



CITY OF CAMBRIDGE
MASSACHUSETTS
BOARD OF ZONING APPEAL
831 MASSACHUSETTS AVENUE
CAMBRIDGE, MA 02139
617 349-6100

BZA APPLICATION FORM

Plan No: BZA-010252-2016

GENERAL INFORMATION

The undersigned hereby petitions the Board of Zoning Appeal for the following:

Special Permit : _____ Variance : ✓ Appeal : _____

PETITIONER : BMR Sidney Research Campus LLC - C/O Ryan D. Pace, Esq.

PETITIONER'S ADDRESS : Anderson & Kreiger LLP, One Canal Park, Suite 200 Cambridge, MA
02141

LOCATION OF PROPERTY : 40 Erie St., 200 Sidney St., 95 Waverly St.

TYPE OF OCCUPANCY : Technical Office for ZONING DISTRICT : Special District - 8
Research & Development

REASON FOR PETITION :

Sign

DESCRIPTION OF PETITIONER'S PROPOSAL :

Variance: To permit the installation of two (2) monument signs each measuring thirty
(30) square feet on the Property. Each sign will be located in a separate location on
the Property. Although one of the monuments signs is permitted, a variance is required
to install the second monument sign.

SECTIONS OF ZONING ORDINANCE CITED :

Article 7.000 Section 7.16.22.A (Signs).

Original Signature(s) :

(Petitioner(s) / Owner)

RYAN D. PACE

(Print Name)

Address : Anderson & Kreiger LLP

ONE CANAL PARK, CAMBRIDGE, MA

Tel. No. : 617-621-6526

E-Mail Address : rpace@andersonkreiger.com

Date : _____

BZA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

I/We BMR-Sidney Research Campus LLC, a Delaware limited liability company

(OWNER)

Address: 17190
17140 Bernardo Center Drive, Suite 222, San Diego CA 92128

40 Erie Street (a/k/a 130 Waverly Street), 200 Sidney Street and 95 Waverly Street

State that I/We own the property located at _____,
which is the subject of this zoning application.

The record title of this property is in the name of _____
BMR-Sidney Research Campus LLC, a Delaware limited liability company

*Pursuant to a deed of duly recorded in the date May 21, 2005, Middlesex South
County Registry of Deeds at Book 45356, Page 494; or
Middlesex Registry District of Land Court, Certificate No. 217509

Book 1301 Page 143. (200 Sidney Street; and deed dated October 29, 2015 at Book 66320,
Page 185 and filed with the Land Court as Document No. 234048, Book 1480, Page 232 (40 Erie Street); See also name change certificate recorded at Book 66641, Page 182)).

William Kane
Senior Vice President East Coast Leasing

[Signature]
SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*

***Written evidence of Agent's standing to represent petitioner may be requested.**

Commonwealth of Massachusetts, County of Middlesex

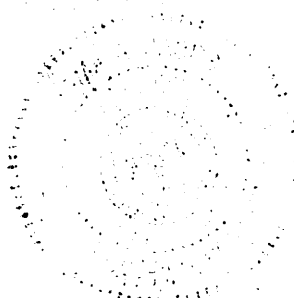
The above-name William Kane personally appeared before me,
this 23rd of May, 2016, and made oath that the above statement is true.

My commission expires Nov. 11, 2016



- If ownership is not shown in recorded deed, e.g., court order, recent deed, or inheritance, please include documentation.

for Vice President East Coast Leading
William Kane



BZA APPLICATION FORM**DIMENSIONAL INFORMATION**

APPLICANT: Anderson & Kreiger

PRESENT USE/OCCUPANCY:

Technical Office
Research & Dev.

LOCATION: 40 Erie St Cambridge, MA 02139

ZONE: Special District - 8

PHONE:

REQUESTED USE/OCCUPANCY:

Technical Office Research & Dev.

		<u>EXISTING</u> <u>CONDITIONS</u>	<u>REQUESTED</u> <u>CONDITIONS</u>	<u>ORDINANCE</u> <u>REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>		230942	230942	0	(max.)
<u>LOT AREA:</u>		185878	185878	5000	(min.)
<u>RATIO OF GROSS FLOOR AREA</u> <u>TO LOT AREA: 2</u>		1.242	1.242	1.25	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>		N/A	N/A	N/A	(min.)
<u>SIZE OF LOT:</u>	WIDTH	377	377	50	(min.)
	DEPTH	720	720	0	
<u>SETBACKS IN FEET:</u>	FRONT	12	5	5	(min.)
	REAR	77	77	0	(min.)
	LEFT SIDE	8.9	8.9	0	(min.)
	RIGHT SIDE	8.8	8.8	0	(min.)
<u>SIZE OF BLDG.:</u>	HEIGHT	64	64	45	(max.)
	LENGTH	0	0	0	
	WIDTH	0	0	0	
<u>RATIO OF USABLE OPEN SPACE</u> <u>TO LOT AREA:</u>		0	0	0	(min.)
<u>NO. OF DWELLING UNITS:</u>		0	0	0	(max.)
<u>NO. OF PARKING SPACES:</u>		4	0	0	(min./max)
<u>NO. OF LOADING AREAS:</u>		2	0	0	(min.)
<u>DISTANCE TO NEAREST BLDG.</u> <u>ON SAME LOT:</u>		36	36	0	(min.)

Describe where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; wood frame, concrete, brick, steel, etc.

1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.

BZA APPLICATION FORM

SUPPORTING STATEMENT FOR A VARIANCE

EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH MGL 40A, SECTION 10:

- A)** A Literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:

Please see supporting statement submitted herewith and incorporated by reference herein.

- B)** The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located for the following reasons:

Please see supporting statement submitted herewith and incorporated by reference herein.

- C)** **DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:**

- 1)** Substantial detriment to the public good for the following reasons:

Please see supporting statement submitted herewith and incorporated by reference herein.

- 2)** Relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:

Please see supporting statement submitted herewith and incorporated by reference herein.

*** If You have any questions as to whether you can establish all of the applicable legal requirements, you should consult with your own attorney.**

ANDERSON KREIGER

RYAN D. PACE

<mailto:rpacer@andersonkreiger.com>

Direct phone: (617) 621-6528

Direct fax: (617) 621-6628

2016 MAY 24 PM 3:21
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

May 13, 2016

Donna P. Lopez, City Clerk
City of Cambridge
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Constantine Alexander, Chair
Board of Zoning Appeal
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Applicant: BMR-Sidney Research Campus LLC ("BMR")
 Property Address: 200 Sidney Street, 40 Erie Street and 95 Waverly Street,
 Cambridge, Massachusetts
 Assessor's Map 66, Lot 146 and Assessor's Map 66, Lot 147
 (the "Property")
 Relief Sought: Variance from Cambridge Zoning Ordinance Section 7.16.22.A
 (Free Standing Signs) pursuant to Cambridge Zoning Ordinance
 Section 10.31 and M.G.L. c. 40A, § 10 and any other relief
 required within the jurisdiction of the Board of Zoning Appeal (the
 "Board") (All relief is requested if and to the extent necessary, all
 rights reserved)

Dear Ms. Lopez, Chairman Alexander and Members of the Board of Zoning Appeal:

Pursuant to the applicable provisions of the City of Cambridge Zoning Ordinance (the "Ordinance") and the Massachusetts General Laws, BMR hereby applies to the Board for a variance from Section 7.16.22.A (Free Standing Signs) of the Ordinance to construct and maintain two free standing signs, each measuring approximately 29.75 square feet, to identify the Sidney Research Campus. The Property is located in the Special District 8 Zoning District.

For the reasons set forth herein, BMR hereby applies to the Board for a variance to permit the exterior free standing signs as depicted on the plans and renderings submitted herewith, if and to the extent necessary, all rights reserved.

I. APPLICATION PACKAGE

Accompanying this application is a payment to the City of Cambridge in the amount of \$500.00 as well as the following materials:

1. The following completed and signed application forms:
 - a. BZA Application Form – General Information;
 - b. BZA Application Form – Ownership Information;
 - c. BZA Application Form – Dimensional Requirements;
 - d. BZA Application Form – Supporting Statement for a Variance; and
 - e. BZA Application Form – Check List;
2. Site Plans;
3. Renderings of Exterior Signage prepared by Arrowstreet including photographs of Property; and
4. Title Materials for the Property (including current deed).

II. VARIANCE RELIEF REQUESTED

Section 7.16.22.A (Free Standing Signs) of the Ordinance provides that a Property may have a Free Standing Sign (or combination of signs if more than one) that total more than 30 square feet.¹ However, due to the configuration of the Property and the location of the existing buildings thereon, in order to make the Sidney Research Campus more easily identifiable to both pedestrian and vehicular traffic, BMR proposes to locate on the Property two Free Standing Signs of up to approximately 29.75 square feet each.² One sign will be located near the main entrance of the building known as 200 Sidney Street near the intersection of Sidney Street and Erie Street. The second sign will be located near the main entrance of the building known as 40 Erie Street near the intersection of Erie Street, Waverly Street and Albany Street. Therefore, although one 30 square foot Free Standing Sign is permitted without the need for relief from the BZA, BMR seeks relief to permit a second Free Standing Sign.

Pursuant to Section 10.31 of the Ordinance and M.G.L. c. 40A, § 10, BMR's proposed signage satisfies the required findings for grant of a variance as follows:³

¹ As the term "Free Standing Sign" is defined by Section 7.13.2.A of the Ordinance.

² The lettering on each sign only comprises 14.30 square feet of each Free Standing Sign. The remainder of the Free Standing Sign is an ornamental complement to fit in with the general aesthetic scheme of the renovated landscaping and open areas.

³ The Ordinance's required findings are virtually the same as the criteria for the grant of a variance prescribed by

1. *A literal enforcement of the provisions of this Ordinance would involve substantial hardship, financial or otherwise to the petitioner or appellant.*

A literal enforcement of the provisions of Section 7.16.22.A of the Ordinance would involve substantial hardship, financial or otherwise to BMR. BMR is undertaking a substantial renovation of the buildings and open areas on the Property. The result of BMR's renovation will be a vastly revitalized appearance for the Property and a significant improvement to the neighborhood. An essential element of this revitalization is the cohesive nature of all of the improvements being performed on the Property's buildings and open areas and the re-branding the Property as the "Sidney Research Campus." In order to ensure that visitors can easily identify the Property and that they understand that both buildings are part of the Sidney Research Campus, it is necessary to not only have signs identifying their addresses (e.g. a sign depicting 200 Sidney, 40 Erie or 95 Waverly to be located on the buildings for which no relief is required), but also to have a common marker near each of the two main entrances to the buildings as well. By allowing visitors to the area to more easily locate the Sidney Research Campus, the signs will reduce traffic, including traffic caused by people circling the streets because they are unable to locate the Property or are uncertain whether the buildings are part of the Sidney Research Campus.

Pursuant to Section 7.16.22.A of the Ordinance, the Property is permitted to have one sign or combination of signs that total up to 30 square feet. However, because of the size, location and orientation of the existing buildings and their respective entrances on the Property, one sign of 30 square feet or two separate signs of 15 square feet are insufficient. The Property is bounded on three sides by streets – Sidney Street, Erie Street and Waverly Street. The main entrance to 200 Sidney Street faces the intersection of Sidney Street and Erie Street (generally facing north) while over 330 feet away the main entrance to 40 Erie Street faces the intersection of Waverly Street, Erie Street and the location where Waverly Street and Erie Street curve into Albany Street (generally facing east).

Given the orientation of the buildings and their relation to Sidney Street and Waverly Street (the two main cross streets to Erie Street near the Property), a single 30 square foot sign cannot be located in a place that clearly identifies the Sidney Research Campus from both Sidney Street and Waverly Street. If such a sign were located near one intersection, it would not be visible from the other intersection. If a sign were located along Erie Street approximately midway between the two intersections, it would have very limited visibility, if any, from both Sidney Street and Waverly Street. Similarly, two smaller signs of approximately 15 square feet each would be very difficult to see, particularly for vehicular traffic.

Accordingly, two signs are necessary to allow people in the area to identify the buildings

constituting the Sidney Research Campus and to provide a consistent aesthetic look and feel to the Property. In the absence of this consistent messaging and identification, prospective tenants and visitors may have a difficult time identifying the Property, thereby hurting BMR's effort to create an office, research and business campus resulting in difficulty marketing the Property resulting in adverse financial impacts on BMR. In addition, any adverse impacts on the value of the Property also result in reduced tax revenue to the City.

As a result, a literal enforcement of the provisions of the Ordinance would result in substantial hardship, financial or otherwise to BMR.

2. *The hardship is owing to soil conditions, shape, or topography of such land or structures and especially affecting such land or structure but not affecting generally the zoning district in which it is located.*

There are unique circumstances relating to the topography and location of the Property and the buildings located thereon that especially affect the Property, but that do not generally affect the Special District 8 zoning district.

The need for the requested variance is a direct result of the unique layout and shape of the structures on the Property as well as the fact that the two of the three streets bounding the Property are one-way streets. As discussed above, the requested variance is required to allow BMR to construct the a second proposed free standing sign in order to allow tenants and their visitors to the area to easily identify the buildings and the Property as the Sidney Research Campus.

Due to the size, location and orientation of the existing buildings and their respective entrances on the Property one sign of 30 square feet or two separate signs of 15 square feet are insufficient. The Property is bounded on three sides by streets – Sidney Street (a one-way street with a southerly direction of travel), Erie Street and Waverly Street (a one-way street with a northerly direction of travel). The main entrance to 200 Sidney Street faces the intersection of Sidney Street and Erie Street (generally facing north) while over 330 feet away the main entrance to 40 Erie Street faces the intersection of Waverly Street, Erie Street and where Waverly Street and Erie Street curve into Albany Street (generally facing east).

Given the orientation of the buildings and their relation to Sidney Street and Waverly Street (the two main cross streets to Erie Street near the Property) a single 30 square foot sign cannot be located in a way that clearly identifies the Sidney Research Campus from both Sidney Street and Waverly Street. If such a sign were located near one intersection, it would not be visible from the other intersection. If the sign were located along Erie Street approximately midway between the two intersections it would have very limited visibility, if any, from both Sidney Street and Waverly Street. Similarly, two smaller signs of approximately 15 square feet each would be very difficult to see, particularly for vehicular traffic.

In addition, due to the layout of the buildings, locating the identifying signs on the buildings near their respective entrances would not provide the necessary visibility from the street to allow traffic, particularly vehicular traffic, to easily and safely identify the Property as the Sidney Research Campus. As depicted on the Sign Location Plan prepared by Arrowstreet, the entrance to 200 Sidney Street building faces north toward the intersection of Sidney Street and Erie Street. However, the building is not a typical shape in that location. Instead of being a right angle, the wall includes two jogs (one on either side of the entrance) and the face of the building's entrance is on a diagonal facing the intersection.

The result effectively sets the façade of the building back from the intersection. In addition, it also results in the façade of the entrance facing north across the intersection. Therefore, someone walking along Sidney Street heading north (i.e. from Allston Street toward Erie Street) would not be able to see a sign near the entrance that is flat on the building. To do so, they would need to go past the building and then turn and look backwards. In addition, a sign on the wall of the building near the entrance would be difficult to see for someone traveling on Erie Street toward Sidney Street. Again, almost requiring the driver a vehicle to drive past the building and then have to look backwards toward the entrance. A Free Standing Sign near this entrance will allow travelers in both directions to more easily and safely identify the Property as the Sidney Research Campus.

The location of the entrance to the 40 Erie Street building is also unique. As depicted on the Sign Location Plan prepared by Arrowstreet, the building jogs in from the Waverly Street side creating an interior right angle, and the entrance generally faces east toward the intersection of Erie Street and Waverly Street where they curve into Albany Street. The entrance is set back approximately 125 feet from Erie Street and approximately 86 feet from Waverly Street. Therefore, similar to the 200 Sidney Street building, a sign located on the building near the entrance would not be visible to a vehicle traveling either east on Erie Street from Sidney Street toward Waverly Street/Albany Street or north on Waverly Street (the direction of travel on the one-way street) toward Erie Street/Albany Street. The proposed Free Standing Sign is proposed to be located so that it is visible from all three streets.

As a result of the layout of the buildings on the Property, as well as their uniquely shaped entrances, a variance to permit the second proposed Free Standing Sign is necessary to assist pedestrians and vehicular traffic by to more easily identify the Property as the Sidney Research Campus.

3. *Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of this Bylaw, and without substantial detriment to the public good.*

Granting the requested variance will not nullify or substantially derogate from the intent or purpose of the Ordinance or be detrimental to the public good. The proposed signage will have no adverse impacts on vehicular traffic or maneuverability on the Property. Moreover, the proposed signs will assist pedestrians and vehicular traffic by allowing them to more easily

identify the Property as the Sidney Research Campus thereby potentially reducing the confusion and congestion in the area resulting in a positive impact on the public good.

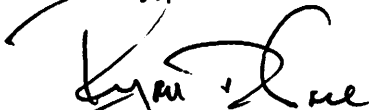
The two signs are necessary to allow people to identify the buildings constituting the Sidney Research Campus and to provide a consistent aesthetic look and feel for the Property. In the absence of this consistent messaging and identification, prospective tenants and visitors may have a difficult time identifying the Property. By locating one Free Standing Sign near the entrance of each of the two buildings on the Property, over 330 feet apart, the proposal is generally consistent with the Ordinance requirements. BMR only proposes to locate one 30 square foot sign per main entrance of two separate buildings located over 330 feet from each other. The location of each sign will minimize the locations from which more than one sign is visible, thereby reducing any potential adverse aesthetic impact on the surrounding area. Because the locations where a person would have a view of both signs at the same time will be limited, each of the proposed signs will be consistent with the Ordinance's general requirement that the total area of Free Standing Signs not exceed 30 square feet and will not cause the Property to appear visually cluttered with signage. The proposed signs are consistent with Ordinance and granting the requested relief will not nullify or substantially derogate from the intent and purpose of the Ordinance nor otherwise be detrimental to the public good.

III. CONCLUSION

BMR respectfully requests the Board to grant the requested variance and any other zoning relief required for the proposed free standing signs. BMR respectfully requests that the Board schedule this application for a public hearing at its next meeting for which proper notice can be given.

If I can provide any further information regarding this application, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan D. Pace", written over a horizontal line.

Ryan D. Pace

cc: Salvatore Zinno (by e-mail)
Brian S. Grossman (by e-mail)



CITY OF CAMBRIDGE
MASSACHUSETTS
BOARD OF ZONING APPEAL
831 MASSACHUSETTS AVENUE
CAMBRIDGE, MA 02139
617 349-6100

2016 MAY 26 PM 2:36

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA APPLICATION FORM

Plan No: BZA-010252-2016

GENERAL INFORMATION

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PETITIONER'S ADDRESS : Anderson & Kreiger LLP, One Canal Park, Suite 200 Cambridge, MA
02141

LOCATION OF PROPERTY : 40 Erie St., 200 Sidney St., 95 Waverly St.

TYPE OF OCCUPANCY : Technical Office for ZONING DISTRICT : Special District - 8
Research & Development

REASON FOR PETITION :

Sign

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to install the second monument sign.

SECTIONS OF ZONING ORDINANCE CITED :

Article 7.000 Section 7.16.22.A (Signs).

Original Signature(s) :

Ryan D. Pace

(Petitioner(s) / Owner)

RYAN D. PACE

(Print Name)

Address :

ANDERSON & KREIGER LLP
ONE CANAL PARK, CAMBRIDGE, MA

Tel. No. :

617-621-6528

E-Mail Address :

ryan@andersonkreiger.com

Date : _____

This is a detailed street map of a portion of Cambridge, Massachusetts, centered around the Charles River Basin. The map shows a grid of streets, including Pacific St, University St, Memorial Dr, and various local streets like Brookline St, Tudor St, and Waverly St. Several parks are labeled, including Pacific Street Open Space, University Park at Pacific Street, Fulmore Park, Fort Washington Park, and Briggs Field, MIT. A red line highlights a specific area in the center, and a blue line highlights another area to the right. The map is oriented with North at the top.

40 Evers. / 200 Sidney St / 95 Waverly St.

Petitioner

66-29-94 /96-118 /54-26 & 25
MASSACHUSETTS INSTITUTE OF TECHNOLOGY
238 MAIN STREET, SUITE #200
CAMBRIDGE, MA 02142

66-53
JACOB BEN-DAVID ZIMMERMAN
43 ALLSTON ST., #1
CAMBRIDGE, MA 02139

ANDERSON & KREIGER LLP
C/O RYAN D. PACE, ESQ.
ONE CANAL PARK, SUITE 200
CAMBRIDGE, MA 02141

66-82-73-99-125-66 /62-30-32
MASSACHUSETTS INSTITUTE OF TECHNOLOGY
OFFICE OF THE TREASURER
238 MAIN ST. - SUITE 200
CAMBRIDGE, MA 02142

54-19
BMR-270 ALBANY STREET LLC,
C/O PARADIGM TAX GROUP LLC
5694 MISSION CENTER ROAD, #602-800
SAN DIEGO, CA 92108

96-130
SHARP, ADAM MD. & DANIEL PALESTRANT, MD
64 HAMILTON ST
CAMBRIDGE, MA 02139

62-39
CAMBRIDGE ELECTRIC LIGHT CO.
C/O CAMBRIDGE ELECTRIC CO
PROPERTY TAX DEPT, P.O. BOX 270
HARTFORD, CT 06141

67-61
MIT 149 SIDNEY SPE LLC
C/O MIT INVESTMENT MANAG.
238 MAIN ST
CAMBRIDGE, MA 02142

62-40
BMR-325 VASSAR STREET LLC,
C/O PARADIGM TAX GROUP
5694 MISSION CENTER RD.
SUITE 602-800
SAN DIEGO, CA 92108

61-11-12-13 /54-10-28 /64-7 /67-66
MASSACHUSETTS INSTITUTE OF TECHNOLOGY
C/O OFFICE OF THE TREASURER
238 MAIN ST. SUITE 200
CAMBRIDGE, MA 02142

66-53
PARK, DANIEL J. & SUSAN Y. PARK
43 ALLSTON ST. UNIT#3
CAMBRIDGE, MA 02139

66-43
YAU, SHING TUNG & YU-YUN KUO YUA
TRUSTEE OF YAU FAMILY TRUST
P.O. BOX#390266
CAMBRIDGE, MA 02139

66-152
SIDNEY GROVE LLC,
C/O MORRIS & MORSE COMPANY, INC.
66 LONG WHARF
BOSTON, MA 02110

66-96
HAINES, PETER D. & SEKYO N. HAINES
202 SIDNEY ST
CAMBRIDGE, MA 02139

96-88
MCKINNEY, ANNE
C/O SIKRI, VIVEK A. &
57-59 ALLSTON ST., UNIT #2
CAMBRIDGE, MA 02139

66-53
SMITH, MAGIE L.
43 ALLSTON ST., UNIT #2
CAMBRIDGE, MA 02139

67-65-67 /66-147-146
BMR-21 ERIE STREET LLC,
C/O PARADIGM TAX GROUP, LLC
5694 MISSION CENTER ROAD, #602-800
SAN DIEGO, CA 92108

67-56 /95-74
MIT 170/171 SIDNEY LLC C/O ARE EQUITIES
C/O ARE-MA REGION NO.23 LLC
P.O. BOX 847
CARLSBAD, CA 92018

96-126
FIRST C-G LIMITED PARTNERSHIP
179 SIDNEY STREET
CAMBRIDGE, MA 02139

96-98
SIDNEY STREET ENTERPRISES LLC.
60 HAMILTON ST
CAMBRIDGE, MA 02139

96-88
MACDONALD, CHRISTOPHER &
ABIGAIL MACDONALD
59 ALLSTON ST. UNIT#1
CAMBRIDGE, MA 02139

96-88
MUNDY, CYNTHIA L.
59 ALLSTON ST. UNIT #3
CAMBRIDGE, MA 02139

66-74
CITY OF CAMBRIDGE
C/O PUBLIC WORKS DEPARTMENT

66-74
CITY OF CAMBRIDGE
C/O NANCY GLOWA
CITY SOLICITOR

66-74
CITY OF CAMBRIDGE
C/O RICHARD ROSSI
CITY MANAGER



CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Fl., Cambridge, Massachusetts 02139

Telephone: 617 349 4683 Fax: 617 349 3116 TTY: 617 349 6112

E-mail: histcomm@cambridgema.gov URL: http://www.cambridgema.gov/Historic

William B. King, *Chair*, Bruce A. Irving, *Vice Chair*, Charles M. Sullivan, *Executive Director*

William G. Barry, Jr., M. Robert G. Crocker, Chandra Harrington, Jo M. Solet, *Members*

Shary Page Berg, Joseph V. Ferrara, Susannah Barton Tobin, *Alternates*

Jurisdiction Advice

To the Owner of Property at 40 Erie Street:

The above-referenced property is subject to the jurisdiction of the Cambridge Historical Commission (CHC) by reason of the status referenced below:

- ☐ Old Cambridge Historic District
- ☐ Fort Washington Historic District
(M.G.L. Ch. 40C, City Code §2.78.050)
- ☐ Avon Hill Neighborhood Conservation District
- ☐ Half Crown – Marsh Neighborhood Conservation District
- ☐ Harvard Square Conservation District
- ☐ Mid Cambridge Neighborhood Conservation District
- ☐ Designated Landmark
- ☐ Property is being studied for designation: _____
(City Code, Ch. 2.78., Article III, and various City Council Orders)
- ☐ Preservation Restriction or Easement (as recorded)
- ☐ Structure is fifty years or more old and therefore subject to CHC review of any application for a demolition permit, if one is required by ISD. (City Code, Ch. 2.78, Article II). **See the back of this page for definition of demolition.**
- ☒ No jurisdiction: not a designated historic property and the structure is less than fifty years old.
- ☐ No local jurisdiction, but the property is listed on the National Register of Historic Places; CHC staff is available for consultation, upon request.
Staff comments: _____

The Board of Zoning Appeal advises applicants to complete Historical Commission or Neighborhood Conservation District Commission reviews before appearing before the Board.

If a line indicating possible jurisdiction is checked, the owner needs to consult with the staff of the Historical Commission to determine whether a hearing will be required.

CHC staff initials SRM

Date 5/20/2016

Received by uploaded to Energo
Relationship to project _____

Date 5/23/2016

cc: Applicant
Inspectional Services Commissioner

Demolition Delay Ordinance and Application Information

The Demolition Delay Ordinance (Chapter 2.78, Article II of the Cambridge Municipal Code) was adopted by the City Council in 1979 to afford public review of demolition permit applications for potentially significant buildings. When the Historical Commission determines that a building is significant and should be preserved, demolition will be delayed for up to six months so that solutions can be sought to preserve the building indefinitely. The Ordinance covers all buildings over 50 years old, city-wide. The Historical Commission archives provide dates of construction for all properties in the City.

Demolition is defined in the ordinance as "the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction with the intent of completing the same." The Inspectional Services Commissioner has provided further guidelines to outline what actions require a demolition permit. **In addition to complete demolition of a building, the following actions may require a demolition permit,**

- **removal of a roof,**
- **removal of one side of a building,**
- **gutting of a building's interior to the point where exterior features (windows, etc.) are impacted, and**
- **removal of more than 25% of a structure.**

Please contact the building inspector or a staff member of the Historical Commission if you have questions about whether a demolition permit is required for a particular project.

Demolition permit applications can be obtained from the Inspectional Services Department. The completed application should be submitted to the Historical Commission, where the staff will review the application. If the Executive Director of the Historical Commission makes an initial determination that the building is significant, a public hearing will be scheduled with Historical Commission. If the staff makes an initial determination that the building is not significant, the application is released for further review by the Building Commissioner.

More information about the demolition permit application procedures is available on the Historical Commission's web site or by calling or dropping by the Historical Commission office.

July 2003

Cambridge Historical Commission
831 Massachusetts Ave., 2nd Fl.
Cambridge, MA 02139

Ph: 617/349-4683 or TTY: 617/349-6112

<http://www.cambridgema.gov/Historic/demolitiondelay.html>

ANDERSON KREIGER

RYAN D. PACE

<mailto:rpacer@andersonkreiger.com>

Direct phone: (617) 621-6528

Direct fax: (617) 621-6628

May 13, 2016

Donna P. Lopez, City Clerk
City of Cambridge
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Constantine Alexander, Chair
Board of Zoning Appeal
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Applicant: BMR-Sidney Research Campus LLC ("BMR")
 Property Address: 200 Sidney Street, 40 Erie Street and 95 Waverly Street,
 Cambridge, Massachusetts
 Assessor's Map 66, Lot 146 and Assessor's Map 66, Lot 147
 (the "Property")
 Relief Sought: Variance from Cambridge Zoning Ordinance Section 7.16.22.A
 (Free Standing Signs) pursuant to Cambridge Zoning Ordinance
 Section 10.31 and M.G.L. c. 40A, § 10 and any other relief
 required within the jurisdiction of the Board of Zoning Appeal (the
 "Board") (All relief is requested if and to the extent necessary, all
 rights reserved)

Dear Ms. Lopez, Chairman Alexander and Members of the Board of Zoning Appeal:

Pursuant to the applicable provisions of the City of Cambridge Zoning Ordinance (the "Ordinance") and the Massachusetts General Laws, BMR hereby applies to the Board for a variance from Section 7.16.22.A (Free Standing Signs) of the Ordinance to construct and maintain two free standing signs, each measuring approximately 29.75 square feet, to identify the Sidney Research Campus. The Property is located in the Special District 8 Zoning District.

For the reasons set forth herein, BMR hereby applies to the Board for a variance to permit the exterior free standing signs as depicted on the plans and renderings submitted herewith, if and to the extent necessary, all rights reserved.

I. APPLICATION PACKAGE

Accompanying this application is a payment to the City of Cambridge in the amount of \$500.00 as well as the following materials:

1. The following completed and signed application forms:
 - a. BZA Application Form – General Information;
 - b. BZA Application Form – Ownership Information;
 - c. BZA Application Form – Dimensional Requirements;
 - d. BZA Application Form – Supporting Statement for a Variance; and
 - e. BZA Application Form – Check List;
2. Site Plans;
3. Renderings of Exterior Signage prepared by Arrowstreet including photographs of Property; and
4. Title Materials for the Property (including current deed).

II. VARIANCE RELIEF REQUESTED

Section 7.16.22.A (Free Standing Signs) of the Ordinance provides that a Property may have a Free Standing Sign (or combination of signs if more than one) that total more than 30 square feet.¹ However, due to the configuration of the Property and the location of the existing buildings thereon, in order to make the Sidney Research Campus more easily identifiable to both pedestrian and vehicular traffic, BMR proposes to locate on the Property two Free Standing Signs of up to approximately 29.75 square feet each.² One sign will be located near the main entrance of the building known as 200 Sidney Street near the intersection of Sidney Street and Erie Street. The second sign will be located near the main entrance of the building known as 40 Erie Street near the intersection of Erie Street, Waverly Street and Albany Street. Therefore, although one 30 square foot Free Standing Sign is permitted without the need for relief from the BZA, BMR seeks relief to permit a second Free Standing Sign.

Pursuant to Section 10.31 of the Ordinance and M.G.L. c. 40A, § 10, BMR's proposed signage satisfies the required findings for grant of a variance as follows:³

¹ As the term "Free Standing Sign" is defined by Section 7.13.2.A of the Ordinance.

² The lettering on each sign only comprises 14.30 square feet of each Free Standing Sign. The remainder of the Free Standing Sign is an ornamental complement to fit in with the general aesthetic scheme of the renovated landscaping and open areas.

³ The Ordinance's required findings are virtually the same as the criteria for the grant of a variance prescribed by

1. *A literal enforcement of the provisions of this Ordinance would involve substantial hardship, financial or otherwise to the petitioner or appellant.*

A literal enforcement of the provisions of Section 7.16.22.A of the Ordinance would involve substantial hardship, financial or otherwise to BMR. BMR is undertaking a substantial renovation of the buildings and open areas on the Property. The result of BMR's renovation will be a vastly revitalized appearance for the Property and a significant improvement to the neighborhood. An essential element of this revitalization is the cohesive nature of all of the improvements being performed on the Property's buildings and open areas and the re-branding the Property as the "Sidney Research Campus." In order to ensure that visitors can easily identify the Property and that they understand that both buildings are part of the Sidney Research Campus, it is necessary to not only have signs identifying their addresses (e.g. a sign depicting 200 Sidney, 40 Erie or 95 Waverly to be located on the buildings for which no relief is required), but also to have a common marker near each of the two main entrances to the buildings as well. By allowing visitors to the area to more easily locate the Sidney Research Campus, the signs will reduce traffic, including traffic caused by people circling the streets because they are unable to locate the Property or are uncertain whether the buildings are part of the Sidney Research Campus.

Pursuant to Section 7.16.22.A of the Ordinance, the Property is permitted to have one sign or combination of signs that total up to 30 square feet. However, because of the size, location and orientation of the existing buildings and their respective entrances on the Property, one sign of 30 square feet or two separate signs of 15 square feet are insufficient. The Property is bounded on three sides by streets – Sidney Street, Erie Street and Waverly Street. The main entrance to 200 Sidney Street faces the intersection of Sidney Street and Erie Street (generally facing north) while over 330 feet away the main entrance to 40 Erie Street faces the intersection of Waverly Street, Erie Street and the location where Waverly Street and Erie Street curve into Albany Street (generally facing east).

Given the orientation of the buildings and their relation to Sidney Street and Waverly Street (the two main cross streets to Erie Street near the Property), a single 30 square foot sign cannot be located in a place that clearly identifies the Sidney Research Campus from both Sidney Street and Waverly Street. If such a sign were located near one intersection, it would not be visible from the other intersection. If a sign were located along Erie Street approximately midway between the two intersections, it would have very limited visibility, if any, from both Sidney Street and Waverly Street. Similarly, two smaller signs of approximately 15 square feet each would be very difficult to see, particularly for vehicular traffic.

Accordingly, two signs are necessary to allow people in the area to identify the buildings

constituting the Sidney Research Campus and to provide a consistent aesthetic look and feel to the Property. In the absence of this consistent messaging and identification, prospective tenants and visitors may have a difficult time identifying the Property, thereby hurting BMR's effort to create an office, research and business campus resulting in difficulty marketing the Property resulting in adverse financial impacts on BMR. In addition, any adverse impacts on the value of the Property also result in reduced tax revenue to the City.

As a result, a literal enforcement of the provisions of the Ordinance would result in substantial hardship, financial or otherwise to BMR.

2. *The hardship is owing to soil conditions, shape, or topography of such land or structures and especially affecting such land or structure but not affecting generally the zoning district in which it is located.*

There are unique circumstances relating to the topography and location of the Property and the buildings located thereon that especially affect the Property, but that do not generally affect the Special District 8 zoning district.

The need for the requested variance is a direct result of the unique layout and shape of the structures on the Property as well as the fact that the two of the three streets bounding the Property are one-way streets. As discussed above, the requested variance is required to allow BMR to construct the a second proposed free standing sign in order to allow tenants and their visitors to the area to easily identify the buildings and the Property as the Sidney Research Campus.

Due to the size, location and orientation of the existing buildings and their respective entrances on the Property one sign of 30 square feet or two separate signs of 15 square feet are insufficient. The Property is bounded on three sides by streets – Sidney Street (a one-way street with a southerly direction of travel), Erie Street and Waverly Street (a one-way street with a northerly direction of travel). The main entrance to 200 Sidney Street faces the intersection of Sidney Street and Erie Street (generally facing north) while over 330 feet away the main entrance to 40 Erie Street faces the intersection of Waverly Street, Erie Street and where Waverly Street and Erie Street curve into Albany Street (generally facing east).

Given the orientation of the buildings and their relation to Sidney Street and Waverly Street (the two main cross streets to Erie Street near the Property) a single 30 square foot sign cannot be located in a way that clearly identifies the Sidney Research Campus from both Sidney Street and Waverly Street. If such a sign were located near one intersection, it would not be visible from the other intersection. If the sign were located along Erie Street approximately midway between the two intersections it would have very limited visibility, if any, from both Sidney Street and Waverly Street. Similarly, two smaller signs of approximately 15 square feet each would be very difficult to see, particularly for vehicular traffic.

In addition, due to the layout of the buildings, locating the identifying signs on the buildings near their respective entrances would not provide the necessary visibility from the street to allow traffic, particularly vehicular traffic, to easily and safely identify the Property as the Sidney Research Campus. As depicted on the Sign Location Plan prepared by Arrowstreet, the entrance to 200 Sidney Street building faces north toward the intersection of Sidney Street and Erie Street. However, the building is not a typical shape in that location. Instead of being a right angle, the wall includes two jogs (one on either side of the entrance) and the face of the building's entrance is on a diagonal facing the intersection.

The result effectively sets the façade of the building back from the intersection. In addition, it also results in the façade of the entrance facing north across the intersection. Therefore, someone walking along Sidney Street heading north (i.e. from Allston Street toward Erie Street) would not be able to see a sign near the entrance that is flat on the building. To do so, they would need to go past the building and then turn and look backwards. In addition, a sign on the wall of the building near the entrance would be difficult to see for someone traveling on Erie Street toward Sidney Street. Again, almost requiring the driver a vehicle to drive past the building and then have to look backwards toward the entrance. A Free Standing Sign near this entrance will allow travelers in both directions to more easily and safely identify the Property as the Sidney Research Campus.

The location of the entrance to the 40 Erie Street building is also unique. As depicted on the Sign Location Plan prepared by Arrowstreet, the building jogs in from the Waverly Street side creating an interior right angle, and the entrance generally faces east toward the intersection of Erie Street and Waverly Street where they curve into Albany Street. The entrance is set back approximately 125 feet from Erie Street and approximately 86 feet from Waverly Street. Therefore, similar to the 200 Sidney Street building, a sign located on the building near the entrance would not be visible to a vehicle traveling either east on Erie Street from Sidney Street toward Waverly Street/Albany Street or north on Waverly Street (the direction of travel on the one-way street) toward Erie Street/Albany Street. The proposed Free Standing Sign is proposed to be located so that it is visible from all three streets.

As a result of the layout of the buildings on the Property, as well as their uniquely shaped entrances, a variance to permit the second proposed Free Standing Sign is necessary to assist pedestrians and vehicular traffic by to more easily identify the Property as the Sidney Research Campus.

3. *Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of this Bylaw, and without substantial detriment to the public good.*

Granting the requested variance will not nullify or substantially derogate from the intent or purpose of the Ordinance or be detrimental to the public good. The proposed signage will have no adverse impacts on vehicular traffic or maneuverability on the Property. Moreover, the proposed signs will assist pedestrians and vehicular traffic by allowing them to more easily

identify the Property as the Sidney Research Campus thereby potentially reducing the confusion and congestion in the area resulting in a positive impact on the public good.

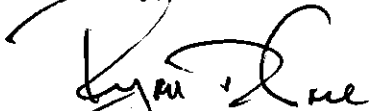
The two signs are necessary to allow people to identify the buildings constituting the Sidney Research Campus and to provide a consistent aesthetic look and feel for the Property. In the absence of this consistent messaging and identification, prospective tenants and visitors may have a difficult time identifying the Property. By locating one Free Standing Sign near the entrance of each of the two buildings on the Property, over 330 feet apart, the proposal is generally consistent with the Ordinance requirements. BMR only proposes to locate one 30 square foot sign per main entrance of two separate buildings located over 330 feet from each other. The location of each sign will minimize the locations from which more than one sign is visible, thereby reducing any potential adverse aesthetic impact on the surrounding area. Because the locations where a person would have a view of both signs at the same time will be limited, each of the proposed signs will be consistent with the Ordinance's general requirement that the total area of Free Standing Signs not exceed 30 square feet and will not cause the Property to appear visually cluttered with signage. The proposed signs are consistent with Ordinance and granting the requested relief will not nullify or substantially derogate from the intent and purpose of the Ordinance nor otherwise be detrimental to the public good.

III. CONCLUSION

BMR respectfully requests the Board to grant the requested variance and any other zoning relief required for the proposed free standing signs. BMR respectfully requests that the Board schedule this application for a public hearing at its next meeting for which proper notice can be given.

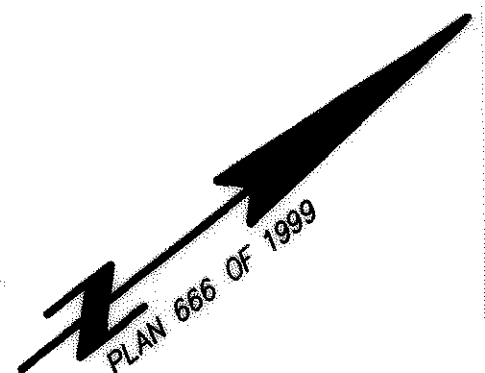
If I can provide any further information regarding this application, please let me know.

Sincerely,



Ryan D. Pace

cc: Salvatore Zinno (by e-mail)
Brian S. Grossman (by e-mail)



REFERENCES:

MIDDLESEX COUNTY REGISTRY OF DEEDS
BOOK 2529 PAGE END
BOOK 3181 PAGE END
BOOK 10600 PAGE 428
BOOK 12367 PAGE 326
BOOK 12935 PAGE 696
BOOK 13117 PAGE 541
BOOK 19280 PAGE 534
BOOK 25378 PAGE 270
BOOK 31127 PAGE 187
BOOK 45356 PAGE 298
BOOK 45356 PAGE 494

PLAN BOOK 1-A PLAN 5
PLAN BOOK 15 PLAN 25
PLAN BOOK 223 PLAN 7
PLAN NUMBER 666 OF 1999
MASSACHUSETTS LAND COURT

L.C.C. #10431
L.C.C. #19105
L.C.C. #19338
L.C.C. #20185
L.C.C. #20634
L.C.C. #21997
L.C.C. #25241
L.C.C. #31443

TRANSFER CERTIFICATE OF TITLE NO. 202436
TRANSFER CERTIFICATE OF TITLE NO. 605250
TRANSFER CERTIFICATE OF TITLE NO. 665865
TRANSFER CERTIFICATE OF TITLE NO. 666833
DOCUMENT NO. 1130894

SEE BOOK 31127 PAGE 187 AND DOCUMENT NO. 1130894
FOR EASEMENTS BETWEEN FORT WASHINGTON PREMISES AND
200 SIDNEY STREET PREMISES.

UNRECORDED PLAN
PLAN OF PROPERTY
CAMBRIDGE, MASS
BY FERRO & ASSOCIATES
DATED: NOVEMBER 29, 1994

Middlesex Registry of Deeds,
Southern District
Cambridge, Massachusetts
Plan No. 870 of 2015
Rec'd 11-2-2015
at 10 H 04 M A M

Attest

RESERVED FOR REGISTRY USE

NOTE

EASEMENTS NOT SHOWN.

LEGEND

BK BACK
OV OVER
SQ. FT. SQUARE FEET
L.C.C. LAND COURT CASE
..... INTERIOR LINE LAND
..... COURT PARCEL
..... INTERIOR LOT LINE

PUTNAM AVENUE
(PUBLIC ~ 40' WIDE)

GROVE (PRIVATE ~ 30' WIDE) AVENUE

SIDNEY (PUBLIC ~ 40' WIDE) STREET

ALLSTON (PUBLIC ~ 40' WIDE) STREET

HAMILTON STREET

ERIE (PUBLIC ~ 40' WIDE) STREET

BELL (PRIVATE) COURT

WAVERLY (PUBLIC ~ VARIABLE WIDTH) STREET

LOT 100
TOTAL AREA = 185,878 SQ. FT.
4.267 ACRES

40 ERIE STREET
AREA=79,796 SQ.FT.
1.832 ACRES
MAP 66- LOT 147

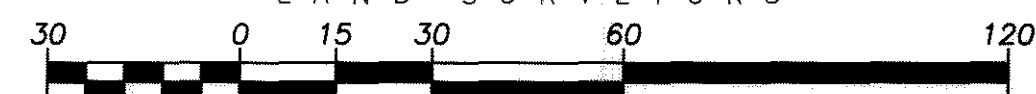
200 SIDNEY STREET
AREA=106,082 SQ.FT.
2.435 ACRES
MAP 66-LOT 146

THE PURPOSE OF THIS PLAN IS TO COMBINE
ASSESSOR'S PARCEL MAP 66-LOT 146 AND
ASSESSOR'S PARCEL MAP 66-LOT 147 TO FORM
LOT 100, UPON BOTH PARCELS HAVING COMMON
OWNERSHIP.

LOT CONSOLIDATION PLAN
40 ERIE STREET
200 SIDNEY STREET
CAMBRIDGE, MASS.

FELDMAN LAND SURVEYORS
112 SHAWMUT AVENUE
BOSTON, MASS. 02118
SEPTEMBER 23, 2015
PHONE: (617)357-9740
www.feldmansurveyors.com

FELDMAN
LAND SURVEYORS



SCALE: 1"=30'

RESEARCH JAB	FIELD CHIEF JM	PROJ MGR SMD	APPROVED RGA	SHEET NO. 1 OF 1
CALC RGA	CADD TMT	FIELD CHECKED	CRD FILE 14858	JOB NO. 14858

FILENAME: S:\PROJECTS\14800s\14858\DWG\14858.dwg

I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND
REGULATIONS OF THE REGISTERS OF DEEDS.

ROBERT G. APPLIGATE, PLS (MA# 28514)
rgo@feldmansurveyors.com

10/19/15
DATE



870 OF 2015

Sidney Research Campus
Freestanding Signage

Cambridge, MA / 15 March 2016 / Prepared for BioMed

ARROWSTREET

10 POST OFFICE SQUARE

SUITE 700N

BOSTON MA 02109

617.623.5555

www.arrowstreet.com

Sidney Research Campus

Table of Contents

P.2 / Sign Location Plan / Exterior Signage

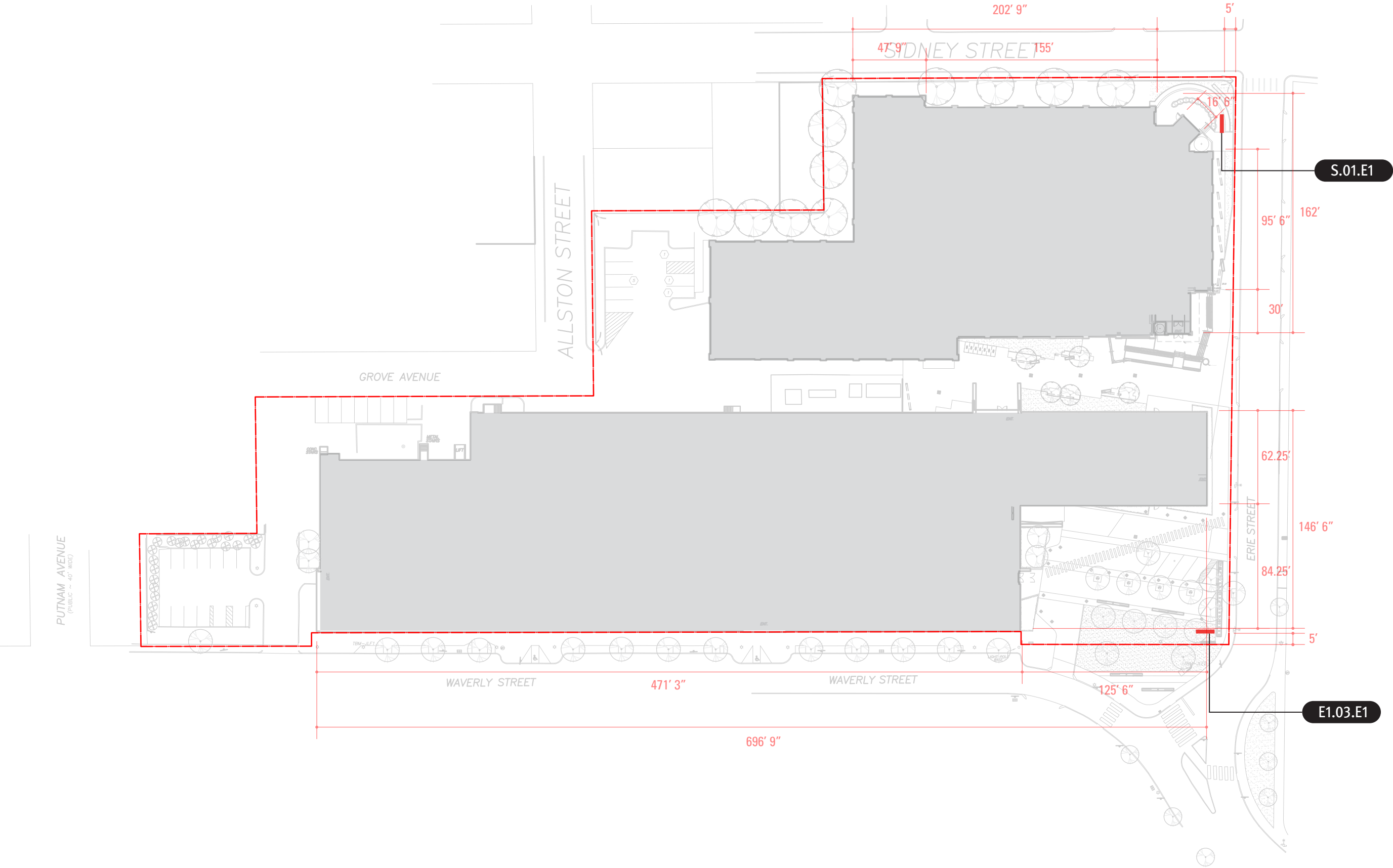
P.3 / Exterior Views

P.4 / Exterior Signage / SRC Monument / Sign Type E1

P.5 / Sign Type E1 / Exterior View / 40 Erie

P.6 / Sign Type E1 / Exterior View / 200 Sidney

Sign Location Plan / Exterior Signage



Exterior Views (Illustration For Reference Only)



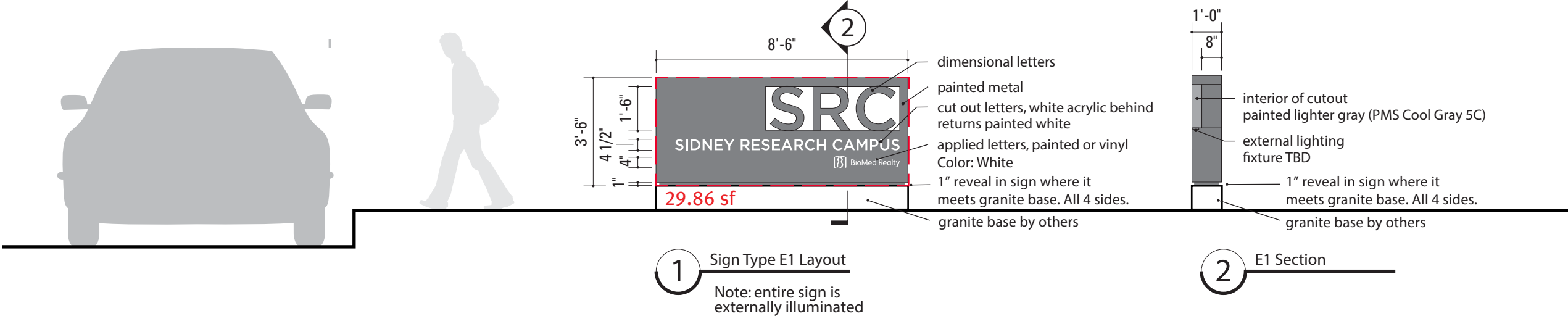
Exterior Signage / SRC Monument / Sign Type E1



ExteriorMonumentRendering



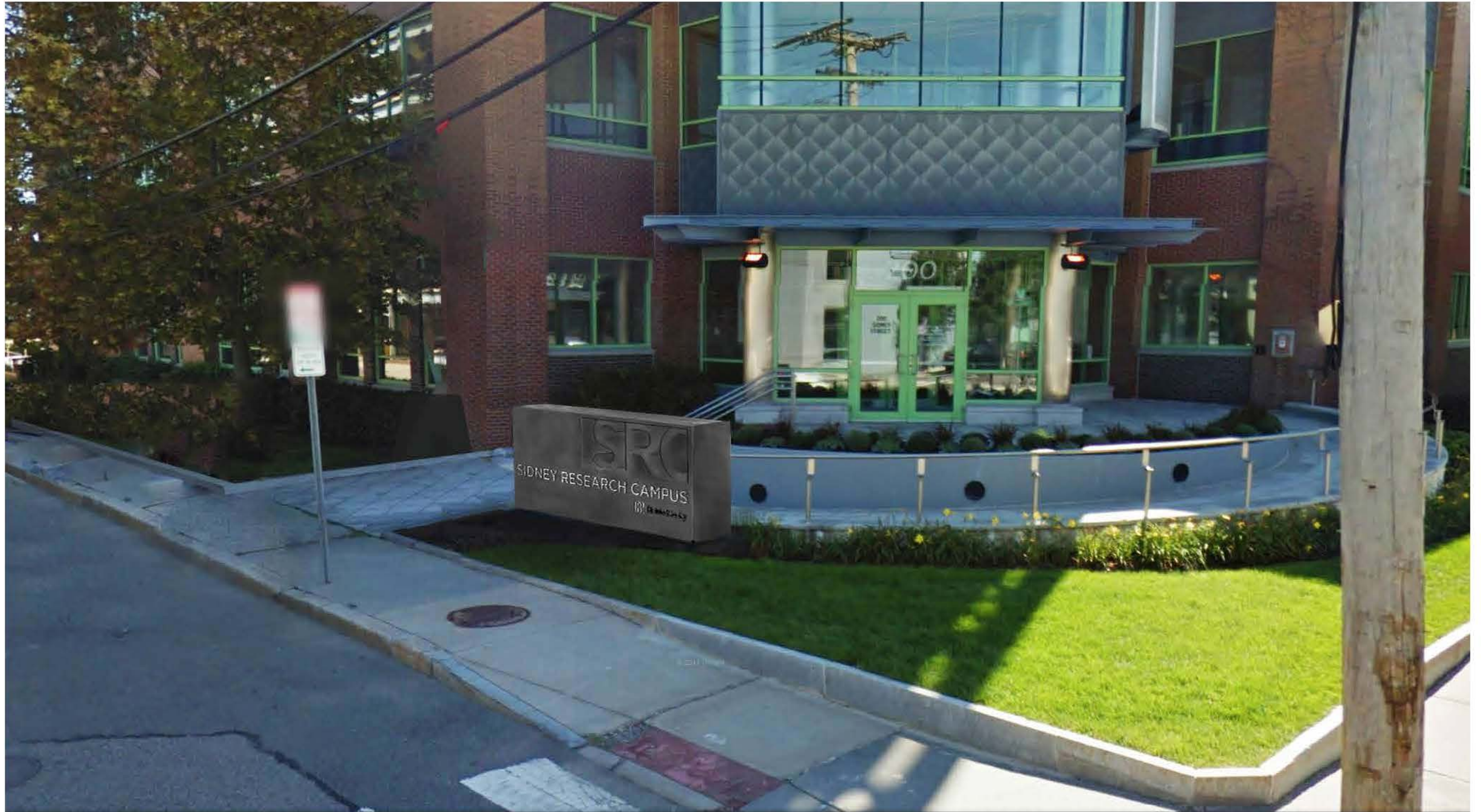
3 Sign Type E1 Layout
Scale: 1/2"= 1'-0"



Sign Type E1 / Exterior View / 40 Erie Street



Sign Type E1 / Exterior View / 200 Sidney Street



34



2015 00188352
 Bk: 88320 Pg: 185 Doc: DEED
 Page: 1 of 3 11/02/2015 11:00 AM

QUITCLAIM DEED

BMR-40 Erie Street LLC, a Delaware limited liability company, having a principal place of business at 17190 Bernardo Center Drive, San Diego, California 92128,

for consideration paid and in full consideration of One Dollar (\$1.00),

hereby grants to **BMR-200 Sidney Street LLC**, a Delaware limited liability company, having a principal place of business at 17190 Bernardo Center Drive, San Diego, California 92128,

with QUITCLAIM COVENANTS,

the land, with the buildings and improvements thereon, now known as and numbered 40 Erie Street, Cambridge, Middlesex County, Massachusetts (a/k/a 130 Waverly Street, Cambridge, Massachusetts) and further described as follows:

A parcel of land which is partially registered and partially recorded, located at Waverly Street in the City of Cambridge, County of Middlesex, and Commonwealth of Massachusetts and being shown as (i) Lot 4 on Land Court Plan 19105-C; (ii) Lot 1 on Land Court Plan 19338-B; and (iii) Lot 2 on Plan No. 666 of 1999, recorded with the Middlesex South District Registry of Deeds in Book 30314, Page 94.

No Massachusetts deed excise stamps are affixed hereto as the consideration is such that none are required by law.

The Premises are conveyed subject to and with the benefit of restrictions, easements, covenants and agreements of record, if any, insofar as the same are now in force and applicable.

Grantor is not classified as a corporation for federal income tax purposes.

Reputed: Stewart Title
 One Washington Hall
 Ste 1400
 Boston, MA 02108

140320382 11

Property Address: 40 Erie Street Cambridge, Massachusetts
 (a/k/a 130 Waverly Street, Cambridge, Massachusetts)
 Plan No. 666 of 1999

Being the same premises conveyed to the grantor by Quitclaim Deed of David E. Clem and David M. Roby, Trustees of Fort Washington Realty Trust, dated May 24, 2005 and recorded with the Middlesex South Registry of Deeds at Book 45356, Page 298 and filed with the Middlesex South Registry District of the Land Court as Document No. 1376306 and noted on Certificate of Title No. 202436 in Registration Book 1301, Page 142.

[Remainder of Page Intentionally Left Blank]


EXECUTED under seal as of this 29 day of October, 2015.

BMR-40 Erie Street LLC,
a Delaware limited liability company

By: 
Name: William Kane
Title: Senior Vice President, Boston Market Lead

COMMONWEALTH OF MASSACHUSETTS
COUNTY OF MIDDLESEX

On this 27 day of October, 2015, before me, the undersigned notary public,
personally appeared William Kane, proved to me through satisfactory evidence of
identification, which was MA Driver's License, to be the person whose
name is signed on the preceding or attached document and acknowledged to me that (he)(she)
signed it voluntarily for its stated purpose as SVP for
BMR-40 Erie Street LLC, a Delaware limited liability company.

 **ALICIA LYNN MOLESSO**
Notary Public
Commonwealth of Massachusetts
My Commission Expires
June 17, 2022
Notary Public
My Commission Expires: June 17, 2022



William Francis Galvin
Secretary of the
Commonwealth

The Commonwealth of Massachusetts
Secretary of the Commonwealth
State House, Boston, Massachusetts 02133

January 5, 2016



TO WHOM IT MAY CONCERN:

I hereby certify that a certificate of registration for a Foreign Limited Liability Company was filed in this office by

BMR-SIDNEY RESEARCH CAMPUS LLC
(ORGANIZED AS: BMR-200 SIDNEY STREET LLC)

in accordance with the provisions of Massachusetts General Laws Chapter 156C on May 17, 2005.

I also certify that the following amendments to said Limited Liability Company have been filed:

Amendment filed November 5, 2015

I further certify that no other amendment to the registration has been filed; that there are no proceedings presently pending for said Limited Liability Company's revocation pursuant to Massachusetts General Laws Chapter 156C section 72; and that, so far as appears of record, said registration has not been cancelled or withdrawn.



2016 00003304
Bk: 66641 Pg: 182 Doc: CERT
Page: 1 of 5 01/07/2016 12:09 PM

In testimony of which,

I have hereunto affixed the

Great Seal of the Commonwealth

on the date first above written.



William Francis Galvin

Secretary of the Commonwealth

Processed By:tpg

025

**CERTIFICATE OF AMENDMENT
OF A
FOREIGN LIMITED LIABILITY COMPANY**

Federal Employer Identification No.

1. The name of the foreign limited liability company is: BMR-200 Sidney Street LLC

1a. The name, if different, under which it is registered and doing business in the Commonwealth is: N/A

2. Its jurisdiction of organization and date of organization is: April 20, 2005 Delaware

3. The date its Application for Registration was filed with the Massachusetts Secretary of the Commonwealth is: May 17, 2005

4. The name and business address, if different from its principal office location, of each manager: N/A

5. The name of each person authorized to execute, acknowledge, deliver and record any recordable instrument purporting to affect an interest in real property whether to be filed with the registry of deeds or a district office of the land court, if any, and business address, if different from its principal office location:

Alan D. Gold, Gary A. Kreitzer, Greg N. Lubushkin, Karen A. Sztraicher,
John P. Bonanno, Jonathan P. Klassen, Kevin M. Simonsen, Robert M. Siatek,
Stephen A. Willey, Janice L. Kameir, William F. Kane, Denis J. Sullivan, Jr.,
David Hsiao, Brian J. Wolfe, Kevin M. Stein, Tracie J. Hager, Tracy A. Murphy

6. The amendment to its Application for Registration is as follows:

1. Name of the foreign limited liability company: BMR-Sidney Research Campus LLC. /

11/05/2015 09:21 16174280928

CT

PAGE 03/04

DATED: November 4, 2015

BMR-200 Sidney Street LLC

(Limited Liability Company Name)

By: Brian J. Wolfe

Brian J. Wolfe, Authorized Person

(Print Name)

Delaware

The First State

Page 1

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF
DELAWARE, DO HEREBY CERTIFY THAT THE SAID "BMR-200 SIDNEY STREET .
LLC", FILED A CERTIFICATE OF AMENDMENT, CHANGING ITS NAME TO
"BMR-SIDNEY RESEARCH CAMPUS LLC" ON THE THIRTIETH DAY OF
OCTOBER, A.D. 2015, AT 9:09 O'CLOCK P.M.



3958161 8320
SR# 20150782796

You may verify this certificate online at corp.delaware.gov/authver.shtml

A handwritten signature in black ink, appearing to read "JBULLOCK", is written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed in a small font.

Authentication: 10363662
Date: 11-04-15

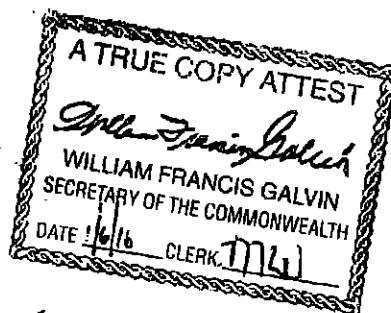
MA SOC Filing Number: 201550214200 Date: 11/5/2015 9:19:00 AM

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears
that the provisions of the General Laws relative to corporations have been complied with,
and I hereby approve said articles; and the filing fee having been paid, said articles are

deemed to have been filed with me on:

November 05, 2015 09:19 AM



A large, stylized handwritten signature of William Francis Galvin.

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth