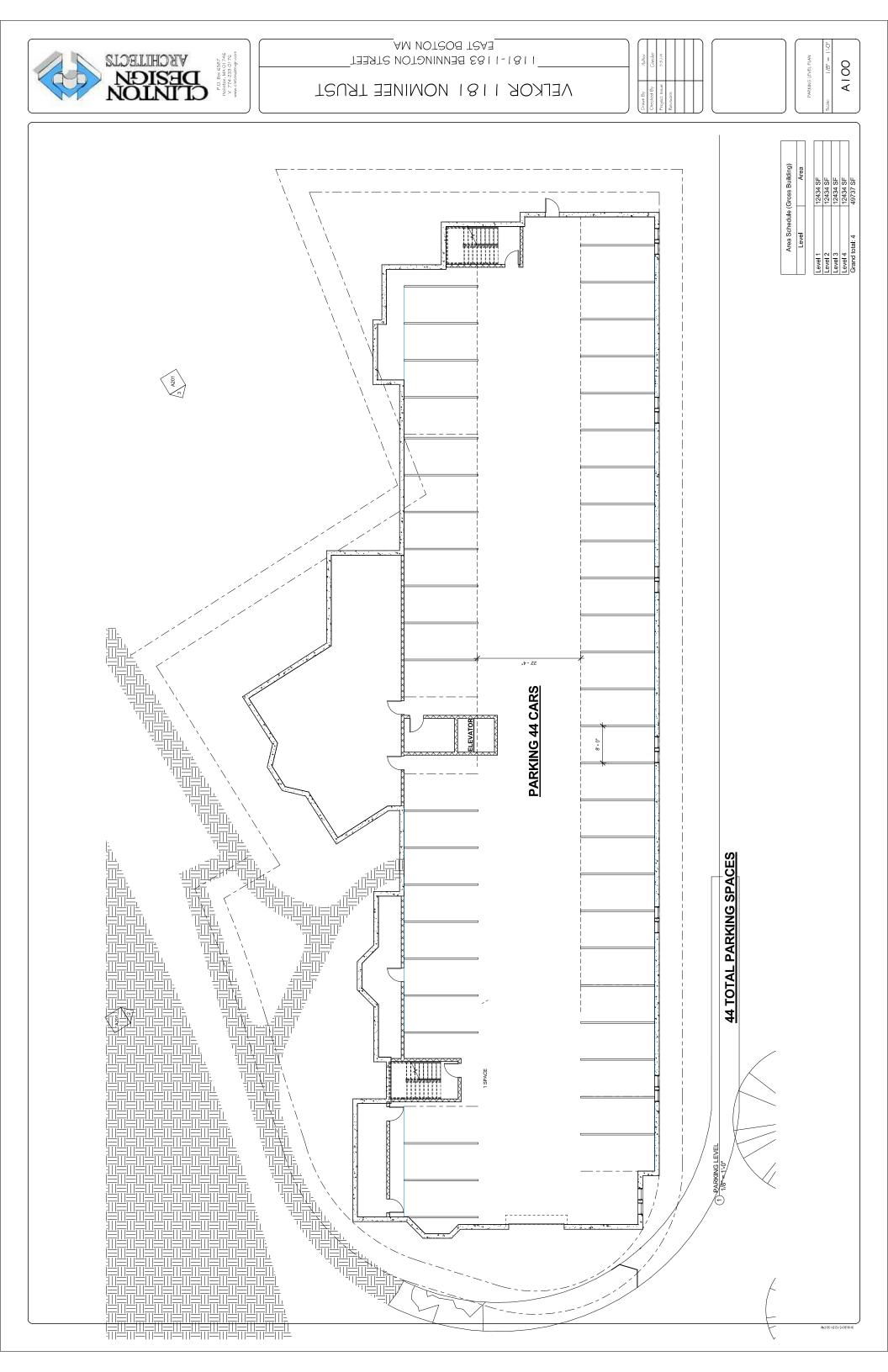






STORING ARCHITECTS A CHITTECTS	181-1183 BENNINGTON STREET
CLINTON CHIPTON V. V. 774-239 V. V. Tricologo	VELKOR I 181 NOMINEE TRUST





EAST BOSTON MA DESIGN
OFINECTS 1181-1183 BENNINGTON STREET FIRST FLOOR PLAN A101 VELKOR I 18 I NOMINEE TRUST Area Schedule (Gross Building) 1/20 J. K.H.H.H 5' SETBACK LINE 80 LOT LINE DW

