

EF EDUCATION FIRST

SP/PUD Final Development Plan Application



10.18.2011



**EF Education First
New Building Project**

EFEKTA House, Inc.
Owner/Applicant

The Congress Group, Inc.
Developer

The McKinnon Co.
Development Consultant

DLA Piper
Attorney

Wingardhs
Design Architect

Wilson Architects Inc.
Architect of Record

Cosentini
MEP Engineers

Weidlinger Associates, Inc.
Structural Engineers

Vanasse Hangen Brustlin, Inc.
Civil Engineers

ZEN Associates, Inc.
Landscape Architects

Haley & Aldrich
Environmental & Geotechnical Engineers

Vanasse & Associates, Inc.
Traffic Study

Tishman Construction Co.
Construction Manager

Note:
Special permits for Article 19.20
and for Article 10.45/6.35.1
approved 9.06.2011.

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August 12, 2011

Hugh Russell, Chairman
Cambridge Planning Board
344 Broadway
Cambridge MA, 02139

Dear Hugh and Members of the Board,

On behalf of EF Education First, I want to thank the Board for allowing us to come before you on September 6, 2011 for our Development Proposal public hearing. I would like to write this letter to serve as our introduction, a chance to speak briefly about EF, EF in Cambridge, and this proposal plus an overview of the status of the project. The development has gone through a number of public reviews and decisions already and so this is a chance to review them, along with the level of support they indicate.

Under the direction of The Congress Group, our team has worked hard to produce documents for the Board that are concise yet complete. We know that this is all the more necessary given our promise to make our presentation at the public hearing to the point.

EF

EF Education First is the world's leader of international education programs. They run 16 different businesses offering four types of programs: language learning, educational tours, cultural exchange and traditional academic programs. EF currently has 34,000 employees around the world operating out of over 400 offices and schools in over 50 countries. Their mission is to break down the barriers of language, culture and geography that divide people. The symbol of that mission sits outside their front door in the form of the Berlin Wall (there are only three fully intact sections in the United States and this is one of them) which was a gift from EF employees to their owner for his 50th birthday.

EF has developed more efficient and effective ways to teach English. As a result, they are continuously selected as the official language trainer for the employees of the Olympics and World Cup Soccer. They have already been chosen for Brazil in 2014 and Russia after that. A truly distinguished company.

EF/Cambridge and this Project

EF moved to Cambridge in 1987 as a tenant of Congress Group at One Memorial Drive. They had 60 employees. Today they own their own building at North Point with more than 650 full time employees.

They have absolutely outgrown their building. In fact, they are currently looking for 60,000 SF of space until we can deliver this building to them. In a time of widespread unemployment, this company is going against the tide. The completion of the project before you will allow EF to immediately hire 400 full time staff. It is likely when the present building and the proposed one are functioning smoothly together, EF will ultimately have added a total of 1000 new jobs here in Cambridge. That will bring the total number of employees to 1700. Right here, in our City.

Support and Official Actions

The project is somewhat unusual in that it comes before you, having already been the subject of intense scrutiny, a variety of public actions and wide ranging support.

Last week, Governor Patrick signed into law Special Legislation for EF. It will, among other things, allow us to do MEPA and Chapter 91 simultaneously rather than in sequence. The Governor's special interest here, as was that of the Legislature, was to bring the large number of jobs mentioned above online at the earliest possible date.

Prior to that, Mayor David Maher by letter and the City Council by unanimous Resolution urged DOT to initiate an RFP under competitive bidding to give EF the chance to acquire this surplus parcel at North Point. Thereafter, the Board of DOT voted to convey the parcel to EF.

During this period, I initiated a zoning petition under my own name on behalf of EF. The petition allowed this project to proceed. It received the unanimous recommendation of the Planning Board and then was voted into law by the City Council.

All of these actions, taken together were accompanied by 10 different public meetings here in Cambridge and then in the House and Senate.

Beyond that, we have met with the East Cambridge Planning Team on 4 different occasions already. We will meet with them again of course. I attach a wonderful letter of support from the ECPT to the Board. I have met on three different occasions with our neighbors at the Regatta. I am scheduled to meet at the next Trustees meeting on September 12, 2011. I will also do several presentations for all interested Regatta unit owners.

The Board may recall that we appeared before you for a Pre-Application Conference. At that time we had a chance to preview this project with you and to introduce our architect Gert Wingardh, who EF selected after holding a design competition. We have also had dozens of meetings with the CDD staff and with officials in other City departments and State agencies.

I point out this unusual state of prior review and official support for informational purposes and for context only. We of course understand that the Board reaches its own independent judgment and have the utmost respect for that. All of the support letters are attached to this letter.

I hope this letter is helpful in giving the Board some overview of who EF is and where we are in the process. All of us look forward to being with you on the evening of September 6, 2011.

For EF,

Rich McKinnon

Support Letters

East Cambridge Planning Team

Cambridge City Council

Mayor David Maher



May 17, 2011

Mr. Brian Murphy, Assistant City Manager
Community Development Department
City of Cambridge
Inman Street
Cambridge, MA 02139

Dear Brian,

At the May 11, 2011 meeting of the East Cambridge Planning Team (ECPT) Education First (EF) presented its design for their new building at Northpoint. This presentation was similar to the one made to the Planning Board the prior evening. As with the Planning Board, the reception of the ECPT members to this design was overwhelmingly positive. It fits in nicely with the surrounding environment, compliments the Zakim Bridge and, makes a very positive statement about the international headquarters of EF.

Members expressed their support for this building and its departure from the 'typical' buildings to which they have become accustomed to seeing in East Cambridge – big boxes. Also, members were so impressed with the design, they asked how they could provide input to City Staff and the Planning Board. The membership asked that ECPT write a letter expressing their support for this design even before a formal submission has been made to the Planning Board.

Therefore, I am asking the City Staff to take into consideration the overwhelming support for the current design of the proposed EF building by ECPT members when discussing the design and any proposed modifications with EF, its consultant, its architects, Gert Wingardh and Anders Olausson, builders and the Planning Board. This site has the potential to host a landmark building in a location of prominence entering Cambridge. The proposed EF building, in the opinion of those who have seen the design, appears to achieve just such a distinction. Please do not limit the potential of this building and site by making substantial modifications to the design as was done to another proposed building by Arquitectonica. Members of the Planning Team, old and young, want to move into the 22nd century with style.

We look forward to working with the City, Planning Board and EF to help achieve the vision of a world class building befitting a world class organization in a world class city as formal submissions are made for project and design review.

Sincerely,

Barbara Broussard, President
East Cambridge Planning Team

Cc: City of Cambridge Planning Board



City of Cambridge

AMENDED ORDER
R-34.
IN CITY COUNCIL

June 7, 2010

COUNCILLOR TOOMEY
MAYOR MAHER
COUNCILLOR SEIDEL
COUNCILLOR SIMMONS
COUNCILLOR CHEUNG
VICE MAYOR DAVIS
COUNCILLOR DECKER
COUNCILLOR KELLEY
COUNCILLOR REEVES

- WHEREAS: It has come to the attention of the City Council that after 13 years of doing business in Cambridge, Education First (EF) has chosen Cambridge, Massachusetts as the location to expand their North American Headquarters; and
- WHEREAS: EF has chosen Cambridge over competing cities such as Miami and Denver; and
- WHEREAS: The expansion of EF's North American Headquarters and the development of Hult Graduate School of Business within Cambridge is a great economic opportunity that will bring economic growth to Massachusetts, create jobs, and will bring life to the Northpoint area; and
- WHEREAS: EF has already shown a willingness to partner with Cambridge Public School Department by organizing many international trips for students, and plan to continue this practice as they grow in Cambridge; now therefore be it
- RESOLVED: That the City Council go on record in support of Education First's decision to build their North American Headquarters in Cambridge (on DOT surplus land across the street from their present headquarters at NorthPoint), and expect a transparent public process (from the developer, Congress Group), as they solidify their plans for construction; and be it further

RESOLVED: That the City Clerk be and hereby is requested to forward a suitably engrossed copy of this resolution to Education First on behalf of the entire City Council.

In City Council June 7, 2010.

Adopted as amended by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in cursive script that reads "D. Margaret Drury". The signature is written in dark ink and is positioned to the right of the printed name.

D. Margaret Drury
City Clerk



OFFICE OF THE MAYOR

David P. Maher, Mayor

May 5, 2010

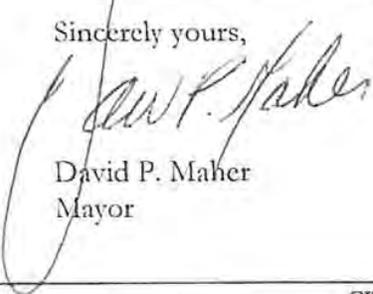
The Honorable Governor Deval Patrick
Massachusetts State House
Office of the Governor
Room 280
Boston, MA 02133

Dear Governor Patrick:

I am writing in support of the new building which EF Education is seeking to build in East Cambridge. This is a project that will use private sector funding to create good jobs, stimulate local business, and generate new revenue for the City of Cambridge and the Commonwealth. EF Education is seeking to make a major expansion of its operations in East Cambridge by developing a new building on land owned by the Massachusetts Department of Transportation. The ability to use this site is critical since it is almost next door to EF's existing building at One Education Street. The project will provide a big economic boost for this area when it is critically needed and will also have long-term lasting benefits for the economy. As you consider the disposition of this parcel, I urge you to move quickly so that we do not lose this opportunity.

The new building will house the expanded North American Headquarters of the EF group of companies. This is estimated to require approximately 400 to 500 new employees. The existing building will be renovated to house the Hult Institute of international Business and more corporate office space. The new building will have a new restaurant and a large meeting space on the ground floor. EF will expand its commitment for educational travel support in the community. The building will be a full Cambridge real estate tax payer.

Sincerely yours,


David P. Maher
Mayor

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4321 FAX: (617) 349-4320 TTY/TDD: (617) 349-4242 EMAIL: dmaher@cambridgema.gov

City of Cambridge, Massachusetts
Planning Board

City Hall Annex, 344 Broadway, Cambridge, MA 02139

a. SPECIAL PERMIT APPLICATION – COVER SHEET

To the Planning Board of the City of Cambridge:

The undersigned hereby petitions the Planning Board for one or more Special Permits in accordance with the requirements of the following Sections of the Zoning Ordinance:

1. Section 19.20 (Project Review)
2. Article 12/Section 13.70 (PUD in North Point Residence District)
3. Section 13.70 (non-residential GFA, permitted retail use)
4. Section 6.35.1/Section 10.45 (reduction of minimum parking requirement)

Applicant: EFEKTA House, Inc.

Address: One Education Street, Cambridge, MA 02141

Telephone: 1.800.992.1892 FAX: 1.800.590.1125

Location of Premises: Industrial Park Drive and North Point Boulevard Extension
(southeast corner)

Zoning District: North Point Residence, Office and Business District; PUD-6 District

Submitted Materials: Please refer to the Table of Contents for a list of submitted materials

Signature of Applicant: *Rd D. R+ , Attorney, for Applicant*

For the Planning Board, this application has been reviewed and is hereby certified complete by the Community Development Department:

Date

Signature of CDD Staff

b. SPECIAL PERMIT APPLICATION – SUMMARY OF APPLICATION

Project Name: Address of Site: Applicant: Planning Board Project Number: (CDD)

Hearing Timeline (CDD)

Application Date:		
Planning Board 1 st Hearing Date:	_____	*
<i>(PUD Development Proposal, other special permit)</i>		
Planning Board Preliminary Determination:	_____	*
<i>(PUD Development Proposal)</i>		
Second Submission Date:	_____	*
<i>(PUD Final Development Plan)</i>		
Planning Board 2 nd Hearing Date:	_____	*
<i>(PUD Final Development Plan)</i>		
Final Planning Board Action Date:	_____	*
<i>(PUD Final Development Plan, other special permit)</i>		
Deadline for Filing Decision:	_____	*
<i>*Subject to extension by mutual agreement of the Applicant and the Planning Board</i>		

Requested Relief: (include other boards and commissions)

EF is requesting the following relief from the Planning Board under the Cambridge Zoning Ordinance (the “**Ordinance**”) in connection with the Project:

Note:
Approved 9.06.2011

- Project Review Special Permit pursuant to Section 19.20
- Planned Unit Development (“**PUD**”) Special Permit pursuant to Article 12 (Planned Unit Development) and Section 13.70 (PUD in the North Point Residence District). The applicant requests the Planning Board to make findings that: (1) one hundred percent (100%) of the total authorized Gross Floor Area (“**GFA**”) within the development parcel for the project, exclusive of Gross Floor Area devoted to parking facilities, may consist of non-residential uses pursuant to Section 13.70 and (2) Section 13.70 permits a restaurant of approximately 14,000 square feet to be located partially on the ground floor and partially on the second floor of the project overlooking the building atrium and the North Point Park.
- Special Permit reducing the minimum parking requirement to 120 spaces as permitted in Section 6.35.1 and Section 10.45

Note:
Approved 9.06.2011

Project Description

Brief Narrative:

Project Size:

- Total GFA: 295,000 sf
- Non-residential uses GFA: 295,000 sf
- Site Area (acres and SF): 138,000 sf (3.17 acres)
- # of Parking Spaces: 166 allowed
The overall development parcel is subject to a maximum of 1.2 per 1,000 sf of land in the development parcel)
126 spaces provided (additional w/ valet for special events)

Proposed Uses:

- # of Dwelling Units:
None
- Other Uses
 - General office use – Section 4.34(d)
 - Restaurant use – Sections 4.35(e) and 4.35(f)(1) [restaurant will serve alcohol, subject to applicable licensing requirements].
 - Other school – Section 4.33(b)(6)
- Open Space (% of the site and SF)
Footprint is 30,000 SF
Total development parcel is 138,000 sf, as defined in 13.70 in the PUD, of which 55,000 sf will be the EF parcel
Open space is 108,000 sf, or 78% of development parcel
Open space is 25,000 sf, or 45% of EF parcel

Proposed Dimensions:

- Height: 150 ft
- FAR: 2.4 allowed (2.14 per current design and parcel use)

Planning Board Fee Schedule

Fees shall be based on the Gross Floor Area proposed in the application, as determined by the Cambridge Zoning Ordinance.

1. Special Permit applications involving construction of new and substantially rehabilitated floor or a change of use as required subject to Section 19.20):

Ten cents (\$0.10) per square foot of Gross Floor Area. Minimum fee of \$150.00. (Revised March 30, 2004)

EF Education First Project Review Special Permit Fee
295,000 gsf x 0.10/gsf = **\$29,500.00**

2. Flood Plain Special Permit Application:

Not Applicable

3. Any other special permit application:

\$150.00

<p>Total Fee of \$29,650.00 Made Payable to "The City of Cambridge"</p>

Appendix I – Dimensional Form

Special Permit #	Address:			
	Allowed/Required	Existing	Proposed	Granted
Total FAR	2.4	N/A	2.14	
Residential	65% Min.		0%	
Non-Residential	35% Max.		100%	
Inclusionary Bonus	N/A		N/A	
Total GFA in Sq. Ft.	331,200 SF	N/A	295,000	
Residential	215,280 SF		0	
Non-Residential	115,920 SF		295,000	
Inclusionary Bonus				
Max. Height	150 ft.	N/A	150 ft.	
Range of heights				
Lot Size*	100,000 SF Min.	N/A	138,000 SF	
Min. Lot Width	N/A	N/A	N/A	
Min. Yard Setbacks	N/A	N/A	N/A	
Front				
Side, Left				
Side, Right				
Rear				
Total % Open Space	20%	72% [†]	78%	
Usable	N/A	N/A	N/A	
Other	20%	72%	78%	
Off Street Parking				
Min #	184	N/A	120	
Max #	166	N/A	166	
Handicapped	6 [‡]	N/A	6	
Bicycle Spaces	17	N/A	20 (minimum)	
Loading Bays	2	N/A	2	

* Development Parcel size

† Site is currently occupied by a concrete foundation

‡ Per MAAB requirements

2.0 CONFORMANCE WITH ZONING ORDINANCE

The project includes construction by EF Education First ("EF") of a new building having a Gross Floor Area of approximately 230,000 square feet of general office, education (other school) use and retail (restaurant) space and approximately 65,000 square feet devoted to above-grade structured parking on property currently owned by the Commonwealth of Massachusetts and located at the southeast corner of the intersection of Industrial Park Drive and the North Point Boulevard Extension in East Cambridge (in the North Point area of the City).

Ordinance Compliance

The provisions of the Ordinance set forth below apply to the relief requested in this Application. Following each provision in bold is a statement describing compliance by the project in *italics*.

A. Generally Applicable Criteria for Approval of a Special Permit

10.43 Criteria. Special permits will normally be granted where specific provisions of this Ordinance are met, except when particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public interest because:

(a) It appears that requirements of this Ordinance cannot or will not be met, or

With the requested Special Permits, the Project will meet all of the requirements of the Ordinance.

(b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or

Approximately 67% of EF employees, students and visitors walk, ride a bicycle, or take public transportation to its existing building at One Education Street and EF intends to continue to emphasize alternative modes of transportation for the new building.

On behalf of EF, Vanasse & Associates, Inc. ("VAI") has completed a detailed analysis of the traffic impacts associated with the Project as evidenced in the Transportation Impact Study ("TIS") dated July 2011 and previously submitted to Cambridge Department of Traffic, Parking, and Transportation. The study includes an analysis of the existing and future vehicular traffic and bicycle volumes, defines site access requirements, identifies specific improvements in connection with the Project and presents a detailed Transportation Demand Management ("TDM") program to reduce vehicle dependency at the Project. The TIS was prepared in accordance with the City's guidelines and has been certified by the Cambridge Traffic, Parking and Transportation Department ("TPTD").

(c) the continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use, or

The Project will not adversely affect the continued operation or future development of adjacent uses. The land uses within the immediate vicinity of the Project include elevated highway ramps, an MWRA pump station, high density residential at the Regatta Riverview, public open space at North Point Park and EF's existing building at One Education Street, which houses office, educational and restaurant uses. Construction of the Project will be a dramatic improvement over the existing condition of the EF Parcel, which currently contains a concrete foundation and serves as a construction lay-down area for ongoing work at North Point Park. The Project will serve to create a campus environment for EF and activate North Point Park by drawing new and existing employees and visitors across the street to use and enjoy the park.

Residents at the Regatta Riverview will benefit from the aesthetic improvements to their immediate surroundings, as well as the improved vitality and general security within the area that will come from additional activity and users at the park.

- (d) nuisance or hazard would be created to the detriment of the health, safety and or welfare of the occupant of the proposed use or the citizens of the City, or**

The Project will not create any nuisance or hazard to the detriment of the health, safety and/or welfare of the occupants or the citizens of the City. Indeed, the expansion by EF and creation of a new headquarters in Cambridge will result in approximately 800 construction jobs and 400 new permanent jobs as a result of the ongoing growth of the company. As noted above, the additional workers, employees and visitors at EF will activate North Point Park and improve general security in the area. Adjacent park areas will benefit from the landscape improvements and ground level design elements planned for the EF Parcel. The restaurant and publicly accessible spaces on the first two floors of the building will be an amenity to park users and are anticipated to bring greater activity to the water's edge. EF has reached out to its neighbors at the Regatta Riverview to solicit feedback on how to minimize negative project impacts and will continue to do so as the Project progresses.

- (e) for other reasons, the proposed use would impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this Ordinance, and**

The Project will not impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of the Ordinance. The Project is located within the North Point Residence, Office and Business District (the "District") and the PUD-6 Overlay District (the "PUD-6 District"). As stated in the Ordinance, the intent of the underlying zoning in the District is to provide for use and development of the area into a residential community with limited office and retail uses at a modest density through the provisions of Article 16.00 of the Ordinance or at a higher density through the PUD process. (See Ordinance Section 16.12) The PUD-6 District is intended to, among other objectives, provide for retail, office and community services to be located within and serve the residential community in the neighborhood, as well as stimulate activity in the area for extended hours throughout the day. The development of a new headquarters building for EF and accompanying park improvements will enhance and further the intent of both districts in which it is located by providing significant public open space benefits for the residents of the District and the general public, stimulating activity in the area for extended hours throughout the day and concentrating development at the edge of the District adjacent to the elevated highway ramps and MWRA pump station, where it will have minimal impact on the lower density residential areas in the East Cambridge neighborhood. Adjoining the District/PUD-6 District in the vicinity of the Project are Residence C districts and a BA district, where additional PUD overlay districts have allowed for significant commercial and residential development in the Kendall Square area and in the vicinity of the Galleria Mall. The Project is consistent with the development of those areas.

- (f) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.10-6**

As described in detail in Section 3.3 of this Application, the Project is consistent with the Urban Design Objectives set forth in Section 19.30 of the Ordinance.

B. Criteria for Approval of a PUD Development Proposal

12.35.3 Approval of the Development Proposal shall be granted only upon determination by the Planning Board that the Development Proposal:

- (1) conforms with the General Development Controls set forth in Section 12.50, and the development controls set forth for the specific PUD district in which the project is located;**

As described in detail below, the Project is consistent with the General Development Controls set forth in Section 12.50 of

the Ordinance and the provisions of Section 13.70 of the Ordinance.

(2) conforms with adopted policy plans or development guidelines for the portion of the city in which the PUD district is located;

The Project is consistent with the policy objectives set forth in the Eastern Cambridge Plan and guidance provided in the Eastern Cambridge Design Guidelines. Specifically, EF's expansion will create a wide range of jobs that will match the skills, education and interests of the community and will contribute to the City's long-term tax base (EF will pay full taxes on the property pursuant to an agreement with the City).

EF's ongoing encouragement of pedestrian, bicycle and public transportation and minimal provision of parking will contribute to the planning goals of emphasizing alternative modes of transportation in the area. The building will be designed to create an active edge for North Point Park, resulting in greater use and improved security for residents and visitors. Both the Project and the building design have received enthusiastic support from the East Cambridge Planning Team ("ECPT"), as evidenced by the letter of support included with this Application.

(3) provides benefits to the city which outweigh its adverse effects; in making this determination the Planning Board shall consider the following:

(a) quality of site design, including integration of a variety of land uses, building types, and densities; preservation of natural features; compatibility with adjacent land uses; provision and type of open space; provision of other amenities designed to benefit the general public;

(b) traffic flow and safety;

(c) adequacy of utilities and other public works;

(d) impact on existing public facilities within the city; and

(e) potential fiscal impact.

The Project will provide substantial benefits to the City. EF's expansion will create a significant number of construction and permanent jobs (these will be net new jobs attributable to the growth of the company and positions relocated from outside of Massachusetts) and will contribute to the long-term fiscal health of the City by making a commitment to pay property taxes and making a mitigation payment of \$1 million to be used as the City Council determines.

The Project will benefit the North Point Park and other area uses by activating the park and providing a restaurant and other public amenities to residents and visitors. The site and building design will be responsive to the Project's location at the edge of the Charles River, public uses and landscaping will be designed to integrate the Project into the surrounding park, creating an edge to North Point Park that will improve not only the experience of the park for visitors, but also security. The Project will also diminish the visual impact of the elevated highway ramps on the park and, in many places, will block the ramps from the view of park visitors.

The Project will provide publicly beneficial space both inside and outside of the building. The winter garden and other ground level design elements will be publicly accessible, open and inviting. EF will also make a conference room on the ground floor of the building available to the public for meetings at no cost. A restaurant will be located on the first and second floors, providing publicly accessible function space.

As discussed above, the Project is expected to have minimal impact on traffic in the area. Indeed, the Project's location close to the Lechmere train station and the EZ Ride shuttle route is expected to significantly encourage transit use by employees, students and visitors to the new EF headquarters. The TDM measures adopted by EF will, among other things, be geared towards continued reduction in single occupancy vehicle use for travel to and from the new building.

There are adequate public utilities serving the site and no utility work by the City will be required in connection with the Project. Additional information on utilities and infrastructure for the Project can be found in sections 5.7 and 5.8 of the Development Proposal.

C. General Development Controls Applicable to a PUD

12.50 GENERAL DEVELOPMENT CONTROLS

12.51 **Applicability and Conformance with Existing Policy Plans.** The following regulations in this Section 12.50 shall control development within each PUD district. Each development proposal for a PUD shall, to the extent feasible, be made to conform to existing policy plans established by the Planning Board or City Council from time to time for the specific area of the city in which the PUD is located.

As noted above, the Project will be consistent with the Eastern Cambridge Plan and the Eastern Cambridge Design Guidelines.

12.52 **PUD Development Parcel Size.** The minimum size of a development parcel for a planned unit development shall be as indicated in each planned unit development's individual regulations; however the Planning Board may, at its discretion, allow development parcels containing less than the minimum parcel size required but at least five times the minimum required area for a lot in the base zoning district in which the development would be located. The Planning Board shall permit a development parcel containing less than the minimum parcel size required only upon its written determination that public review and approval of such a small development is necessary for accomplishing the planning objectives of the PUD district in which the development is located.

As discussed in more detail below, the Development Parcel size of approximately 138,000 square feet exceeds the minimum required parcel size of 100,000 square feet required in the PUD-6 District.

12.53 **Standards for Construction of Roadways.** All new roadways within a PUD shall be constructed in conformance with standards established by the Department of Traffic and Parking.

12.53.1 Any existing private way or subsequently constructed private way in a PUD may be accepted by the City as a public way only if it meets the Minimum Standards for Acceptance of Existing Private Ways as Public Ways as adopted by the Planning Board.

12.53.2 The design of the overall circulation pattern shall be prepared in accordance with the principles and concepts established in "Recommended Practices for Subdivision Streets" prepared by the Institute of Traffic Engineers (1965).

N/A – no roadways, public or private, will be constructed in connection with the Project.

12.54 **Standards for Construction of Utilities and Public Works.** All improvements to the site which include the installation of utilities, public lighting, sewers, and other public works shall be constructed according to criteria established by the Public Works Department, Water Department, Electrical Department, the Planning Board and other appropriate departments. If the developer provides public works, roadways, and utility improvement to the site, the Planning Board may require the developer to post a performance bond.

All improvements to the Development Parcel that include the installation of utilities, public lighting, sewers, and other public works will be constructed in accordance with the requirements of applicable City departments. Additional information on utilities and infrastructure for the Project can be found in sections 5.7 and 5.8 of the Development Proposal.

- 12.55 Landscaping.** All open areas within a PUD which are not used as driveways, walkways, or parking lots shall be landscaped in an appropriate manner utilizing both natural and manmade materials such as grass, trees, shrubs, and benches. Wherever possible, deciduous trees should be planted along new and existing streets. Plazas, arcades, malls, and similar manmade developments shall be counted as landscaped area. In addition, landscaping within a PUD shall conform to any landscaping criteria or requirements which may be adopted by the Planning Board or City Council from time to time, except that any PUD development prior to the establishment of formal landscaping regulations shall not have to conform to them. Outdoor lighting shall be considered in a landscaping plan and shall be designed to complement both manmade and natural elements of the PUD.

All open areas within the EF Parcel that are not used as driveways or walkways will be landscaped in a manner designed to complement the work that the Commonwealth is doing to implement the Charles River Basin Master Plan and to take advantage of the Project's location at the river's edge and within North Point Park. The landscaping elements will include water features, rock formations, ornamental trees and plantings and will conform with any applicable landscaping criteria or requirements. A Landscaping Plan is included with this application as Appendix 7.42.

- 12.56 Environmental Performance Standards.** All uses in the PUD district shall conform to all applicable federal, state and local laws and regulations regarding the environment such as laws and regulations concerning noise, air quality, water quality, radiation, and radioactivity.

The Project and the uses at the Project will conform to all applicable federal, state and local laws and regulations regarding the environment including laws and regulations applicable to air quality, water quality, radiation and radioactivity. The Project will be undergo review pursuant to the Massachusetts Environmental Policy Act ("MEPA") and will be reviewed by the Massachusetts Department of Environmental Protection pursuant to M.G.L. c.91 and other water and sewer regulations, as well as the Cambridge Conservation Commission. EF will comply with all relevant regulations and permit conditions resulting from such review.

Although the Project is located immediately adjacent to a highway ramp and in close proximity to Route 93, which contribute to relatively high ambient noise levels, the equipment selection and location for mechanical equipment serving the building will take noise into careful consideration. As the design for the Project develops, the Project's acoustical consultant will review equipment noise data and proposed screening techniques to confirm compliance with the City of Cambridge noise ordinance.

A preliminary environmental investigation has shown the presence of petroleum related products and metals in the soil which will be remediated as part of the Project's site preparation work. Additionally, the Project will include an on-site subsurface retention system designed and sized to provide a minimum of 65% phosphorus reduction from the site runoff, which meets the EPA guideline for phosphorus reduction goals within the Charles River watershed.

D. Applicable Requirements for PUD Development in the North Point Residence District

- 13.73 Use Regulations.** Any use permitted in Article 16.000 - North Point Residence District may be allowed by the Planning Board, but subject only to the requirements and limitations of this Section 13.70. Other uses, not permitted in Article 16.000 but permitted in a Business B District, may be allowed by

the Planning Board upon a written determination that such use is compatible with and advances the policy objectives of the Eastern Cambridge Plan and that it is necessary to support the predominant residential use in the PUD in the North Point Residence District. However, except as set forth in Section 13.73.0 below, non-residential uses may not constitute more than thirty-five (35) percent of the total authorized Gross Floor Area within any Development Parcel, exclusive of both Gross Floor Area devoted to parking facilities and the additional Gross Floor Area (GFA) that may be constructed as a result of the application of FAR bonuses permitted in Section 11.200.

The Project will contain general office (Section 4.34(d)), education (other school) use (Section 4.33(b)(6)) and retail (restaurant) (Sections 4.35(e) and 4.35(f)(1)) space, all of which are uses permitted under Section 16.21 of the Ordinance, and will comply with the requirements of Section 13.70 with respect to such uses. As discussed below, the restaurant use at the Project will be consistent with the requirements and limitations of Section 13.70, upon a finding by the Planning Board pursuant to Section 13.73.1 that the 14,000 square feet of restaurant space at the Project will better support and serve the residents within the PUD-6 District and advance the policy objectives set forth in Section 13.70, the Eastern Cambridge Plan and the guidance provided in the Eastern Cambridge Design Guidelines.

...

13.74 Dimensional Requirements.

13.74.1 Floor Area Ratio (FAR) Limitation. The maximum ratio of Gross Floor Area to the total area of the Development Parcel, which area shall be calculated in accordance with Section 13.74.2 below, shall be 2.4 except as modified by Sections 13.74.11 – 13.74.13 below. Any GFA contained within the head house or transit station serving the MBTA Green Line, excluding any GFA occupied by private retail, office, or other uses, shall not be subject to the FAR limitations set forth in this Section 13.74.1. Where a Development Parcel encompasses lots to which different FAR and nonresidential use limitations apply, the FAR and non-residential use limitation regulations shall be used only to determine the total amount of GFA permitted including the GFA devoted to residential and non-residential uses. Those FAR and non-residential use regulations shall not regulate or limit the distribution of the authorized GFA or uses within the Development Parcel as a whole. That distribution shall be determined by the Planning Board in its approval of the Final Development Plan.

The FAR for the Project is proposed to be 2.14 and will therefore comply with this requirement.

...

13.74.2 Minimum Development Parcel Size. The minimum size of the Development Parcel shall be the larger of (1) one hundred thousand (100,000) square feet or (2) seventy five percent of the area of a lot or combination of lots (a) in existence as of June 1, 2001 and (b) held in common ownership where it is proposed to incorporate any portion of such lot or lots within the Development Parcel provided that clause (2) shall not apply to a lot or combination of lots owned by The Commonwealth of Massachusetts or a department thereof as of June 1, 2001. The area of a development parcel may include land dedicated (after adoption of this Section 13.70 and prior to the issuance of any building permit for work under a PUD special permit under this Section 13.70) by the owner or former owner of the land, whether in fee or by easement, deed restriction, covenant or comparable legal instrument

enforceable by the City of Cambridge or other public entity, as a public way, private way open to public use, or public open space.

The Project will comply with this requirement. The Development Parcel for the Project will contain approximately 138,000 square feet of space consisting of the EF Parcel and additional land owned by the Commonwealth that will be dedicated for use as public open space (the Development Parcel Open Space (as defined in Section 3.2 of this application)). The Development Parcel Open Space will be subject to a legally enforceable agreement by the Commonwealth with the City that it be maintained as public open space.

...

13.74.3 Maximum Building Height. The maximum height of buildings in the PUD district shall be eighty five (85) feet except as otherwise shown on the PUD in the North Point Residence District Height Limitation Map (Map 13.71) and as described herein. Height is further regulated by the provisions set forth in Sections 13.74.31 – 13.74.33 below.

(1) **Maximum Building Height of One Hundred and Fifty (150) Feet.** The maximum height of buildings shall be 150 feet in the following described areas:

(a) That area bounded by a line beginning as the centerline of Charlestown Avenue, then the centerline of North Point Boulevard and its southeasterly extension to the Cambridge/Boston municipal boundary line, then the Cambridge/Boston municipal boundary line, and then the centerline of O'Brien Highway (Bridge Street) to the point of origin.

(b) That area bounded by a line beginning as the centerline of Charlestown Avenue, then the centerline of O'Brien Highway, then a line northwesterly of, parallel to and 200 feet distant from the northwesterly sideline of Charlestown Avenue, then a line northerly of, parallel to and 225 feet northerly of Reference Line #1 (see Section 13.74.34), then a line turning in a northerly direction which is the northerly extension of the centerline of Second Street to its intersection with the Cambridge/Somerville municipal boundary line, then the Cambridge Somerville/Boston municipal boundary line to the point of origin.

(2) **Maximum Building Height of One Hundred and Twenty (120) Feet.** The maximum height of buildings shall be 120 feet in the following described area: That area bounded by a line beginning as boundary of the area described in 13.74.3 1b above; then the centerline of O'Brien Highway; then a line northwesterly of, parallel to and 325 feet distant from the northwesterly sideline of Charlestown Avenue; then a line northerly of, parallel to and 100 feet distant from Reference Line #1 (see Section 13.74.34); then the Special District I zoning district boundary line, then the Cambridge/Somerville municipal boundary line to the point of origin.

The Project will comply with the height requirements of Section 13.74.3. The Development Parcel is located within the area described in Section 13.74.3(1)(a) and is therefore subject to a 150 foot maximum height limitation. The Project will be 150 feet in height.

...

13.75 Open Space. Any combination of Public Open Space, Green Area Open Space or Permeable Open Space, as defined in this Ordinance, shall be provided on every Development Parcel and shall in the aggregate equal at least twenty (20 percent of the area of such Development Parcel. Owners of adjacent Development Parcels may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such development parcel shall, for purposes of this Section 13.70 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. This open space requirement shall be subject to the following provisions.

(1) All required open space shall be generally accessible to the public for reasonable periods throughout the day for the purposes for which the open space is designed and approved by the Planning Board, which may include but not be limited to walking, bicycling, active and passive recreation. The Planning Board must approve any proposal to significantly limit public access to the required open space.

The Project will comply with this requirement. Approximately 78% of the Development Parcel will be open space, all of which will be accessible to the public.

...

13.76 Parking and Loading Requirements. Off-street parking and loading requirements shall be the same as currently specified in Article 6.000 and in the Schedule of Parking and Loading Requirements applicable to the Residence C-3, Office 3, Business B and Industry B districts, except as modified below.

13.76.1 Parking facilities may be located on the lot they serve or may be located in whole or in part in one or more pooled private or public parking facilities located anywhere within the PUD in the North Point Residence District.

13.76.2 Parking and loading requirements shall be as follows:

(1) Residential Uses: 1 space per unit minimum and 1.5 spaces per unit maximum.

(2) General Office Uses: 1 space per 1,250 gross square feet minimum and 1 space per 625 gross square feet maximum.

(3) Technical Office for Research and Development Uses: 1 space per 1,675 gross square feet minimum and 1 space per 840 gross square feet maximum.

(4) Retail and Consumer Services: No accessory parking shall be required if the retail and consumer service uses are located on the ground floor and front on and have a public entry directly onto a publicly accessible street.

13.76.21 Notwithstanding the provisions of Section 13.76.2 above, the total number of parking spaces serving non-residential uses in the PUD in the North Point Residence District shall not exceed 2,500 spaces, allocated to each Development Parcel at the rate of 1.2 spaces per 1,000 square feet of land

in the Development Parcel.

With the Special Permit requested by EF to reduce the minimum parking requirement applicable to the Project, the Project will comply with parking requirements of Section 13.76 of the Ordinance. Pursuant to Section 13.76.2, the minimum required parking spaces at the Project is 184 (based on 230,000 square feet of office space, with no dedicated restaurant parking provided as required by Section 13.73.1 of the Ordinance) and two loading docks are required. However, the maximum parking requirement calculated in accordance with Section 13.76.21 is 166. The garage at the Project will provide approximately 126 spaces, of which 6 will be handicapped accessible spaces, and two loading docks. As described in more detail below, EF is seeking a Special Permit to reduce the minimum required parking to 120 spaces. In no event will EF provide more than the maximum parking amount of 166.

...

13.78 Other Provisions

13.78.1 Signs. The sign regulations of Article 7.000 applicable to Retail, and Office Districts shall be applicable in the District.

EF may seek a variance from the signage requirements of Article 7.00 of the Ordinance. If so, an application to the Board of Appeal for such a variance will be made in due course.

13.78.2 Perimeter and Transition. Any part of the perimeter of a planned unit development which fronts on a public open space for not less than two hundred and fifty (250) feet or is immediately adjacent to and within three hundred (300) feet of the Charles River shall be so designed as to complement and harmonize with adjacent land uses (existing or proposed) with respect to scale, density, setback, bulk, height, landscaping, and screening.

As previously discussed, both the building and landscaping elements of the Project have been designed to complement and harmonize with the adjacent park uses and the location of the Project near the edge of the Charles River.

13.78.3 Traffic Mitigation Measures. In reviewing a development proposal under the provisions of this Section 13.70 and Section 19.20, the Planning Board shall determine that the proponent has demonstrated, at the time of Final Development Plan Approval, a commitment to a Transportation Demand Management program consistent with the reduced parking mandated in this Section 13.70. The measures to be taken in this program must address:

- (1) The amount of parking provided,
- (2) The scale of development and the mix of uses proposed, and
- (3) The assumptions employed with regard to the proportion of automobile use for those traveling to the site.

For examples of such Measures, the Planning Board shall refer to the Eastern Cambridge Plan, Article 18.000, and the requirements of Section 19.20 in establishing Transportation Demand Management measures applicable to any approved PUD.

The TIS presents a detailed TDM program to reduce vehicle dependency at the Project. As discussed above, studies of the modes of transport currently used by students, employees and visitors to EF's existing building at One Education Street demonstrate existing levels of automobile use that are significantly lower than average. The Project's location close to the Lechmere, Science Park, and North Station (the pedestrian walkway currently under construction at North

Point Park will provide convenient access to North Station and the commuter rail) train stations and the EZ Ride shuttle route is expected to significantly encourage transit use by employees, students and visitors to the new EF headquarters. Additionally, EF provides a dedicated shuttle service for students, employees, and visitors and will be purchasing 20 bicycles which will be available for use by new employees at the new building.

13.78.4 Relationship to MBTA Urban Ring Transportation Planning Project. In all PUD application documents, the applicant shall indicate how the proposed PUD development relates physically to the most current plans developed by the MBTA for implementation of the Urban Ring transportation project.

The Urban Ring Route has stops in Cambridge planned at Lechmere Station. First Street/Galleria, Binney Street, Fulkerson Street, Kendall Station/MIT and Mass Ave/MIT.

E. Finding Required for 100% Non-Residential Gross Floor Area

13.73.0 Special Permit for Non-residential Uses. The Planning Board may permit up to one hundred (100) percent of the total authorized Gross Floor Area within a Development Parcel to consist of non-residential uses if there is only one (1) building proposed to be located within the Development Parcel.

The Project will consist of only one (1) building to be located on the Development Parcel. EF is seeking to expand an existing non-residential use to create a campus environment that will benefit all adjacent uses, including the nearby residential uses. As noted elsewhere in this Application, the expansion of EF's headquarters in the Project location will bring significant benefits to its immediate surroundings and the City as a whole.

F. Findings Related to the Proposed Restaurant Use at the Project

13.73.1 Special Provisions Related to Permitted Retail Uses.

(1) The total Gross Floor Area for retail and consumer service establishments authorized by the Planning Board in all approved PUDs within that portion of the PUD in the North Point Residence District located west of Charlestown Avenue shall not exceed 75,000 square feet or 25,000 square feet for that portion of the PUD located east of Charlestown Avenue, unless a finding is made by the Planning Board that additional retail use will better serve the objectives of this Section 13.70 and the objectives of the Eastern Cambridge Plan. All retail and consumer services establishments shall be subject to the following limitations:

(i) In no instance shall any individual retail or consumer service establishment exceed 10,000 gross square feet unless the Planning Board determines in writing that establishments of a greater size better support and serve the residents within the PUD district and better advance the policy objectives set forth in the Eastern Cambridge Plan and the guidance provided in the Eastern Cambridge Design Guidelines.

(ii) No off street parking is provided.

(2) The initial 50,000 square feet of retail and consumer service establishments authorized in total in approved PUDs shall be exempt from any limitations as to nonresidential Gross Floor Area as set forth in Section 13.73.1 above subject to the following limitations:

(i) The GFA is located on the ground floor and fronts on and has a public entry onto a publicly accessible street.

(ii) The establishment is located within the 500-radius described in Section 13.74.11 below.

The Project will contain approximately 14,000 square feet of restaurant space, which will be located on the ground floor and on the second floor of the Project, overlooking the building atrium and North Point Park. The additional restaurant use and size of the restaurant will better serve the objectives of the PUD-6 District and the Eastern Cambridge Plan by providing for retail services to be located within and serve the residential community in the neighborhood, as well as stimulate activity in the area and at North Point Park for extended hours throughout the day. The Project will provide publicly beneficial space both inside and outside of the building. The winter garden and other ground level design elements will be publicly accessible, open and inviting and the dining area at the restaurant will connect with a patio area, bringing diners and activity outside to areas with high visibility from North Point Park. The restaurant space at the Project will also be considered a "Facility of Public Accommodation" for purposes of meeting the requirements of M.G.L. c. 91 and for this reason it is required that it be located at the Project.

Note:

Approved 9.06.2011

G. Findings Required for a Special Permit Reducing Parking Requirement

6.35 Relief from Parking Requirements. Any required amount of parking may be reduced by issuance of a special permit from Board of Zoning Appeals, as provided below. However, handicapped parking required by Subsection 6.34, bicycle parking required by Subsection 6.37, and commercial vehicle parking required by Subsection 6.31.5 shall not be reduced from the original requirement. The parking maximum limitation may be exceeded only with the grant of a special permit from the Planning Board, as provided below, subject to the provisions with regard to Gross Floor Area as provided in Section 6.31.3.

6.35.1 Reduction of Required Parking. Any minimum required amount of parking may be reduced only upon issuance of a special permit from the Board of Zoning Appeals. A special permit shall be granted only if the Board determines and cites evidence in its decision that the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood, or that such lesser amount of parking will provide positive environmental or other benefits to the users of the lot and the neighborhood, including specifically, among other benefits, assisting in the provision of affordable housing units. In making such a determination the Board shall also consider whether or not less off street parking is reasonable in light of the following:

(1) The availability of surplus off street parking in the vicinity of the use being served and/or the proximity of an MBTA transit station.

(2) The availability of public or commercial parking facilities in the vicinity of the use being served provided the requirements of Section 6.23 are satisfied.

(3) Shared use of off street parking spaces serving other uses having peak user demands at different times, provided that no more than seventy-five (75) percent of the lesser minimum parking requirements for each use shall be satisfied with such shared spaces and that the requirements of Subsection 6.23 are satisfied.

Example: Office and Theatre uses with peak user demands at different times.

Office requires a minimum of one hundred and fifty (150) spaces and the theatre requires a minimum of one hundred (100). Seventy-five (75) percent of the lesser minimum requirement is seventy-five (75) (75% of 100). Therefore seventy-five (75) spaces can be shared but twenty-five (25) (100-75) would still be required, making the total amount or required parking for both uses (150 + 25) one hundred and seventy-five (175).

(4) Age or other occupancy restrictions which are likely to result in a lower level of auto usage; and

(5) Impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, significant negative impact on the historic resources on the lot, impairment of the urban design objectives of the city as set forth in Section 19.30 of the Zoning Ordinance, or loss of pedestrian amenities along public ways.

(6) The provision of required parking for developments containing affordable housing units, and especially for developments employing the increased FAR and Dwelling unit density provisions of Section 11.200, will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space on the lot, or will significantly diminish the environmental quality for all residents of the development.

...

10.45 Any development application requiring a special permit from the Planning Board that contains elements requiring a special permit from the Board of Zoning Appeal may be allowed by the Planning Board within the scope of the Planning Board special permit and shall not require a separate application to the Board of Zoning Appeal.

EF requests a reduction of the minimum parking requirement applicable to the Project to 120 spaces. In addition to the environmental benefits that result from promoting alternative modes of transportation, the lesser amount of parking is expected to be adequate to serve the Project because of the lower levels of auto usage expected at the Project and its proximity to public transportation and other commercial parking facilities and will therefore not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood. As noted above, the proximity of the Project to multiple MBTA train stations and bus routes and the EZ Ride shuttle route, as well as EF's own shuttle and bicycle sharing program, is expected to significantly encourage transit use by employees, students and visitors to the new EF headquarters and the TDM measures adopted by EF will, among other things, be geared towards continued reduction in single occupancy vehicle use for travel to and from the new building. EF will also provide parking for bicycles, which is already a popular mode of transport among its employees and students (EF exhibits levels of automobile use that are significantly lower than average), both inside and outside of the building. The Project is also within walking distance of other commercial parking facilities such as the garages at the Museum of Science and the Cambridge Galleria. Pursuant to Section 10.45 of the Zoning Ordinance, the Planning Board is authorized to grant the Special Permit for reduced parking requested by EF, such that EF will not be required to make a separate application to the Board of Zoning Appeal for this purpose.

H. Project Review Special Permit

Note:
Approved 9.06.2011

(See Section 3.3 for discussion of Article 19 Urban Design Objectives)

3.0 PROJECT NARRATIVE

3.1 Urban Design Summary

The new EF headquarters will be a signature building visible from multiple points along the Charles River from both Cambridge and Boston. After a design competition, EF selected Wingardhs of Sweden as the design architect. The immediate context is dominated by park, landscape, and urban infrastructure features, including vehicular and pedestrian bridges, bicycle paths, and streetscape. The design team has carefully examined the urban design considerations that will highlight connections to this context and create a distinctive sense of place.

3.2 Project Description

The project includes construction by EF of a new building having a Gross Floor Area of approximately 230,000 square feet of general office, education (other school) use and retail (restaurant) space and approximately 65,000 square feet devoted to above-grade structured parking on property currently owned by the Commonwealth of Massachusetts and located at the southeast corner of the intersection of Industrial Park Drive and the North Point Boulevard Extension in East Cambridge (in the North Point area of the City).

The trapezoidal shape of the building will be an elegant form set above an active ground plane. The building's iconic glass "waterfall" will connect the spare form of the office floors with the landscape, and will visually terminate into a water feature at the lobby entrance. These design features will compliment the diversity of landscape features adjacent to the site: active park spaces, river and riverbank.

The narrative below addresses specific urban design characteristics of the project relative to Cambridge Zoning Ordinance Article 19 Citywide Urban Design Objectives.

3.3 Urban Design Objectives

The EF building and site will be responsive to existing patterns of development (CZO 19.31).

The new EF headquarters is sited in close proximity to the existing EF office building, which will remain in use. There is a strong connection anticipated between complimentary uses of the two buildings. There are no adjacent historic or residential buildings, and the site does not contain an existing structure. A concrete slab, part of a former warehouse on the site, is visible and will be removed for the development.

Adjacent park areas will benefit from large scale landscape improvements on the development site, which are anticipated to bring greater use to the water's edge.

The EF building and site will be pedestrian and bicycle- friendly, with a positive relationship to surroundings (CZO 19.32).

The design of the development site has been coordinated to strengthen and extend existing bicycle and pedestrian paths. The base of the building facing the entry and water will feature largely transparent facades with views into publicly accessible active areas, and provide visual interest to pedestrians. Bicycle facilities will include an indoor bicycle room located on the ground floor, and outdoor bicycle racks located in proximity to the newly expanded riverfront park area.

The EF development will mitigate adverse impacts of development upon neighbors (CZO 19.33).

The location and preliminary selection of mechanical equipment has been considered and addressed in the early stages of the design to mitigate aesthetic impacts. Rooftop equipment will be located within a mechanical penthouse or concealed by a rooftop screen composed to complement the overall design of the building. Noise control is outlined in section 3.4.

Service areas and parking access will be located away from primary pedestrian paths and will not be visible from the park and river front. Trash storage and handling will be contained within the building and out of sight of pedestrians.

Landscaped areas will serve as a visual amenity and contribute to the sustainable goals of the project, with incorporation of stormwater Best Management Practices and reduced reliance on irrigation.

The EF development will not overburden the City infrastructure services (CZO 19.34).

The EF development is designed to be sustainable in its design and low-impact in its services needs. Mechanical systems will include high-efficiency equipment and variable frequency drives for reductions in energy consumption for heating and cooling. Natural daylighting strategies will reduce electrical loads for lighting occupied spaces. The building is being designed to meet US Green Building Council LEED Silver standards for the Core and Shell.

The EF development will reinforce and enhance urban aspects of Cambridge (CZO 19.35).

The building will reinforce the tradition in Cambridge that locates active uses on ground floors of large commercial buildings. Publicly accessible areas within the building base include a public lobby / winter garden and restaurant (supported by kitchen and rest rooms). The dining area functions are designed to extend out into a patio area, and will animate the river edge with people when weather allows.

The multi-story transparent glass “waterfall” form that cascades to the base of the building is expressive of the public activity of the building base. The dynamic form is intended to draw visual interest to this aspect of the building program.

Expansion of housing inventory (CZO 19.36).

Not applicable.

The EF development will enhance and expand open space amenities (CZO 19.37).

Publicly beneficial space will be provided inside and outside the building. The winter garden will extend the natural landscape to interior spaces that can be enjoyed throughout the year, and will minimize the delineation between inside/outside. Publicly accessible spaces will be open and inviting. As indicated above, the dining area will connect to a patio area, bringing diners and activity outside to areas with high visibility.

Concepts for the development of site features include a variety of landscape and hardscape forms, materials, and textures, including a water feature, rock formations, ornamental trees, and plantings. These forms and textures will integrate the project into a context that is a collage of diverse natural and man-made forms.

3.4 Noise Control

The EF project is located adjacent to a highway ramp, and in close proximity to Route 93, which generates the area's relatively high ambient noise levels. Nonetheless, the preliminary equipment selection and preliminary location for mechanical equipment serving the building takes noise control into careful consideration.

Mechanical equipment will be located at the penthouse level behind roof screening and, where applicable, within a penthouse enclosure. As the design for the project develops, the project's acoustical consultant will review equipment noise data and proposed screening techniques to confirm compliance with the City of Cambridge noise ordinance.

The project will have a loading area and loading dock located within the building footprint. Loading and unloading operations will be concealed from view and their noise impact controlled.

3.5 LEED Checklist

See attached USGBC LEED Project Checklist.

3.6 LEED Narrative

The new EF building is being designed to achieve LEED 2009 for Core and Shell Development as Silver certifiable. The design team is working to optimize the building and site for a project that takes advantage of a range of sustainable opportunities, yielding a potential 54 LEED credits. The narrative below outlines these opportunities and the LEED credits associated with them, as a complement to the attached LEED checklist. Both the checklist and narrative represent anticipated credits for a certifiable building; actual credit areas may shift as the building systems and design evolve through construction documents and into construction.

Sustainable Sites

Prerequisite (1)

The project will adhere to the Construction Activity Pollution Prevention requirement through the implementation of an erosion control plan by the project construction manager, satisfying Sustainable Sites Prerequisite 1.

Credits: 23 LEED credits are anticipated in the Sustainable Sites category.

Credits 1, 2, 3, 4.1, 4.2, 4.4

The new EF building will be located on a site adjacent to the current EF building, in an area well served by existing infrastructure and transit. This is a previously developed site in an area of urban density. The site is within ½ mile of four MBTA stations (Lechmere Station and Science Park on the Green Line, Community College Station on the Orange Line, and North Station), as well as bus routes and shuttle service. Parking capacity will be below the zoning maximum, and bicycle usage will be encouraged through the inclusion of exterior bicycle racks, indoor bicycle storage, a loaner bicycle program, and shower/changing rooms.

Credit 5.2, 6.1, and 6.2

The design of the site will feature significant open space areas and an emphasis on storm water quantity and quality control.

Credit 7.1, and 7.2

All parking will be located within the building, eliminating Heat Island Effect – Non-roof areas associated with parking (typically surface parking). The EF project will also use techniques and materials –such as high-albedo roof membrane or other means- that will help reduce the heat island effect from roofed surfaces.

Credit 9

The fit out of the building for EF will be guided by Tenant Design and Construction Guidelines developed by the design team. The design for the core and shell is intended to allow the flexibility EF desires to fit out and adapt the interior to evolving uses over time.

Water Efficiency

Prerequisite (1)

The project will meet the 20% reduction in water use required for Prerequisite 1.

Credits: 4 LEED credits are anticipated in the Water Efficiency category.

Credit 1

Water efficient landscape using strategies for irrigation efficiency and for captured water from a potential greywater system will be considered.

Credit 3

Indoor potable water consumption will be reduced beyond the prerequisite requirement through the selection of low-flow and high-efficiency plumbing fixtures that include low-flow lavatory faucets and shower heads.

Energy and Atmosphere

Prerequisites (3)

The project will meet the commissioning requirement, will demonstrate a minimum 10% energy performance improvement over a baseline building design, and will not incorporate CFC based refrigerants in the HVAC design, satisfying Prerequisites 1, 2, and 3.

Credits: 9 LEED credits are anticipated in the Energy and Atmosphere category.

Credit 1

The building systems and envelope will be optimized to achieve a minimum 20% improvement over a baseline building design. Raised floor HVAC distribution, high-efficiency HVAC equipment, daylight dimming controls, and high-performance building envelope design are anticipated to contribute substantially to energy savings.

Credit 3

The EF project will have enhanced building commissioning, including design and contractor submittal review, creation of a formal systems manual, verification of staff training and a follow-up review. This commissioning will assist in optimizing both water and energy efficiency by ensuring that all systems are functioning and that indoor environmental quality is maintained.

Credit 4

The EF building design team will choose long-life high efficiency equipment that does not use CFC-based refrigerants, instead using refrigerants that have a low potential of causing ozone depletion and contributing to climate change.

Materials and Resources

Prerequisites (1)

The project will include recycling areas as required for Prerequisite 1.

Credits: 1 LEED credit is anticipated for Construction Waste Management (Credit 2).

The Construction Manager will prepare a plan targeting a 50% reduction in the amount of waste material generated by the construction of the new building. Materials that are recyclable will be separated from those that can be reused, reducing the actual waste from construction and demolition that is sent to landfills.

Indoor Environmental Quality

Prerequisites (2)

The building HVAC design will meet the Minimum Indoor Air Quality Performance as required for Prerequisite 1. No smoking will be allowed within the building, satisfying Prerequisite 2.

Credits: 12 LEED credits are anticipated in the Indoor Environmental Quality category.

Credits 1 and 2

EF is committed to a healthy and productive environment for its staff. The building HVAC design will include permanent CO2 sensors and monitoring systems of interior air; and will be designed to have higher outdoor air ventilation rates than the ASHRAE 2007 minimums.

Credits 3, 4.1, 4.2, 4.3, 4.4, and 5

The design team will specify low-emitting materials, reducing the amount of pollutants released by adhesives, sealants, paints, coatings, flooring, and composite wood. Pollutants entering the building after occupancy –such as those tracked in on shoes at building entries- will be minimized through the design of entry grating and pollutant/chemical control systems.

Credits 6, 7, 8.1, 8.2

Interior spaces will be heated and cooled through an under floor air distribution system, which will achieve high levels of thermal comfort throughout, including open office areas. The design of the EF building is also designed to increase occupant comfort through increased daylighting and views from most interior spaces, connecting occupants with the building's surroundings.

Innovation and Design Process

Credits

The project team will include a LEED Accredited Professional who will lead the sustainable design and LEED reporting aspects of the project, gaining one credit. As the project develops through construction documents, an additional credit or credits may be achievable through innovation or exemplary performance in one or more sustainable design areas.

Regional Priority Credits

Credits: 4 Regional Priority Credits are anticipated from the Sustainable Sites category. See Checklist for credit references.

3.7 Sewer Infrastructure

See 5.7 and 5.8 of Development Proposal

3.8 Water Service

See 5.7 and 5.8 of Development Proposal

4.0 CERTIFICATION OF RECEIPT OF PLANS

Signatures are being collected.

City of Cambridge, Massachusetts
Planning Board
City Hall Annex, 344 Broadway, Cambridge, MA 02139

Certification of Receipt of Plans
Cambridge Department of Public Works

To: Chair
Cambridge Planning Board

RE: Planning Board Special Permit Application # _____
(if known)

Title _____

Address: _____

For the purpose of fulfilling the requirements of Section 19.20 of the Cambridge Zoning Ordinance, this is to certify that this Department is in receipt of the following application documents submitted to the Planning Board for approval of a Project Review Special Permit for the above referenced development project: (a) an application narrative and (b) small format application plans at 11" x 17", or the equivalent. The Department understands that receipt of these documents does not obligate it to take any action related thereto.

For the Cambridge Department of Public Works
(Signature)

Date

City of Cambridge, Massachusetts
Planning Board
City Hall Annex, 344 Broadway, Cambridge, MA 02139

Certification of Receipt of Plans
Cambridge Department of Traffic, Parking and Transportation

To: Chair
Cambridge Planning Board

RE: Planning Board Special Permit Application # _____
(if known)

Title _____

Address: _____

For the purpose of fulfilling the requirements of Section 19.20 of the Cambridge Zoning Ordinance, this is to certify that this Department is in receipt of the application documents submitted to the Planning Board for approval of a Project Review Special Permit for the above referenced development project: (a) an application narrative and (b) small format application plans at 11" x 17" or the equivalent. The Department understands that the receipt of these documents does not obligate it to take any action related thereto

For the Cambridge Traffic, Parking and Transportation Department
(Signature)

Date

City of Cambridge, Massachusetts
Planning Board
City Hall Annex, 344 Broadway, Cambridge, MA 02139

Certification of Receipt of Plans
Cambridge Water Department

To: Chair
Cambridge Planning Board

RE: Planning Board Special Permit Application # _____
(if known)

Title _____

Address: _____

For the purpose of fulfilling the requirements of Section 19.20 of the Cambridge Zoning Ordinance, this is to certify that this Department is in receipt of the application documents submitted to the Planning Board for approval of a Project Review Special Permit for the above referenced development project: (a) an application narrative and (b) small format application plans at 11" x 17" or the equivalent. The Department understands that receipt of these documents does not obligate it to take any action related thereto.

For the Cambridge Water Department
(Signature)

Date

City of Cambridge, Massachusetts
Planning Board
City Hall Annex, 344 Broadway, Cambridge, MA 02139

Certification of Receipt of Plans
City Arborist

To: Chair
Cambridge Planning Board

RE: Planning Board Special Permit Application # _____
(if known)

Title _____

Address: _____

For the purpose of fulfilling the requirements of Section 4.26, 19.20 or 11.10 of the Cambridge Zoning Ordinance, this is to certify that this Department is in receipt of the application documents submitted to the Planning Board for approval of a MultiFamily, Project Review or Townhouse Special Permit for the above referenced development project: a Tree Study which shall include (a) Tree Survey, (b) Tree Protection Plan and if applicable, (c) Mitigation Plan, twenty one days before the Special Permit application to Community Development.

For the City Arborist
(Signature)

Date

5.0 PLANNED UNIT DEVELOPMENT - DEVELOPMENT PROPOSAL

Introduction

The site for the new EF headquarters is located within PUD-6, the North Point Residence District, which includes residential, office, and business uses. Article 13.70 of the Cambridge Zoning Ordinance addresses Special Permits for non-residential uses. Development in the district is intended to be generally consistent with the policy objectives set forth in the Eastern Cambridge Design Guidelines.

5.1 Development Parcel

The Development Parcel for the Project consists of approximately 138,000 SF (3.17 acres) of land located at the southeast corner of the intersection of Industrial Park Drive and the North Point Boulevard Extension in East Cambridge. The EF headquarters building will be constructed on a portion of the Development Parcel to be leased by EF from the Commonwealth of Massachusetts containing approximately 55,000 square feet of land area (the "EF Parcel"). The remainder of the Development Parcel (consisting of approximately 83,000 square feet) will be dedicated for use as public open space (the "Development Parcel Open Space") pursuant to an agreement between the Commonwealth of Massachusetts and the City of Cambridge in accordance with Section 13.74.2 of the Ordinance. A legal description of the Development Parcel is attached as Exhibit 6.2 to this application.

The EF Parcel and the great majority of the Development Parcel Open Space is owned by the Commonwealth of Massachusetts – Department of Transportation ("DOT"). A small portion of the Development Parcel Open Space is owned by the Commonwealth of Massachusetts – Department of Conservation and Recreation ("DCR"). The Commonwealth will remain the fee owner of the Development Parcel Open Space.

As shown on Appendix 7.3, existing land uses within the immediate vicinity of the Development Parcel include public open space at North Point Park, elevated highway ramps, a pump station owned and operated by the Massachusetts Water Resources Authority ("MWRA"), high density residential at the Regatta Riverview, and EF's existing building at One Education Street, which houses office, educational and restaurant uses. Construction of the Project will create a campus environment for EF and will draw existing employees and visitors across the street towards North Point Park and the edge of the Charles River.

5.2 Development Concept

Article 13.70 provides for the transition of the area from one that has been historically industrial into a new neighborhood with a mix of uses and public spaces. Planning for significant public open space has occurred, with major new park spaces complete. Pedestrian and bicycle bridge and pathway construction is on-going.

The new EF headquarters will compliment the development of the district with construction of new office, educational, and public spaces. The base of the building will include a winter garden, public meeting room, and restaurant areas, all of which will be accessible to the public. The entrance to the building will front on a broad landscape area which includes water features, a terrace, decorative plantings and other new distinctive hardscape and landscape elements that connect the building to North Point Park.

Development goals and urban design objectives are further outlined in the Introduction and 3.0 Project Narrative sections of this Special Permit Application.

The design of the new EF headquarters reinforces the urban design and planning goals of the Eastern Cambridge Design Guidelines. In particular, the development is designed to create active uses facing park spaces and to provide amenities that compliment park usage.

The building design also responds to the Guidelines: the architecture is organized to express a building base, middle, and top; the penthouse screening that conceals mechanical equipment caps the building, and drops into a distinctive glass "waterfall" in the middle. The waterfall feature spills out dramatically at the base, expressing the building entries and public space volumes.

The development is well served by public transit, and significant transit usage by employees and visitors is anticipated. Based on patterns of use in the existing EF building, bicycle facilities will also be well utilized. There will be no surface parking. Structured parking will be located above grade. The parking floor plates will be located behind a continuous building envelope, such that parking is not readily visible from the exterior.

As called for in the Guidelines, the building is designed sustainably, with high efficiency mechanical systems, improved stormwater management, and the recycling of materials during construction. The building design team is targeting US Green Building LEED Silver (minimum) certification for the core and shell.

5.3 Development Schedule

5.3.a Site acquisition

The MassDOT Board has approved development of the site by EF pursuant to a 99 year ground lease with an option to purchase the fee interest. Pursuant to the Ownership Certificate attached as part of this application, MassDOT has authorized EF to apply for the requested special permits.

5.3.b Required agency approvals, environmental clearances or permits

City of Cambridge Special Permit, building permit, street opening permit, sewer permit, MEPA, Ch 91 license

5.3.c Initiation of construction

Spring 2012

5.3.d Phasing

N/A

5.3.e Substantial completion of construction

Fall 2013

5.3.f Initial occupancy

Winter 2014

5.4 Development Ownership

The project will be owned by EFEKTA House, Inc., a member of the EF Education First group of companies.

5.5 Development Financing

EF will finance the project using their own resources.

5.6 Development Feasibility

The project is not a speculative development in need of a tenant. EF is leasing the site for 99 years with an option to purchase. The company intends to use this building for its own expansion.

5.7 Development Infrastructure

The EF Project will connect to existing city and utility company systems in the adjacent public streets. Based on previous studies and recent consultations with the appropriate agencies and utility companies, existing infrastructure systems are adequately sized to accept the incremental increase in demand associated with the development and operation of the Project.

The following utilities were reviewed:

- Water
- Wastewater
- Drainage
- Natural Gas
- Electricity
- Telecommunications

The systems reviewed include those owned or managed by the Cambridge Department of Public Works (DPW), Cambridge Water Department (CWD), private utility companies, and on-site infrastructure systems.

- In the City of Cambridge, DPW is responsible for the majority of water, sewer and stormwater systems.
- The existing drainage systems adjacent to the site are owned and controlled by both MassDOT and DPW.
- The Cambridge Fire Department (CFD) will review the project with respect to fire protection measures such as hydrant locations and site access.
- Design of the utility service connection access, hydrant locations and energy systems (gas and electric) will also be coordinated with the respective system owners.
- New utility connections will be authorized by the Cambridge Public Works Department through the street opening permit process, as required.

There will be close coordination among these entities and with the project engineers during subsequent reviews and design processes. All improvements and connections to DPW infrastructure will be reviewed by DPW and CWD as part of their Site Plan Review Process, and if required, as part of the building permit process. This process includes a comprehensive design review of the proposed service connections, assessment of system demands and capacity and establishment of service accounts. Installation of a stormwater drainage system will be reviewed by MassDOT as part of their design review process.

Water

Domestic water will be provided by the Cambridge Water Department. The domestic water demand is approximately 32,000 GPD which includes make-up water required for the building's mechanical system. Currently there are water mains located next to the Project in both Education Street and North Point Boulevard. The project will be required to have two separate domestic water service connections.

Wastewater

The Project consists of 216,000 SF of office space and a 440 seat restaurant, including outdoor seating (Note: As approved 9.06.2011). Based upon 314 CMR 7.15 sewer generation rates, the project is anticipated to add 29,000 GPD of wastewater to the public sanitary sewer system. Local sanitary sewer service is provided by the Cambridge Department of Public Works, who will review and approve all connections to the existing system.

Drainage

The property is serviced by both the MassDOT-owned underground drainage collection system and a drainage collection system in Education Street and North Point Boulevard. Runoff from the proposed site currently drains into the MassDOT-owned catch basins on site and catch basins in the city streets.

The site has been used as a construction staging area for the Central Artery Tunnel project. The existing site currently consists mostly of a concrete foundation slab with remaining areas of hard compacted gravel cover and grass.

The proposed grading of the site will not alter the existing drainage pattern. The Project improvements will reduce the rate and quantity of stormwater runoff from the site. The Project will include an on-site subsurface retention system designed and sized to provide a minimum of 65% phosphorus reduction from the site runoff which meets EPA guideline of phosphorus reduction goals within the Charles River watershed. The Project also proposes to install a drainage service overflow connection that taps into the MassDOT drainage system adjacent to the site.

Natural Gas

The Regatta residences and the existing EF Building are both presently served by natural gas for heating and cooking loads. The existing gas main currently extends down Education Street and will be used to provide service to the proposed building.

Electricity

Preliminary discussions have occurred between the Project's design team and NSTAR. The plan is to feed the new building from the existing underground electric distribution system in Education Street. The building will house the NSTAR transformer in a vault which will then feed the adjacent building main electric room, both located on the ground floor of the building.

Telecommunications

The intention is to either use the existing underground distribution system in Education Street, or extend the existing Verizon distribution system that currently serves the Regatta residences and the current EF building. A main telephone service room will be located on the ground floor of the proposed building.

The Proponent will continue to work and coordinate with the utility companies and governing agencies to ensure compliance with the applicable rules and regulations, and to avoid disruption of service to neighboring utility users.

The final design process for the Project will include all required engineering analyses and will adhere to all applicable protocols and design standards, ensuring that the Project is properly supported by the City's infrastructure.

The proposed Project will be designed to avoid conflicts with existing utilities. Appropriate steps will be taken to protect existing public and private infrastructure located within the public right-of-way. The installation of proposed utilities will be in accordance with the requirements of the Cambridge Public Works Department, the Dig-Safe Program and the governing utility company. All necessary permits will be obtained before the commencement of work.

5.8 Development Impacts

5.8.a Domestic Water

Based upon initial discussions with the Water Department the modifications to the mains in the intersection of Education Street and North Point Boulevard adjacent to the site will be endorsed by the City. Additionally, the project will be assessed by the City's consultants but they do not believe that the water system has any capacity issues in the project area.

5.8.b Sewer System

Sanitary Sewer Service is provided by an 8" main located in Education Street that is stubbed to the site. Given that there is no other facility tied into the existing 8" main, it should be more than adequately sized to handle the new flow generated by the Project.

5.8.c School Facilities

The EF Project does not contain a residential component and is therefore expected to have no substantial impact on the City of Cambridge's school facilities.

5.8.d Police Protection

The building will have state of the art electronic security, as well as its own security staff and security system and therefore we expect its burden upon the Cambridge Police Department to be minimal.

5.8.e Fire Protection

The building code requires that the building fire protection system be served by two separate service connections. While separate mains are located in both Education Street and North Point Boulevard, they share a short common section in the intersection that cannot be isolated. The project will reconfigure the main in the street intersection to create true system diversity for two separate service connections. Hydrant locations and site access will be reviewed by the Cambridge Fire Department.

5.8.f *Public Recreation*

The Project's impact on public recreation will be beneficial. The Site has been designed to merge with the existing riverfront park, greatly expanding its area. New paths for pedestrians and bikers will be added, along with numerous landscape improvements, a restaurant and a winter garden that can be enjoyed by the public year-round.

5.8.g *Energy Supply*

1 - Solar potential

N/A project will not utilize solar power

2 - Cogeneration activities

N/A project will not utilize cogeneration

3 - Reduction anticipated energy needs (heating and cooling etc)

The project will meet the standards of LEED Silver and will comply with the stretch energy code which dictates that energy consumption levels must be 20% better than the standard in the Massachusetts Building Code

5.8.h *Other Public Facilities or Services*

5.8.i *Vehicular Traffic on Streets Within 1/2 Mile* - refer to Traffic Study

5.8.j *Pedestrian Traffic on Sidewalks Within 1/4 Mile* - refer to Traffic Study

5.8.k *Historic Preservation* - Not Applicable

5.9 Development Data

Please refer to 1.4 for Dimensional Form, and to separately bound 7.0 Appendix of Graphic Materials.

6.0 EXHIBITS

OWNERSHIP CERTIFICATE – PLANNING BOARD SPECIAL PERMIT

This form is to be completed by the OWNER, signed, and returned to the Office of the Planning Board.

I hereby authorized: EF Education First
(Petitioner)

Address: One Education Street, Cambridge, MA 02141

to apply for a special permit for: development of a new headquarters building
(type of development)

on premises located at: Industrial Park Road, Cambridge, MA

for which the record title stands in the name of: Massachusetts Department of Transportation

whose address is: 10 Park Plaza, Suite 3170, Boston, MA 02116

orders of taking
by ~~a deed~~ duly recorded in the: Middlesex South County Registry of Deeds in Book 27452

Page 538 ; ~~or Registry District of the Land Court, Certificate No.:~~

~~Book:~~ ~~Page:~~ see also the Certificate of Transfer of Title recorded in the Middlesex South
County Registry of Deeds in Book 53975, Page 556.

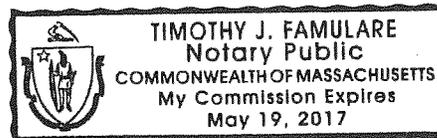
Signature of Land Owner
(If authorized Trustee, Officer or Agent, so identify)
Peter M. O'Connor
Director, Office of Real Estate and Asset Development

Commonwealth of Massachusetts, County of Suffolk

On this 9th day of August, 2011, before me, the undersigned notary public, personally
appeared Peter M. O'Connor, proved to me through satisfactory evidence of identification,
which were personal knowledge, to be the person who signed the preceding or attached
document in my presence, and who swore or affirmed to me that the contents of the document are
truthful and accurate to the best of his knowledge and belief.

Notary:

My Commission expires:



OWNERSHIP CERTIFICATE – PLANNING BOARD SPECIAL PERMIT

This form is to be completed by the OWNER, signed, and returned to the Office of the Planning Board.

I hereby authorized:

~~(Petitioner)~~ EF Education First

Address: One Education Street, Cambridge, MA 02141

to apply for a special permit for: development of a new headquarters building
(type of development)

on premises located at: Industrial Park Road, Cambridge, MA

for which the record title stands in the name of: Commonwealth of Massachusetts Department
of Conservation and Recreation

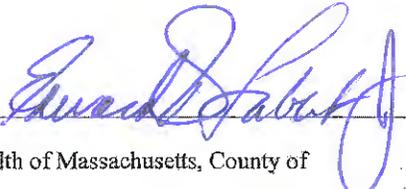
whose address is: 251 Causeway Street, Boston, MA 02114

an order of taking
by ~~order~~ duly recorded in the: Middlesex South County Registry of Deeds in Book 27405

Page 555 ; or Registry District of the Land Court, Certificate No.:

Book: Page:

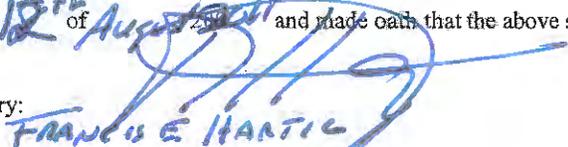
Signature of Land Owner
(If authorized Trustee, Officer or Agent, so identify)

 8/12/11

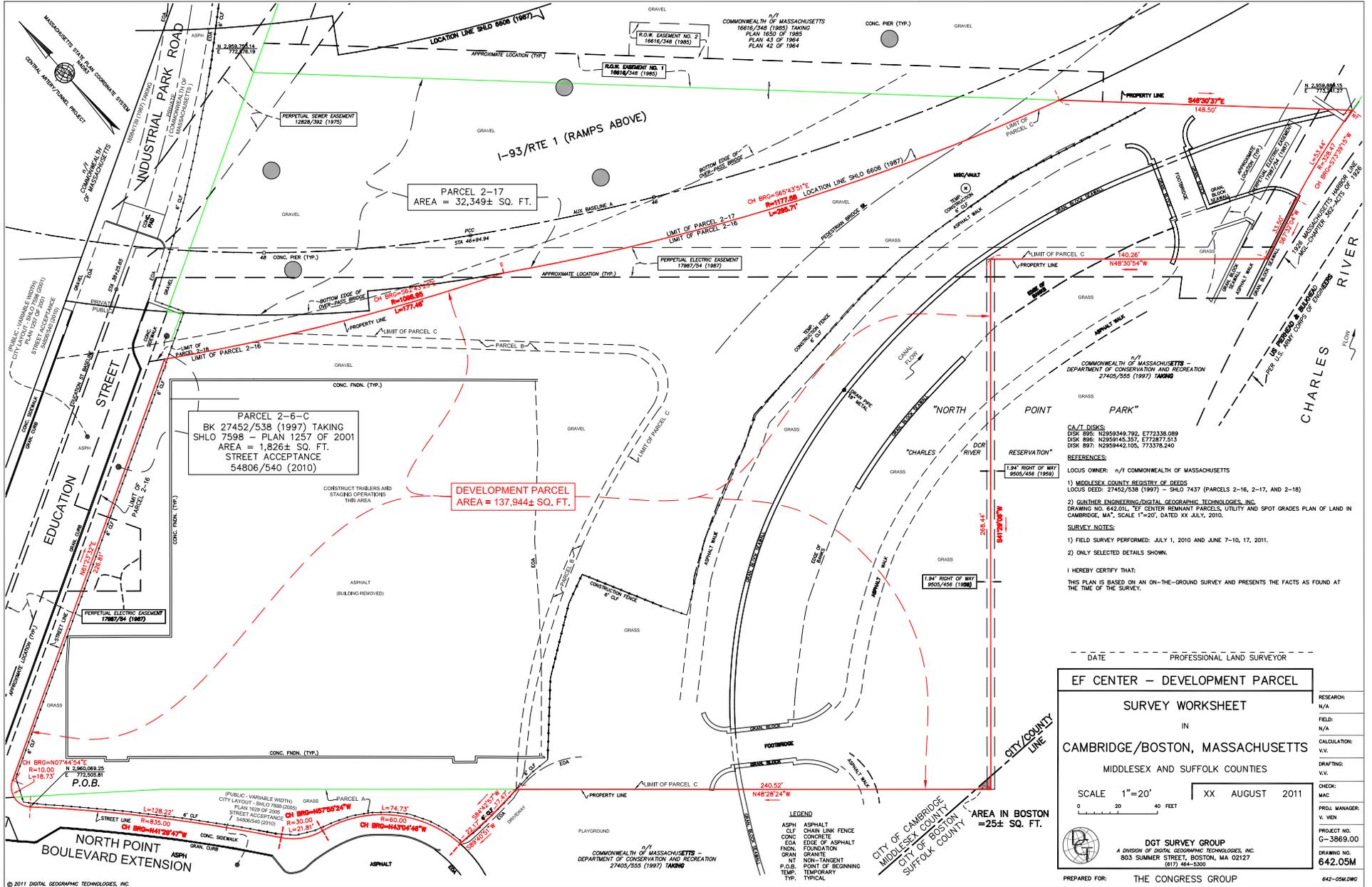
Commonwealth of Massachusetts, County of Suffolk

The above named Edward M. Lambert, Jr personally appeared before me,

This 12th of August 2011 and made oath that the above statement is true.

Notary: 
FRANCIS E. HARTIG

My Commission expires: 12-30-2016



DGT SURVEY GROUP

A DIVISION OF DIGITAL GEOGRAPHIC TECHNOLOGIES, INC.

BOSTON • PROVIDENCE • NEWBURYPORT

A certain parcel of land in the Commonwealth of Massachusetts, County of Middlesex, City of Cambridge, and County of Suffolk, City of Boston situated on the easterly side of Education Street and northerly side of North Point Boulevard Extension, shown on a plan entitled "EF Center - Development Parcel, Survey Worksheet in Cambridge/Boston, Massachusetts, Middlesex and Suffolk Counties", Scale 1"=20', Dated xx August 2011, Drawing No. 642.05M, prepared by DGT Survey Group, a Division of Digital Geographic Technologies, Inc., prepared for The Congress Group, and more particularly bounded and described as follows:

Beginning on a point of reverse curvature at the southwesterly corner of said parcel, on the northwesterly sideline of North Point Boulevard Extension, at the intersection with southeasterly sideline of Education Street, as shown on said plan and being the point of beginning; thence running:

Northerly	18.73 feet	by a curve to the right of 10.00 foot radius with a chord bearing of N 07-44-54 E and a chord distance of 16.11 feet to a point of tangency; thence
N 61-23-32 E	226.81 feet	to a point, the last two courses being by the easterly sideline of Education Street; thence
Easterly	177.46 feet	by a curve to the left of 1096.95 foot radius with a chord bearing of S 62-43-23 E and a chord distance of 177.46 feet to a reverse curve; thence
Easterly	295.71 feet	by a curve to the left of 1177.58 foot radius with a chord bearing of S 65-43-51 E and a chord distance of 294.93 feet to a point, the last two courses being by location line of State Highway Layout 6606 of 1987; thence
S 46-30-37 E	148.50 feet	to a point of non-tangency; being by land now or formerly of Commonwealth of Massachusetts; thence
Southerly	53.44 feet	by a curve to the left of 328.47 foot radius with a chord bearing of S 73-39-15 W and a chord distance of 53.38 feet to a point; thence
S 67-32-04 W	33.50 feet	to a point, the last two courses being by the Charles River; thence
N 48-30-54 W	140.26 feet	to a point; thence

S 41-29-06 W 268.44 feet to a point; thence
 N 48-28-24 W 240.52 feet to a point; thence
 S 84-42-57 W 17.47 feet to a point; thence
 S 89-40-51 W 22.17 feet to a point on the northerly sideline of North Point
 Boulevard Extension, the last five courses being by land
 now or formerly of Commonwealth of Massachusetts -
 Department of Conservation and Recreation; thence
 Westerly 74.73 feet by a curve to the left of 60.00 foot radius with a chord
 bearing of N 43-04-46 W and a chord distance of 69.99 feet
 to a reverse curve; thence
 Northerly 21.81 feet by a curve to the right of 30.00 foot radius with a chord
 bearing of N 57-55-24 W and a chord distance of 21.33 feet
 to a reverse curve; thence
 Westerly 128.22 feet by a curve to the left of 835.00 foot radius with a chord
 bearing of N 41-29-47 W and a chord distance of 128.09
 feet to the point of beginning, the last three courses being
 by the northerly sideline of North Point Boulevard
 Extension.

Said parcel contains 137,944 square feet more or less or 3.167 acres more or less.

The above described land is subject to Easements as shown on said plan.

