



July 16, 2018

**PRINCIPALS**

Theodore A Barten, PE  
Margaret B Briggs  
Michael E Guski, CCM  
Dale T Raczynski, PE  
Cindy Schlessinger  
Lester B Smith, Jr  
Robert D O'Neal, CCM, INCE  
Andrew D Magee  
Michael D Howard, PWS  
Douglas J Kelleher  
AJ Jablonowski, PE  
Stephen H Slocomb, PE  
David E Hewett, LEED AP  
Dwight R Dunk, LPD  
David C. Klinch, PWS, PMP

Samuel G. Mygatt, LLB  
1943-2010

**ASSOCIATES**

Richard M. Lampeter, INCE  
Maria B. Hartnett  
Geoffrey Starsiak  
  
3 Mill & Main Place, Suite 250  
Maynard, MA 01754  
www.epsilonassociates.com

978 897 7100  
FAX 978 897 0099

Ms. Rosanne Foley  
Executive Director  
Boston Landmarks Commission  
1 City Hall Square, Room 709  
Boston, MA 02201

**RE: Article 85 (Demolition Delay) application  
533 Commonwealth Avenue;  
535 – 539 Commonwealth Avenue;  
541 Commonwealth Avenue;  
650 Beacon Street;  
652-654 Beacon Street; and  
656 Beacon Street.**

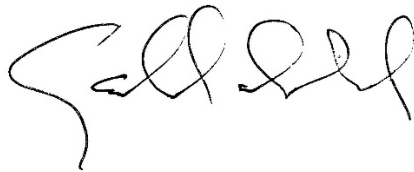
Dear Ms. Foley:

On behalf of Related Beal, LLC and on behalf of its affiliates, RREF II Kenmore Lessor II LLC and RREF II Kenmore Lessor III LLC, Epsilon is submitting the enclosed Article 85 Application for proposed demolition activities on two distinct parcels in Kenmore Square beginning at the corner of Deerfield Street with frontage wrapping along the northern side of Commonwealth Avenue and Beacon Street to the east. The demolition activities are associated with the proposed Kenmore Square Redevelopment Project ("the Project"). A Project Notification Form (PNF) was submitted May 10, 2018 and is under review by the Boston Planning and Development Agency, other public agencies and the public.

The Project Site includes seven buildings and consists of two distinct parcels or components, the Commonwealth Building and the Beacon Building, each a "component" of the Project Site. To accommodate the proposed project, six of the seven existing buildings are proposed to be demolished, while the seventh building, 660 Beacon Street which is home to the Citgo sign, will be renovated and joined to new construction on its east side encompassing approximately 142,000 square feet of adaptive re-use space. To the west at the intersection of Deerfield Street and Commonwealth Avenue is the proposed site for the construction of a new, approximately 140,000 square foot, eight-story building.

If you have any questions regarding the enclosed application, please do not hesitate to call me at (978) 461-6224.

Sincerely,  
EPSILON ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read 'G. Melhuish', with a stylized, cursive script.

Geoffrey E. Melhuish  
Senior Consultant

cc: (BY HAND)

Hon. Martin J. Walsh, Mayor  
Andrea Cambell, Boston City Council President  
Josh Zakim, Boston City Council  
William Brownsberger, State Senate  
Byron Rushing, State Representative  
Jerome Smith, ONS  
Yissel Guerrero, ONS  
Heather Campisano, BPDA  
Sara Myerson, BPDA  
Jonathan Greeley, BPDA  
David Carlson, BPDA  
Tim Czerwienski, BPDA

cc: (BY EMAIL)

Stephen N. Faber, RB  
Alex Provost, RB  
Andrew Hayes, RB  
Mary Marshall, Nutter McClennen & Fish

# Article 85 Application

## Kenmore Square Redevelopment Project Boston, MA

July 16, 2018

Submitted to:

Boston Landmarks Commission  
Boston City Hall, Room 709  
Boston, MA 02201

Submitted by:

RREF II Kenmore Lessor II LLC and  
RREF II Kenmore Lessor III LLC  
c/o Related Beal, LLC  
177 Milk Street  
Boston, MA 02109

Prepared by:

Epsilon Associates, Inc.  
3 Mill & Main Place, Suite 250  
Maynard, MA 01754





**APPLICATION  
ARTICLE 85  
DEMOLITION DELAY REVIEW**

Deliver or mail to:  
Environment Dept  
Boston City Hall, Rm 709  
Boston, MA 02201

**For Office Use Only**

APPLICATION # \_\_\_\_\_  
RECEIVED \_\_\_\_\_  
SIGNIFICANT \_\_\_\_\_  
HEARING DATE \_\_\_\_\_

**DO NOT RETURN THIS FORM BY FAX OR EMAIL**

**DO NOT STAMP THIS BOX**

**I. PROPERTY ADDRESS** \_\_\_\_\_

NAME of BUSINESS/PROPERTY \_\_\_\_\_

The names, telephone numbers, postal and e-mail addresses requested below will be used for all subsequent communications relating to this application. Environment Department personnel cannot be responsible for illegible, incomplete or inaccurate contact information provided by applicants.

**II. APPLICANT** \_\_\_\_\_

CONTACT NAME \_\_\_\_\_ RELATIONSHIP TO PROPERTY \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

PHONE \_\_\_\_\_ EMAIL \_\_\_\_\_

**PROPERTY OWNER** \_\_\_\_\_ CONTACT NAME \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

PHONE \_\_\_\_\_ EMAIL \_\_\_\_\_

**III. DOES THIS PROPOSED PROJECT REQUIRE ZONING RELIEF?** \_\_\_\_\_

IF YES, PLEASE INDICATE STATUS OF ZBA PROCESS \_\_\_\_\_  
(If necessary, attach additional pages to provide more information.)

**IV. DESCRIPTION OF PROPOSED DEMOLITION:**

A BRIEF OUTLINE OF THE PROPOSED WORK *MUST* BE GIVEN IN THE SPACE PROVIDED BELOW, OR THE APPLICATION WILL *NOT* BE ACCEPTED. This description should describe the structure(s) to be demolished and the proposed condition of the site after demolition, including any proposed new construction or site improvements. Additional pages may be attached if necessary to provide more detailed information. See also 4. on page two.





**VI. NOTARIZED SIGNATURES:** Both the applicant's and the legal property owner's signatures must be notarized. In cases of multiple ownership, the chair of the condominium or cooperative association or authorized representative (such as a property manager) shall sign as owner; in cases of institutional ownership, an authorized representative of the organization shall sign as owner.

The facts set forth above in this application and accompanying documents are a true statement made under penalty of perjury.

OWNER\* *Patrick Sweeney*

\*(If building is a condominium or cooperative, the chairman must sign.)

PRINT Patrick Sweeney/RREF II Kenmore Lessor II, LLC

On this 16<sup>th</sup> day of July, 2018, before me, the undersigned Notary Public, personally appeared Patrick Sweeney (name of document signer), proved to me through satisfactory evidence of identification, which were NY Driver's License, to be the person whose name is signed on the preceding or attached document in my presence.

Corine M. Colligan (official signature and seal of Notary) My Commission expires:

CORINE M. COLLIGAN  
Notary Public, State of New York  
Registration #01CO6014998  
Qualified In New York County  
Commission Expires October 19, 2018

OWNER\* *Patrick Sweeney*

\*(If building is a condominium or cooperative, the chairman must sign.)

PRINT Patrick Sweeney/RREF II Kenmore Lessor III LLC

On this 16<sup>th</sup> day of July, 2018, before me, the undersigned Notary Public, personally appeared Patrick Sweeney (name of document signer), proved to me through satisfactory evidence of identification, which were NY Driver's License, to be the person whose name is signed on the preceding or attached document in my presence.

Corine M. Colligan (official signature and seal of Notary) My Commission expires:

CORINE M. COLLIGAN  
Notary Public, State of New York  
Registration #01CO6014998  
Qualified In New York County  
Commission Expires October 19, 2018

# TABLE OF CONTENTS

---

ZONING RELIEF

EXISTING CONDITIONS PHOTOGRAPHS

EXISTING SITE PLAN

PROOF OF OWNERSHIP

PLANS AND ELEVATIONS

## 1.0 BUILDINGS PROPOSED FOR DEMOLITION

- 1.1 Introduction
- 1.2 541 Commonwealth Avenue
  - 1.2.1 Historical Development of the Property
  - 1.2.2 Description of Building and Overall Condition
- 1.3 535 -539 Commonwealth Avenue
  - 1.3.1 Historical Development of the Property
  - 1.3.2 Description of Building and Overall Condition
- 1.4 533 Commonwealth Avenue
  - 1.4.1 Historical Development of the Property
  - 1.4.2 Description of Building and Overall Condition
- 1.5 650-656 Beacon Street
  - 1.5.1 Historical Development of the Property
  - 1.5.1 Description of Building and Overall Condition

## 2.0 PROPOSED DEVELOPMENT

- 2.1 Project Site
- 2.2 Project Design

## 3.0 ALTERNATIVES ANALYSIS

- 3.1 Retention of 541 Commonwealth Avenue and Construction of Smaller Project on the Project Site
- 3.2 Retention of 650-656 Beacon Street
  - 3.2.1 Historic Tax Credit
- 4.1 Conclusion



## ZONING RELIEF

---

The Project Site is located within the B-4 (General Business) Zoning Subdistrict of the Boston Proper Zoning District, the Groundwater Conservation Overlay District, and the Restricted Parking Overlay District. The Proponent will obtain the appropriate zoning relief for the Project as a whole, while enabling each of the components described above to be developed individually, coordinating with the review by the Boston Planning & Development Agency (BPDA) and other city agencies to the extent required.

The Proponent will also seek to establish a Planned Development Area to encompass the Project Site in accordance with Article 80C of the Code, to obtain the zoning relief as necessary for the Project. The Project components will be reviewed in a coordinated process for the purposes of both Article 80B and Article 80C review. As such, each individual Project Component may be developed by individual developers who will obtain individual certifications of compliance and consistency and execute on its specific plan, including development agreements, with the BPDA and other city agencies to the extent required.

## STATUS OF ZBA PROCESS

---

The Project will receive approval as a Planned Development Area Development Plan.

## Existing Conditions Photographs

---





Kenmore Square Redevelopment Project Boston, Massachusetts





1. View south along Deerfield Street towards 541 Commonwealth Avenue



2. View southeast along Deerfield Street towards 541 Commonwealth Avenue





3. View northeast towards 541 Commonwealth Ave with 535-539 and 533 Commonwealth Ave to the right.



4. View north of 541 Commonwealth Avenue with 535-539 Commonwealth Ave to the right



5. View northeast from 541 Commonwealth Ave towards 535-539 and 533 Commonwealth Ave.



6. View north towards 541 Commonwealth Ave with 535-539 and 533 Commonwealth Ave to the right





7. View north at 535-539 Commonwealth Avenue with 541 Commonwealth Ave to the left



8. View north towards 533 Commonwealth Ave



9. View west along Commonwealth Avenue looking at 533 Commonwealth Ave in the foreground with 535-539 Commonwealth Ave beyond



10. View northwest towards 533 Commonwealth Ave with 535-539 Commonwealth Ave to the left





11. View southwest towards 533 Commonwealth Ave.



12. View west of alley behind 533 and 541 Commonwealth Avenue

**Kenmore Square Redevelopment Project Boston, Massachusetts**



13. View northwest along Commonwealth Ave towards 660 and 656 Beacon Street.



14. View north towards 660 and 656 Beacon Street.





15. View northwest towards 660 and 656 Beacon Street



16. View west towards 660 and 656 Beacon Street



17. View west along alley and parking area behind 660 and 656 Beacon Street



18. View south of 650 and 656 Beacon Street rear elevation





19. View southeast of 650 and 656 Beacon Street rear elevation



20. 541 Commonwealth Avenue, 6<sup>th</sup> floor showing ceiling deterioration



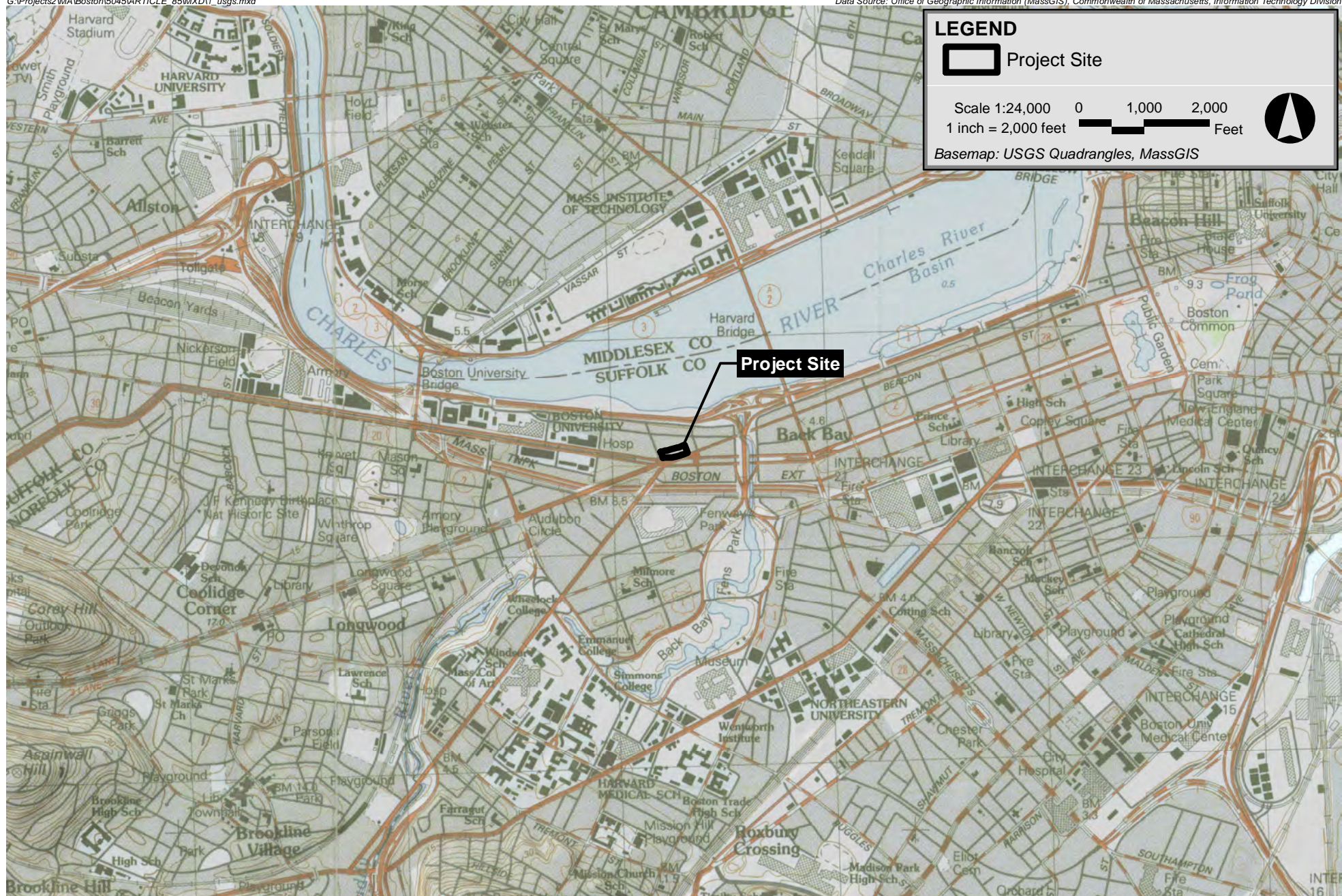
21. 541 Commonwealth, 6<sup>th</sup> floor corridor ceiling



22. 541 Commonwealth Avenue, 6<sup>th</sup> floor showing floor deterioration





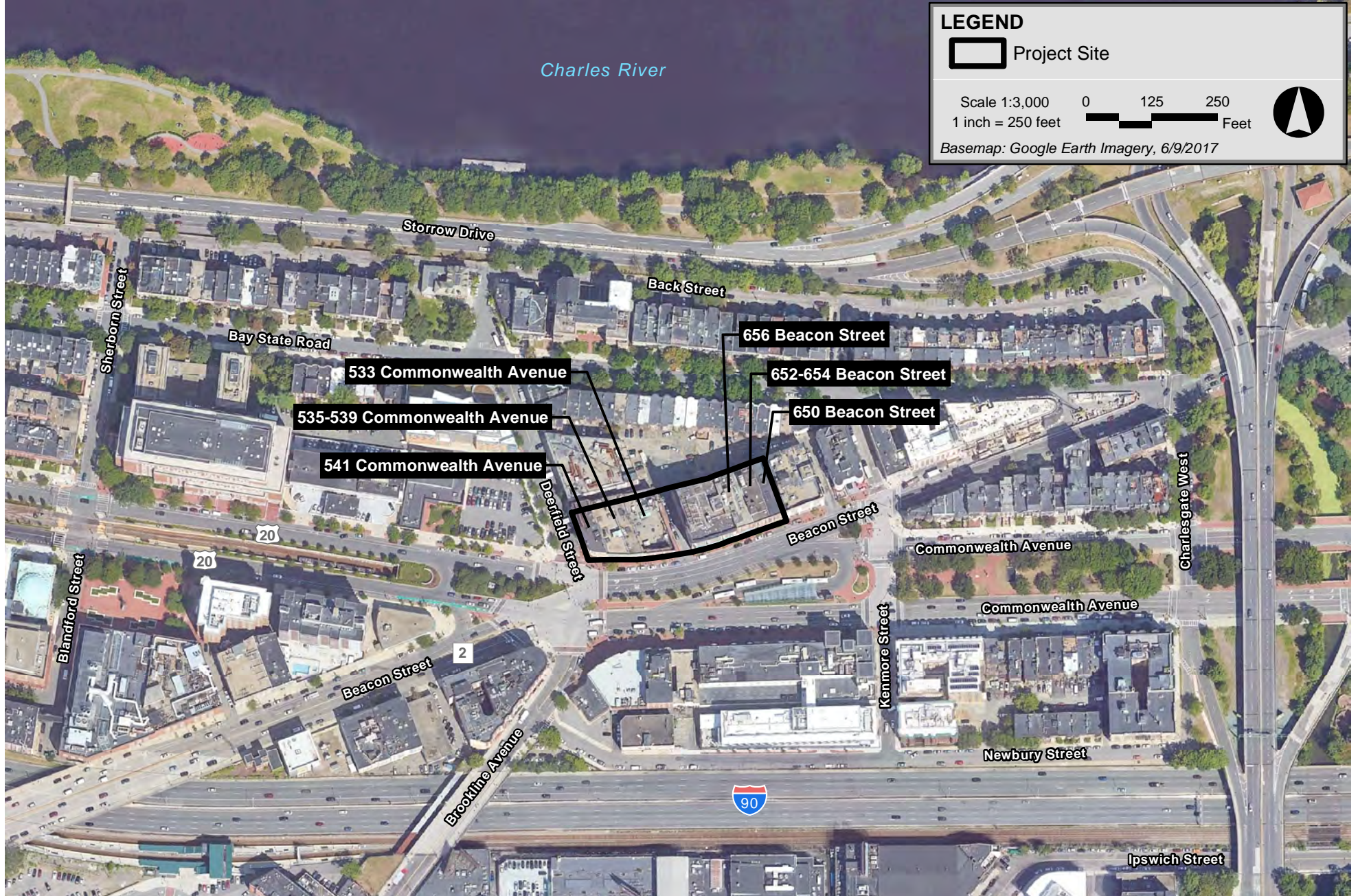


Kenmore Square Redevelopment Project Boston, Massachusetts



## Aerial Locus Map

---



Kenmore Square Redevelopment Project Boston, Massachusetts

## Existing Site Plan

---



5/2/2016 7:19 AM

\\nitsch\proj\11253\11253-ALT1.dwg

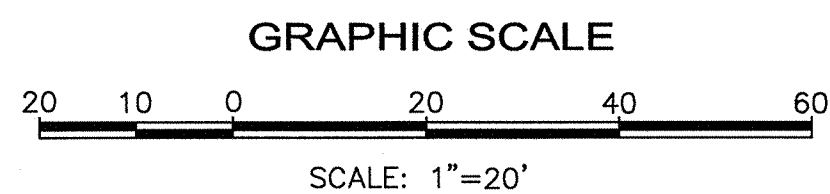
## NOTES

- THIS DOCUMENT IS AN INSTRUMENT OF SERVICE OF NITSCH ENGINEERING. IT IS ISSUED TO BOSTON UNIVERSITY FOR PURPOSES RELATED DIRECTLY AND SOLELY TO NITSCH ENGINEERING'S SCOPE OF SERVICES UNDER CONTRACT WITH BOSTON UNIVERSITY FOR BAY STATE, RALEIGH, BEACON, COMMONWEALTH, DEERFIELD BLOCK LAND SURVEYING SERVICES. ANY USE OR REUSE OF THIS DOCUMENT FOR ANY REASON BY ANY PARTY FOR PURPOSES UNRELATED DIRECTLY AND SOLELY TO SAID CONTRACT AND PROJECT SHALL BE AT THE USER'S SOLE AND EXCLUSIVE RISK AND LIABILITY, INCLUDING LIABILITY FOR VIOLATION OF COPYRIGHT LAWS, UNLESS WRITTEN AUTHORIZATION IS GIVEN THEREOF BY NITSCH ENGINEERING.
- ELEVATION REFERS TO BOSTON CITY BASE (BCB) VERTICAL DATUM BASED ON BENCHMARK FROM BOSTON ENGINEERING DEPARTMENT, RIGHT OUTER CORNER LOWER STONE STEP AT MAIN ENTRANCE TO ALFRED MORSE AUDITORIUM 612 COMMONWEALTH AVENUE, BOSTON, ELEVATION 21.55'.
- THE INFORMATION CONTAINED ON THE DISK OR ELECTRONIC DRAWING FILE ACCOMPANYING THIS PLAN MUST BE COMPARED TO THE SEALED AND SIGNED HARD COPY OF THE PLAN TO ENSURE THE ACCURACY OF ALL INFORMATION AND TO ENSURE NO CHANGES, ALTERATIONS, OR MODIFICATIONS HAVE BEEN MADE. RELIANCE SHALL NOT BE MADE ON A DOCUMENT TRANSMITTED BY COMPUTER OR OTHER ELECTRONIC MEANS UNLESS FIRST COMPARED TO THE ORIGINAL SEALED DOCUMENT ISSUED AT THE TIME OF THE SURVEY. DUE TO THE CRITICAL NATURE OF SURVEYING DATA ACQUISITION, AND AUTOCAD PLAN DEVELOPMENT, IF CRITICAL DIMENSIONAL INFORMATION IS NEEDED AND IS NOT SPECIFICALLY SHOWN ON THE ELECTRONIC DRAWING FILE, PLEASE CONTACT NITSCH ENGINEERING.
- THE ENTIRE SITE IS WITHIN THE ZONE X (UNSHADED) DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN," AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP, NUMBER 2002020076G, HAVING AND EFFECTIVE DATE OF SEPTEMBER 25, 2009.

MASSACHUSETTS STATE MAP 81  
COORDINATE SYSTEM

LEGEND	
	CATCH BASIN
	CABLE TELEVISION MANHOLE
	DRAIN MANHOLE
	ELECTRIC MANHOLE
	MISCELLANEOUS MANHOLE
	SEWER MANHOLE
	TELEPHONE MANHOLE
	WATER SHUT-OFF
	GAS GATE
	WATER GATE
	BOSTON WATER WORKS
	FIRE HYDRANT
	DOWN SPOUT
	UTILITY POLE
	UTILITY POLE WITH CONDUIT LINE TO GROUND
	LIGHT POLE
	LIGHT BOLLARD
	LANDSCAPE LIGHT
	HAND HOLE
	TRASH CAN
	FIRE ALARM CALL BOX
	METAL POST
	CONCRETE POST
	PARKING METER
	SIGN POST
	DECIDUOUS TREE WITH TRUNK DIAMETER
	CONIFEROUS TREE WITH TRUNK DIAMETER
	HANDICAP PARKING
	SPOT ELEVATION
	CHAIN LINK FENCE
	BITUMINOUS CONCRETE BERM
	SLOPED GRANITE CURB
	VERTICAL GRANITE CURB
	VERTICAL CONCRETE CURB
	WHEELCHAIR RAMP
	LANDSCAPE TIMBER
	RIM ELEVATION EQUALS
	INVERT ELEVATION EQUALS
	TOP OF HOOD ELEVATION EQUALS
	NO PIPES VISIBLE
	TOP OF WATER
	TOP OF WALL ELEVATION
	UNDERGROUND CABLE TELEVISION LINE
	UNDERGROUND DRAIN LINE
	UNDERGROUND ELECTRIC LINE
	UNDERGROUND GAS LINE
	UNDERGROUND SEWER LINE
	UNDERGROUND TELEPHONE LINE
	UNDERGROUND WATER LINE
	OVERHEAD WIRES
	MONITORING WELL
	BENCH MARK
	SUFFOLK COUNTY REGISTRY OF DEEDS

PROPERTY OWNER REFERENCES				
PARCEL	OWNER	DEED REFERENCE	PLAN REFERENCE	AREA (SQ. FT.)
1	TRUSTEES OF BOSTON UNIVERSITY	BK 7659 PG 141 SCRD	LOT C-1	6,010
2	TRUSTEES OF BOSTON UNIVERSITY	BK 9080 PG 515 SCRD	LOT 1	2,138
3	TRUSTEES OF BOSTON UNIVERSITY	BK 8055 PG 488 SCRD	LOT 2	2,138
4	TRUSTEES OF BOSTON UNIVERSITY	BK 8051 PG 314 SCRD	LOT 3	2,138
5	TRUSTEES OF BOSTON UNIVERSITY	BK 8920 PG 454 SCRD	LOT 4	2,138
6	TRUSTEES OF BOSTON UNIVERSITY	BK 9061 PG 150 SCRD	LOT 5	2,138
7	TRUSTEES OF BOSTON UNIVERSITY	BK 9059 PG 33 SCRD	LOT 6	2,234
8	TRUSTEES OF BOSTON UNIVERSITY	BK 10247 PG 260 SCRD	LOT 7	3,130
9	TRUSTEES OF BOSTON UNIVERSITY	BK 9456 PG 259 SCRD	LOT 8	3,829
10	TRUSTEES OF BOSTON UNIVERSITY	BK 9456 PG 259 SCRD	LOT 9	3,693
11	TRUSTEES OF BOSTON UNIVERSITY	BK 9796 PG 193 SCRD	LOT 10	3,525
12	TRUSTEES OF BOSTON UNIVERSITY	BK 9897 PG 9 SCRD	LOT 11	3,357
13	LIHUA GE THEM	BK 28602 PG 323 SCRD	LOT 12	3,189
14	TRUSTEES OF BOSTON UNIVERSITY	BK 13240 PG 283 SCRD	LOT 13	2,990
15	TRUSTEES OF BOSTON UNIVERSITY	BK 13240 PG 279 SCRD	LOT 14	2,749
16	THETA XI HOUSING CORPORATION	BK 4927 PG 298 SCRD	LOT 15	2,512
17	THETA XI HOUSING CORPORATION	BK 7966 PG 34 SCRD	LOT 16	2,273
18	TRUSTEES OF BOSTON UNIVERSITY	BK 9072 PG 267 SCRD	LOT 17	2,038
19	TRUSTEES OF BOSTON UNIVERSITY	BK 9065 PG 129 SCRD	LOT 18	1,795
20	TRUSTEES OF BOSTON UNIVERSITY	BK 43398 PG 318 SCRD	LOT 19	1,558
21	TRUSTEES OF BOSTON UNIVERSITY	BK 9897 PG 6 SCRD	LOT 20	1,624
22	PAUL M. MARINO & MARISA L. MARINO	BK 49028 PG 292 SCRD	LOT 21	2,120
23	THE BELVOR CONDOMINIUM	BK 33067 PG 180 SCRD	LOT 22	8,250
24	TRUSTEES OF BOSTON UNIVERSITY	BK 22484 PG 303 SCRD	LOT 23	11,875
25	TRUSTEES OF BOSTON UNIVERSITY	BK 28143 PG 2 SCRD	LOT 24	4,178
26	TRUSTEES OF BOSTON UNIVERSITY	BK 32100 PG 30 SCRD	LOT 25	4,129
27	TRUSTEES OF BOSTON UNIVERSITY	BK 27095 PG 230 SCRD	LOT 26	4,181
28	TRUSTEES OF BOSTON UNIVERSITY	BK 20115 PG 257 SCRD	LOT 27	11,484
29	UNKNOWN		LOT 28	1,937
30	TRUSTEES OF BOSTON UNIVERSITY	"533 COMMONWEALTH AVENUE" PARCEL BK 43711 PG 243 SCRD	LOT F LAND COURT PLAN No. 3665-D	9,459
31	TRUSTEES OF BOSTON UNIVERSITY	"535 COMMONWEALTH AVENUE" PARCEL BK 43711 PG 243 SCRD	LOT E LAND COURT PLAN No. 3665-D	3,091
32	TRUSTEES OF BOSTON UNIVERSITY	COMMONWEALTH AVENUE PARCEL BK 43711 PG 243 SCRD	LOT D LAND COURT PLAN No. 3665-C	4,452
33	TRUSTEES OF BOSTON UNIVERSITY	"541 COMMONWEALTH AVENUE" PARCEL BK 43711 PG 243 SCRD	LOT C-2	3,030
34	TRUSTEES OF BOSTON UNIVERSITY	"PARCEL 3" BK 9070 PG 567 SCRD	LOT 27 PG 278 SCRD	14,007
35	16' PRIVATE PASSAGE WAY		BK 6457 PG 321	8,623
36	16' PRIVATE PASSAGE WAY		BK 2477 PG 278	1,336
37	11.26' PRIVATE PASSAGE WAY		BK 2477 PG 278	1,780



COMMONWEALTH AVENUE  
(PUBLIC 160' WIDE)  
PLAN L-2050

BEACON STREET  
(PUBLIC 70' WIDE)  
PLAN L-1194

BAY STATE ROAD  
(PUBLIC 60' WIDE)  
PLAN L-2184

BAY STATE ROAD  
(PUBLIC 60' WIDE)  
PLAN L-2184

RALEIGH STREET  
(PUBLIC 40' WIDE)  
PLAN L-2271

BEACON STREET  
(PUBLIC 70' WIDE)  
PLAN L-1194

## UTILITY INFORMATION STATEMENT

- THE SUB-SURFACE UTILITY INFORMATION SHOWN HEREON IS COMPILED BASED ON FIELD SURVEY INFORMATION, RECORD INFORMATION AS SUPPLIED BY THE APPROPRIATE UTILITY COMPANIES, AND PLAN INFORMATION SUPPLIED BY THE CLIENT. IF ANY; THEREFORE WE CANNOT GUARANTEE THE ACCURACY OF SAID COMPILED SUB-SURFACE INFORMATION TO ANY CERTAIN DEGREE OF STATED TOLERANCE. ONLY PHYSICALLY LOCATED SUB-SURFACE UTILITY FEATURES FALL WITHIN NORMAL STANDARD OF CARE ACCURACIES.
- THE LOCATIONS OF UNDERGROUND PIPES, CONDUITS, AND STRUCTURES HAVE BEEN DETERMINED FROM SAID INFORMATION, AND ARE APPROXIMATE ONLY. COMPILED LOCATIONS OF ANY UNDERGROUND STRUCTURES, NOT VISIBLY OBSERVED AND LOCATED, CAN VARY FROM THEIR ACTUAL LOCATIONS.
- ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED.
- THE STATUS OF UTILITIES, WHETHER ACTIVE, ABANDONED, OR REMOVED, IS AN UNKNOWN CONDITION AS FAR AS OUR COMPILED INFORMATION.
- IT IS INCUMBENT UPON INDIVIDUALS USING THIS INFORMATION TO UNDERSTAND THAT COMPILED UTILITY INFORMATION IS NOT EXACT, AND IS SUBJECT TO CHANGE BASED UPON VARYING PLAN INFORMATION RECEIVED AND ACTUAL LOCATIONS.
- THE ACCURACY OF MEASURED UTILITY INVERTS AND PIPE SIZES IS SUBJECT TO FIELD CONDITIONS, THE ABILITY TO MAKE VISUAL OBSERVATIONS, DIRECT ACCESS TO THE VARIOUS ELEMENTS AND OTHER MATTERS.
- THE PROPER UTILITY ENGINEERING/COMPANY SHOULD BE CONSULTED AND THE ACTUAL LOCATIONS OF SUBSURFACE STRUCTURES SHOULD BE VERIFIED IN THE FIELD (V.I.F.) BEFORE PLANNING FUTURE CONNECTIONS. CONTACT THE DIG SAFE CALL CENTER AT 1-888-344-7233, SEVENTY-TWO HOURS PRIOR TO EXCAVATION, BLASTING, GRADING, AND/OR PAVING.



David R. Nitsch





Recording Requested By and  
When Recorded Return to:

McCarter & English, LLP  
265 Franklin Street  
Boston, MA 02111  
Attn: Cynthia Keliher, Esq.



2016 00099951  
Bk: 56988 Pg: 281 Page: 1 of 6  
Recorded: 10/24/2016 10:25 AM  
ATTEST: Thomas M Ryan, Temp Register  
Suffolk County Registry of Deeds

MASSACHUSETTS EXCISE TAX  
Suffolk County District ROD # 001  
Date: 10/24/2016 10:25 AM  
Ctil# 164374 19558 Doc# 00099951  
Fee: \$262,799.64 Cons: \$57,631,239.00

**CANCELLED**

## QUITCLAIM DEED

(Buildings and Improvements Only)

**TRUSTEES OF BOSTON UNIVERSITY**, a Massachusetts non-profit corporation ("Grantor"), with a principal business address at One Silber Way, 9<sup>th</sup> Floor, Boston, MA 02215, for consideration paid of Fifty-Seven Million Six Hundred Thirty-One Thousand Two Hundred Thirty-Nine and 00/100 (\$57,631,239.00) Dollars grants to **RREF II KENMORE LESSOR III LLC**, a Delaware limited liability company ("Grantee"), with a principal business address at c/o Related Fund Management, 60 Columbus Circle, New York, NY 10023,

with **QUITCLAIM COVENANTS**,

all right, title and interest of Grantor in the buildings, structures (surface and sub-surface), and other improvements, including such fixtures as shall constitute real property, existing on the date hereof (the "Property"), situated on the land, in the City of Boston, Suffolk County, Massachusetts, known and numbered as:

650, 652-654, 656 and 660 Beacon Street, Boston, Massachusetts

all as more particularly described in Exhibit A attached hereto and incorporated herein.

THIS INSTRUMENT NEITHER QUITCLAIMS NOR CONVEYS ANY INTEREST IN THE LAND UNDERLYING THE PROPERTY, AND GRANTOR RESERVES TO ITSELF FULL FEE TITLE TO SUCH LAND.

The foregoing conveyance is subject to the terms and conditions of a certain Ground Lease dated October 20, 2016 between Grantee, as tenant, and Grantor, as landlord, insofar as in force and effect, a Notice of which is dated October 20, 2016 and recorded herewith. As more particularly described in Exhibit A, certain fiber optic and coaxial conduit and cabling owned by Grantor are excepted from this conveyance.

Grantor hereby certifies that the foregoing conveyance does not constitute a sale of all or substantially all of Grantor's assets.

PLEASE RETURN TO:  
LAWYERS TITLE/COMMONWEALTH LAND TITLE  
COMMERCIAL SERVICES OFFICE  
265 FRANKLIN STREET, 8TH FLOOR  
BOSTON, MA 02110  
ATTN: \_\_\_\_\_ FILE NO. \_\_\_\_\_

ME1 23502324v.4

650, 652-654, 656 and 660 Beacon Street, Boston, Suffolk County, Massachusetts

For Grantor's title to 650 Beacon Street, Boston Massachusetts, see deed from 650 Beacon Street Limited Partnership to Grantor dated March 8, 2002 and recorded with the Suffolk County Registry of Deeds in Book 28143, Page 2.

For Grantor's title to 652-654 Beacon Street, Boston Massachusetts, see deed from Parents' and Children's Services of Children's Mission Inc. to Grantor dated November 10, 1998 and recorded with the Suffolk County Registry of Deeds in Book 23100, Page 30.

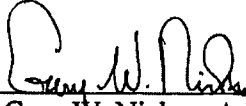
For Grantor's title to 656 Beacon Street, Boston Massachusetts, see deed from CFT Investment Properties, LTD. to Grantor dated October 9, 1992 and recorded with the Suffolk County Registry of Deeds in Book 27095, Page 230.

For Grantor's title to 660 Beacon Street, Boston Massachusetts, see deed from 660 Corporation to Grantor dated September 1, 1994 and recorded with the Suffolk County Registry of Deeds in Book 20115, Page 257.

[Signature page follows.]

Witness my hand and seal this 20 day of October, 2016

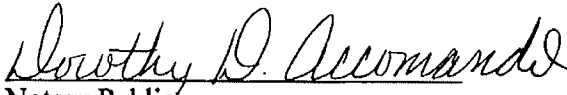
**TRUSTEES OF BOSTON UNIVERSITY,**  
a Massachusetts non-profit corporation

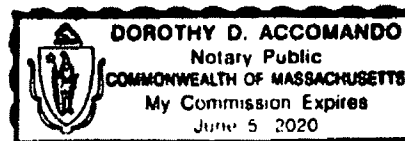
By:   
Gary W. Nicksa, Assistant Treasurer  
Duly Authorized

**COMMONWEALTH OF MASSACHUSETTS**

Suffolk County, ss.

On this 14<sup>th</sup> day of October, 2016, before me, the undersigned Notary Public, personally appeared the above-named **Gary W. Nicksa**, the Assistant Treasurer of Trustees of Boston University proved to me by satisfactory evidence of identification, being (check whichever applies): ☐ driver's license or other state or federal governmental document bearing a photographic image, ☐ oath or affirmation of a credible witness known to me who knows the above signatory, or ☒ my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by him voluntarily for its stated purpose, as the duly-authorized Assistant Treasurer of Trustees of Boston University.

  
Notary Public  
My commission expires: \_\_\_\_\_



**EXHIBIT A****LEGAL DESCRIPTION OF LAND UPON WHICH PROPERTY IS LOCATED****PARCEL ONE: 650 Beacon Street:**

The land, known as and numbered 650 Beacon Street, Boston, Massachusetts, and more particularly described as follows:

A certain parcel of land situated and now numbered 650 on Beacon Street, in the City of Boston, in the County of Suffolk and Commonwealth of Massachusetts and bound and described as follows:

SOUTHEASTERLY	By Beacon Street 33.42 feet;
NORTHEASTERLY	by land of 648 Beacon Street Corporation 125 feet;
NORTHWESTERLY	by a passage-way shown on the plan hereinafter mentioned 33.42 feet;
SOUTHWESTERLY	by Parcel #1 as shown on said plan 125 feet

Containing 4,177.5 feet according to said plan.

Said premises are shown as Parcel No. 2 on a "Plan of Land" in Boston Massachusetts, owned by Uptown Realty Inc., dated August 10, 1948 and duly recorded with the Suffolk Deeds in Book 6457, Page 321.

Including all right, title and interest of Grantor in the buildings, structures (surface and sub-surface) and other improvements, including such fixtures as shall constitute real property, existing on the date hereof and located in so much of the 16 foot wide passageway as abuts the above described premises to the centerline thereof, excepting, however all subsurface fiber optic and coaxial conduit and cabling that are (a) currently owned and exclusively used or operated by Grantor and those claiming under Grantor and (b) located in so much of the 16 foot wide passageway as abuts the Real Property to the centerline thereof, which subsurface fiber optic and coaxial conduit and cabling are reserved to Grantor.

**PARCEL TWO: 652-654 Beacon Street:**

The parcel of land, now known as 654 Beacon Street in the City of Boston, Suffolk County, Massachusetts, shown as Parcel No. 1 on a plan entitled "Plan of Land in Boston owned by Uptown Realty Inc." dated August 10, 1948, by R. S. Slayter, C.E., recorded with the Suffolk County Registry of Deeds, Book 6457, Page 321, being more particularly bounded and described as follows:

SOUTHEASTERLY	by Beacon Street. Thirty-three and 03/100 (33.03) feet;
SOUTHWESTERLY	by land now or formerly of the Dodge Chemical Company by a line in part through the middle of a brick partition wall, One Hundred Twenty-five and no/100 (125.00) feet:
NORTHWESTERLY	by a passageway Thirty-three and 03/100 (33.03) feet; and
NORTHEASTERLY	by land now or formerly of Uptown Realty, Inc. by a line in part through the middle of a brick wall, One Hundred Twenty-five and no/100 (125.00) feet.

Including all right, title and interest of Grantor in the buildings, structures (surface and sub-surface) and other improvements, including such fixtures as shall constitute real property, existing on the date hereof and located in so much of the 16 foot wide passageway as abuts the above described premises to the centerline thereof, excepting,

however all subsurface fiber optic and coaxial conduit and cabling that are (a) currently owned and exclusively used or operated by Grantor and those claiming under Grantor and (b) located in so much of the 16 foot wide passageway as abuts the Real Property to the centerline thereof, which subsurface fiber optic and coaxial conduit and cabling are reserved to Grantor.

**PARCEL THREE: 656 Beacon Street:**

A parcel of land situated and now numbered 656 Beacon Street, in Boston, Suffolk County, Massachusetts, shown on Plan of Land in Boston, Mass. by William S. Crocker, Civil Engineer, dated July 15, 1944, recorded with the Suffolk County Registry of Deeds, Book 6105, Page 586, bounded and described as follows:

- SOUTHEASTERLY: on said Beacon Street, 33.45 feet;
- SOUTHWESTERLY: on land formerly of Lynn Institution for Savings by a line running part through the middle of a 20-inch wall, 125 feet;
- NORTHWESTERLY: on a 16-foot passageway running from Raleigh Street to Deerfield Street, 33.47 feet; and
- NORTHEASTERLY: by land formerly of Massachusetts Hospital Life Insurance Company by a line running in part through the middle of a 12-inch brick wall, which with its foundations shall be and remain a common party wall, 125 feet.

Including all right, title and interest of Grantor in the buildings, structures (surface and sub-surface) and other improvements, including such fixtures as shall constitute real property, existing on the date hereof and located in so much of the 16 foot wide passageway as abuts the above described premises to the centerline thereof, excepting, however all subsurface fiber optic and coaxial conduit and cabling that are (a) currently owned and exclusively used or operated by Grantor and those claiming under Grantor and (b) located in so much of the 16 foot wide passageway as abuts the Real Property to the centerline thereof, which subsurface fiber optic and coaxial conduit and cabling are reserved to Grantor.

**PARCEL FOUR: 660 Beacon Street:**

The land in the State of Massachusetts, County of Suffolk, and City of Boston, known as 660 Beacon Street, being more particularly described as follows:

- SOUTHERLY by Beacon Street on the lines measuring respectively 11.72 feet and 78.50 feet;
- WESTERLY by land now or formerly of Eugene N. Foss, running in part by the westerly face of the building marked "Peerless" as shown on plan of land of said Eugene N. Foss, made by Aspinwall & Lincoln, C.E. dated July 27, 1910, recorded with Suffolk Deeds, Book 3473, Page 622, 129.30 feet;
- NORTHERLY by a 16 foot passageway running from Raleigh Street to Deerfield Street, by two lines measuring 78.45 feet and 12.12 feet ; and
- EASTERLY by a line running in part through the middle of a 20 inch wall of said building marked "Peerless" as shown on said plan, 125 feet.

Being the premises shown as Lot A on a Plan (hereinafter "the plan") of Land made by Aspinwall & Lincoln, C.E., dated March 14, 1912, and recorded in Book 4114, Page 161, and containing 11,483.4 square feet of land, according to said plan.

Including all right, title and interest of Grantor in the buildings, structures (surface and sub-surface) and other improvements, including such fixtures as shall constitute real property, existing on the date hereof and located in so much of the 16 foot wide passageway as abuts the above described premises to the centerline thereof, excepting, however all subsurface fiber optic and coaxial conduit and cabling that are (a) currently owned and exclusively used

or operated by Grantor and those claiming under Grantor and (b) located in so much of the 16 foot wide passageway as abuts the Real Property to the centerline thereof, which subsurface fiber optic and coaxial conduit and cabling are reserved to Grantor.



2016 00100376

Bk: 56996 Pg: 275 Page: 1 of 6

Recorded: 10/24/2016 04:11 PM

ATTEST: Thomas M Ryan, Temp Register

Suffolk County Registry of Deeds

Recording Requested By and  
When Recorded Return to:

McCarter & English, LLP  
265 Franklin Street  
Boston, MA 02111  
Attn: Cynthia Keliher, Esq.

MASSACHUSETTS EXCISE TAX  
Suffolk County District ROD # 001  
Date: 10/24/2016 03:53 PM  
Ctrl# 164408 10013 Doc# 00862575  
Fee: \$120,814.92 Cons: \$26,494,270.00



2016 00862575

Cert#: 125603 Bk: 00624 Pg: 3

Doc: DED 10/24/2016 03:53 PM SF

ATTEST: Thomas M Ryan, Temp Register

Suffolk County Registry of Deeds

**QUITCLAIM DEED**

(Buildings and Improvements Only)

**TRUSTEES OF BOSTON UNIVERSITY**, a Massachusetts non-profit corporation ("Grantor"), with a principal business address at One Silber Way, 9<sup>th</sup> Floor, Boston, MA 02215, for consideration paid of Twenty-Six Million Four Hundred Ninety-Four Thousand Two Hundred Seventy and 00/100 (\$26,494,270.00) Dollars grants to **RREF II KENMORE LESSOR II LLC**, a Delaware limited liability company ("Grantee"), with a principal business address at c/o Related Fund Management, 60 Columbus Circle, New York, NY 10023,

with **QUITCLAIM COVENANTS**,

all right, title and interest of Grantor in the buildings, structures (surface and sub-surface), and other improvements, including such fixtures as shall constitute real property, existing on the date hereof (the "Property"), situated on the land, in the City of Boston, Suffolk County, Massachusetts, known and numbered as:

533, 535, 537-539 & 541 Commonwealth Avenue, Boston, Massachusetts

all as more particularly described in Exhibit A attached hereto and incorporated herein.

THIS INSTRUMENT NEITHER QUITCLAIMS NOR CONVEYS ANY INTEREST IN THE LAND UNDERLYING THE PROPERTY, AND GRANTOR RESERVES TO ITSELF FULL FEE TITLE TO SUCH LAND.

The foregoing conveyance is subject to the terms and conditions of a certain Ground Lease dated October 20, 2016, between Grantee, as tenant, and Grantor, as landlord, insofar as in force and effect, a Notice of which is dated October 20, 2016 and recorded and filed herewith. As more particularly described in Exhibit A, certain subsurface fiber optic and coaxial conduit and cabling owned by Grantor are excepted from this conveyance.

Grantor hereby certifies that the foregoing conveyance does not constitute a sale of all or substantially all of Grantor's assets.

For Grantor's title, see deed from Kenneth G. Condon, as Trustee of The Boston University 533-541 Commonwealth Avenue Trust under Declaration of Trust dated September 11, 1987

**REGISTERED LAND**

533, 535, 537-539 & 541 Commonwealth Avenue, Boston, Suffolk County, Massachusetts

Bar  
Jans  
7/  
NOTATION  
DEED  
FOR  
EAW

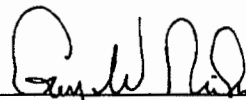


recorded with the Suffolk County Registry of Deeds in Book 14065, Page 116 and filed as Document No. 428762 noted on Certificate of Title No. 101239, to Grantor dated June 23, 2008 and filed with the Suffolk County Registry District of Land Court as Document No. 753492 noted on Certificate of Title No. 125603 and with respect to 537-539 and 541 Commonwealth Avenue, Boston, Massachusetts, only, also recorded with the Suffolk County Registry of Deeds in Book 43711, Page 243.

[Signature page follows]

Witness my hand and seal this 20 day of October, 2016

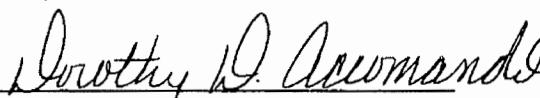
**TRUSTEES OF BOSTON UNIVERSITY,**  
a Massachusetts non-profit corporation

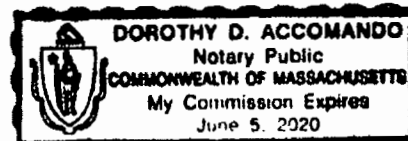
By:   
Gary W. Nicksa, Assistant Treasurer  
Duly Authorized

**COMMONWEALTH OF MASSACHUSETTS**

Suffolk County, ss.

On this 14<sup>th</sup> day of October, 2016, before me, the undersigned Notary Public, personally appeared the above-named **Gary W. Nicksa**, the Assistant Treasurer of Trustees of Boston University proved to me by satisfactory evidence of identification, being (check whichever applies): ☐ driver's license or other state or federal governmental document bearing a photographic image, ☐ oath or affirmation of a credible witness known to me who knows the above signatory, or ☒ my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by him voluntarily for its stated purpose, as the duly-authorized Assistant Treasurer of Trustees of Boston University.

  
Notary Public  
My commission expires: \_\_\_\_\_



**EXHIBIT A**

**LEGAL DESCRIPTION OF LAND UPON WHICH PROPERTY IS LOCATED**

**PARCEL ONE: 533 Commonwealth Avenue:**

That certain parcel of land situated in Boston in the County of Suffolk and Commonwealth of Massachusetts, bounded and described as follows:

- SOUTHERLY by the Northerly line of Commonwealth Avenue, 76.98 feet;
- WESTERLY by Lot E, as shown on the plan hereinafter mentioned, the line running through the middle of a twelve inch party wall, 121.30 feet;
- NORTHERLY by a passageway sixteen feet wide, 75.64 feet; and
- EASTERLY by lot B as shown on said plan, the line running through the middle of a passageway thirty feet wide, as shown on said plan 128.93 feet.

Said land is shown as lot F on a subdivision plan drawn by Aspinwall & Lincoln, Civil Engineers, dated Sept. 9, 1922, filed as plan No. 3665-D, with Certificate of Title No. 14454.

Including all right, title and interest of Grantor in the buildings, structures (surface and sub-surface) and other improvements, including such fixtures as shall constitute real property, existing on the date hereof and located in so much of the 16 foot wide passageway as abuts the above described premises to the centerline thereof, excepting, however all subsurface fiber optic and coaxial conduit and cabling that are (a) currently owned and exclusively used or operated by Grantor and those claiming under Grantor and (b) located in so much of the 16 foot wide passageway as abuts the Real Property to the centerline thereof, which subsurface fiber optic and coaxial conduit and cabling are reserved to Grantor.

**PARCEL TWO: 535 Commonwealth Avenue:**

That certain parcel of land situated in Boston in the County of Suffolk and Commonwealth of Massachusetts, bounded and described as follows:

- SOUTHERLY by the Northerly line of Commonwealth Avenue, 27.27 feet;
- WESTERLY by lot D, as shown on the plan hereinafter mentioned, 116.23 feet;
- NORTHERLY by a passageway sixteen feet wide, 26.19 feet; and
- EASTERLY by lot F, as shown on said plan, the line running through the middle of a twelve inch party wall, 121.30 feet.

Said land is shown as lot E on a subdivision plan drawn by Aspinwall & Lincoln, Civil Engineers, dated Sept. 9, 1922 filed as plan No. 3665-D with certificate of title No. 14454

Including all right, title and interest of Grantor in the buildings, structures (surface and sub-surface) and other improvements, including such fixtures as shall constitute real property, existing on the date hereof and located in so much of the 16 foot wide passageway as abuts the above described premises to the centerline thereof, excepting, however all subsurface fiber optic and coaxial conduit and cabling that are (a) currently owned and exclusively used or operated by Grantor and those claiming under Grantor and (b) located in so much of the 16 foot wide passageway as abuts the Real Property to the centerline thereof, which subsurface fiber optic and coaxial conduit and cabling are reserved to Grantor.

**PARCEL THREE: 537-539 Commonwealth Avenue:**

That certain parcel of land situated in Boston, in the County of Suffolk and Commonwealth of Massachusetts, bounded and described as follows:

SOUTHERLY by the Northerly line of Commonwealth Avenue, 42.81 feet;

WESTERLY by land now or formerly of Eugene Fellner et al Trustees, 105.82 feet;

NORTHERLY by a passageway sixteen feet wide, 40.29 feet; and

EASTERLY by lot C, as shown on the plan hereinafter mentioned, 116.23 feet.

Said land is shown as Lot D on a subdivision plan drawn by Aspinwall & Lincoln, Civil Engineers, dated Sept. 15, 1916, filed as plan No. Land Court Plan No. 3665C with certificate of title No. 8786.

Including all right, title and interest of Grantor in the buildings, structures (surface and sub-surface) and other improvements, including such fixtures as shall constitute real property, existing on the date hereof and located in so much of the 16 foot wide passageway as abuts the above described premises to the centerline thereof, excepting, however all subsurface fiber optic and coaxial conduit and cabling that are (a) currently owned and exclusively used or operated by Grantor and those claiming under Grantor and (b) located in so much of the 16 foot wide passageway as abuts the Real Property to the centerline thereof, which subsurface fiber optic and coaxial conduit and cabling are reserved to Grantor.

**PARCEL FOUR: 541 Commonwealth Avenue:**

The land in Boston, Suffolk County, Massachusetts, commonly known and numbered as 541 Commonwealth Avenue, bounded and described as follows:

SOUTHERLY by Commonwealth Avenue, 32.97 feet;

WESTERLY by Deerfield Street, 95.70 feet;

NORTHERLY by a passageway sixteen feet wide, 30.22 feet; and

EASTERLY by land formerly of Adams by a line parallel with and thirty feet Easterly from the Easterly line of Deerfield Street, 105.73 feet.

Containing 3,026.50 square feet according to and as shown on a plan by William H. Whitney Civil Engineer and Surveyor, dated November 28, 1893, recorded with the Suffolk County Registry of Deeds in Plan Book 2168, Page 178.

Including all right, title and interest of Grantor in the buildings, structures (surface and sub-surface) and other improvements, including such fixtures as shall constitute real property, existing on the date hereof and located in so much of the 16 foot wide passageway as abuts the above described premises to the centerline thereof, excepting, however, all subsurface fiber optic and coaxial conduit and cabling that are (a) currently owned and exclusively used or operated by Grantor and those claiming under Grantor and (b) located in so much of the 16 foot wide passageway as abuts the Real Property to the centerline thereof, which subsurface fiber optic and coaxial conduit and cabling are reserved to Grantor.

**PARCEL FIVE:** Intentionally Omitted

3419264.6

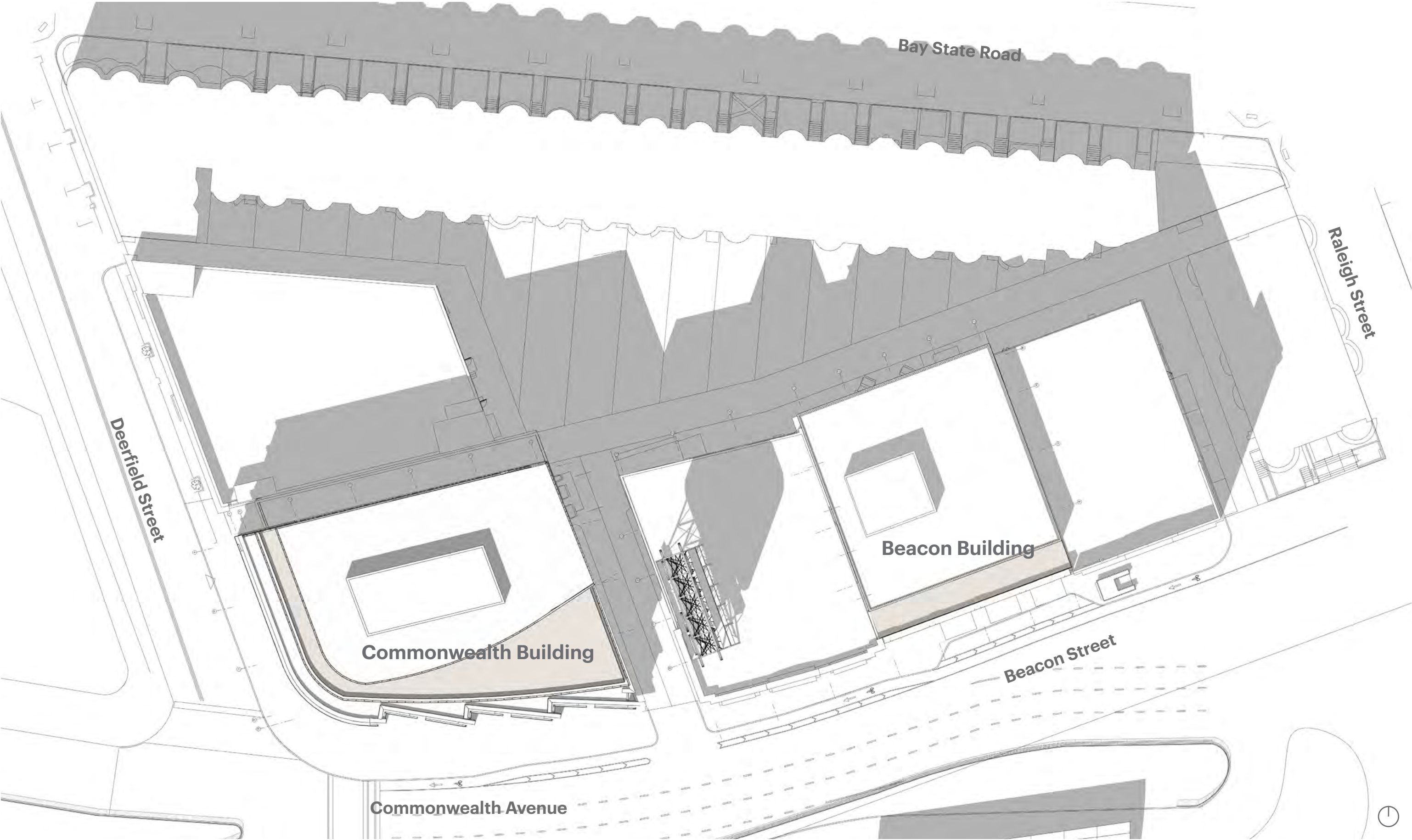
## Project Renderings, Plans, and Elevations

---

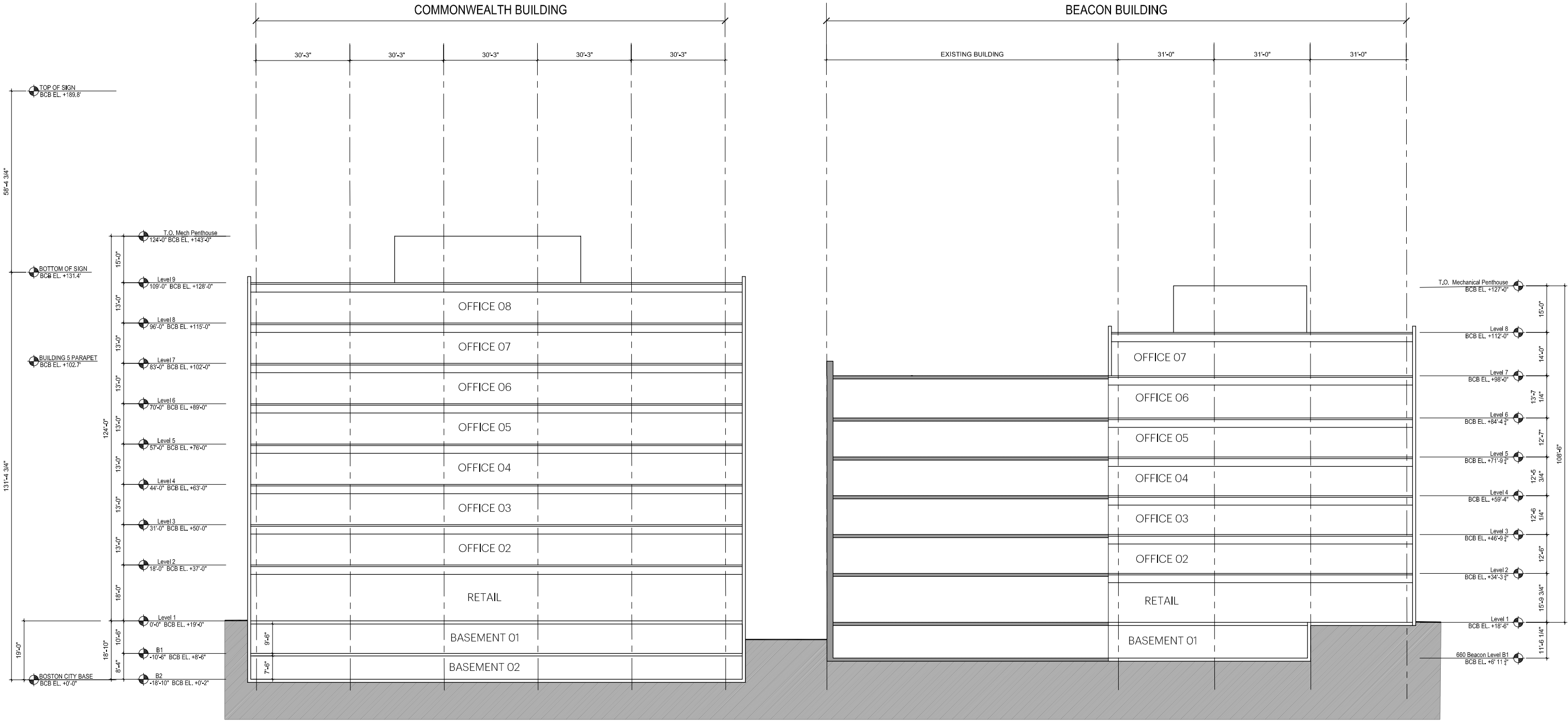






















## **Buildings Proposed for Demolition**

## 1.0 BUILDINGS PROPOSED FOR DEMOLITION

---

### 1.1 Introduction

Related Beal (the “Proponent”) on behalf of its affiliates, RREF II Kenmore Lessor II LLC and RREF II Kenmore Lessor III LLC, proposes the Kenmore Square Redevelopment project, which includes the redevelopment of an approximately 47,500 square foot (sf) site (the “Project Site”) in the heart of Kenmore Square, into a vibrant mix of commercial uses, including office, retail and restaurant.

The Project will provide a new point of reference within Kenmore Square that further enhances the activity and prominence of Kenmore Square as one of Boston’s centers of urban life, while expanding the mix of uses to welcome new office tenants. The redevelopment will reinvigorate the underutilized site, which contains underutilized, inefficient, and partially vacant buildings, and will further enrich this iconic block. With this development, the Project will provide a number of public benefits, including a new diverse mix of office and retail tenants, increased tax revenues, improved public infrastructure, landscape and street trees, and a design that complements the existing context and acknowledges the history of the area.

The Project Site includes seven buildings, beginning at the corner of Deerfield Street with frontage wrapping along the northern side of Commonwealth Avenue and Beacon Street to the east. The project consists of two distinct parcels or components, the Commonwealth Building and the Beacon Building, each a “component” of the Project Site (all as defined below).

The scale of the building both at the pedestrian level and from the various perspective views were sensitively designed in consideration of the Citgo Sign and the 660 Beacon building below.

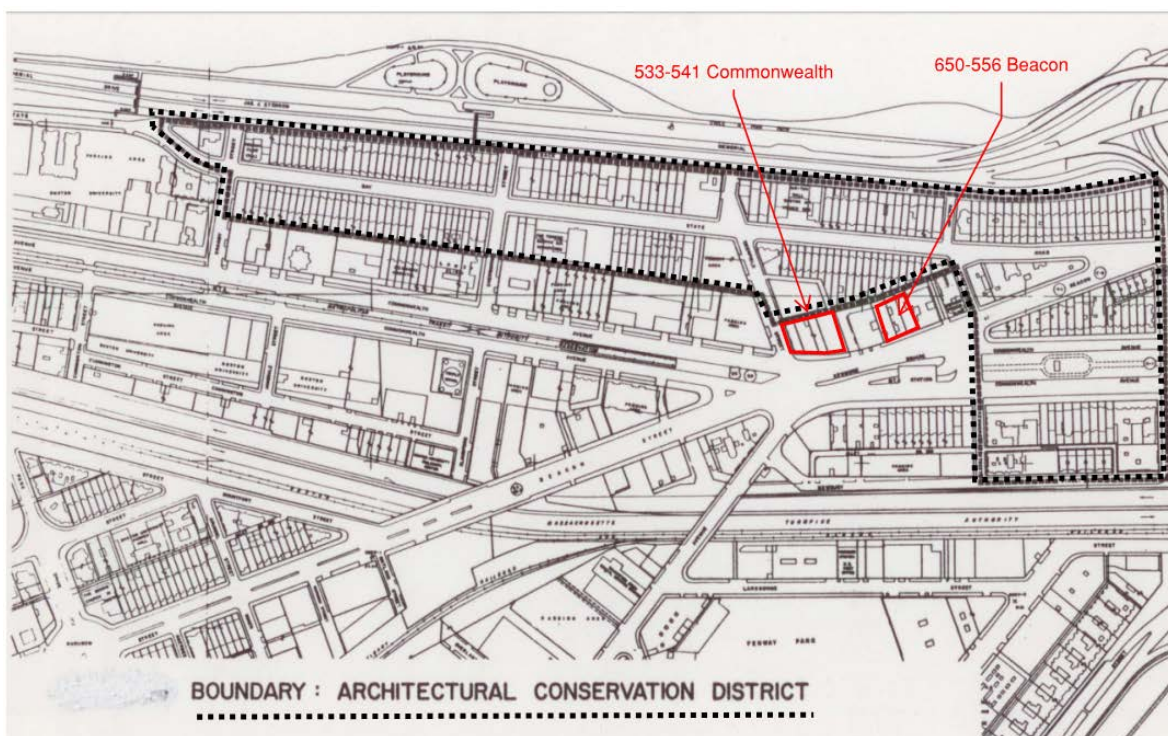
The following buildings are proposed for demolition: the 1894 Westgate Apartments at 541 Commonwealth Avenue, the ca. 1958 New England School of Photography at 535-539 Commonwealth Avenue, the 1916 Overland Store Co. Building) at 533 Commonwealth Avenue, and the Peerless Motor Company Building at 650-656 Beacon Street (Figure 2: Aerial Locus Map).

It is vital to evaluate Kenmore Square in the context of prior urban planning and historic preservation discussions. Kenmore Square was specifically excluded from the Bay State Road/Back Bay West Study Area:

*...because of the fact that its commercial architecture was not generally in the same developmental framework as the residential character of Bay State Road, Commonwealth Avenue and Newbury Street. Furthermore, early structures which do exist in Kenmore Square have been substantially altered at the basement and first floor levels to accommodate commercial enterprises (Bay*

*State Road/Back Bay West District Study Committee Report, Boston Landmarks Commission, 1979).*

The Bay State Road/Back Bay West Study Area terminates directly adjacent to the project site, at 11-19 Deerfield Street. The boundary for the Bay State Road/Back Bay West Architectural Conservation District was deliberately set at this boundary after careful consideration by the Study Committee and The Boston Landmarks Commission who explicitly excluded the buildings currently being proposed for demolition as they did not coincide with the cohesive streetscape or architecturally significant residential properties key to the importance to the study area.



The following section describes the buildings proposed for demolition.

## 1.2 541 Commonwealth Avenue

### 1.2.1 Historical Development of the Property

The undeveloped block located along Commonwealth Avenue and Beacon Street between Raleigh and Deerfield Streets was owned in 1890 by Charles F and John Q. Adams. By 1895, the land between Raleigh and Deerfield Streets had been sold and developed as apartments. The Westgate Apartment block located at the intersection of Commonwealth Avenue and Deerfield Street was constructed in 1894.

The property was owned by members of the Fellner family from 1902 through 1928, beginning with Harriet Fellner in 1902 and 1908, followed by unnamed heirs in 1912 and 1917, and Eugene Fellner in 1928. In 1938, the property was owned by the Suffolk Savings Bank.

The property is included in the Kenmore Square Area (MHC # BOS.XC); however, the property is not listed in the State and National Registers of Historic Places and there is no individual inventory form for the property, nor is it located within a local historic district.

While the building was initially constructed for residential use, a subsequent conversion of the ground floor space to commercial use was completed consistent with the other commercial and mercantile uses found along Commonwealth and Beacon.

### 1.2.2 Description of Building and Overall Conditions

The Westgate is a six-story apartment block constructed in the Classical Revival style. The block features a two-story limestone base with brick walls above with in a limestone and metal cornice. Three continuous bowfront windows from the second to sixth floors are found along the Deerfield Street elevation with spandrel panels. The windows are rotted, and copper is disjointed and bowing out from the façade.

Window openings include a mix of one-over-one wood sash and one-over-one replacement sash. A two-story recessed entry is located on the Commonwealth Avenue façade. A storefront (the opening was created in 1968) alters the first floor at the intersection of Commonwealth Avenue and Deerfield Street for retail use. The secondary elevations (north and east) are devoid of architectural character and feature only a few windows per story. In addition, there is an approximately 16-foot billboard, leased to Clear Channel Outdoor, that sits atop the roof of the Westgate. The sign-face faces to the west, toward Deerfield Street, and rotates between 3<sup>rd</sup> party advertisements on a monthly to bi-monthly basis.

The residential floors above the first-floor commercial space have been vacant for over 30 years and no capital improvements having been made in that time. A walkthrough of the building on May 18, 2018, found the upper floors to be in a deteriorated state with collapsed ceilings and buckled wood floors throughout. In its current condition, the building is uninhabitable and the historical architectural elements, namely the protruding bay windows on the west facade, have seen significant deterioration and are compromised structurally.

A code review undertaken at this time found that in order to change the occupancy of the building to office use, a majority of the floors would need to be considerably modified. Furthermore, a change to office use would fall under the purview of ADA, and would require comprehensive building modifications to achieve compliance. Upgrading the whole building to meet new accessibility code would necessitate new elevators, stairwells, and an accessible entrance and toilet which is currently unachievable in within the existing footprint and lot lines. The building, which is partially sprinkler protected, would require new

sprinklers / life safety system throughout (MGL Ch. 148 sec. 26G), which is also expected to include a fire pump, fire pump room, and standpipes and a full upgrade of all mechanical, electrical, and plumbing which is economically and functionally infeasible.

### **1.3 535-539 Commonwealth Avenue**

#### **1.3.1 Historical Development of the Property**

Prior to the New England School of Photography being constructed in 1958 the site was home to two narrow three-story brick structures which were constructed on the site between 1922 and 1928. The property is included in the Kenmore Square Area (MHC # BOS.XC); however, the property is not listed in the State and National Registers of Historic Places and there is no individual inventory form for the property, nor is it located within a local historic district.

#### **1.3.2 Description of Building and Overall Conditions**

The three-story commercial block features two replacement storefronts flanking a recessed center entrance on the ground floor, and concrete panel sheathing and ribbon windows above. A polished black granite base is featured at the ground floor with a simple cast stone cornice at the top. Black and white striped bands of stone are features at each end on the façade. Modifications to the storefronts have been made. The secondary elevations (north and east) are devoid of architectural ornamentation. Both the east and south (rear) elevation are constructed of brick; one infilled opening is located on the east elevation while the south (rear) elevation features multiple windows per story. Several openings on the south elevation are infilled. Only one retail tenant remains on a portion of the ground floor. The upper floors of the building are vacant.

### **1.4 533 Commonwealth Avenue**

#### **1.4.1 Historical Development of the Property**

533 Commonwealth Avenue was constructed in 1916. Boston City permits indicate that the building was designed by Mills, Rheins, Bellman and Nordoff architects of Toledo, Ohio who had been designing Willys-Overland sales and service buildings in the Mid-west. The property is included in the Kenmore Square Area (MHC # BOS.XC); however, the property is not listed in the State and National Registers of Historic Places and there is no individual inventory form for the property, nor is it located within a local historic district.

#### **1.4.2 Description of Building and Overall Conditions**

The Commonwealth Avenue façade of this two-story brick commercial block features a concrete enframement around the storefronts and windows above. The three ground floor storefronts and windows above have been significantly altered. The first bay at the south end of the east elevation is nearly identical in ornamentation to the south façade while the rest of the east elevation is devoid of architectural ornamentation. Infilled openings are located at



the north end of the east elevation and along the north (rear) elevation. There is an existing billboard located on the roof of the building which was permitted under an ex-tenant of the building. Boston City Permits indicate that the property has had numerous repair and alterations including the replacement of structural steel beams, the addition of lally columns in the basement to support the first floor, replacement of entrances, windows and spalling concrete lintels. The building is vacant.

## **1.5 650-656 Beacon Street**

### **1.5.1 Historical Development of the Property**

The row of commercial structures located at 648-660 Beacon Street were constructed between 1910–1912. 650-656 Beacon Street was designed by Arthur H. Bowditch and used as a garage for the New England headquarters for the Peerless Motor Car Co. into the 1920s. By 1928, the entire row of commercial buildings at 648-660 Beacon Street was owned by Suburban Realty Corp and in 1938, 650-656 Beacon was owned by Massachusetts Hospital Life Insurance Co. The property is included in the Kenmore Square Area (MHC # BOS.XC); however, the property is not listed in the State and National Registers of Historic Places and there is no individual inventory form for the property, nor is it located within a local historic district.

### **1.5.2 Description of Building and Overall Conditions**

The six-story classically inspired commercial building is comprised of three attached brick building which share a common façade. The façade features a two-story stone base with brick pilasters and brick and limestone spandrels above. The façade terminates with a simple brick parapet. Storefronts and upper windows are extruded aluminum replacements. The addition of brick infill at the center bay of 656 Beacon Street has altered the fenestration of the façade. Additionally, the steel angle headers above the window openings are rust jacking causing masonry deterioration, cracking and displacement. The masonry corbelled panel header above the top floor windows at 654 Beacon Street is distressed and the masonry is displaced outward. Additionally, it appears that the masonry panels above the top floor windows at 654 and 656 Commonwealth Avenue were reconstructed in the past.

The secondary (rear) elevation features multiple windows per story as well as egress openings. There is steel corrosion staining occurring at the fire escape anchorage, as well as outward bulging, cracking, and displacement of masonry occurring at many of the anchorage locations. There is black netting visible on the spandrel masonry panels between the window bands on the top three floors of the buildings. It appears that some of the spandrel panels on 656 Beacon Street were reconstructed with new relieving angles and brick spandrels. However, 650 Beacon Street and 654 Beacon Street retain the original angles and masonry. The original steel angles are severely rust-jacking, causing displacement, cracks, spalls to the surrounding masonry elements and window systems.

Many aspects of the building do not meet current building and health and safety codes. There are an inadequate number of means of egress and the egress components do not meet minimum width requirements and they are insufficiently equipped for signage, lighting and ventilation. Upgrading the building to meet new accessibility codes would necessitate new elevators and stairwells which are currently unachievable within the existing footprint. The building will also require a full upgrade of all mechanical, electrical, and plumbing which is economically and functionally infeasible.

**Proposed Development**

---

## 2.0 PROPOSED DEVELOPMENT

---

### 2.1 Project Site

Related Beal on behalf of its affiliates, RREF II Kenmore Lessor II LLC and RREF II Kenmore Lessor III LLC, proposes the Kenmore Square Redevelopment project, which includes the redevelopment of an approximately 47,500 square foot site in the heart of Kenmore Square, into a vibrant mix of commercial uses, including office, retail and restaurant.

The Project Site includes seven buildings: the 1894 Westgate Apartments (MHC # BOS.15495) at 541 Commonwealth Avenue, the ca. 1958 New England School of Photography (MHC # BOS.15494) at 535-539 Commonwealth Avenue, the 1916 Overland Store Co. Building (MHC # BOS.15493) at 533 Commonwealth Avenue, the 1910-1911 Peerless Motor Co. Building (MHC # BOS.7300) at 660 Beacon Street which includes the Citgo sign (MHC # BOS.9270), and the 1910-1911 Peerless Motor Company Building (MHC # BOS.7299) at 650-656 Beacon Street. The buildings' current uses include retail and institutional office spaces and a residential space on the upper floors of 541 Commonwealth Avenue which has been vacant for more than 30 years and has had no capital improvements. Loading and service areas are located behind the buildings adjacent to a surface parking lot not owned by the Proponent. Affiliates of the Proponent are also undertaking limited internal renovations and upgrades to abutting properties at 11-19 Deerfield Street and 642-648 Beacon Street as well as maintaining the long-range views and multiple viewing angles of the Citgo sign atop 660 Beacon Street.

### 2.2 Project Design

The project consists of two distinct parcels or components, the Commonwealth Building and the Beacon Building, each a "component" of the Project Site. Six of the seven existing buildings are proposed to be demolished, while the seventh building, 660 Beacon Street (MHC # BOS.7300) which is home to the Citgo sign (MHC # BOS.9270), will be renovated and joined to new construction on its east side encompassing approximately 142,000 sf of adaptive re-use space.

Directly adjacent to the west of 660 Beacon Street is the proposed construction of a new, approximately 140,000 sf, eight-story building at the corner of Commonwealth Avenue. The Commonwealth Building Site located at 533-541 Commonwealth Avenue at the northeast corner of Commonwealth Avenue and Deerfield Street, will be redeveloped to include the construction of an eight-story, approximately 110-foot tall commercial building (the "Commonwealth Building"). The Commonwealth Building will include approximately 10,280 sf of ground floor retail and approximately 129,720 sf of office space above. The ground floor retail space will span from the existing driveway on the east side of the building



around the corner to Deerfield Street. The office lobby will be located at the northwest corner of the building on Deerfield Street. The Commonwealth Building relates to and is informed by 541 Commonwealth Ave and the existing Kenmore Square context. The proposed building maintains the six-story streetwall set by the existing buildings on Beacon Street. Further the rounded corner at the intersection of Commonwealth Avenue and Deerfield Street captures the spirit and matches the radius of the existing building. Turning the corner in this manner also relates to many of the other corner conditions present in Kenmore Square. Two floors of below-grade parking, including approximately 60 spaces, will be at the basement levels with access via a ramp behind the building.

The redevelopment of the Beacon Building Site located at 650-660 Beacon Street will include the approximately 66,000 sf renovation and preservation of 660 Beacon Street which will be connected to an approximately 76,500 sf new building that will be constructed in place of 650-656 Beacon Street. The new construction portion of the building will be approximately seven stories and approximately 93 feet tall. The new construction maintains the six-story streetwall of the neighboring buildings. It also references the predominant tripartite rhythm of the existing buildings. The base of the proposed building will maintain the two-story retail zone of the context with its masonry tripartite arcade. In total, the Beacon Building will include approximately 124,015 sf of office space above approximately 18,485 sf of ground floor and below grade retail space. The office lobby will be located in the middle of the Beacon Building, with ground floor retail on both sides. There is a terrace located on the seventh floor facing Beacon Street, and the Proponent is also evaluating the feasibility of a green roof. The ground floor retail spaces in the Beacon Building will be appropriately designed as to allow interaction with the enhanced pedestrian realm.

The Project will provide a new point of reference within Kenmore Square that further enhances the activity and prominence of Kenmore Square as one of Boston's centers of urban life, while expanding the mix of uses to welcome new office tenants. The redevelopment will reinvigorate the underutilized and partially vacant buildings, and will further enrich this iconic block. With this development, the Project will provide a number of public benefits, including a new diverse mix of office and retail tenants, increased tax revenues, improved public infrastructure, landscape and street trees, and a design that complements the existing context and acknowledges the history of the area. See attached perspectives, floor plans and sections of the Project attached.



### 3.0 ALTERNATIVE ANALYSIS

---

The Proponent has a strong and proven track record of preserving and renovating historic properties in Boston for workplace and residential use. The 1927 Boston Consolidated Gas Company at 100 Arlington Street underwent a substantial rehabilitation in 2014 converting the office block into 128 residential units. Decorative details, including bronze elevator doors and an unearthed fireplace were restored in the public spaces. In 2015, The Proponent and The Architectural Team led the conversion of the Hoffman Building, a 1906 confectionary manufacturing facility and a dilapidated wharf into a mixed-use office/retail complex. Now known as Lovejoy Wharf, the Hoffman Building is now the world headquarters of Converse Inc. In 2017, six Financial District office buildings including the former Fidelity Headquarters were transformed into a mixed-use development with innovative workspace, residences, retail, restaurants, outdoor public space, and a boutique hotel bringing 24-hour activity to an area historically dominated by financial institutions.

It is within this historic preservation context that the Proponent was first interested in acquiring the Commonwealth Avenue and Beacon Street properties which were part of larger portfolio of nine buildings owned by Boston University. After careful consideration and analysis, it has been concluded that preservation and reuse of the buildings proposed for demolition is not feasible within the proposed developed, however, over approximately 60% of the portfolio square footage will remain; specifically, the buildings at 11-19 Deerfield Street, 660 Beacon and 648 Beacon. Only modest renovations are planned for 11-19 Deerfield Street and 648 Beacon Street and as such, these buildings are not included in the proposed Article 80 Kenmore Square Redevelopment Project.

The following summarizes the alternatives that have been considered prior to arriving at the proposed development program.

#### **3.1 Retention of 541 Commonwealth Avenue and Construction of a Smaller Commonwealth Building**

Initial studies of 541 Commonwealth Avenue revealed the building has substantial physical constraints that preclude its reuse as commercial office space.

The initial project study (Alternative 1) looked at 541 Commonwealth Avenue being preserved in place as the east end of a new commercial building to the west. 541 Commonwealth Avenue was originally constructed as a six-unit apartment block with rooms located primarily along the west elevation and a corridor to the west running north to south. The square footage of each floor of the buildings varies, but all are approximately 2700 square feet. Two stairwells, located along the east wall provide access to the upper floors with an elevator to the south.

In order to retain the existing structure as part of a larger building, the elevation of the floors would need to be substantially modified and the majority of the floors would need to be reconstructed at new elevations. Upgrading the building to meet these and other code requirements presents extensive challenges and would ultimately result in an entire reconstruction of the interior layout and systems. Therefore, the preservation of the building in its current form combined with new construction inside was economically prohibitive and not feasible.

A second study (Alternative 2) looked at retention of the façade of 541 Commonwealth Avenue. The attached section illustrates the differences between the existing façade and the new proposed floors. The size and location of the existing windows along this façade could not be used with the new floors and as such, the existing façade would need to be modified to accommodate the taller building height and larger window openings that the building would no longer retain its character. The immense technical issues that would result from such a modification and resultant cost burden makes re-using the existing façade prohibitive.

### **3.2 Preservation of 650-656 Beacon Street**

An analysis of 650-656 Beacon Street was undertaken to investigate the existing conditions of the building exterior as well as the condition of the commercial office spaces within the building. The due diligence revealed the buildings have substantial physical constraints that preclude their reuse.

Each building is divided by a solid brick party wall and has a small footprint approximately 3,400 – 3,500 square feet with an elevator and interior staircase providing access to the upper floor which limits the occupiable space for each floor. This results in 18 separate spaces, with roughly 3,000 square feet of usable space in each. Internal level changes present a significant challenge to providing universal accessibility into and throughout the most public areas of the building. To accommodate a successful development, a majority of the floors would need to be reconstructed. This would necessitate the removal of party walls between the buildings and the removal of floors resulting in a dislocation between the interior plan and floor elevations and the existing exterior fenestration. In order to support this construction activity, the building would require new foundation elements, as well as significant ground floor reconstruction to accommodate additional pile foundations. In addition, many aspects of the building do not meet current building, health and safety codes. Upgrading the building to meet code requirements presents extensive challenges and would ultimately result in an entire gut of the interior layout and systems. This in conjunction with the extensive changes that need to be made on the remaining envelope would result in little of the existing fabric left to preserve.

After careful study, it was concluded that the building cannot physically meet the needs of a successful, mixed use development. Functionally, the buildings construction and design do not lend themselves to reuse as commercial office or retail.

#### **4.0 Conclusion**

The Proponent has a proven track record of undertaking challenging historic preservation adaptive reuse projects. However, after careful review, the Proponent has concluded that neither 533-541 Commonwealth Avenue or 650-656 Beacon Street can be renovated or expanded to meet the physical and programmatic requirements of the proposed development.

As previously described, preservation and expansion of the buildings proposed for demolition is not feasible given the physical constraints, current building conditions, and structural/code deficiencies in the buildings.

The Project has been carefully designed to be responsive to and harmonious with Kenmore Square and the Citgo Sign atop 660 Beacon Street. The Project will provide a new point of reference that further enhances the activity and prominence of Kenmore Square as one of Boston's centers of urban life, while expanding the mix of uses to welcome new office tenants. The redevelopment will reinvigorate the underutilized site, which contains underutilized, inefficient, and partially vacant buildings, and will further enrich this iconic block while also maintaining the long-range views and multiple viewing angles of the Citgo sign atop 660 Beacon Street.







