815 EAST FIFTH STREET RESIDENTIAL DEVELOPMENT

815 East Fifth Street South Boston, Massachusetts

APPLICATION FOR SMALL PROJECT REVIEW

submitted to the

Boston Redevelopment Authority



815 East 5th Street, LLC 103 Clayton Street Dorchester, Massachusetts



October 21, 2013

Peter Meade, Director Boston Redevelopment Authority Boston City Hall, 9th Floor Boston, MA 02201

Dear Mr. Meade:

It is my pleasure to submit this application for Small Project Review pursuant to Article 80, Section 80E, of the Boston Zoning Code, for the 815 East Fifth Street residential project in South Boston.

The proposed project is to consist of 23 new residential units, primarily marketrate, with an affordable commitment to be determined in accordance with the Mayor's executive order on inclusionary development.

The applicant is 815 East 5th Street, LLC, by its principals, Aidan Gregory Feeney and Brendan Feeney. On behalf of the applicants and the development team, I wish to thank the BRA for its guidance and assistance to date in this matter. We look forward to continuing our strong working relationship with the BRA as we move towards final approval of this project.

Very truly yours,

815 EAST FIFTH STREET RESIDENTIAL PROJECT

South Boston, Massachusetts

APPLICATION TO THE BOSTON REDEVELOPMENT AUTHORITY Pursuant to Article 80E of the Boston Zoning Code

Submitted by

815 East 5th Street, LLC 103 Clayton Street Dorchester, MA 02122

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I. PROJECT SUMMARY

1.1 Project Team

Developer and Applicant:

815 East 5th Street, LLC Aidan Gregory Feeney and Brendan Feeney, Managers 103 Clayton Street Dorchester, MA 02122

Tel: 617-287-1004 Fax: 617-282-1669

Email: info@feeneybrothers.com

Legal Counsel:

George Morancy, Esq. Adams & Morancy, P.C. 416 West Broadway South Boston, MA 02127

Tel: 617-269-5800; Fax: 617-269-5923 Email: gmorancy@admorlaw.com

Architecture:

Arthur K.F. Choo, Jr., AIA, NCARB, LEED AP Choo & Company, Inc.
One Billings Road
Quincy, MA 02171

Tel: 617-423-1022 Fax: 617-426-0939

Email: arthur@choo-design.com

Surveyor:

George Collins, P.L.S. Boston Survey, Inc. 4 Shipway Place, #C4 Charlestown, MA 02129

Tel: 617-242-1313 Fax: 617-242-1616

gcollins@bostonsurveyinc.com

Construction Management:

Feeney Brothers Excavation Corporation 103 Clayton Street Dorchester, MA 02122

Tel: 617-287-1004 Fax: 617-282-1669

Email: info@feeneybrothers.com

Environmental Consultant:

Choo & Company, Inc. One Billings Road Quincy, MA 02171

Tel: 617-423-1022 Fax: 617-426-0939

Email: arthur@choo-design.com

Geotechnical Engineer:

TBD

Traffic Consultant:

VHB/Vanasse Hangen Brustlin, Inc. Sean Manning, Senior Manager 99 High Street, 10th Floor Boston, Massachusetts 02111-2354

Tel.: 617-728-7777 Fax: 617-924-2286

Email: smanning@vhb.com

1.2 Project Summary

The Proposed Project consists of the development of a 17,500± square-foot site situated at 815 East Fifth Street (a/k/a 812 East Sixth Street) in South Boston, by construction of a new four-story building containing 23 residential units, with 40 accessory off-street residential parking spaces at grade located in the building's ground-level garage, which will be accessed via the East Sixth Street side of the building.

The proposed project would create both market-rate and affordable housing units in an attractive new building sympathetic in scale, massing and design to the surrounding neighborhood.

In planning the building, great care was given to respecting the as-built conditions of the neighborhood, with the result that the proposed building has been designed and scaled to compliment the surrounding neighborhood, with design features appropriate to the surrounding City Point Neighborhood.

1.3 Community Benefits

The Proposed Project will offer many public benefits to South Boston neighborhood and the City of Boston, including:

- attractive new residential construction to replace an existing commercial building;
- the creation of 23 new residential units, including affordable units as to be determined by the Boston Redevelopment Authority in accordance with the Mayor's Executive Order on Inclusionary Development, and ground-floor restaurant space;

- a commitment to negotiated public sidewalk improvements, as needed, to complement the new building and site and to appropriately enliven the streetscape;
- generation of approximately one hundred thousand dollars in revenue annually to the City of Boston in the form of real property tax payments;
- the expected creation of more than 85 construction jobs over the length of the proposed project;
- replacement of an aesthetically unappealing commercial concrete block building in the midst of a thriving residential neighborhood with an active and attractive residential development.

II. DETAILED PROJECT INFORMATION

2.1 Project Description

The Project Site includes 17,500± square feet of land area, comprising one parcel situated at 815 East Fifth Street (a/k/a 812 East Sixth Street) in South Boston, being City of Boston Assessor's Parcel No. 0604377000.

The parcel is at present a vacant commercial building used in the past as a garage and as a private school, among other uses.

2.2 Project Financing and Developer Pro Forma

The developers are the owners of Feeney Brothers Excavation Corporation, a Dorchester-based excavating and construction company, with over 200 employees, that is one of the most respected underground utility corporations in the area, with over 32 years of experience in the industry. In recent years, they have successfully developed numerous residential projects in the Boston area, including the 15-unit residential redevelopment of the former Benjamin Pope School at 114 O Street in South Boston, located less than one block from the project site. They have strong working relationships with several major lenders, a strong record of financial security, and intend to finance the project construction and development using traditional institutional lender financing, with a pre-approved commitment from Webster Bank of Waterbury, Connecticut.

Total Development Cost (soft/hard costs): \$7,000,000

Construction Cost (hard cost): \$5,000,000

Disclosure of Beneficial Interest in the Project

- Aidan Gregory Feeney, 103 Clayton Street, Dorchester, MA: 1/3 interest
- Brendan Feeney, 103 Clayton Street, Dorchester, MA: 1/3 interest
- Eoin Barry, 540 Gallivan Boulevard, Dorchester, MA: 1/3 interest

Number of Construction Jobs: 85

Estimated Constructions Start: First quarter 2014

Estimated Construction Completed: Second quarter 2015

2.3 Proposed Project Program, Data and Dimensions

Lot Area (in square feet): 17,500 square feet

Building Height/Stories:

• East Sixth Street elevation: 40.2', 4 stories

• East Fifth elevation: 35 feet, 3 stories

Number of Residential Units: 23 units (12 in Building "A" and 11 in Building "B")

• 1 studio unit

• 4 one-bedroom units

• 18 two-bedroom units

Total of Building Gross Floor Area: @33,650 square feet

Floor Area Ratio: 1.98

Usable Open Space Provided: 319 square feet per unit

Parking Spaces: 40 in grade-level garage

2.4 Urban Design Approach – Context, Massing, Material & Other Design Issues

The proposed project would consist of two buildings separated by an open space area, with one building fronting each on East Fifth Street (Building "A," containing 12 residential units) and on East Sixth Street (Building "B," containing 11 residential units. The parking garage entrance is located at grade on the East Sixth Street side of the project site. Because of the grade change across the site, the parking garage level is fully below grade on the East Fifth Street side of the project. Forty off-street parking spaces, as well as an area for bicycle storage, plus trash and utility rooms, are to be provided in the garage level.

In developing the building and the site plan, great care was given to respecting the as-built conditions in the neighborhood. The proposed building has been designed and scaled to co-exist the surrounding neighborhood by matching existing building heights on East Fifth Street. While Building "B" is a four-story building on the East Sixth Street side of the project due to the grade change across the site, the uppermost story is set back significantly so as to recede from view from grade, allowing the building present to East Sixth Street as a three-story building.

Site planning, including the buildings' placement on the site, open space areas, and bicycle and vehicular access and parking areas, have all been designed to enhance the appearance of the street frontage and surrounding areas.

The buildings' massing, design and structural materials are intended to complement the character and existing scale of the neighborhood, and to protect the quality of the pedestrian environment for the proposed project are planned to include a concrete foundation and parking garage, with a combination of steel framing members and wood frame construction being utilized throughout the building.

A significant portion of buildings' energy consumption would owe to cooling and lighting systems. Orientation-specific, energy efficient glazing systems, including Low-E, would be used to reduce heat gain and increase light transmission. Other energy conservation measures being evaluated include the introduction of new energy-efficient lighting and mechanical systems.

The project's generous use of glazing would account for a maximum amount of interior daylight and would incorporate operating sashes to provide natural ventilation within all units. Passive solar gain would be achieved through these glazed areas.

The HVAC and lighting systems would be energy efficient and regulated by individual unit owners. All appliances and other electrical equipment would be "Energy Star" certified, where possible.

Water consumption would be minimized through several water conversation measures, such as water saving plumbing fixtures throughout the building, while recycling space is planned to be for the garage-level area.

2.5 Traffic, Parking and Access

The proposed project would provide 40 on-site parking spaces in a parking garage that will be partly at grade and partly below grade. The garage would be accessed via East Sixth Street, where there is an existing curb cut, thus resulting in no net loss of public on-street parking. All loading or unloading activity will be directed to the garage area where direct elevator access to all floors in both buildings will be provided. Ample secure space for bicycle racks will be provided within the building's garage.

The developers commissioned Vanasse Hangen Brustlin, Inc. (VHB) to conduct a transportation study to help assess and quantify the anticipated traffic and parking impacts of the proposed project. The complete traffic study included four intersections surrounding the project site and evaluated existing and future conditions. VHB's analysis, conforming to the Boston Transportation Departments "Transportation Access Plans Guidelines," presents an evaluation and summary of existing and future transportation infrastructure and operations, and was developed in order to understand and mitigate the transportation impacts of the proposed project. The study concluded that traffic expected to be generated by the proposed project is expected to be minimal and to have no measurable impact on the area's transportation infrastructure. The reports summary follows.

Transportation Impact Study

815 East 5th Street

Residential Development

South Boston, Massachusetts

Submitted to: BostonTransportation Department

Submitted by: 815 East 5th Street LLC

c/o Feeney Brothers Excavation Corporation

Prepared by: **VHB/Vanasse Hangen Brustlin, Inc.**

Transportation, Land Development, Environmental Services

99 High Street, 10th Floor

Boston, Massachusetts 02111-2354

617-728-7777

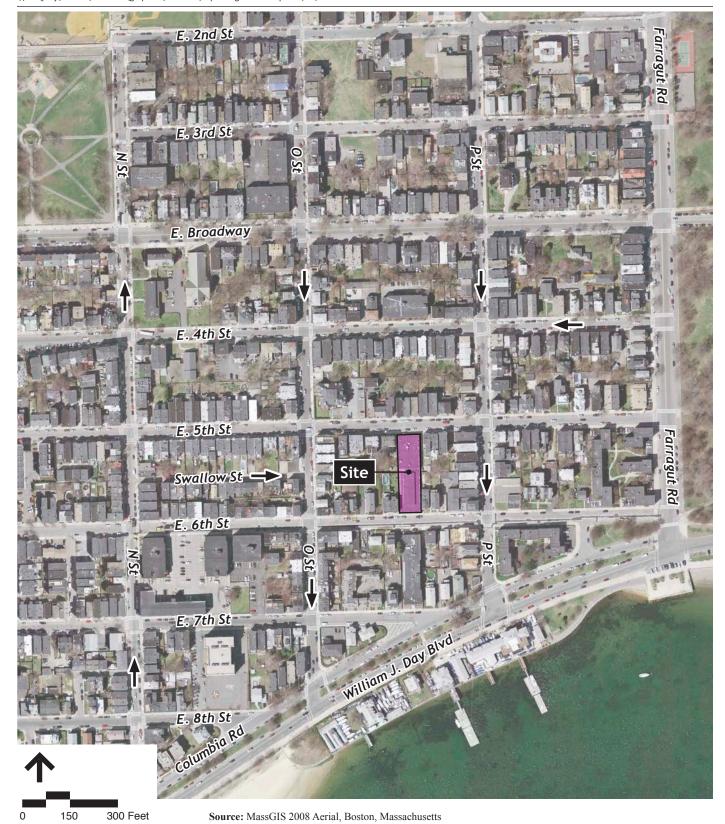
Summary of Findings

The traffic generated by the Project is projected to be minimal and expected to have no measurable impacts on the area's transportation infrastructure. However, 815 East 5th Street LLC is committed to providing transportation improvements and mitigation actions to improve transportation conditions for residents and visitors traveling in the neighborhood.

- The Project will include the construction of 40 parking spaces on-site to accommodate resident and visitors of the proposed development. This accommodation will provide 1.8 parking spaces per residential unit, resulting in minimal demand for on-street parking. The Proponent is committed to implementing strategies to reduce parking impacts by visitors to the project as well, providing 2 visitor parking spaces in the garage for this purpose.
- The Project will provide vehicle access to garage from East 6th Street only, only pedestrian access will be provided of off East 5th Street. Due to the one way designation of both O Street and P Street, inbound trips to the site will mostly arrive via East 6th Street eastbound, with only a small percentage from East 6th Street westbound. Similarly, it is expected that departing vehicle will choose to take a right out of the garage and proceed down East 6th Street to the west.
- The project will provide a pedestrian friendly environment with improved pedestrian access and visibility around the site. Pedestrian access for the site will be oriented to the north and south, with the entrance lobby for the Building A located on East 5th Street and the lobby for Building B located on East 6th Street. In addition, a more direct pedestrian route between the buildings is provided through the pathway in the interior courtyard. In addition, a new sidewalk will be constructed abutting the Project site in order to provide better pedestrian circulation along East 5th Street and East 6th Street.
- The project will provide bicycle racks for resident use within the parking garage. As the design advances, the Proponent will work with BTD to determine the appropriate number of bicycle spaces and location of these spaces at the site. At minimum, it is expected that

covered, secured bicycle parking would be provided for 22 bicycles, which meets the BTD's Guidelines for bicycle accommodation for a project of this size. In addition, as specified in the guidelines, parking for another 4 bicycles will be provided outside near building entrances, to accommodate visitors.

- As currently planned, deliveries and trash removal for the proposed Project will be accommodated on street. Most deliveries are anticipated to be made by single-unit trucks or smaller vans. Trash from the two buildings will be managed from an interior trash room inside the parking garage. Trash will not be stored outside. It will be the responsibility of the building manager to cart trash to the curb on defined trash removal days.
- The results of the traffic impact analysis analysis indicate that there will be no change in the Level of Service or delays at the four study area intersections as a result of the proposed Project. Traffic conditions are not expected to measurably change.
- > The Project is projected to have only a modest incremental impact on transit operations in the area by 2018. The analysis assumed that future residents will have access to the many public transportation services offered by the MBTA.
- The proposed transportation mitigation plan incorporates several elements, including the following:
 - Constructing a new sidewalk along East 5th Street and East 6th Street, abutting the Project site to improve pedestrian facilities.
 - Constructing an internal courtyard and pedestrian walkways within the site to create a friendlier pedestrian environment, better pedestrian access, visibility and wayfunding around the site.
 - Providing landscape amenities within the site
 - Providing 40 dedicated, off-street parking at the site (1.8 spaces / unit), including 2 visitor parking spaces;
 - Providing secure bicycle storage racks at the Project site for residents and visitors;
 - Preparing a detailed Construction Management Plan (CMP) for the proposed construction; and



Vanasse Hangen Brustlin, Inc.

Site Location Map

Figure 1

815 East 5th Street Residential Development South Boston, MA

2.6 Anticipated Permits and Approvals

Agency Name	Permit or Action
Boston Redevelopment Authority	Article 80 Small Project Review Affordable Housing Agreement
Boston Water and Sewer Commission	Local Sewer and Water Tie-in and Site Plan Approval
Boston Public Safety Commission, Committee on Licenses	Parking Garage Related Permits
Boston Inspectional Services Department	 Zoning Board of Appeal Approval Building Permit Construction Permit Certificate of Occupancy

III. BOSTON ZONING CODE DATA

3.1 Zoning District Requirements

The site is situated within an R-.8 residential zoning district ("Map 4 – South Boston") of the Boston Zoning Code.

The applicable zoning requirements, and anticipated as-built zoning characteristics of the Proposed Project, as follows:

Dimensional Regulations of Article 13, Table B (required by zoning):

Minimum Lot Size: 5,000 square feet

Lot Area for Each Additional Dwelling Units: 1,500 square feet Total minimum lot area required for project: 36,500 square feet

Minimum Lot Width: 50 feet Minimum Lot Frontage: 50 feet Maximum Floor Area Ratio: .8

Maximum Building Height (stories): 3

Maximum Building Height (feet): 35

Usable Open Space Per Dwelling Unit: 800 square feet

Minimum Front Yard Setback: 20 feet (or existing modal alignment per Section 18-2)

Minimum Side Yard Setback: 10 feet

Minimum Rear Yard Setback: 40 feet (or existing modal alignment per Section 18-2)

3.2 Proposed As-Built Zoning Conditions

Lot Area: 17,500 square feet

Lot Width: 70 feet Lot Frontage: 70 feet Floor Area Ratio: 1.98

Building Height (stories): 3 (Building "A"), 4 (Building "B") Building Height (feet): 35 (Building "A"), 40.2 (Building "B")

Usable Open Space: 319 square feet per unit

Front Yard Setback: Existing building alignment (East Fifth Street & East Sixth Street)

Side Yard Setback: 0 feet (due to garage wall on East Sixth Street side) Rear Yard Setback: 24.75 feet rear separation distance between each building

Off-Street Parking Requirements of Article 23:

20 market-rate residential units @ .9 space per unit = 18 spaces 3 affordable residential units @ .7 spaces per unit = 2 spaces

Total required off-street parking: 20 spaces Total provided off-street parking: 40 spaces

3.3 Zoning Relief Required

Article 8, Section 7: Multi-family dwelling building forbidden

Article 14, Section 1: Lot area insufficient

Article 14, Section 2: Lot area for additional dwelling units insufficient

Article 15, Section 1: Excessive floor area ratio

Article 16, Section 1: Height excessive (3-story maximum, 35-foot maximum)

Article 17, Section 1: Usable open space insufficient

Article 18, Section 2: Conformity with existing building alignment

Article 19, Section 1: Side yard insufficient Article 20, Section 1: Rear yard insufficient

Article 30, Section 3: Barrier-free access applicability

Copy of Zoning Code Refusal Letter (next page)



Boston Inspectional Services Department Planning and Zoning Division

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

Thomas M. Menino Mayor

ZONING CODE REFUSAL

Gary P. Moccia
Inspector of Buildings

ARTHUR CHOO 1 BILLINGS ROAD QUINCY, MA 02171 fer ited

September 19, 2011

Location:

815 E FIFTH ST SOUTH BOSTON / SOUTH BOSTON, MA 02127

Ward:

06

Zoning District:

South Boston

Zoning Subdistrict:

R-.8

Appl # .

14-.0

Appl. #:
Date Filed:

ALT76588 May 12, 2011

Purpose:

Change occupancy from Warehouse to 24 residential units, existing warehouse space to be used as

a garage to provide accy off-street parking for the residential units)

Erect 3 story vertical addition to create the 24 residential units with the parking below as per plan.

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. 08 Sec. 07	Use: Forbidden	Multi dwelling unit (24 units) use is forbidden
Art. 14 Sec. 14-1 *	Lot size insufficient	Lot size insufficient
Art. 14 Sec. 14-2	Additional Lot Area Required	Lot area for the add'l dwelling units is insufficient.
Art. 15 Sec. 01	Floor Area Ratio excessive	Floor Area Ratio Exceesive
Art. 17 Section 1 **	Usable Open Space Insufficient	Usable open space insufficient
Art. 18 Section 2	Conformity with existing building alignment	Conformity with existing building alignment.
Art. 19 Sec. 01	Side yard insufficient	Side yard insufficient
Art. 20 Sec. 01	Rear Yard Insufficient	Rear yard insufficient
Art. 29, Section 4 **	Greenbelt Protection Overlay District	GPOD APPLICABILITY
Art. 30 Sec. 03	Free Barrier Access	Free Barrier Access Applicability
Article 16, Section 1 **	Height Excessive	Height excessive (3 story high max)
Article 16, Section 1 **	Height Excessive	Height Excessive (35ft high max.)

ARTHUR CHOO 1 BILLINGS ROAD QUINCY, MA 02171

September 19, 2011

Location:

815 E FIFTH ST SOUTH BOSTON / SOUTH BOSTON, MA 02127

Ward:

0

Zoning District:

South Boston

Zoning Subdistrict:

R-.8

Appl. #:

ALT76588

Date Filed:

May 12, 2011

Purpose:

Change occupancy from Warehouse to 24 residential units, existing warehouse space to be used as

a garage to provide accy off-street parking for the residential units)

Erect 3 story vertical addition to create the 24 residential units with the parking below as per plan.

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.

Marc Joseph (617)961-3233

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.

3.4 Building Code Analysis

The construction of the building will be IIA.

The buildings will be fully sprinkled in conformance with NFPA 13.

The buildings will be residential use buildings with garage parking:

Residential: R-2Parking garage: S-2

As defined by Table 508.4, fire separation requirements are as follows:

- R-2 requires 1-hour separation
- S-2 requires 1-hour separation

IV. URBAN DESIGN SUBMISSION: PHOTOGRAPHS AND PLANS

Exhibit 1:	Aerial View of Site (East Fifth Street Side)
Exhibit 2:	Aerial View of Site (East Sixth Street Side)
Exhibit 3:	View of Site, East Fifth Street Side
Exhibit 4:	Alternate View of Site from East Fifth Street
Exhibit 5:	View of Site Looking Toward P Street
Exhibit 6:	View of Site, East Sixth Street Side
Exhibit 7:	Alternate View of Site from East Sixth Street
Exhibit 8:	View of Site Looking Toward O Street
Exhibit 9:	Pope School Condominium (developed by the applicant in 2000)
Exhibit 10:	Sheet A-1.1 – Site Plan and Building Sections (Building "A" & "B")
Exhibit 11:	Sheet A1.1/a – Site Plan and Building "A" Section
Exhibit 12:	Sheet A-1.1/b – Site Plan and Building "B" Section
Exhibit 13:	Sheet A-2.1 – Elevations
Exhibit 14:	Sheet A-1.2 – Garage Plan
Exhibit 15:	Sheet A-1.3 – 1 st Floor Plan, Buildings "A" and "B"
Exhibit 16:	Sheet A-1.4 – 2 nd Floor Plan, Buildings "A" and "B"
Exhibit 17:	Sheet A-1.5 – 3 rd Floor Plan, Buildings "A" and "B"
Exhibit 18:	Sheet A-1.6 – Roof Plan, Buildings "A" and "B"

EXHIBIT 1 - AERIAL VIEW OF SITE, EAST FIFTH STREET SIDE



EXHIBIT 2 - AERIAL VIEW OF SITE, EAST SIXTH STREET SIDE



EXHIBIT 3 - SITE, EAST FIFTH STREET SIDE



EXHIBIT 4 - ALTERNATE VIEW OF SITE, EAST FIFTH STREET SIDE

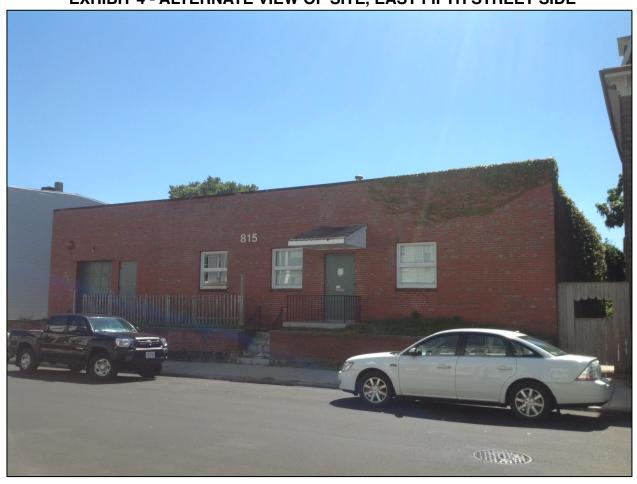


EXHIBIT 5 - VIEW OF SITE LOOKING TOWARD P STREET



EXHIBIT 6 - VIEW OF SITE, EAST SIXTH STREET SIDE



EXHIBIT 7 - ALTERNATE VIEW OF SITE, EAST SIXTH STREET SIDE



EXHIBIT 8 - VIEW OF SITE LOOKING TOWARD O STREET

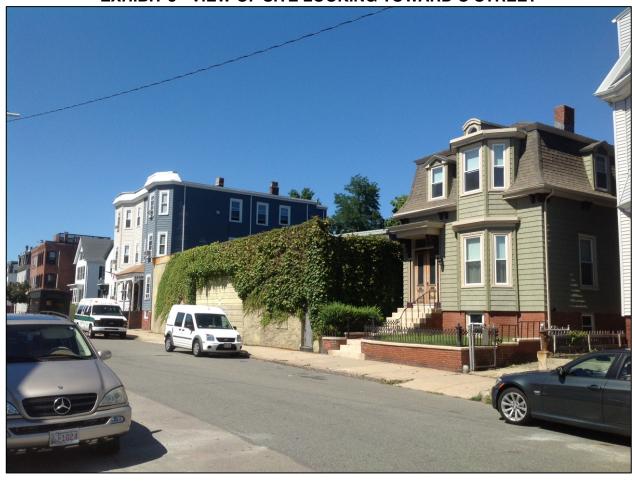


EXHIBIT 9 - POPE SCHOOL CONDOMINIUM BUILDING



14-UNIT CONDOMINIUM PROJECT AT 114 O STREET, SOUTH BOSTON, DEVELOPED BY THE APPLICANTS IN 2000.

