

CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

2020 OCT 26 PM 2:53

831 Massachusetts Avenue, Cambridge MA 02139

9 OFFICE OF THE CITY CLERK CAMBRIDGE. MASSACHUSETTS

617-349-6100

General Information

BZA Application Form

Plan Number: 890

89981

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The undersigned	hereby petitions	the Board of Zoning	Appeal for the	following:
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Special Permit:	Variance:	X	Appeal:

PETITIONER: BMR - 450 Kendall Street LLC C/O Selbert Perkins Design

PETITIONER'S ADDRESS: 90 Leonard Street, Belmont, MA 02478

LOCATION OF PROPERTY: 450 Kendall St , Cambridge, MA

TYPE OF OCCUPANCY: Office - 3A

ZONING DISTRICT:

REASON FOR PETITION:

/Sign/

DESCRIPTION OF PETITIONER'S PROPOSAL:

The proposed sign will be above the city's 20' height mandate to be safely affixed to the building due to the building's structure and exceeds internal illumination of 30" limit.

SECTIONS OF ZONING ORDINANCE CITED:

Article: 7.000

Section: 7.16.22.C (Wall Signs).

Original Signature

(s):

Petitioner (s) / Owner)

COPY DEPASQUALE

(Print Name)

Address:

90 LEONARD ST BELMONT MA 02478

Tel. No.

781.574.6605 x118

E-Mail Address:

cdepasquale@selbertperkins.com

Date: August 31, 2020

00:5:18. 82:10:99°

ment comment

TO SECURED ST.

BZA APPLICATION FORM - OWNERSHIP INFORMATION

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

I/We BMR-450 Kendall Street LLC
(OWNER)
Address: 17190 Bernardo Center Drive, San Diego, CA 92128
State that I/We own the property located at 450 Kendall Street, Cambridge, MA , which is the subject of this zoning application.
The record title of this property is in the name of
*Pursuant to a deed of duly recorded in the date $\frac{9/28/2015}{}$, Middlesex South County Registry of Deeds at Book $\frac{66141}{}$, Page $\frac{325}{}$; or
Middlesex Registry District of Land Court, Certificate No
Book PageBMR-450 KENDALE STREET LLC
BY: SIGNATURE BY LAND OWNER OR AUTHORIZED TROSTEE, OFFICER OR AGENT* SALVATORE ZIMNO, VICE PRESIDENT, DEVELOPMENT *Written evidence of Agent's standing to represent petitioner may be requested.
Commonwealth of Massachusetts, County of MIDDLESEX
The above-name SALVATORE ZINNO personally appeared before me, this 30 th of JANUARY, 20 ²⁰ , and made oath that the above statement is true.
My commission expires October 26, 2023 (Notary Seal). SUSAN A AMATO NOTARY PUBLIC Commonwealth of Mossochuse My Commission Expires October 26, 2023

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

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

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

An agreement with the landowner provides the tenant, Eli Lilly with an allowance for signage on the building as the anchor tenant. By not applying this wall signage, Eli Lilly is not financially utilizing the full extent of their lease.

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

The proposed sign must be affixed to the top of the building due to it's structure.

C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

1) Desirable relief may be granted without substantial detriment to the public good for the following reasons:

The proposed sign is non-obtrusive to the public way and will not detriment the public good in any way.

Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:

The proposed sign meets all other requirements with the exception of mounting height set forth by the City.

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

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: BMR - 450 Kendall Street LLC

Present Use/Occupancy:

Office - 3A

Phone:

Location: 90 Leonard Street 781.574.6605 x118

Zone: Requested Use/Occupancy:

No changes proposed

		Existing Conditions	Requested Conditions	Ordinance Requirements	
TOTAL GROSS FLOOR AREA:		53,000	N/A	N/A	(max.)
LOT AREA: RATIO OF GROSS		.33 Acres	N/A	N/A	(min.)
FLOOR AREA TO LOT AREA: 2 LOT AREA OF		3.66:1	N/A	N/A	
EACH DWELLING UNIT		N/A	N/A	N/A	
SIZE OF LOT:	WIDTH	111'7"	N/A	N/A	
	DEPTH	138'8"	N/A	N/A	ĺ
SETBACKS IN FEET:	FRONT	0'0"	N/A	N/A	
	REAR	0'0"	N/A	N/A	
	LEFT SIDE	0'0"	N/A	N/A	
	RIGHT SIDE	0'0"	N/A	N/A	
SIZE OF BUILDING:	HEIGHT	71'	N/A	N/A	
	WIDTH	112'	N/A	N/A	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		N/A	N/A	N/A	
NO. OF DWELLING UNITS:		0	N/A	N/A	
NO. OF PARKING SPACES:		83	0	N/A	
NO. OF LOADING AREAS:		2	N/A	N/A	
DISTANCE TO NEAREST BLDG. ON SAME LOT		N/A	N/A	N/A	

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

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

BZA Application Form

SUPPORTING STATEMENT FOR A VARIANCE

From:

Ovadia R Simha <simha@mit.edu>

Sent:

Friday, November 27, 2020 12:03 PM

To:

Pacheco, Maria

Subject:

BZA-88981 450 Kendall Street

89981

Dear members of the Cambridge Board of Zoning appeal

I would like to be recorded in opposition to the sign request case BZA-88981. The identity of the location of the Glass House is already easily discernible from street level and there is no need for proposed illuminated sign. Those of us who have to look at the facade of this building are already plagued by the excessive lighting that glows from this building all night . The request is ill-advised and will only increase the already formidable light pollution that exists in our neighborhood.

Please maintain the controls offered by Article 7 and reject this petition.

Ovadia R. Simha 303 Third Street #704 Cambrdge MA 02142

From:

Alan V Oppenheim <avo@mit.edu>

Sent:

Thursday, November 26, 2020 12:41 PM

To: Cc: Pacheco, Maria

Alan V Oppenheim

Subject:

Case BZA-89981

Dear Maria Pacheco:

I am writing in opposition to the petition with case number BZA-88981 regarding signage at 450 Kendall St. There is currently signage on that building that conforms to the city's restrictions. More even larger illuminated signage will be a nuisance to those of us living nearby. Further it will undoubtedly invite other buildings to request larger illuminated signage. With the major amounts of development underway and planned for Kendall Square and including the area in and around 450 Kendall Street the inevitable increased nighttime illumination will clearly create a nuisance. Staying within the city's current restrictions will at least be a step in the direction of mitigating the impact of those of us living nearby.

Sincerely Alan Oppenheim Unit 505 303 Third Street

From:

Bjorn Poonen

bjornpoonen@gmail.com>

Sent:

Wednesday, November 25, 2020 11:13 PM

To: Subject: Pacheco, Maria Case BZA-89981

Dear Maria Pacheco:

I am writing in opposition to the petition with case number BZA-88981 regarding signage at 450 Kendall St., for the following reasons:

- 1) There is existing signage on the same building (saying "450 Kendall St" and "GLASS HOUSE") that respects the 20' height limit, so it seems as if it would not be a hardship to use a different kind of signage respecting the limit.
- 2) This is presumably not a business offering nightlife, not the kind of business that customers are looking for at night, so it is unclear that an *illuminated* sign is necessary.
- 3) The proposed sign would shine into many of the neighboring apartments, and the petitioner has not offered to turn it off during sleeping hours.
- 4) Much of the sign's light would go into the sky and contribute to the city's light pollution, and the petitioner has made no effort to limit this.
- 5) The proposed sign violates more of Article 7 than the petitioner reports. On page 56 of the petition, the petitioner has computed the area of the sign by using a 68-sided nonconvex polygon that hugs each individual letter, which goes against any common-sense reading of Article 7.14.D, which states, "Where the sign consists of individual letters or symbols attached to or painted on a surface, wall or window, the area of the sign shall be considered to be that of the smallest rectangle or other geometric shape which encompasses all letters and symbols." The area according to the dimensions supplied by the petitioner should, according to Article 7.14.D, be computed as $13' \times 7'2'' = 93 \text{ sq. ft.}$, which exceeds the 60 sq. ft. limit.

Sincerely, Bjorn Poonen (Cambridge resident)

From:

Carol O'Hare < carol@carolok.com>

Sent:

Monday, December 7, 2020 12:20 PM

To:

Pacheco, Maria

Subject:

BZA: 450 Kendall St., Eli Lilly sign: 2 zoning variances, BZA-89981, 12/10/20, 6:30 p.m.

Attachments:

20201206 121443 (3).jpg; 20201206 190513.jpg; 20201206 194552.jpg

Dear Mr. Alexander, Chair, Mr. Sullivan, Vice Chair, and BZA Members:

Eli Lilly seeks 2 zoning variances to install their building-top sign: 96 ft. above ground (instead of max. 20') and more than 30"-maximum illumination.

Here are just some reasons I hope the BZA will deny Lilly's appeal.

- 1. 450 Kendall St. is located in an Office 3A District where CZO's Article 7 regulating signs and lighting applies. If, instead, Lilly's proposed sign were proposed in the Cambridge Redevelopment Authority nearby MXD Zone where more liberal sign requirements govern, it would likely be approved. But it is not. See Attachment 2 zoning map showing this building's Office 3A Zone and the CRA's nearby MXD Zone and the CRA's MXD Signage Guidelines: https://tinyurl.com/tz9thli.
- 2. If Lilly prevails, then every "prime tenant" in a tall building would have a claim for a too high, too bright sign.
- 3. Way-Finding by high-sign is impractical and dangerous. These days pedestrian, riding and driving travelers "way-find" via Google and Waze. And, Lilly's building is appropriately announced at street-level by a very large, backlit **450 Kendall Street** sign. See photo-Attachments 1 & 3.
- 4. Of Lilly's 63-page variance application, <u>only 5 sentences</u> provide any legally required justification for their variances. They didn't even include a single, clear elevation of their building with their sign on top. Neither Lilly's vague sketches (p. 57) nor their few, minimizing views of their sign (pp. 59-63) satisfy basic standards for this board's and public information, not to mention the rigorous standards for zoning-variance relief.

For example, Lilly **legal "justification"** for their 70'-too-high & too-illuminated sign variance just doesn't make the grade. Just one example: Lilly claims that, by denying their 2 zoning variances, the BZA would cause "**substantial hardship**" by preventing them, as anchor tenant, from "financially utilizing the full extent of their lease." But, Lilly could easily have foreseen and averted this "hardship" by including a lease provision that reduced their rent if their building-top, too bright sign proposal fell flat. And, if their "hardship" rationale works here, it could apply to every tall building's prime tenant throughout the city.²

Lilly mistakenly concludes that their sign "must be affixed to the top of the building due to its structure." As prime tenant, they and their lawyers knew the building structure and should have negotiated with BioMed, for a zoning-compliant, Lilly sign. And, to state the obvious, it's not like this prime tenant will be selling retail drugs at this site.

Finally, I'd guess that **Sal Zinno**, **BioMed Realty**'s V.P. for Development/**Lilly's landlord**, warned Lilly that their variances might not pass muster with the BZA. *See* his 12/18/19 letter to Lilly, BZA Application p. 45. Maybe that's why Lilly made such a weak effort supported by such a heap of "paper" to support their sign's zoning variances.

I hope you deny these unjustified and unsupported variances. And, I hope you and ISD staff stay healthy during this holiday season in this Time of COVID.

Thank you, as always, for your service, time and consideration.

Sincerely,

Carol O'Hare 172 Magazine St.

1. Lilly's weak, **5-sentence**, legal "justification" for their 2 variances appear at p. 4 of their 63-page appeal. https://tinyurl.com/y5nupuep Yet, they present city departments' building Occupancy Permit OK's, 36 pages of irrelevant building Construction Documents - floor plans, elevations, et al. My favorite of their 5-sentence justification is their last: "The proposed sign meets all other requirements with the exception of mounting height set forth by the City."

2. 10.31 Variances

A variance from the specific requirements of this Ordinance, including variances for use, may be authorized by the Board of Zoning Appeal with respect to particular land or structure. Such variance shall be granted only in cases where the Board finds all of the following:

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

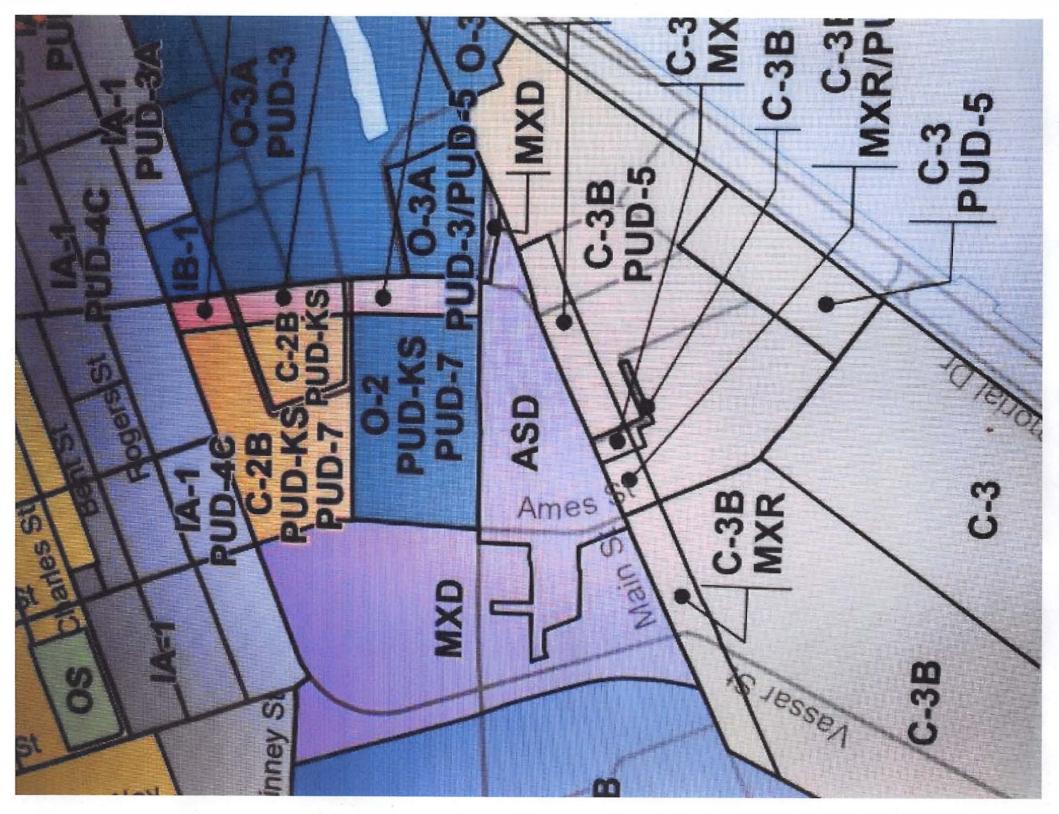
(b) The hardship is owing to circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structure but not affecting generally the zoning district in which it is located.

(c) Desirable relief may be granted without either:

(1) Substantial detriment to the public good; or

(2) Nullifying or substantially derogating from the intent or purpose of this Ordinance.







From:

Marilyn Wellons <marilyn.wellons@yahoo.com>

Sent:

Monday, December 7, 2020 3:38 PM

To:

Pacheco, Maria

Subject:

BZA: 450 Kendall St., Eli Lilly sign: 2 zoning variances, BZA-89981, 12/10/20, 6:30 p.m.

Dear Mr. Alexander, Chair, Mr. Sullivan, Vice Chair, and BZA Members:

Please see Carol O'Hare's letter to you dated today at 12:20 pm, listing the reasons she asks you to deny the request for these variances.

The reasons should be compelling. I ask you to follow Carol O'Hare's reasoning and deny the variances. The signs requested are contrary to the public interest as given in stated law. No hardship that would justify the variances is apparent to this reader.

Yours sincerely,

Marilyn Wellons 651 Green Street Cambridge, MA 02139



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

831 Mass Avenue, Cambridge, MA. (617) 349-6100

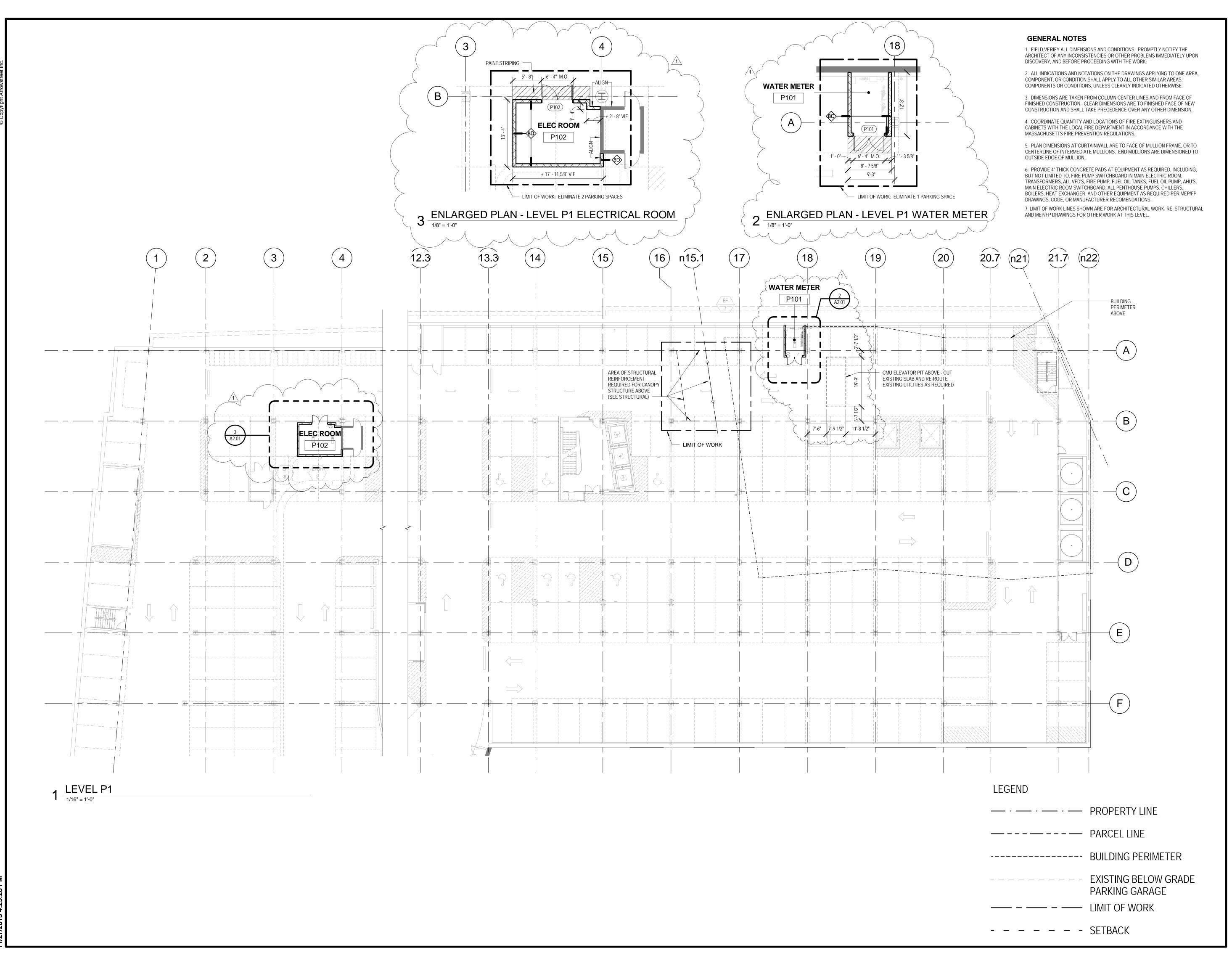
3 13-6

BZA

POSTING NOTICE - PICK UP SHEET

The undersigned picked up the notice board for the	Board of	Zoning
Appeals Hearing.		
Name: (Print)	Date: _	1/24
Address: 450 Kendall Ad.		<u> </u>
Case No. 1574-89981		
Hearing Date:	*	

Thank you, Bza Members

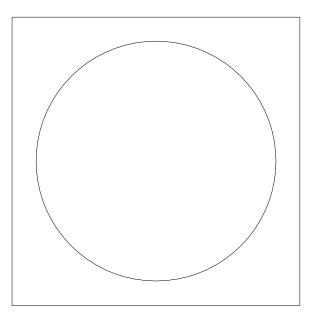




450 Kendall St / Parcel G

Cambridge, MA

CONSTRUCTION DOCUMENTS



ARROWSTREET

Architecture
Urban Design
Planning
Graphics and Interiors

212 Elm Street Somerville MA 02144 617.623.5555 Fax 625.4646 www.arrowstreet.com

Project Number	: 11024
Drawn By:	MN / ECS
Checked By:	MC
Issue Date:	5 SEPTEMBER 2013

Revisions

11/25/13	Addendum #5

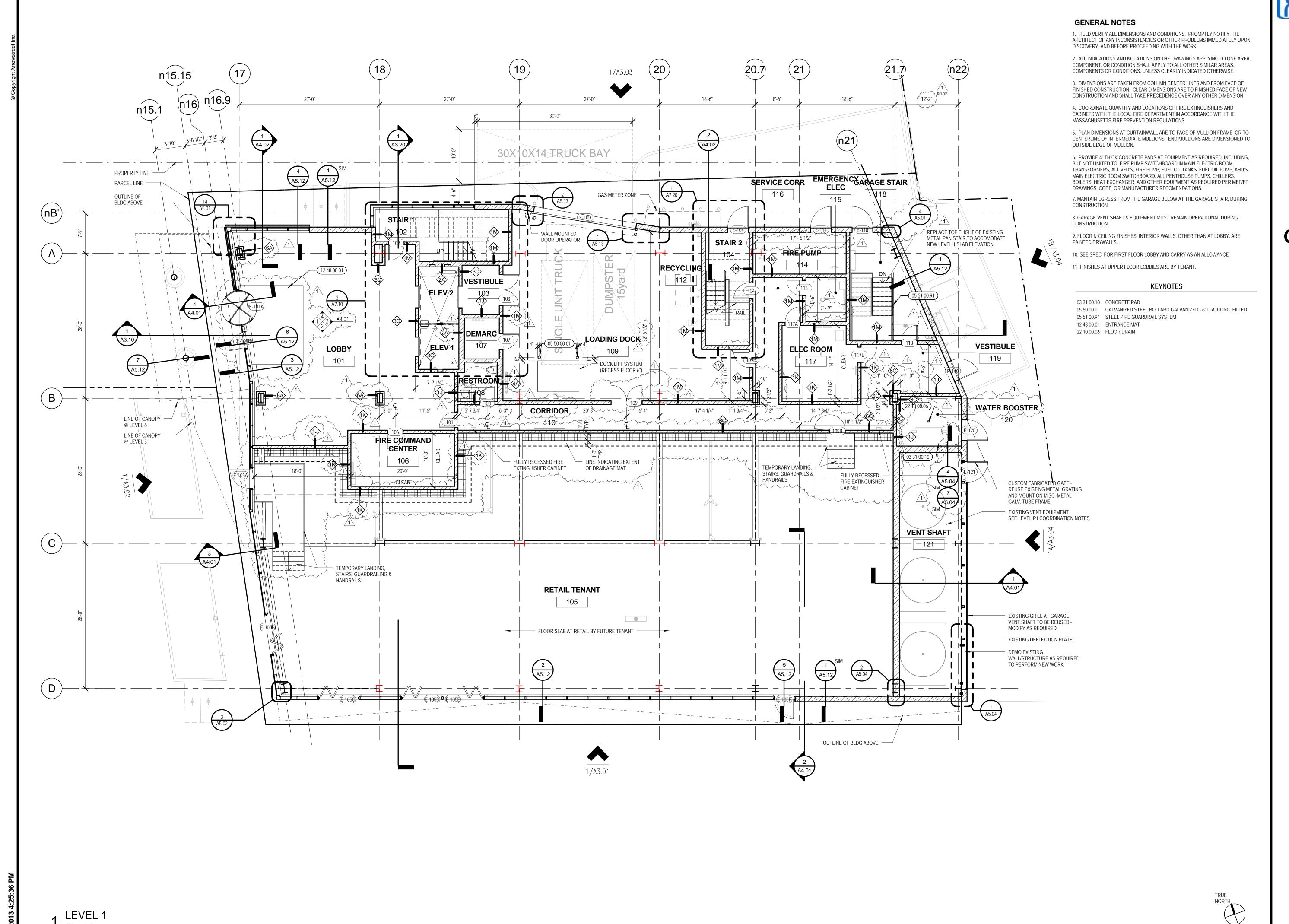
Drawing Title

LEVEL P1 -EXISTING GARAGE

SCALE As indicated

Drawing Number

Δ2 04



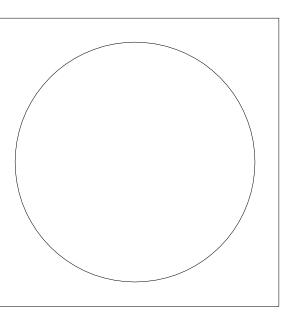
LEVEL 1 1/8" = 1'-0"



450 Kendall St / Parcel G

Cambridge, MA

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11024 **Project Number:** MN/ECS Drawn By: Checked By: 5 SEPTEMBER 2013 Issue Date:

Revisions

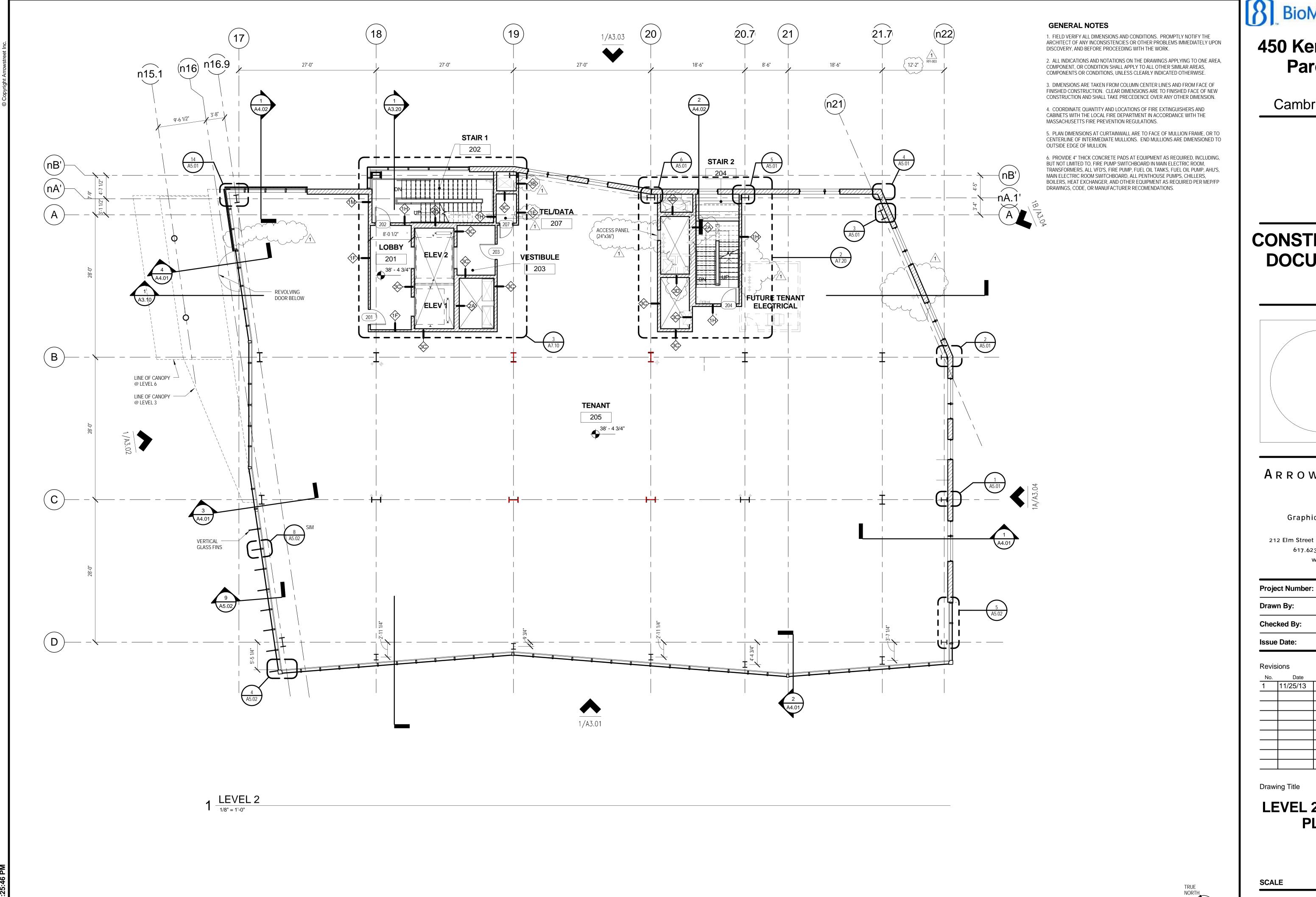
No.	Date	Description
1	11/25/13	Addendum #5

Drawing Title

LEVEL 1 - FLOOR **PLAN**

As indicated

Drawing Number

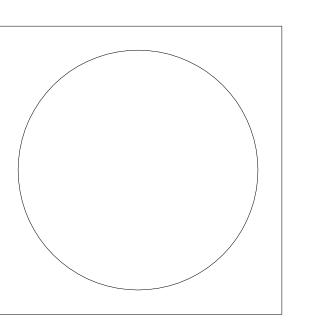




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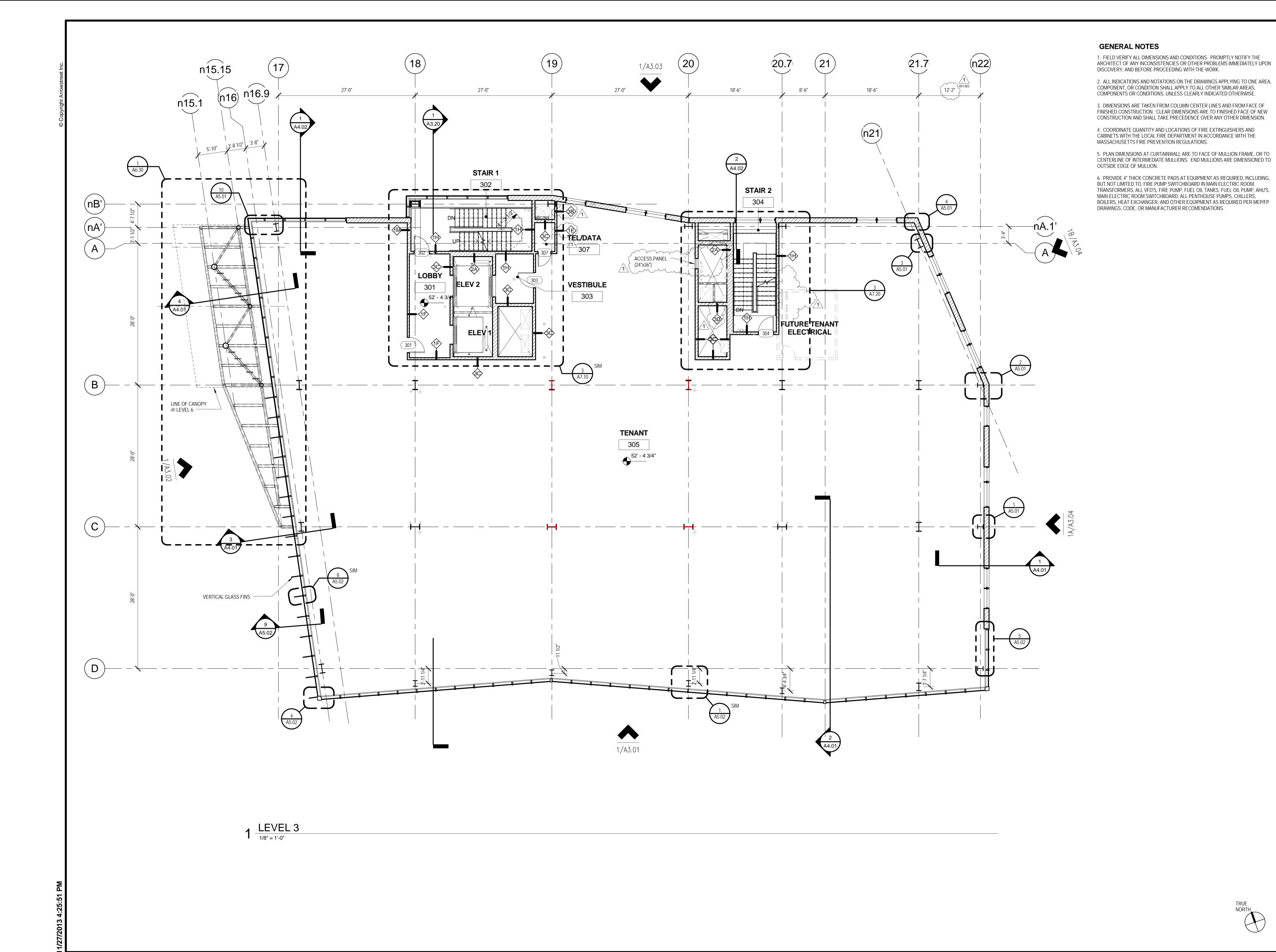
MN/ECS Drawn By: Checked By: 5 SEPTEMBER 2013 Issue Date: Revisions 11/25/13 | Addendum #5

Drawing Title

LEVEL 2 - FLOOR PLAN

As indicated

Drawing Number

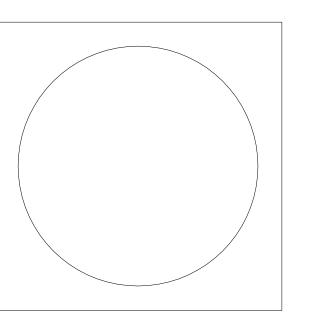




450 Kendall St / Parcel G

Cambridge, MA

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Checked By: MC

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Revisions

No.	Date	Description
1	11/25/13	Addendum #5

Drawing Title

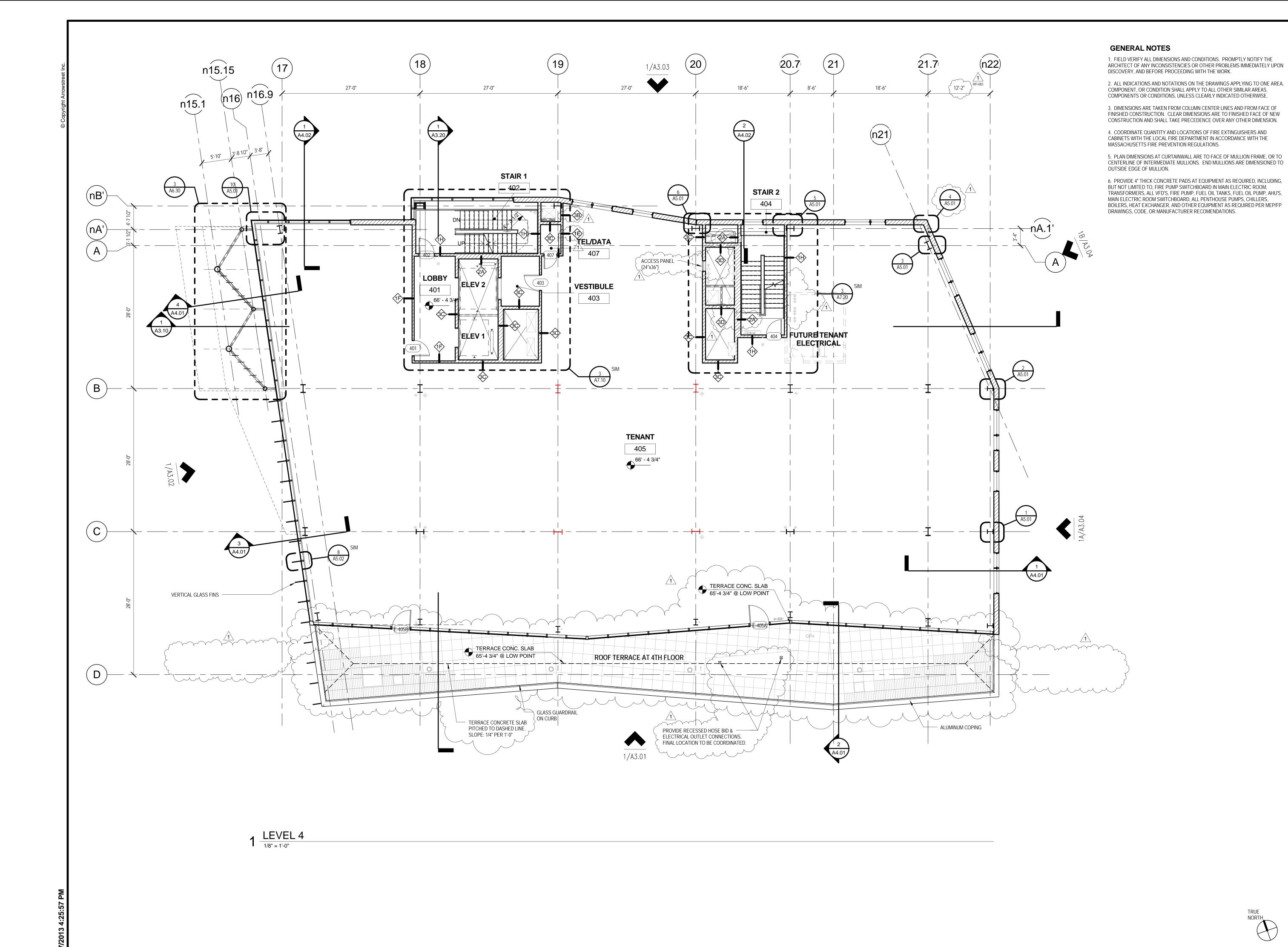
LEVEL 3 - FLOOR PLAN

SCALE

As indicated

Drawing Number

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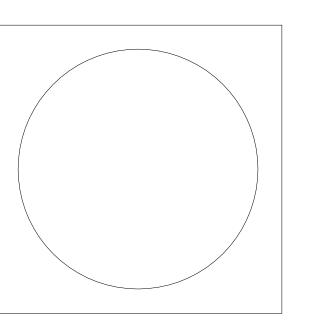




450 Kendall St / Parcel G

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11024 **Project Number:** MN / ECS Drawn By: Checked By: 5 SEPTEMBER 2013 Issue Date:

Revisions

No.	Date	Description
1	11/25/13	Addendum #5

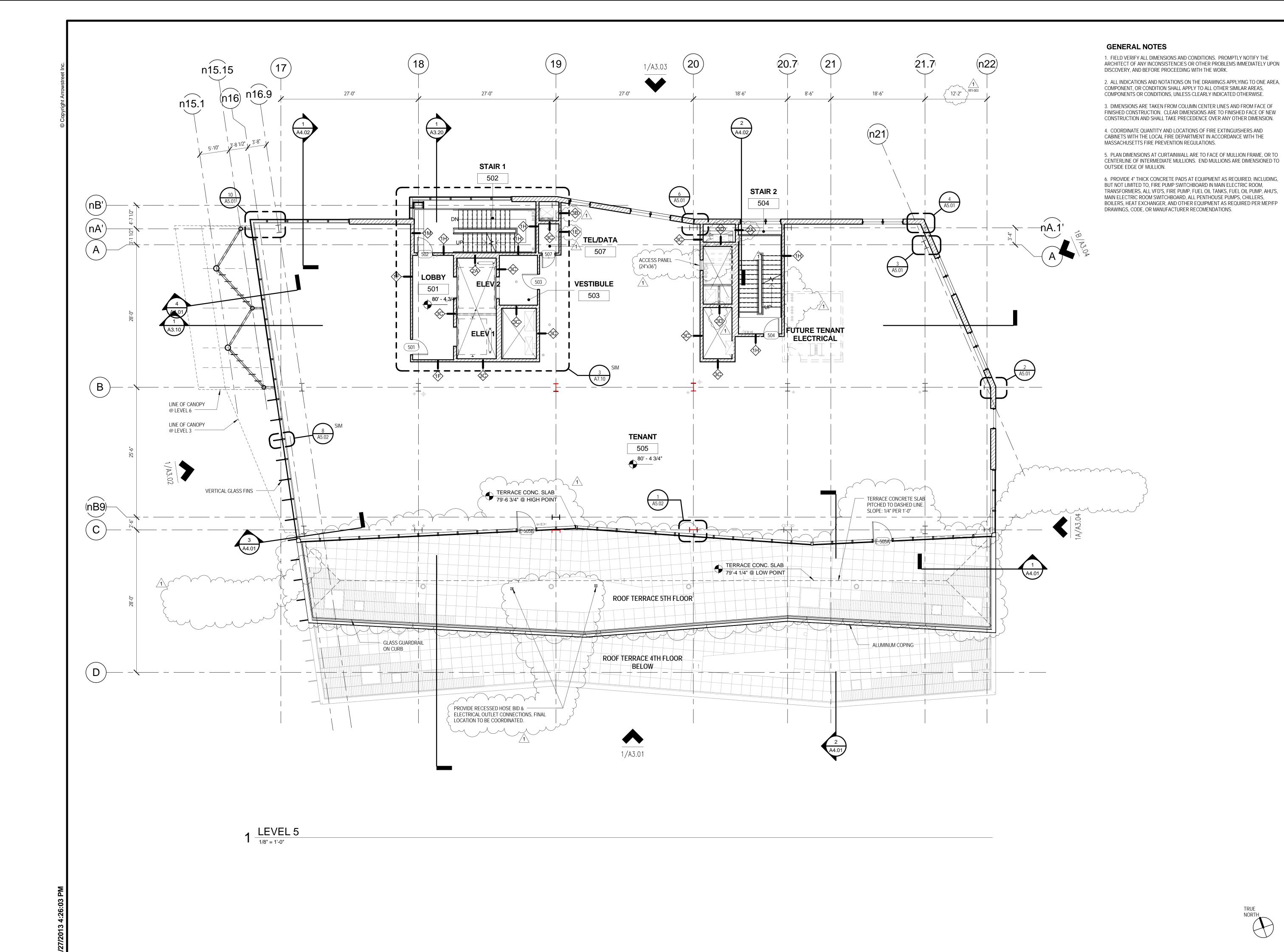
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LEVEL 4 - FLOOR **PLAN**

TRUE

As indicated

Drawing Number

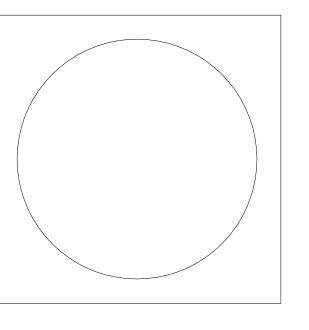




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Cambridge, MA

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Project Number: 11024

Drawn By: MN / ECS

Checked By: MC

Issue Date: 5 SEPTEMBER 2013

Revisions

No.	Date	Description
1	11/25/13	Addendum #5

Drawing Title

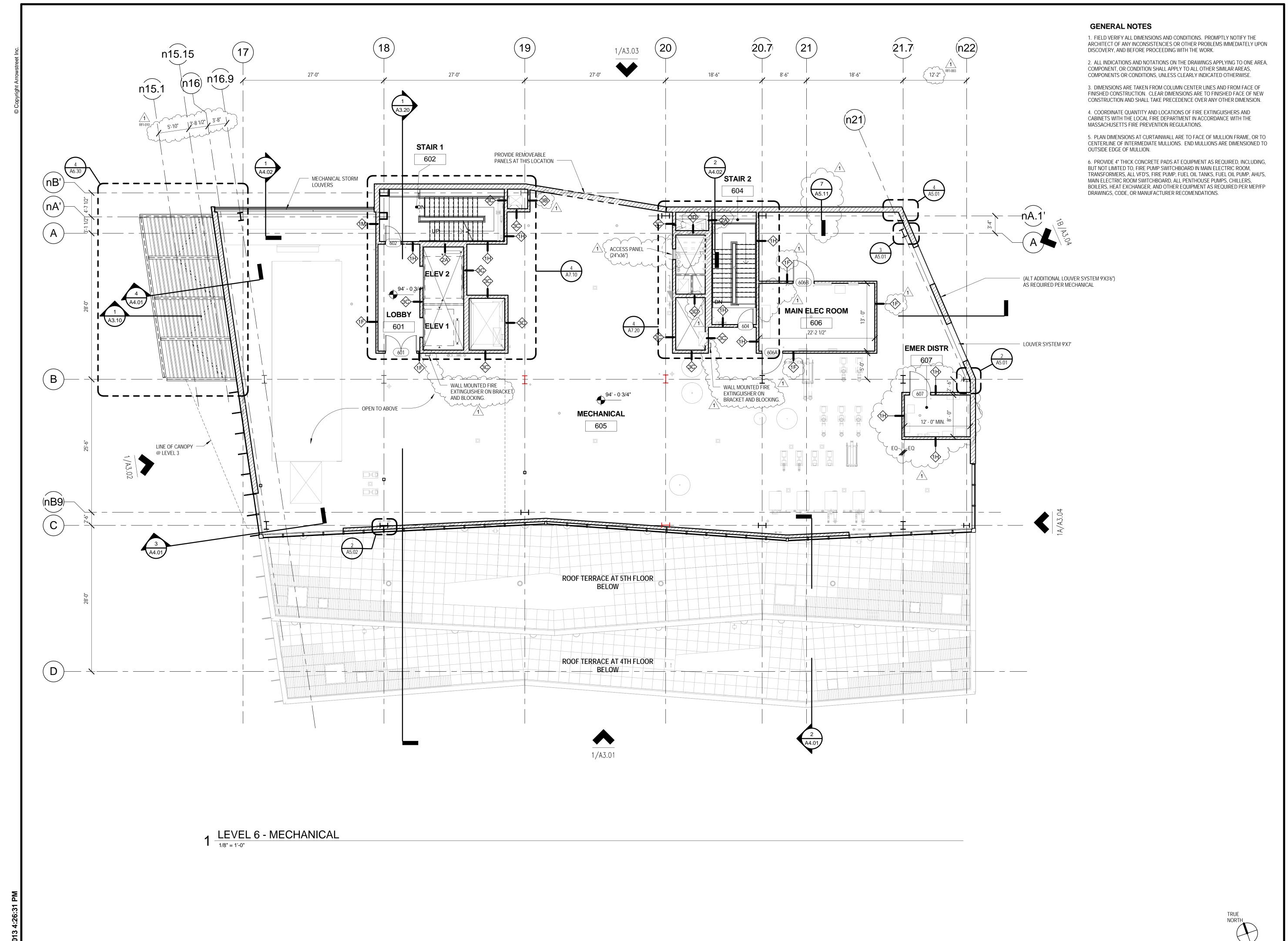
LEVEL 5 - FLOOR PLAN

SCALE

As indicated

Drawing Number

A2.50

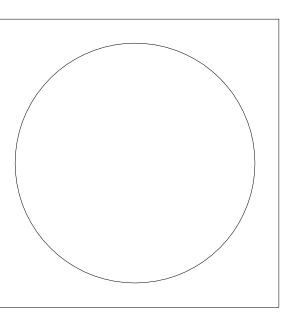




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Project Number	r: 1102
Drawn By:	MN / EC
Checked By:	Me
Issue Date:	5 SEPTEMBER 201

Revisions

No.	Date	Description
1	11/25/13	Addendum #5

Drawing Title

LEVEL 6 -MECHANICAL PLAN

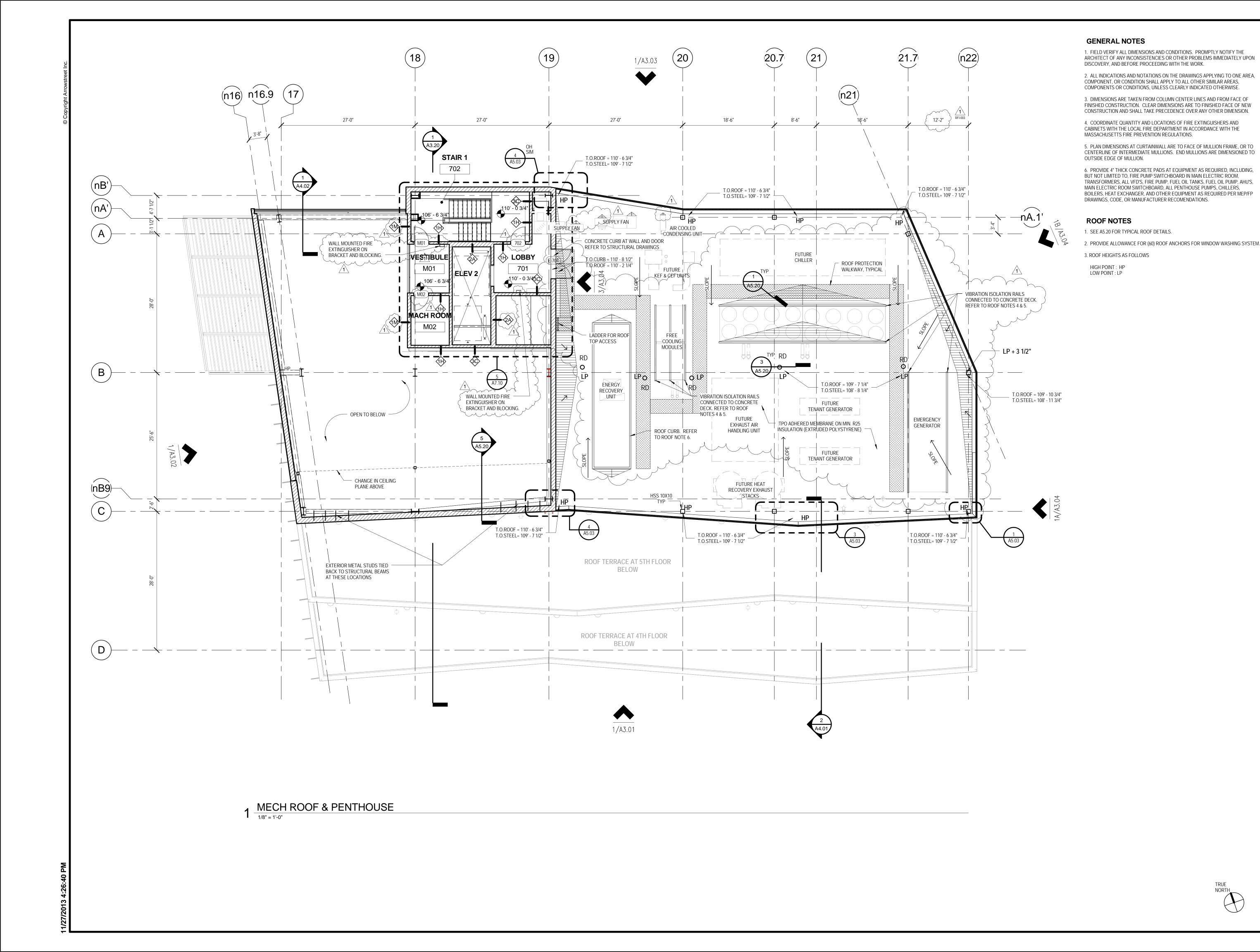
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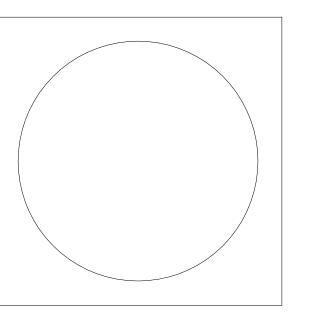




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MN/JN Checked By: 5 SEPTEMBER 2013 Issue Date: Revisions 11/25/13 | Addendum #5

Project Number:

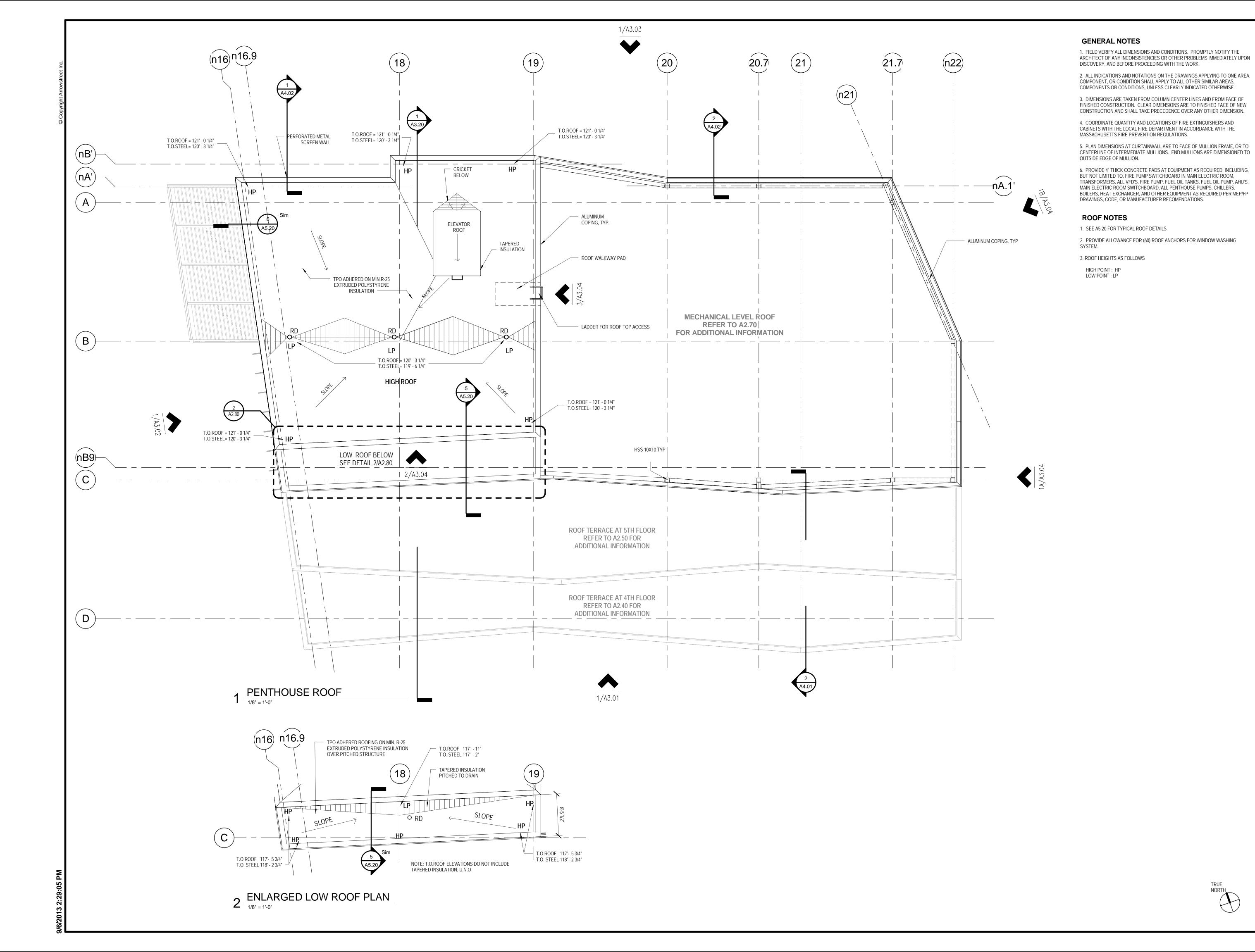
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Drawing Title

MECHANICAL ROOF AND PENTHOUSE PLAN

As indicated

Drawing Number

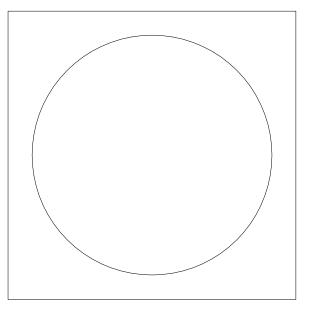




450 Kendall St / Parcel G

Cambridge, MA

Construction **Documents**



ARROWSTREET

Urban Design Planning Graphics and Interiors

11024

212 Elm Street Somerville MA 02144 617.623.5555 Fax 625.4646 www.arrowstreet.com

Project Number:

Drawn	Ву:	MN / JN		
Check	ed By:	МС		
Issue I	Date:	5 September 2013		
Revisio	ons			
No.	Date	Description		

Drawing Title

PENTHOUSE ROOF PLAN

Drawing Number

As indicated

City of Cambridge, Massachusetts Planning Board

City Hall Annex, 344 Broadway, Cambridge, MA 02139

REQUEST FOR OCCUPANCY PERMIT

CERTIFICATION OF COMPLIANCE WITH SPECIAL PERMIT CONDITIONS

Special Permit Case No	o: <u>141</u>	
Project Name: 450 Ke	ndall Street / Parcel G	
Project Address: 450	Kendall Street	
	Dimensional Limitations	
	As Certified at Building Permit	As Now Requested
FAR	3.0*	No Change
Gross Floor Area	53,000	No Change
Height	71'-0"	No Change
Lot Area per D.U.	N/A	No Change
Dwelling Units	N/A	No Change
Yard Setbacks	Per PUD <u>Master Plan</u>	No Change
Front	0' - 0"	No Change
Left Side	0' - 0"	No Change
Right Side	0' - 0"	No Change

0' - 0"

No Change

Rear



^{*} Per PUD project total inclusive of affordable housing bonus.

Dimensional Limitations

As Certified at Building Permit Per PUD	
SP	No Change
Per PUD SP	No Change
See Above	No Change
See Above	No Change
2	No Change
be met Before Issuance of Oc	cupancy Permit
Description of Com (Attached additional sheets:	
Incentive zoning contribution.	
nd typical floor plans only) and Site format]: / Parcel G	e Plans [from As Bui
	See Above 2 Description of Com (Attached additional sheets Incentive zoning contribution. Ind typical floor plans only) and Site format]:

SIGNATURE PAGES

	Applicant ,
9/19/14	1 Pr
Date	BMR-450 Kendall Street LLC
/	Salvatore Zinno
/	Senior Project Manager, Leasing & Development
<u>Certifications</u>	from Relevant Departments

Where any of the following departments have any responsibility in enforcing one or more conditions of the Special Permit, the permittee shall secure the appropriate certification before submittal of this form to the Community Development Department.

Traffic, Parking and Transportation Department
[CDD certification of non applicability]
The staff of the Traffic, Parking and Transportation Department has reviewed the above referenced information. This is to certify that all conditions of the Planning Board, as set forth above, have been met to permit the issuance of the requested Occupancy Permit .
ae put page
Date Signature, Authorized TPTD Staff
Additional staff comments, conditions, limitations:

SIGNATURE PAGES

	Appacant
Date	Signature, Authorized Representative of Permittee
Certification	s from Relevant Departments
conditions of the Special Permit, the	ments have any responsibility in enforcing one or more the permittee shall secure the appropriate certification as Community Development Department.
Traffic, Parking	and Transportation Department
[CDD certification of the control of the certification of the certificat	ation of non applicability]
referenced information. This is to	nd Transportation Department has reviewed the above certify that all conditions of the Planning Board, as set nit the issuance of the requested Occupancy
9/3/14	adam Do
Date	Signature, Authorized TPTD Staff
Additional staff comments, condit	approval. YSO Kendallst. PARCEL G
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Parking and Transportation Demand Management Officer [CDD certification of non applicability <u>EW</u>] | O | O | Centled & Additional staff comments, conditions, limitations:

rks Department Certification eation of non applicability \(\frac{10}{1} \)
partment has reviewed the above referenced t all conditions of the Planning Board, as set forth the issuance of the requested Occupancy Permit.
Signature, Authorized Public Works Staff itions, limitations:

_	e Water Department Certification
[CDD cert	ification of non applicability + M 10 /1/19
The staff of the Cambridge Wanformation. This is to certify	ater Department has reviewed the above referenced that all conditions of the Planning Board, as set forth it the issuance of the requested Occupancy Permit.
Date	Signature, Authorized Water Department Staff
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Cambridge Community Development Department, Housing Division Certification

(For Residential Projects subject to the provisions of Section 11.200)

[CDD certification of non applicability The 10 1 14						
The staff of the Housing Division has reviewed the above referenced information. This is to certify that all requirements of Section 11.200 have been met to permit the issuance of the requested Occupancy Permit .						
Date Additional staff comments, conditions, li	Signature, Authorized CDD Staff					

Cambridge Community Development Department Certification

The staff of the Community Development Department has reviewed the above referenced information. This is to certify that all conditions of the Planning Board, as set forth above, have been met to permit the issuance of the requested **Occupancy Permit**.

10/15/14	Elen Pol
Date	Signature, Authorized CDD Staff
Additional staff comments, condition	ns, limitations:
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Cret Shee - Bru	Heri G
Building Permit som	d: Oct 9, 2013 = 4.44
Decision Conditions:	1.h. rate o time of BP
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53,000 \$ GFA — 2,500 ₱ (50,500 ₱)(4.44)=\$224,220.00

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405	BMR-450 Kendali Str		REQ 100714			NEGATIVE CO	7,070.0d	0.00	7,070.0d
405	BMR-450 Kendall Str	1305-000	REQ 100714			NEGATIVE CO	-7,070.0d	0.00	
405	BMR-450 Kendall Str	1305-000	REQ 100714	10/7/2014		Cert of Occupation	5,050.00	0.00	5,050.00
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Retain this statement for your records

f). THE FACE OF THIS DOCUMENT HAS MICROPRINTING. DO NOT CASH IF MISSING. THE BACKGROUND WILL EXPOSE A HIDDEN VOID WHEN PHOTOCOPIED.

BMR-450 Kendall Street LLC 17190 Bernardo Center Drive San Diego, CA 92128

U.S. Bank 24-Hour Banking 1-800-US-BANKS

Date 10/9/2014

Check No. 000173

Check Amount \$224,220.00

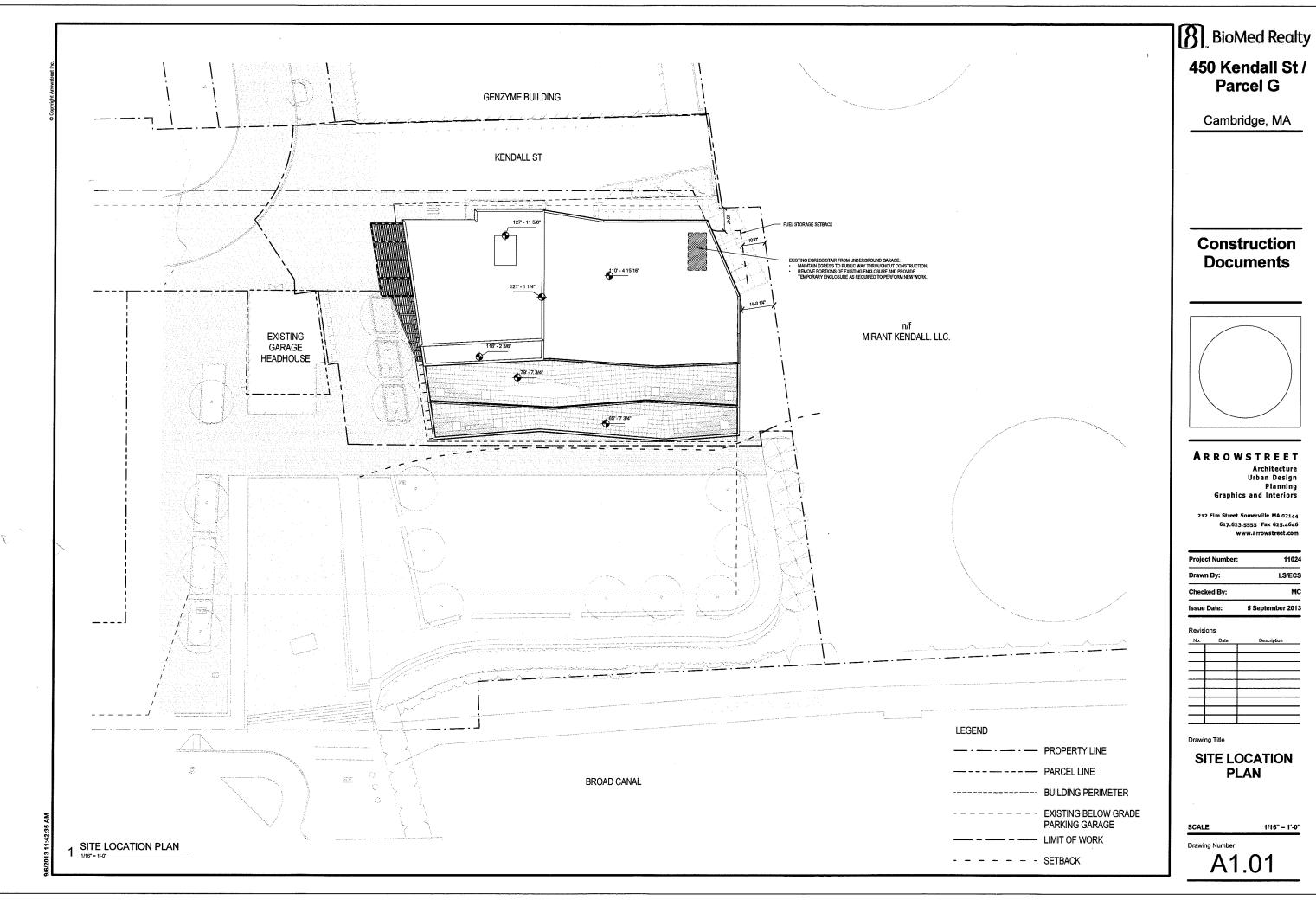
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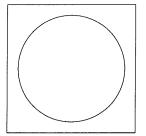
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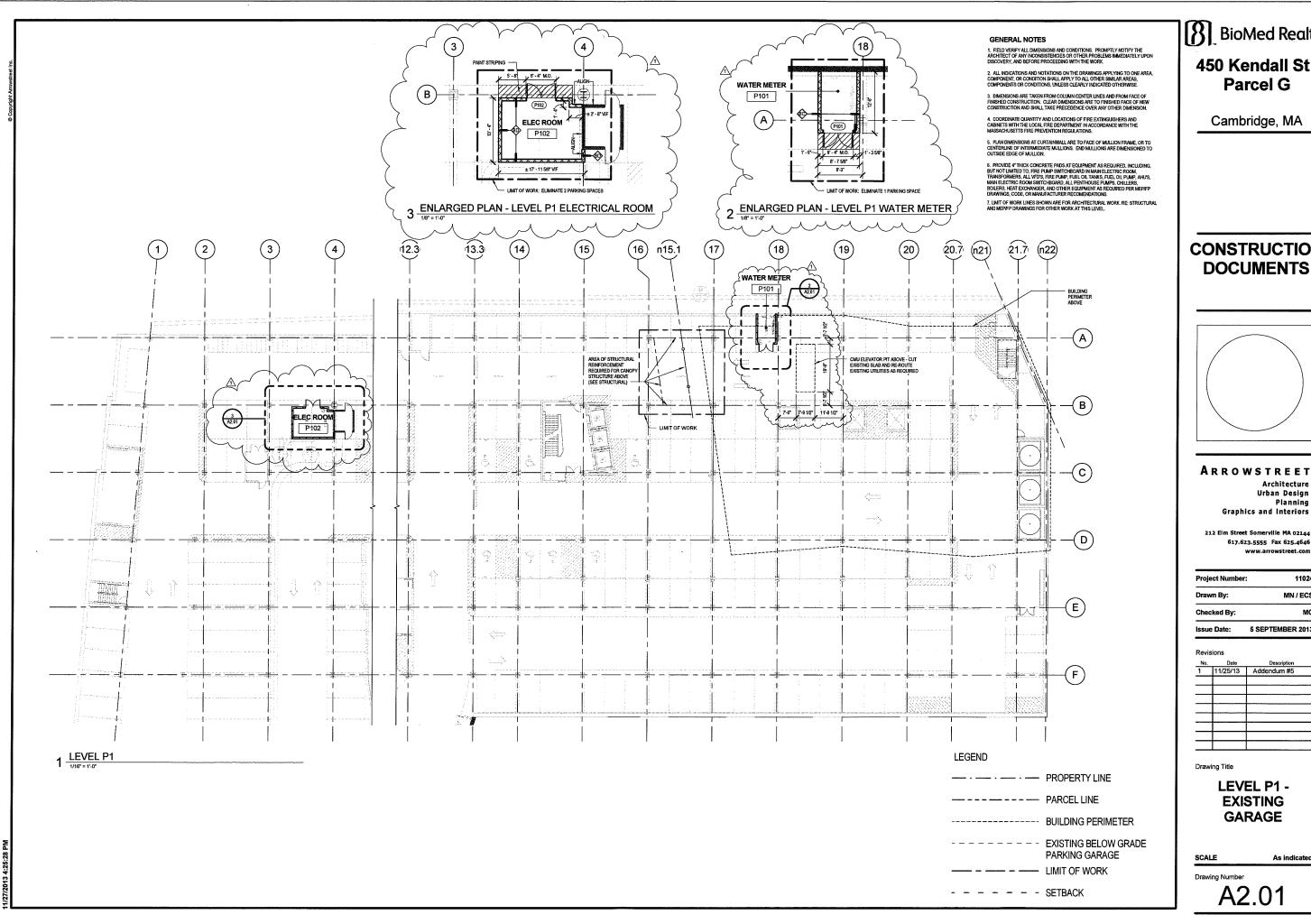
VOID IF NOT CASHED WITHIN 90 DAYS WITHIN DATE OF ISSUE

City of Cambridge Affordable Housing Trust Fund 344 Broadway Cambridge, MA 02139 DW

Two Signatures Required if Over \$ 250000





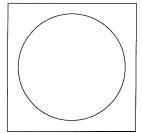


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Cambridge, MA

CONSTRUCTION **DOCUMENTS**



ARROWSTREET Architecture Urban Design Planning

212 Elm Street Somerville MA 02144 617.623.5555 Fax 625.4646

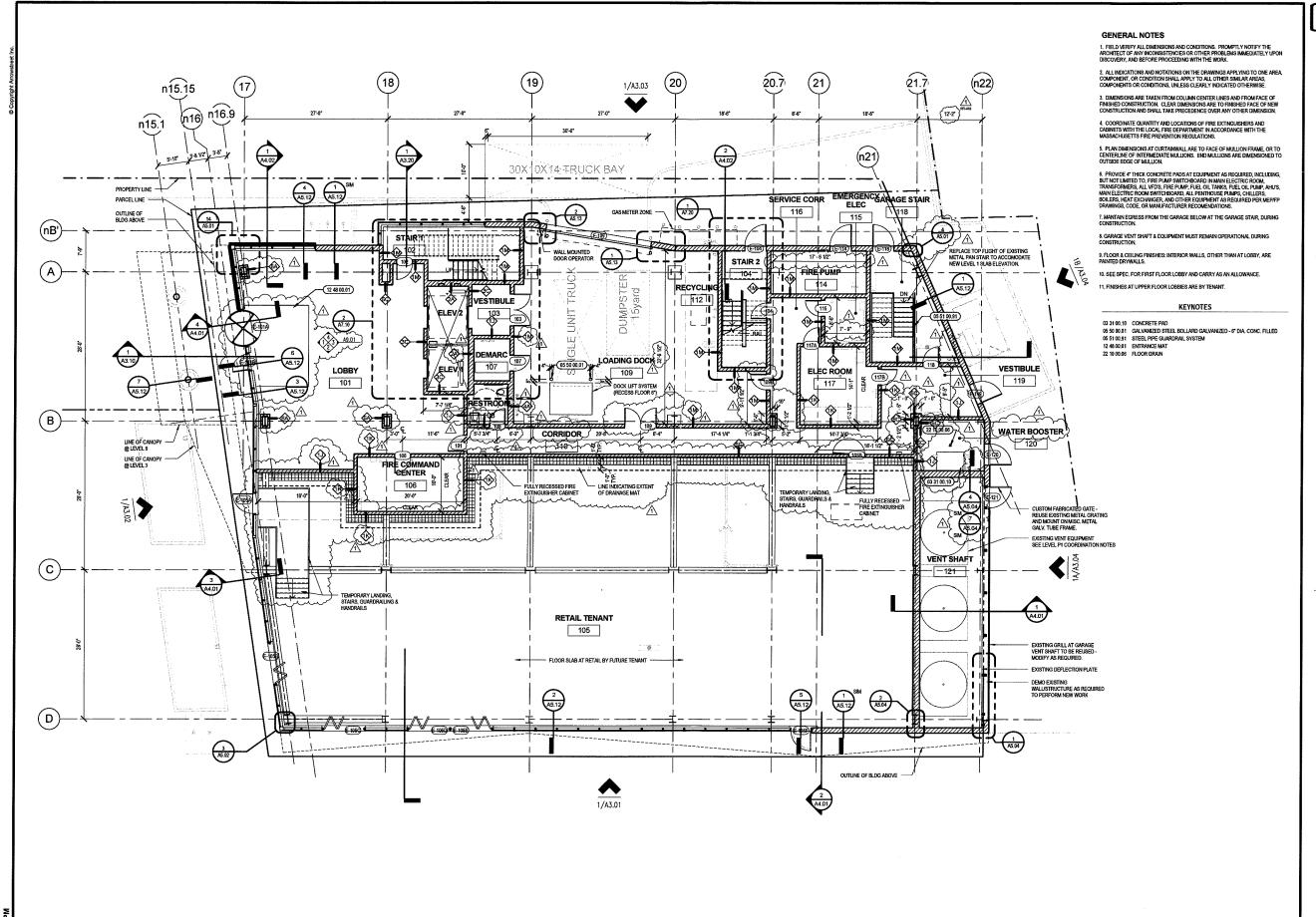
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Drawn By:	MN / ECS
Checked By:	MC
Issue Date:	5 SEPTEMBER 2013

No.	Date	Description
1	11/25/13	Addendum #5

LEVEL P1 -**EXISTING GARAGE**

A2.01



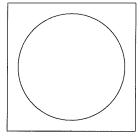
1 LEVEL 1

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Description

Project Number:

No.	Date	Description
1	11/25/13	Addendum #5

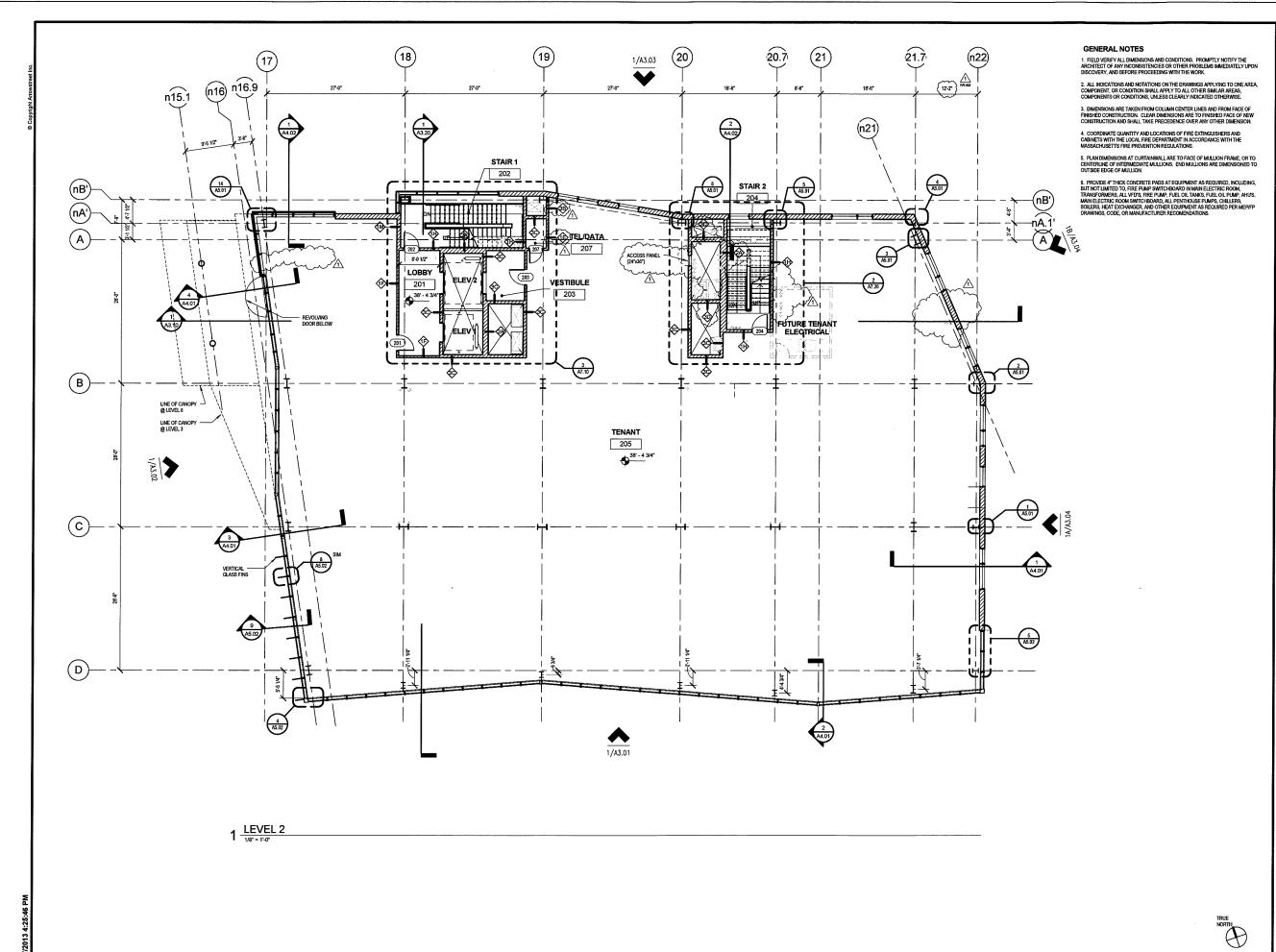
Drawing Title

LEVEL 1 - FLOOR PLAN

SCALE

As indicated

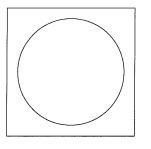
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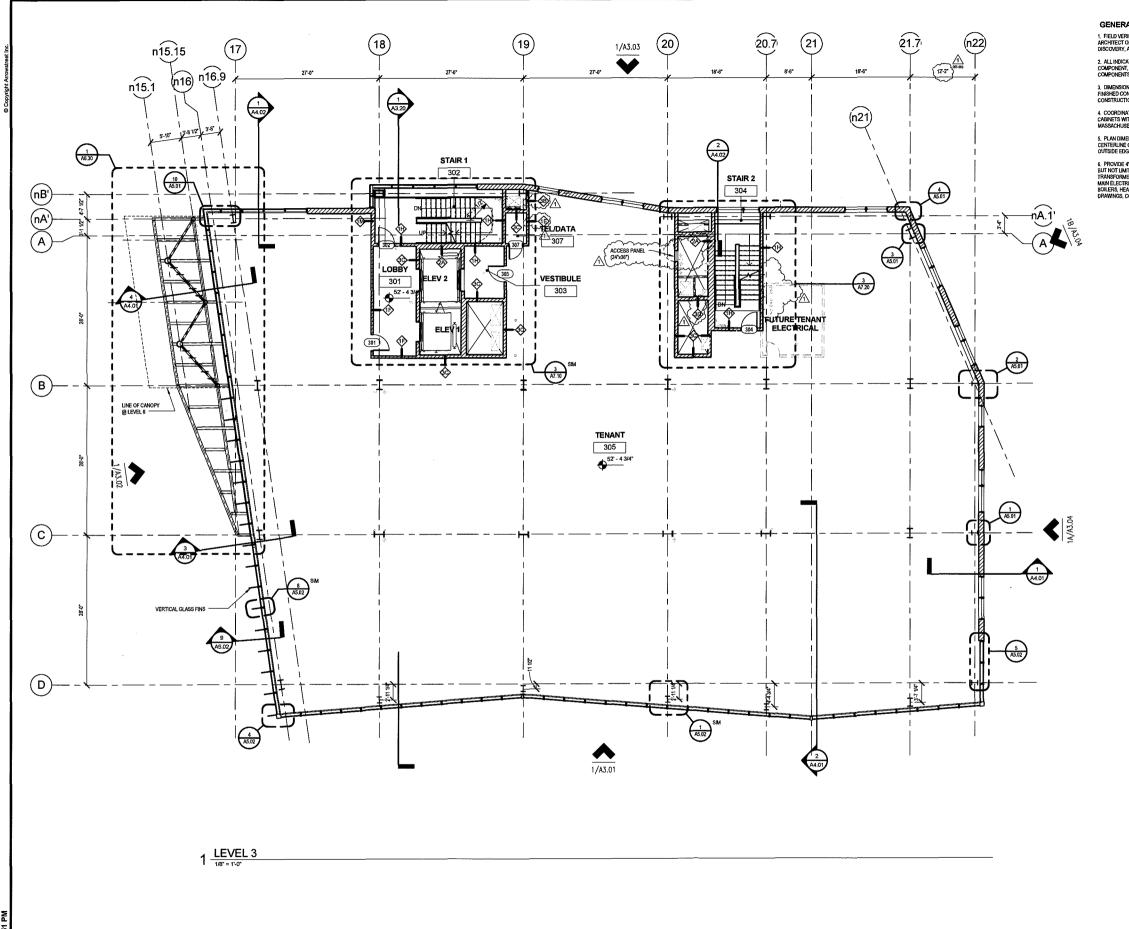
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No.	Date	Description

Project Number:

No.	Date	Description
1	11/25/13	Addendum #5
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Drawing Title

LEVEL 2 - FLOOR PLAN



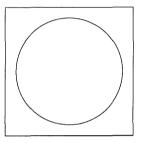
FIELD VERIFY ALL DIMENSIONS AND CONDITIONS. PROMPTLY NOTIFY THE ARCHITECT OF ANY INCONSISTENCIES OR OTHER PROBLEMS IMMEDIATELY UPON DISCOVERY, AND BEFORE PROCEEDING WITH THE WORK.

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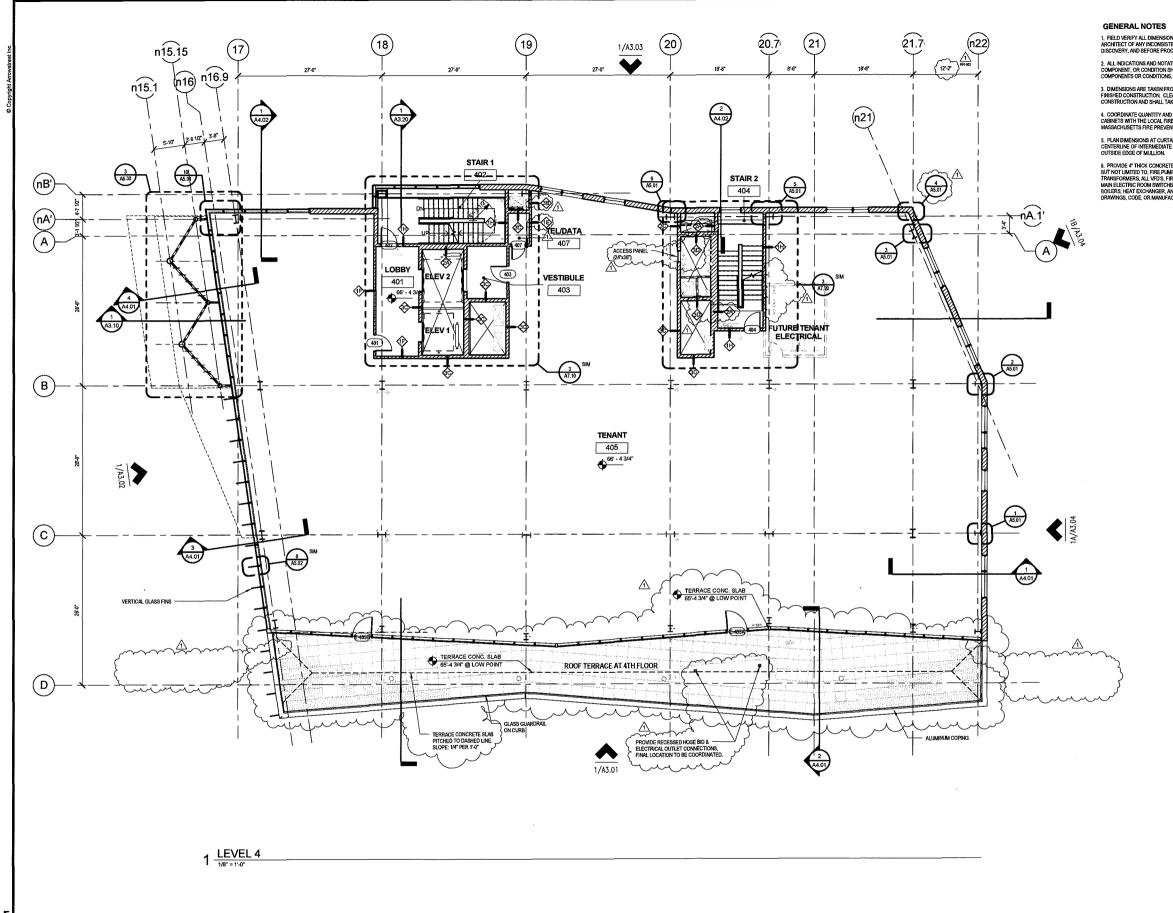
212 Elm Street Somerville MA 02144 617.623.5555 Fax 625.4646

Project Number 11024 MN / ECS MC Checked By: 5 SEPTEMBER 2013 issue Date:

No.	Date	Description
1	11/25/13	Addendum #5
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Drawing Title

LEVEL 3 - FLOOR PLAN



FIELD VERIFY ALL DIMENSIONS AND CONDITIONS. PROMPTLY NOTIFY THE ARCHITECT OF ANY INCONSISTENCIES OR OTHER PROBLEMS IMMEDIATELY UPON DISCOVERY, AND BEFORE PROCEEDING WITH THE WORK.

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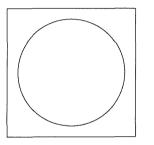
8. PROVIDE 4" THICK CONCRETE PADS AT EQUIPMENT AS REQUIRED, INCLUDING, BUT NOT LIMITED TO, PIRE PILMP SWITCHBOARD IN NAME BLECTRIC ROOM, ATTANSFORMERS, ALL VETDS, PIRE PLAIP, FLEL DI L'ANNIS, FULEL DI PLAIP ANTAS, MAIN BLECTRIC ROOM SWITCHBOARD, ALL PERTIFICUSE PLAIPS, CHELLERS, SOLICERS, HEAT SCHANACER, AND OTHER EQUIPMENT AS REQUIRED PER MEMPFO DRAWINGS, CODE, OR MANUFACTURER RECOMENDATIONS.

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ARROWSTREET

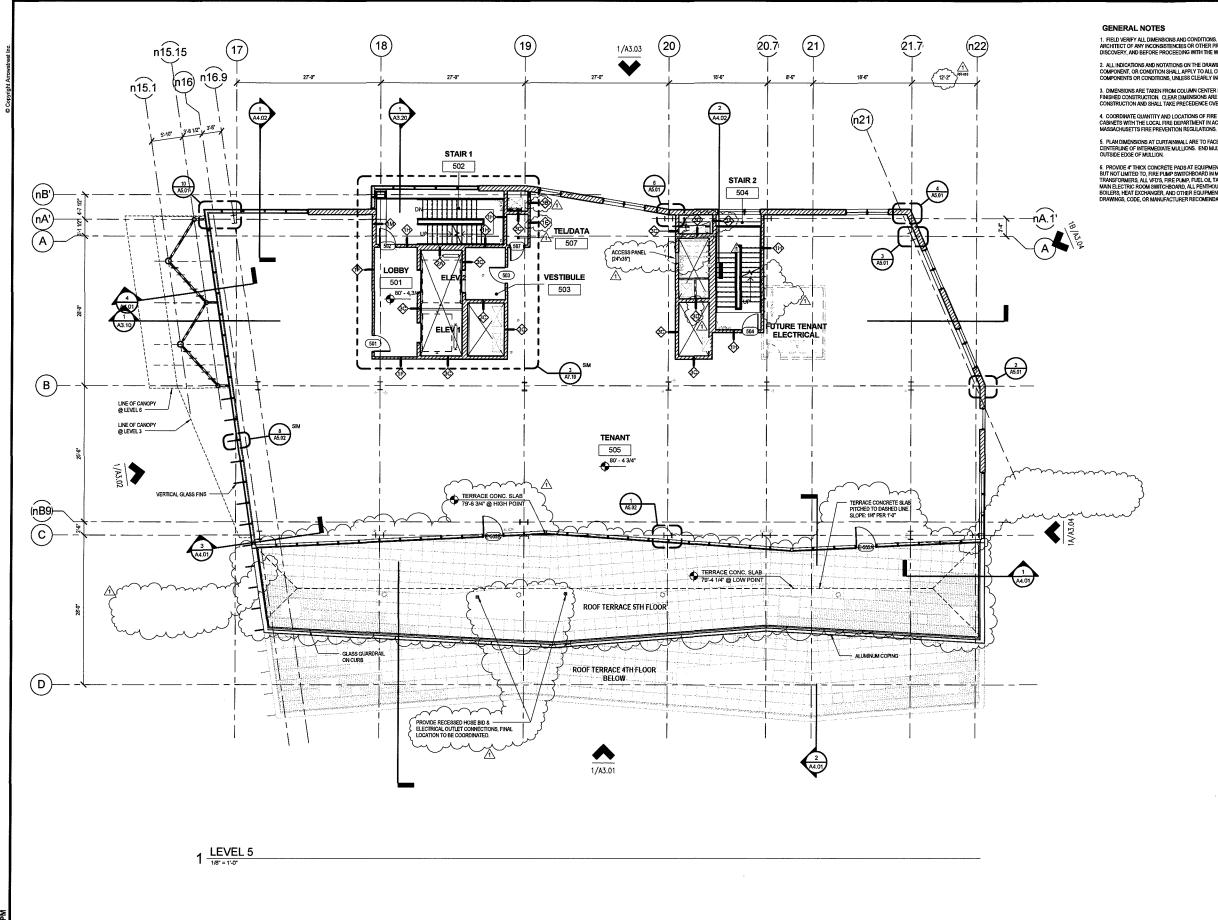
Architecture Planning Graphics and Interiors

212 Eim Street Somerville MA 02144 617.623.5555 Fax 625.4646

Project Number 11024 MN / ECS MC Checked By: 5 SEPTEMBER 2013 Issue Date:

No.	Date	Description
1	11/25/13	Addendum #5

LEVEL 4 - FLOOR PLAN



FIELD VERIFY ALL DIMENSIONS AND CONDITIONS. PROMPTLY NOTIFY THE ARCHITECT OF ANY INCONSISTENCIES OR OTHER PROBLEMS IMMEDIATELY UPON DISCOVERY, AND BEFORE PROCEEDING WITH THE WORK.

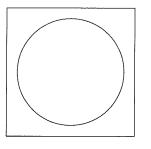
6. PROVIDE & THICK CONCRETE PADS AT EQUIPMENT AS REQUIRED, INCLUDING, BUT NOT LIMITED TO, RIFE PLUMP SWITCHBOARD IN MAIN ELECTRIC ROOM, TRANSFORMERS, ALL VETDS, RIFE PLUMP, FLEE, OIL TANKS, FULE, OIL PLUMP, PAHUS, MAIN ELECTRIC ROOM SWITCHBOARD, ALL PENTHOUSE PLUMPS, CHILLERS, BOILERS, HEAT EXCHANGER, MAIN THE RELIMINATION FOR THE PROPRESS OF THE SERVICE PROMISES, CODE, OR MANUFACTURER RECOMENDATIONS.

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MN/ECS Drawn By: 5 SEPTEMBER 2013 Issue Date:

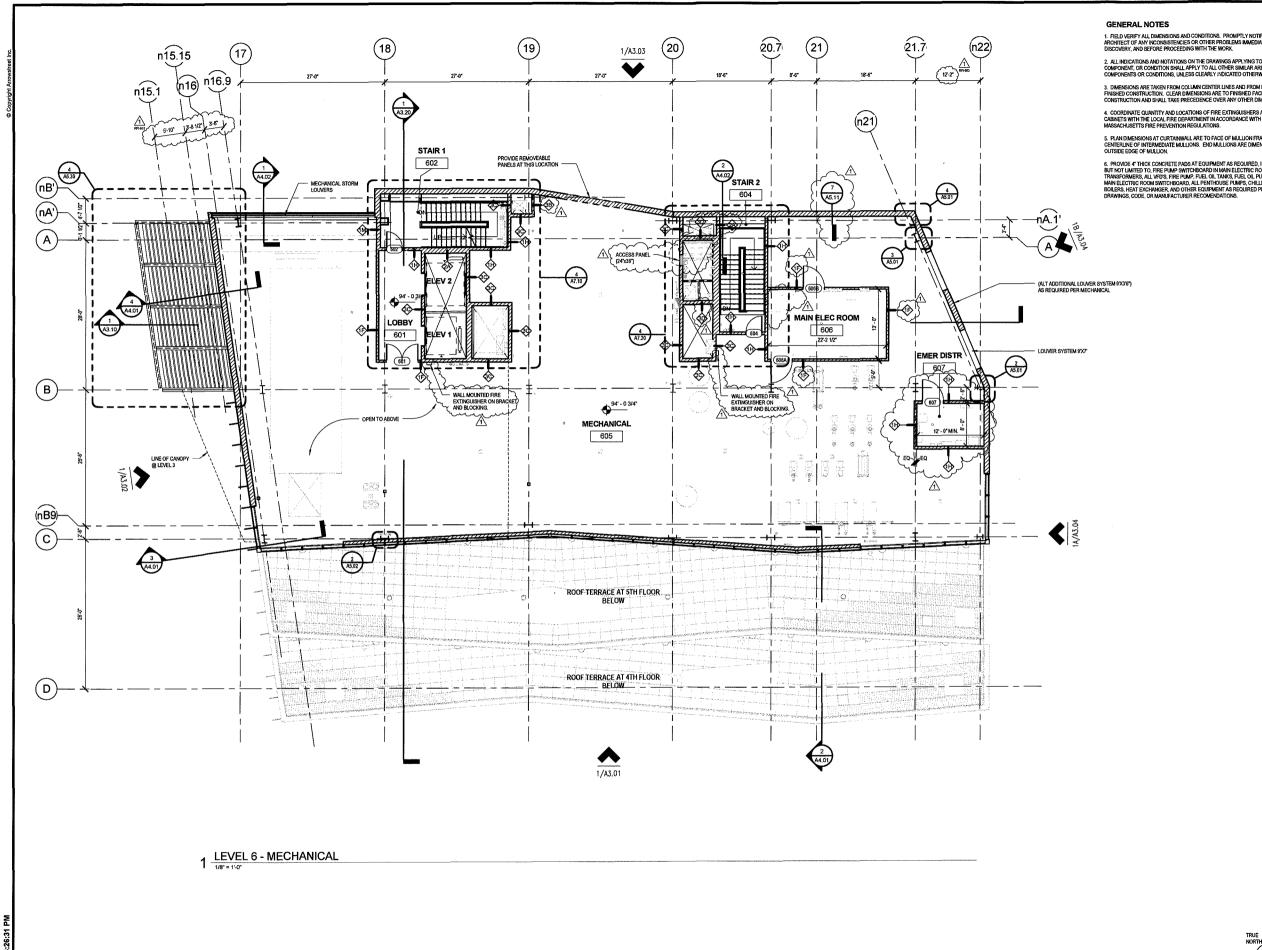
Project Number:

No.	Date	Description
1	11/25/13	Addendum #5

Drawing Title

LEVEL 5 - FLOOR PLAN

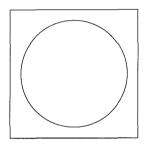
As indicated



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CONSTRUCTION **DOCUMENTS**



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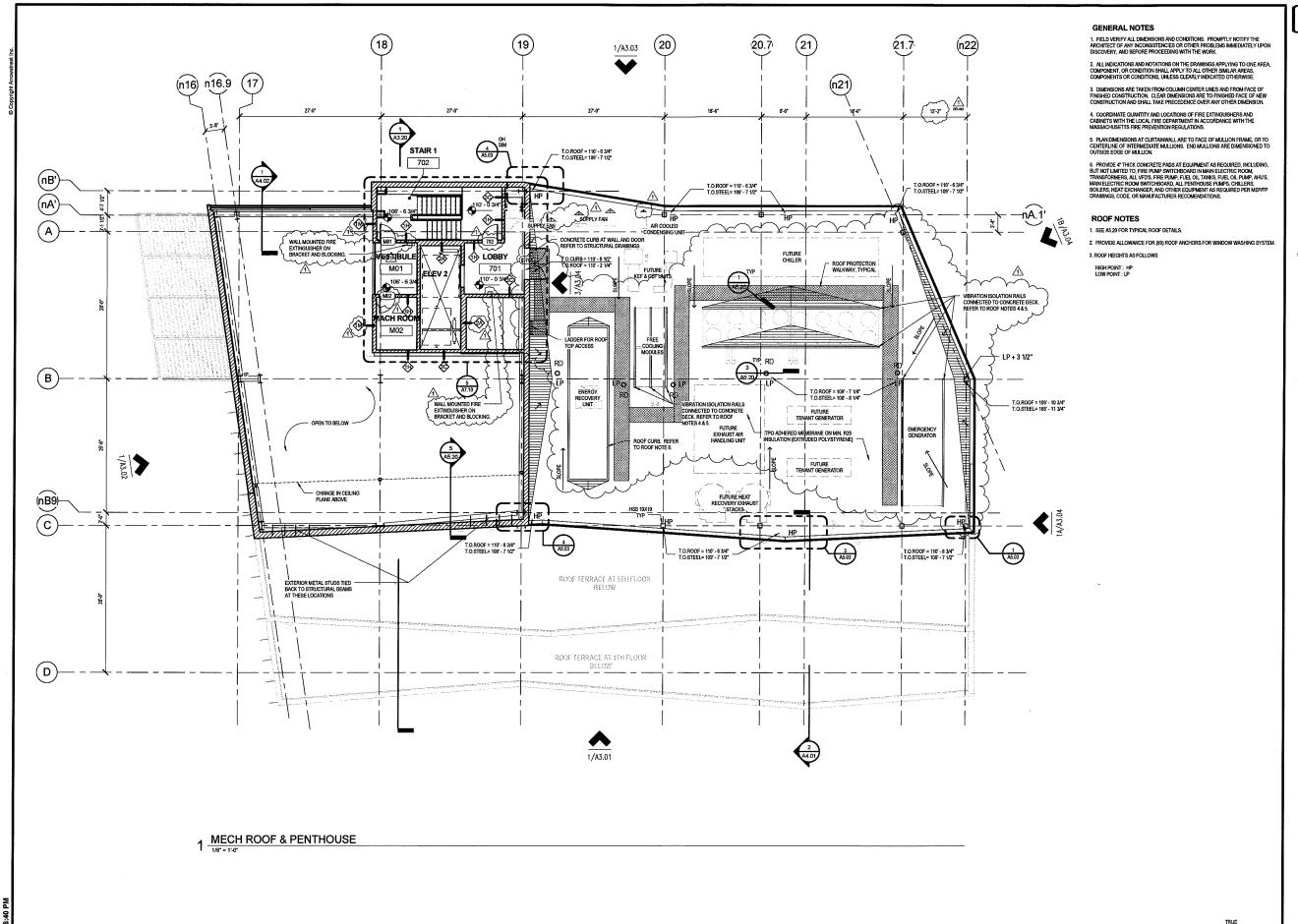
212 Elm Street Somerville MA 02144 617.623.5555 Fax 625.4646

Drawn By:	MN / ECS
Checked By:	MC
Issue Date:	5 SEPTEMBER 2013

No.	Date	Description
1	11/25/13	Addendum #5

LEVEL 6 -**MECHANICAL PLAN**

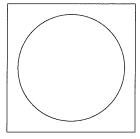
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 Drawn By:
 MN / JN

 Checked By:
 MC

 Issue Date:
 5 SEPTEMBER 2013

Revision

No.	Date	Description
1	11/25/13	Addendum #5

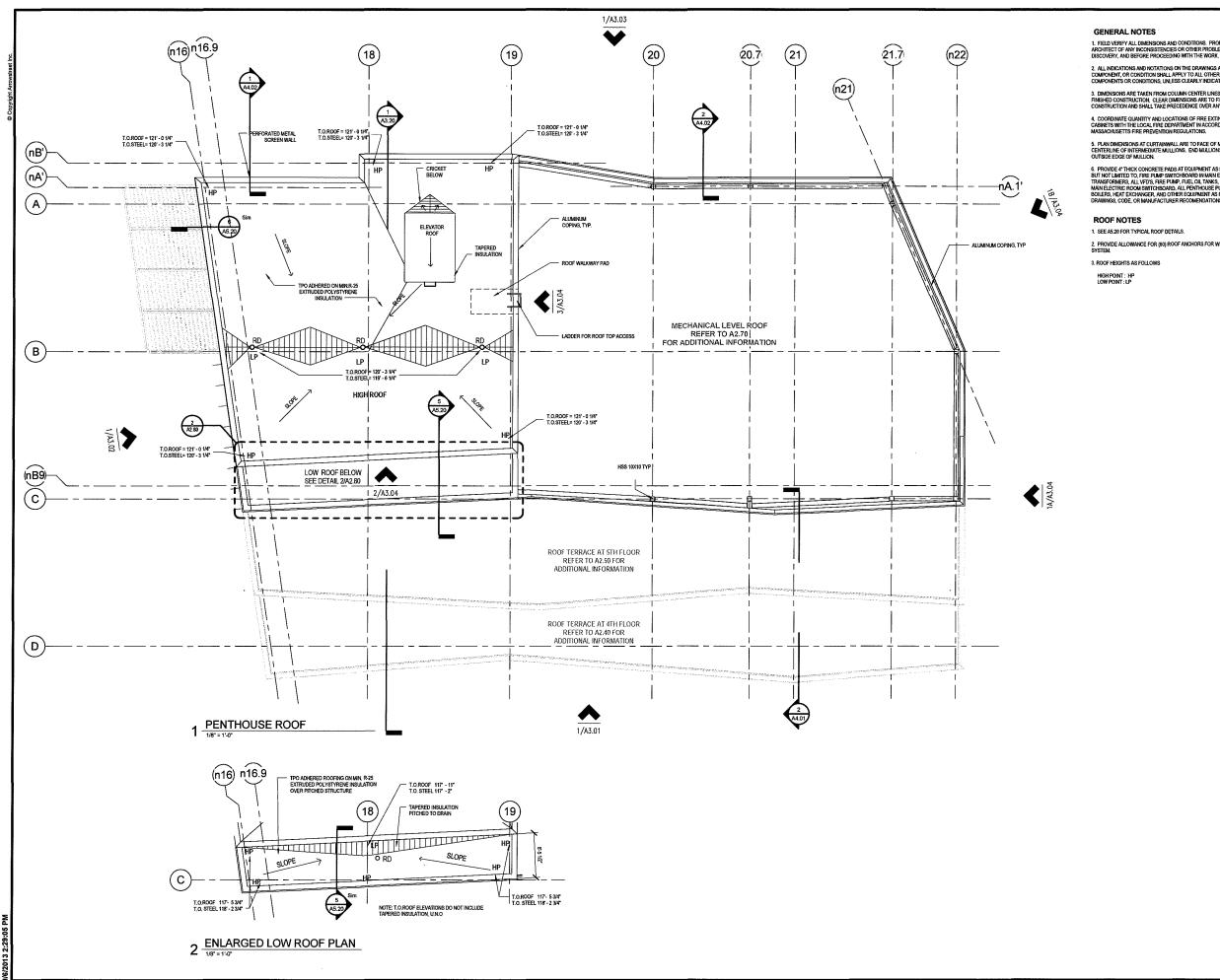
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MECHANICAL ROOF AND PENTHOUSE PLAN

SCALE

As indicated

Drawing Number



FIELD VERIFY ALL DIMENSIONS AND CONDITIONS. PROMPTLY NOTIFY THE ARCHITECT OF ANY INCONSISTENCIES OR OTHER PROBLEMS IMMEDIATELY UPO DISCOVERY, AND BEFORE PROCEEDING WITH THE WORK.

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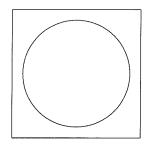
6. PROVIDE 4"THICK CONCRETE PADS AT EQUIPMENT AS REQUIRED, INCLUDING, BUT NOT LIMITED TO, FIRE PLIMP SWITCHBOADD IN MAIN ELECTRIC ROOM. TRANSFORMERS, ALL VETPS, FIRE PUMP, FILE, DIL L'ANAIS, FILE DIL PLAMP, AHLYS, MAIN ELECTRIC ROOM SWITCHBOARD, ALL PENTHOUSE PLIMPS, CHILLERS, BOLIERS, HEAT EXCHANGER, MAIN D'OTHER EQUIPMENT AS REQUIRED PER MEPTP

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Construction **Documents**



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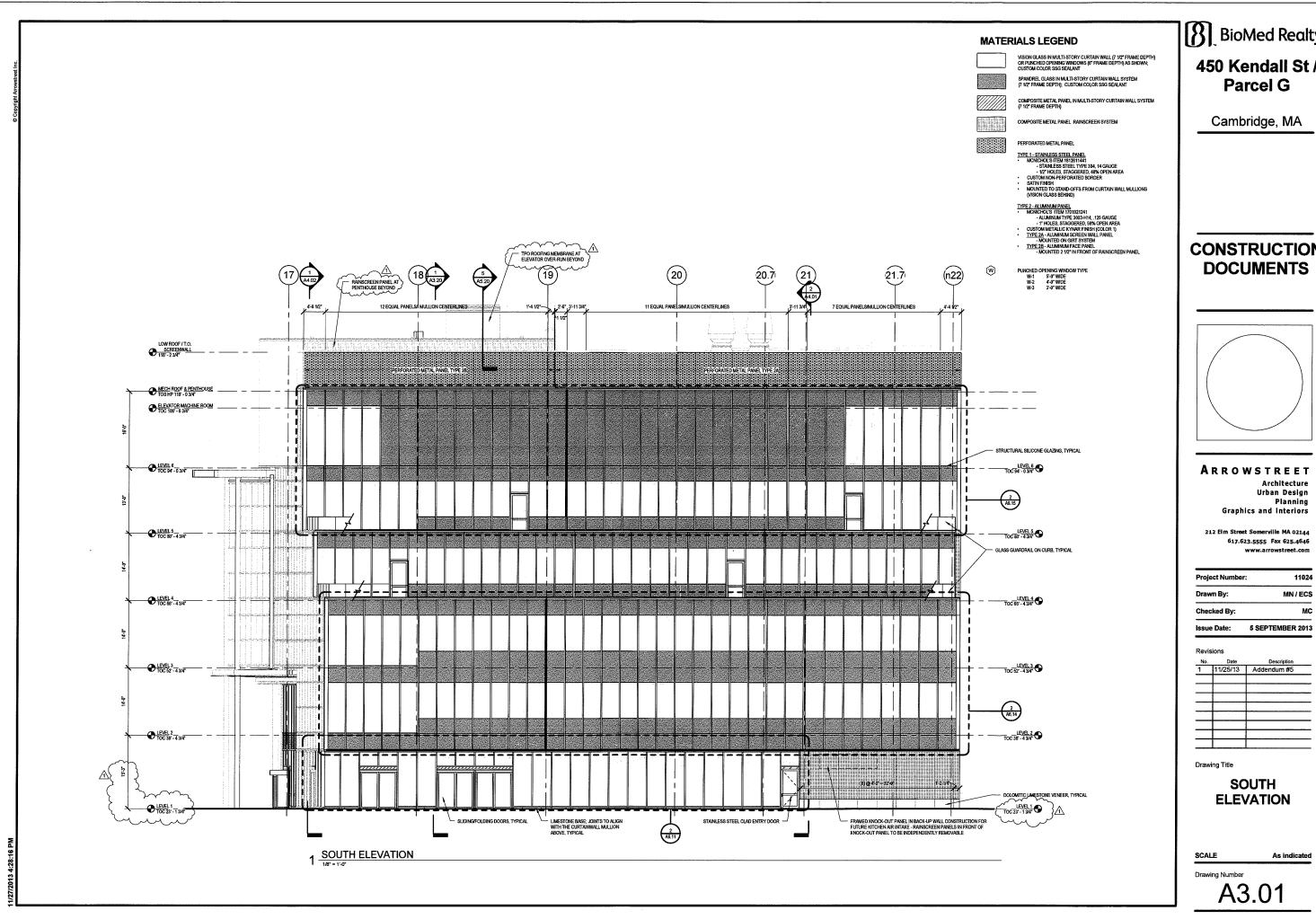
212 Elm Street Somerville MA 02144 617.623.5555 Fax 625.4646

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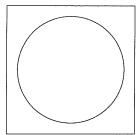
PENTHOUSE ROOF PLAN



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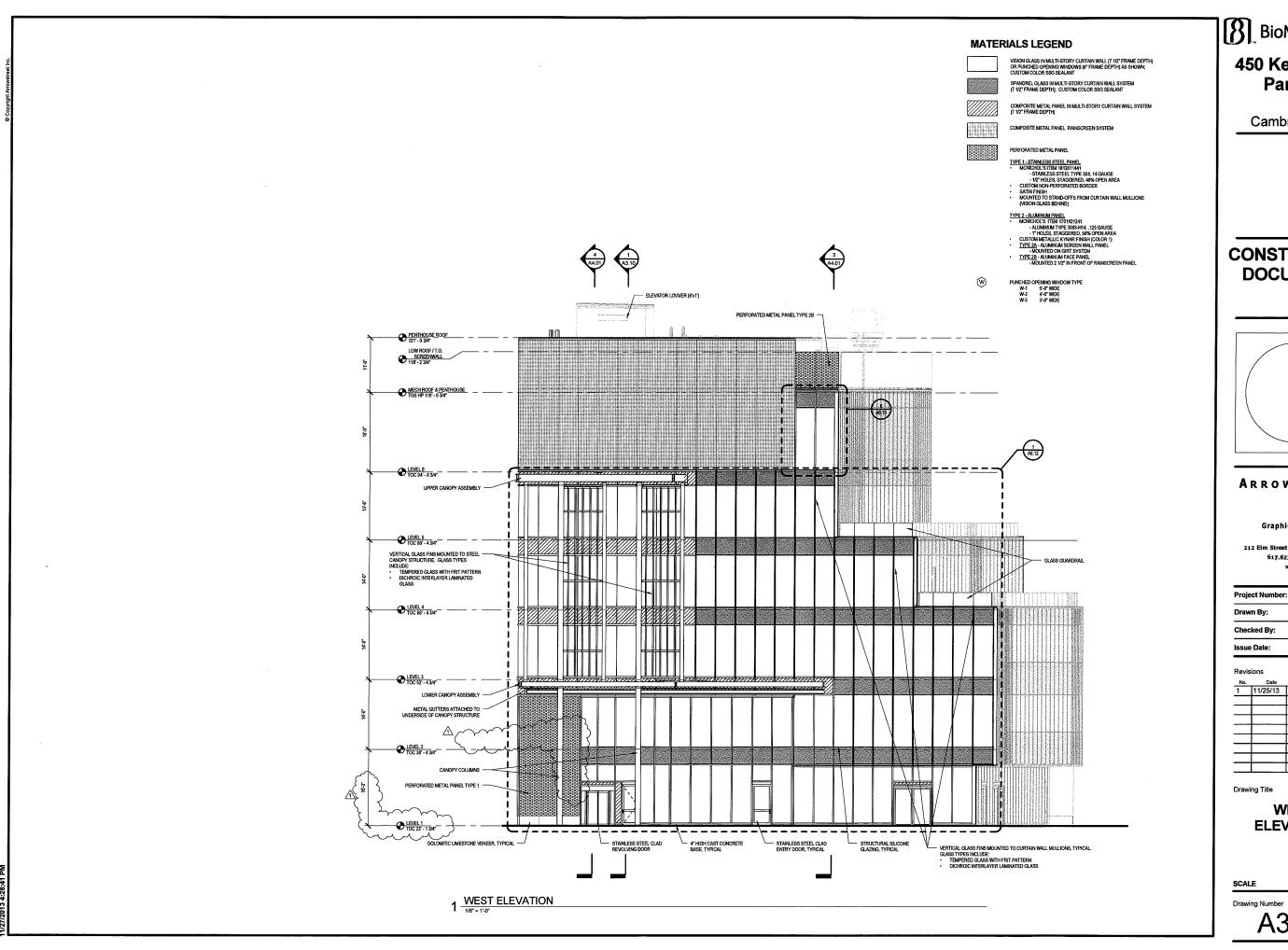
212 Elm Street Somerville MA 02144 617.623.5555 Fax 625.4646

11024 MN/ECS

No.	Date	Description
1	11/25/13	Addendum #5

SOUTH **ELEVATION**

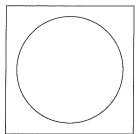
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MN / ECS Drawn By: Checked By: 5 SEPTEMBER 2013 Issue Date:

No.	Date	Description
1	11/25/13	Addendum #5

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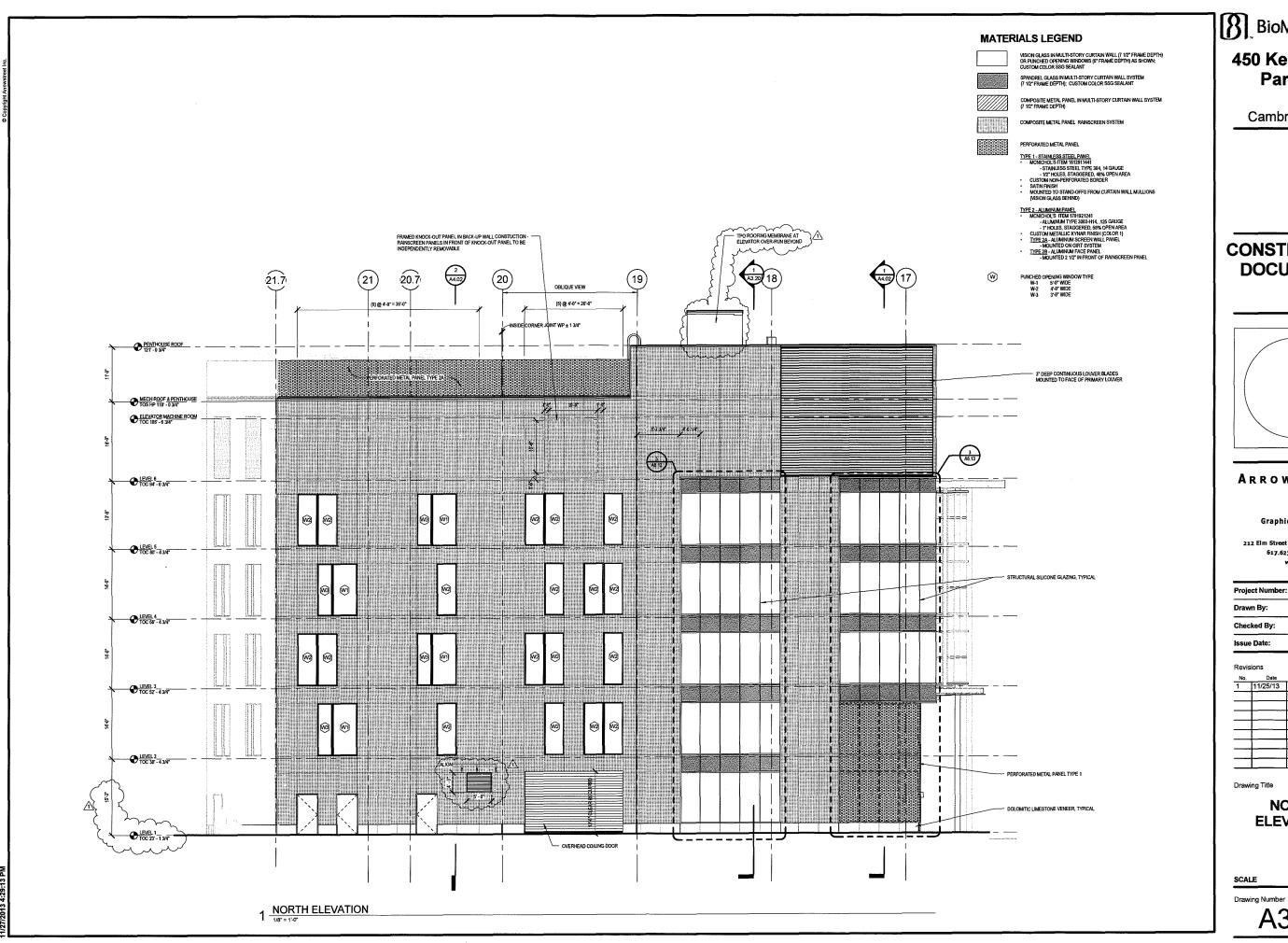
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WEST ELEVATION

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As indicated

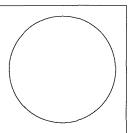
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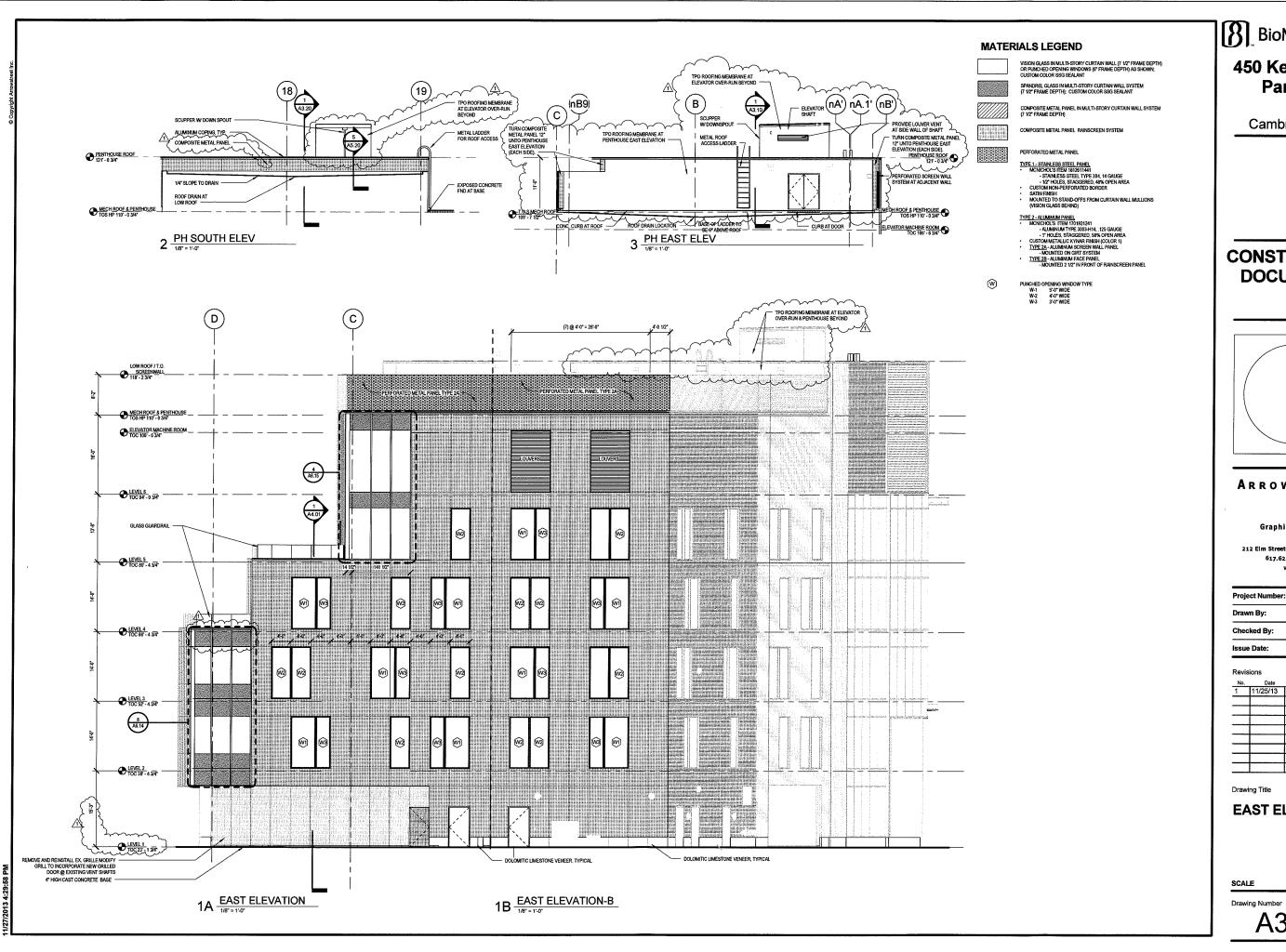
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MN/ECS

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Issue Date:		5 SEPTEMBER 201	
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NORTH ELEVATION

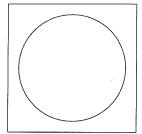
SCALE



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11024

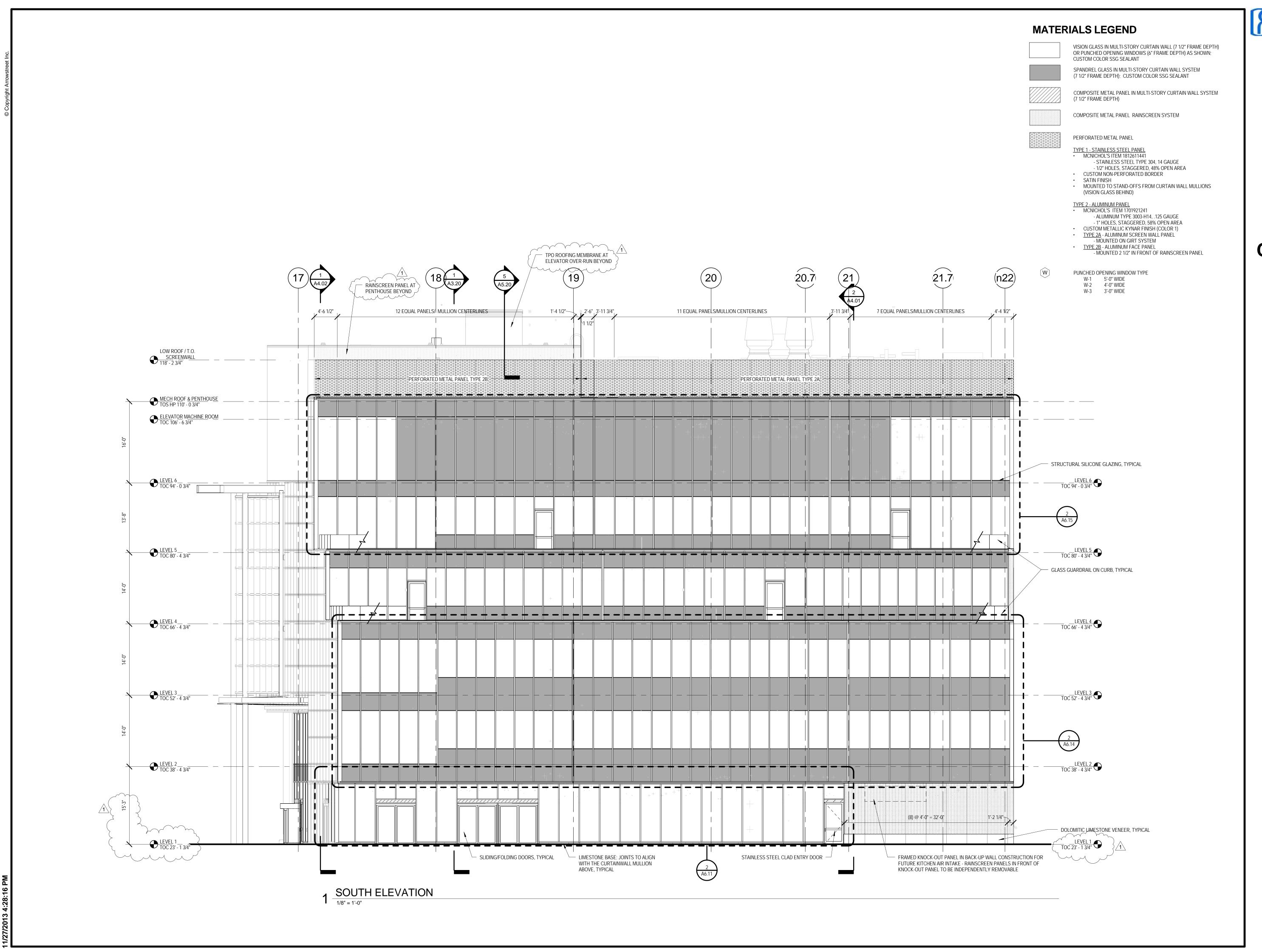
212 Elm Street Somerville MA 02144 617.623.5555 Fax 625.4646

MN, ECS Checked By: 5 SEPTEMBER 2013

No.	Date	Description
1	11/25/13	Addendum #5

EAST ELEVATION

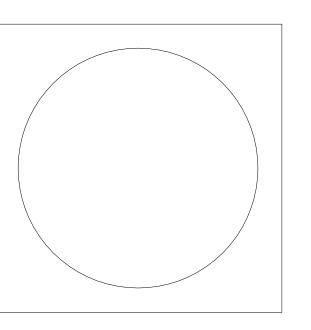
As indicated





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Drawn By: MN / ECS

Checked By: MC

Issue Date: 5 SEPTEMBER 2013

Revisions

NO.	Date	Description
1	11/25/13	Addendum #5

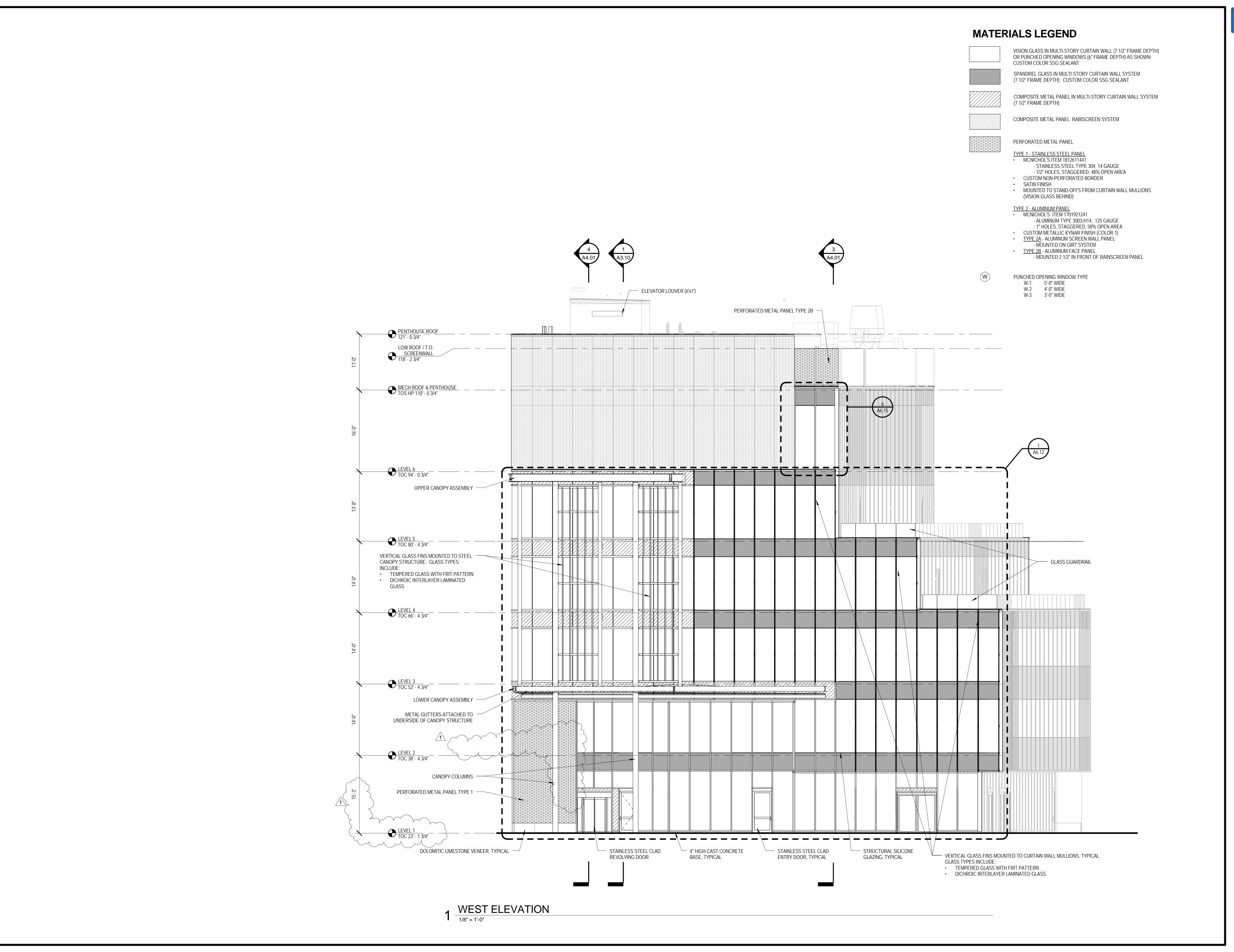
Drawing Title

SOUTH ELEVATION

SCALE As indicated

Drawing Number

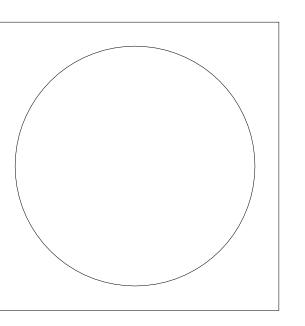
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Project Number	: 1102
Drawn By:	MN / ECS
Checked By:	MC
Issue Date:	5 SEPTEMBER 2013

Revisions

No.	Date	Description
	11/25/13	Addendum #5

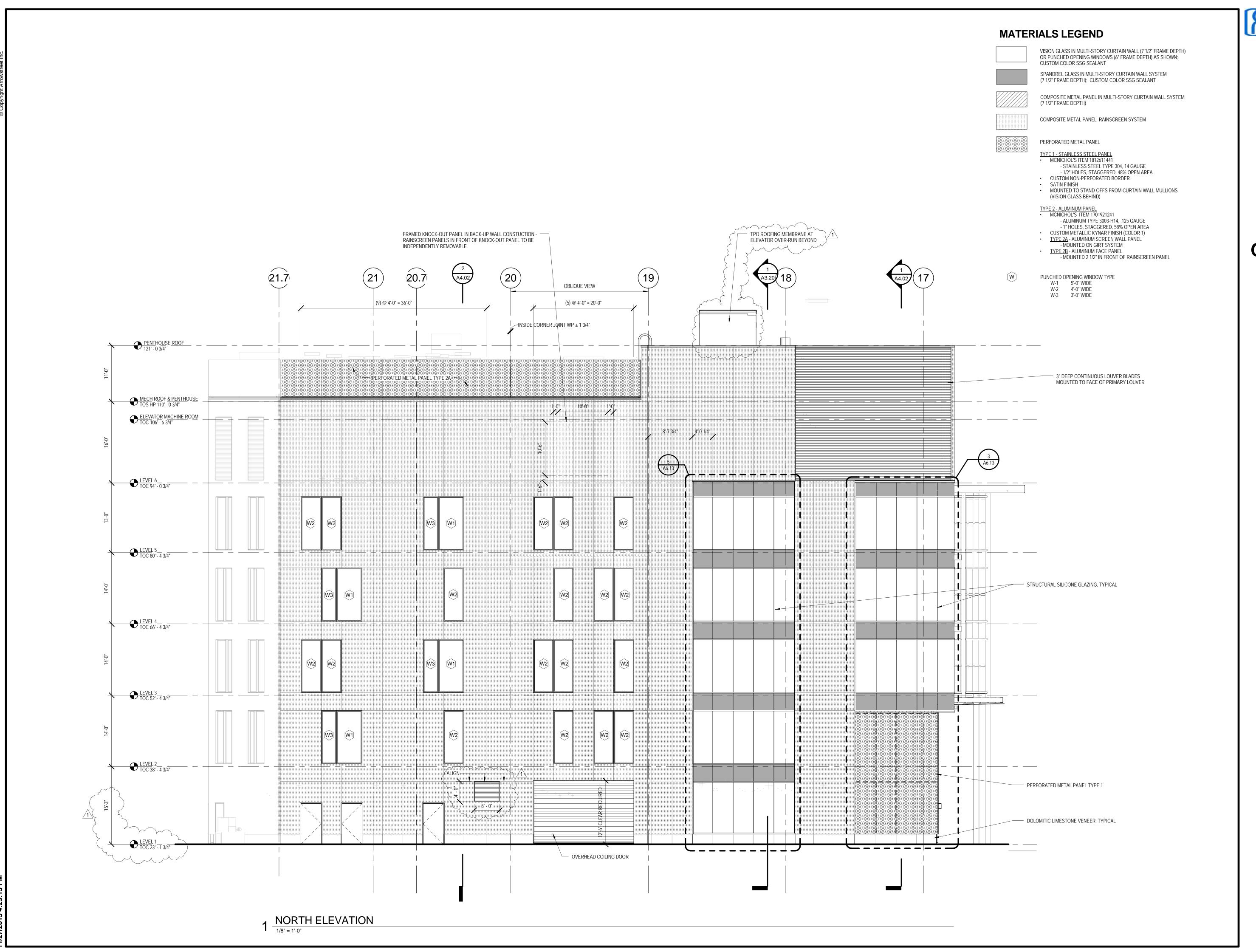
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WEST ELEVATION

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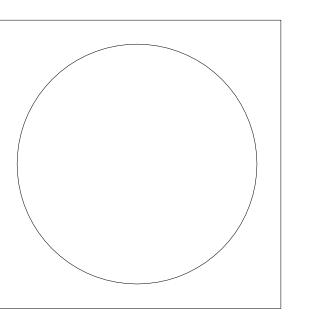
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Project Number: 11024

Drawn By: MN / ECS

Checked By: MC

Issue Date: 5 SEPTEMBER 2013

Revisions

No.	Date	Description
1	11/25/13	Addendum #5

Drawing Title

NORTH ELEVATION

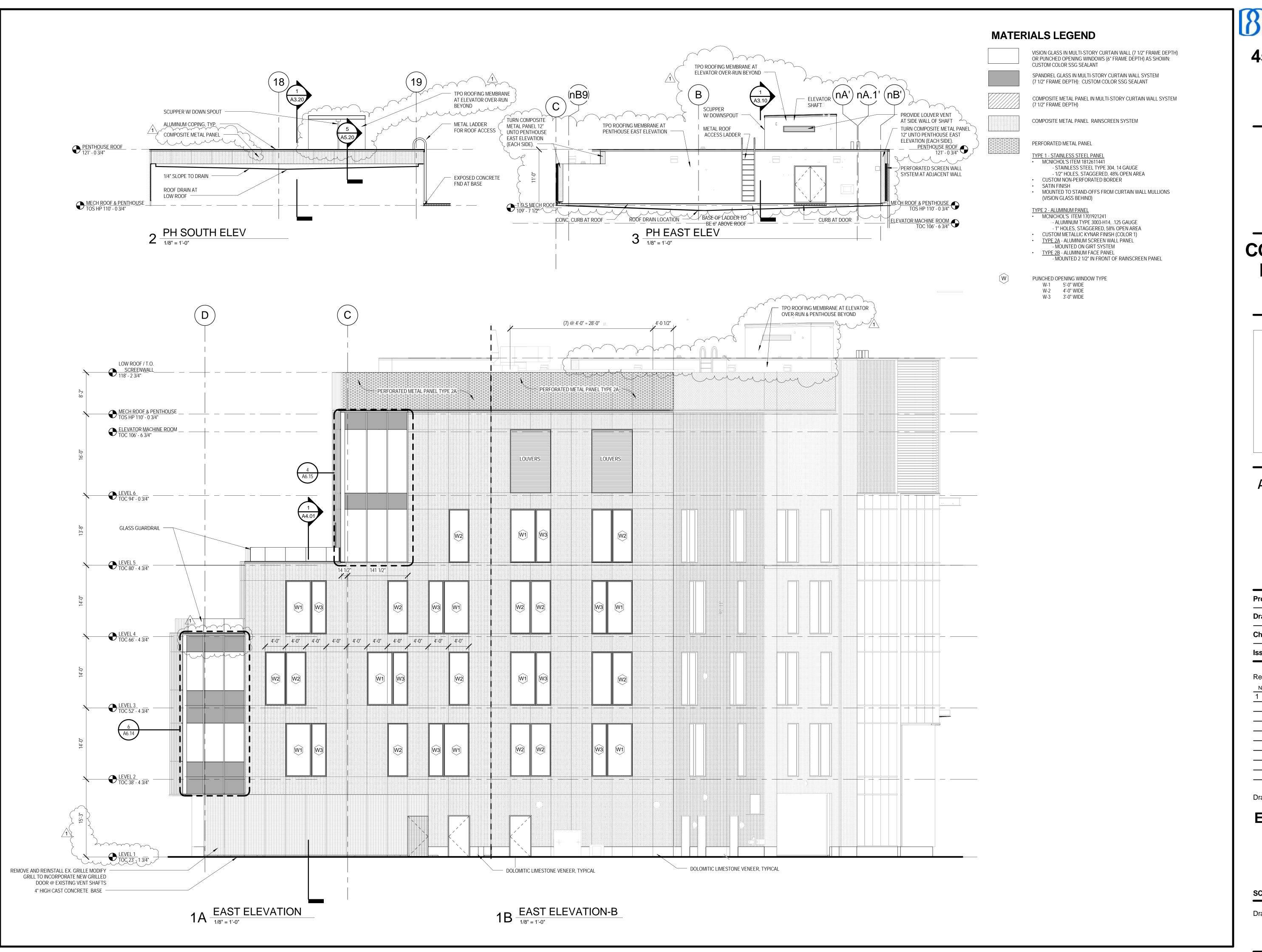
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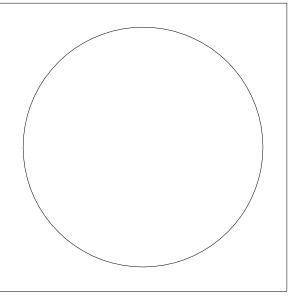
As indicated





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Project Number: 11024

Drawn By: MN, ECS

Checked By: MC

Issue Date: 5 SEPTEMBER 2013

Revisions

No.	Date	Description
1	11/25/13	Addendum #5

Drawing Title

EAST ELEVATION

SCALE As indicated

Drawing Number

ing Number





BMR-450 Kendall Street LLC

17190 Bernardo Center Drive * San Diego, California 92128 Phone: (858) 485-9840 * Facsimile: (858) 485-9843

VIA FEDEX AND EMAIL

December 18, 2019

Strategic Real Estate Eli Lilly and Company Lilly Corporate Center Indianapolis, IN 46285 Attn: Director-Real Estate

Re: 450 Kendall Street, Cambridge, MA (the "Building") - Exterior Signage Application for Variance

Dear Sir or Madam:

This letter is in reference to that certain Lease dated as of April 27, 2015 (as amended, the "Lease") by and between BMR-450 Kendall Street LLC ("BMR") and Eli Lilly and Company ("Lilly"). Lilly has requested permission to serve as BMR's agent in pursuit of a variance to allow the installation of non-conforming exterior signage at the Building. The proposed location of the sign is not consistent with Exhibit O of the Lease. BMR and Lilly are currently in the process of amending the Lease to reflect the new location.

Pursuant to <u>Section 12.7</u> of the Lease, BMR approves the request subject to the approval of the variance application and a final agreement between BMR and Lilly relating to removal, restoration and installation details.

Review or approval by BMR shall not relieve Lilly of its responsibilities under the Lease, or be deemed to be an approval by BMR of any deviation from, or waiver by BMR of Lilly's failure to comply with (a) any provision or requirement of the Lease, unless such deviation or failure has been conspicuously, specifically and clearly identified as such (with a reasonably descriptive explanation of the nature of such deviation or failure) in writing in the Documents or (b) applicable laws or permits.

Please do not hesitate to contact me if you have any comments or questions.

Salvatore J. Zinno

Sincerely

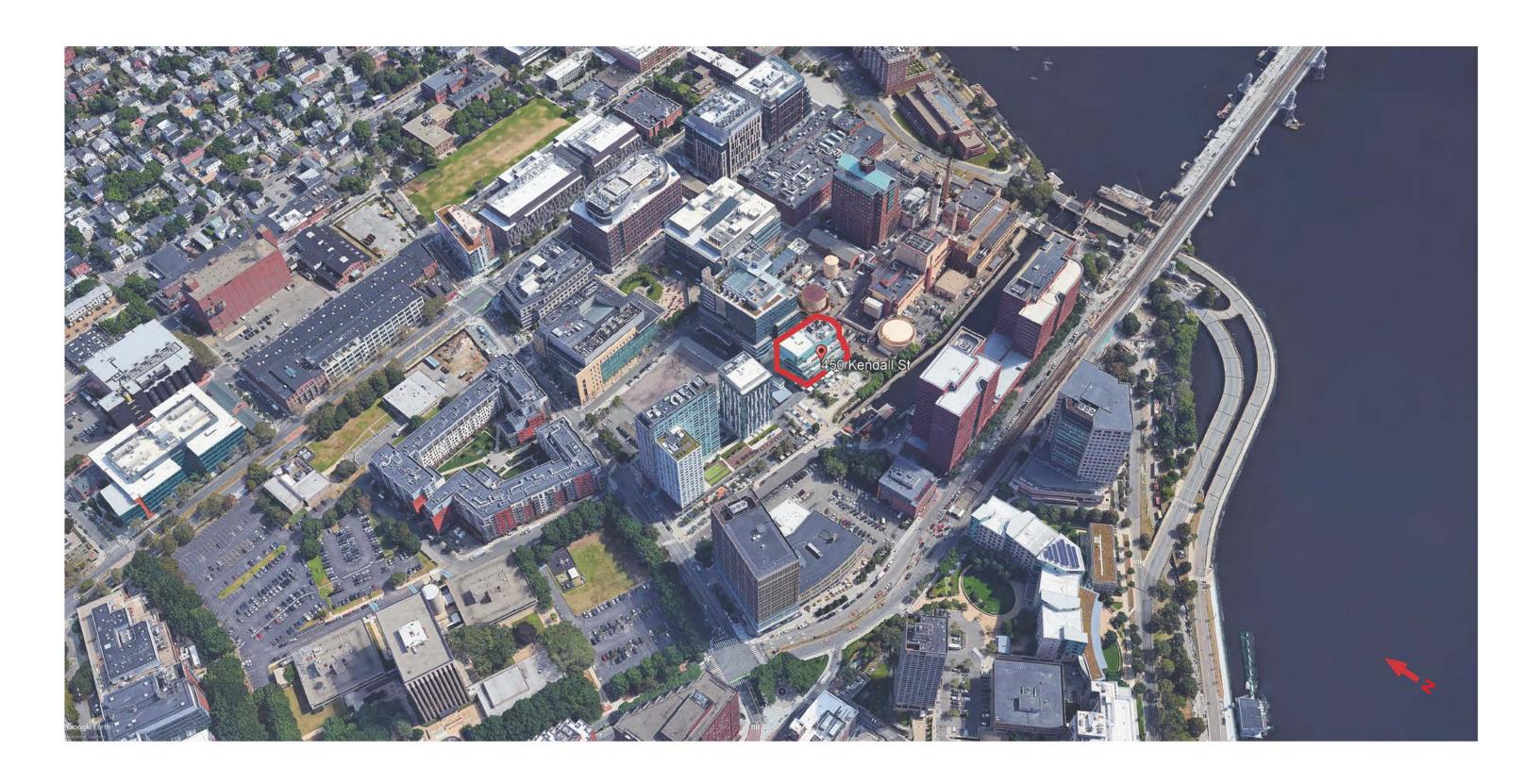
Vice President, Development

450 KENDALL BUILDING SIGNAGE

ELI LILLY

SCHEMATIC DESIGN
31 OCTOBER 2019



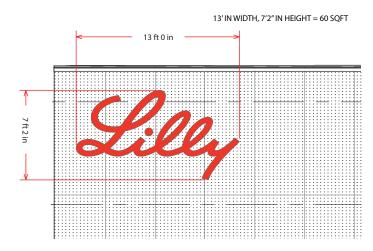


Eli Lilly



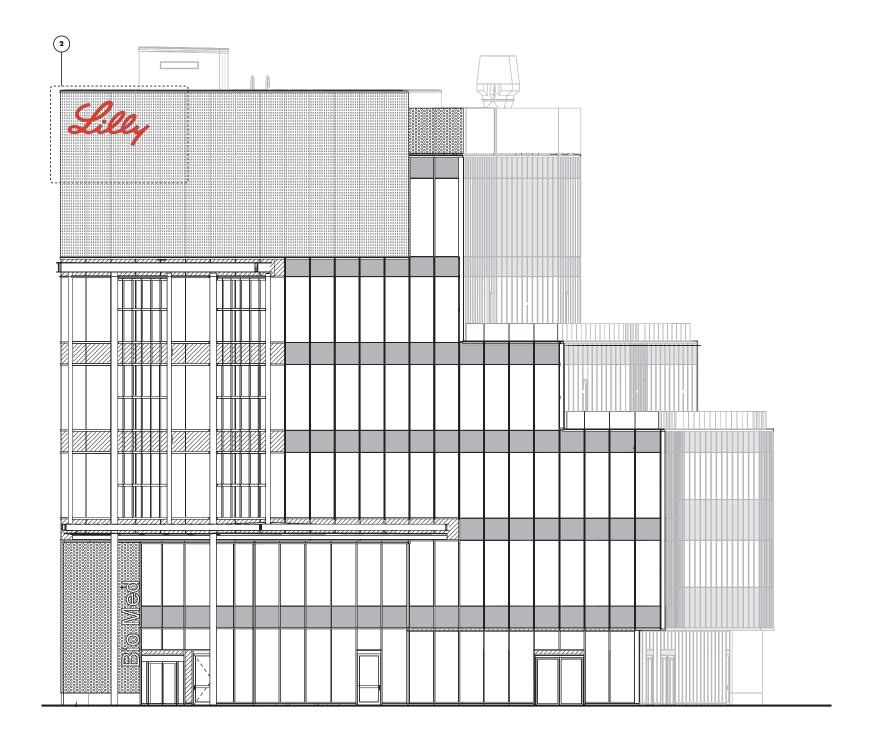


 $\underline{\mathsf{LOGO}\;\mathsf{AT\;SCALE}\;\text{-}\;68\;\mathsf{SIDED}\;\mathsf{BOUNDING}\;\mathsf{POLYGON}}_{1/2"\,=\,1"\text{-}0"}$



2 SIGN ENLARGEMENT

Construction: LED-internally lit acrylic face, aluminum can construction, 11" in depth. Structure is affixed to facade via internal routed hardware.

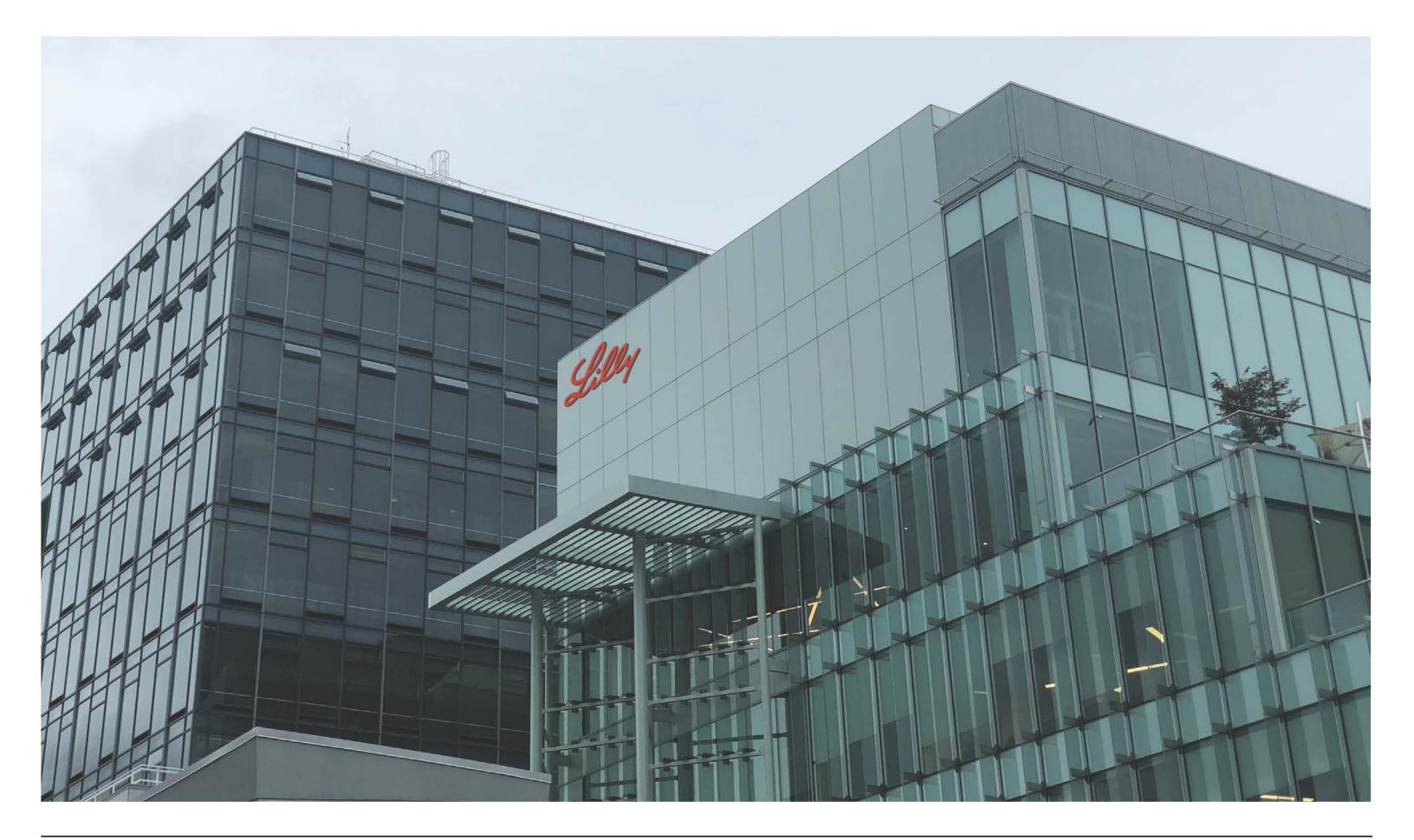


1 WEST ELEVATION

1/8" = 1'-0"

Eli Lilly

sketch no:



selbert perkins design collaborative inc. 5 Water Street, Arlington Ma 02476 T 781.574.6605 | F 781.574.6606 SELBERT PERKINS Design

client:

Eli Lilly

project: 450 Kendall - Signage Exploration drawing:

date:

sketch no:





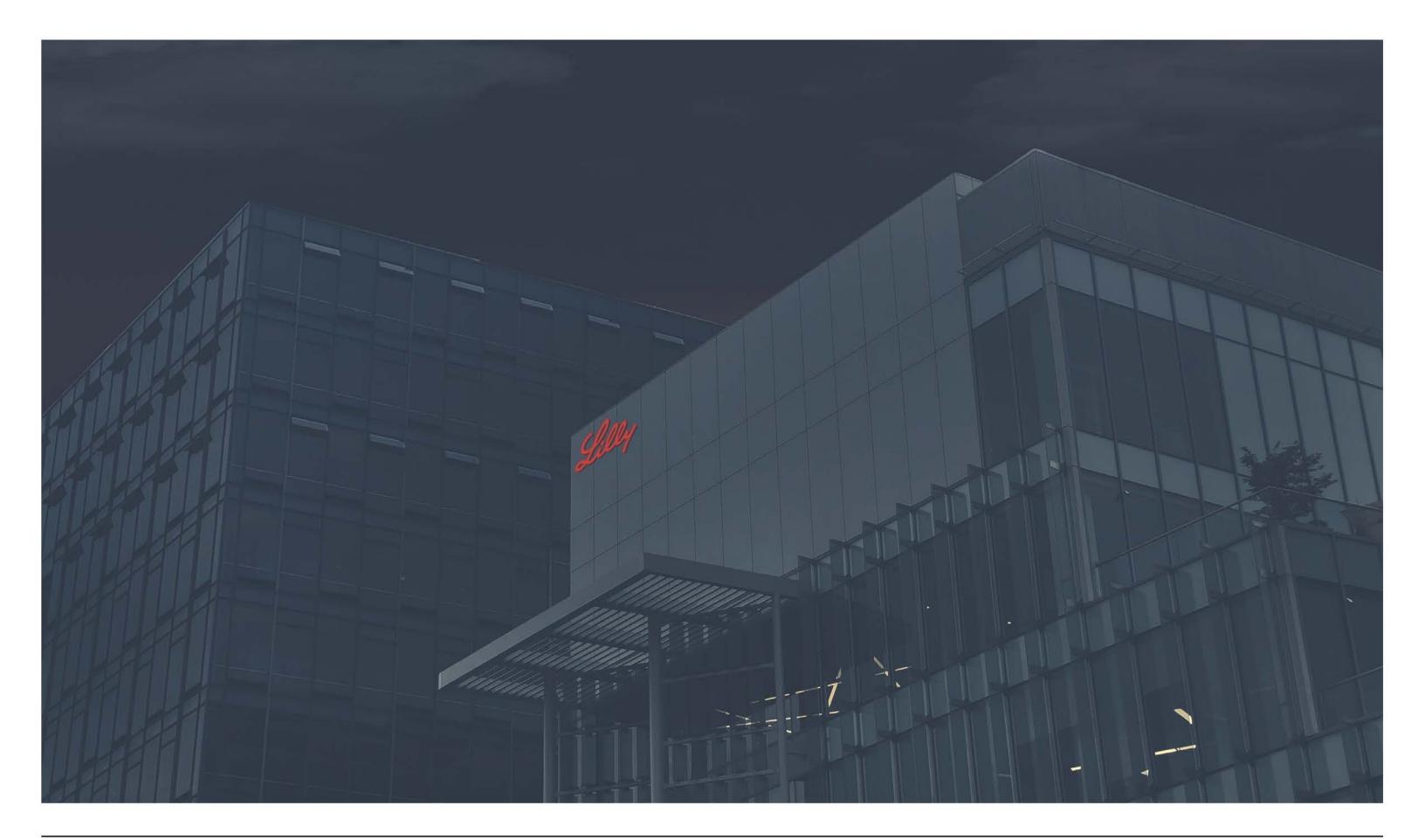
client:

Eli Lilly



Kendall St. & Third St. - Render

date:





CITY OF CAMBRIDGE

Community Development Department

IRAM FAROOQ Assistant City Manager for Community Dovolopment

SANDRA CLARKE Deputy Director Chief of Administration

KHALIL MOGASSABI Deputy Director Chief of Planning

SIGN CERTIFICATION FORM COVER SHEET

Sign Text: "LILLY"		
Location of Sign: 450 KENDALL ST		
Applicant: SELBERT PERKINS DESIGN ON BEHALF OF		
Ei uw		
Zoning District: <u>OFFICE · SA</u> Overlay District: <u>N/A</u>		
Area of Special Planning Concern: (Sec. 19.46 & 19.42.1)		
Application Date: 17/6/19		
Sketch of sign enclosed: Ycs X No		

PLEASE NOTE: All signs must receive a permit from the Inspectional Services Department (ISD) before installation. Community Development Department Certification action does NOT constitute issuance of a permit or certification that all other code requirements have been met. Do not contract for the fabrication of a sign until all permits have been issued including City Council approval, if necessary for signs in the public way*.

* Any sign or portion of a sign extending more than six (6) inches into the public way/sidewalk, must receive approval from the Cambridge City Council; a bond must be posted with the City Clerk.

The Sign Ordinance is available online under Article 7,000 at https://www.cambridgema.gov/CDD/zoninganddevelopment/Zoning/Ordinance

Contact Liza Paden at 617 349 4647 or <u>lpaden@cambridgema.gov</u> for further information.

344 Broadway Cambridge, MA 02139 Volcs: 617 349-4600 Fax: 617 349-4669 TTY: 617 349-4621 www.cambridgema.gov

Proposed WALL Sign

Area in Square feet: 10 Pr Dimensions: 18 WIDE X 12 HIGH	
Illumination: Natural Internal X External	
Height (from ground to the top of the sign): 9614	
1. COMPLETE WHEN SIGN IS ACCESSORY TO A FIRST FLOOR STORE	
Length in feet of store front facing street: (a) . Area of signs allowed accessory to store:	
outside (1 x a), behind windows (0.5 x a) Area of all existing signs on	
the store front to remain (including any freestanding sign): . Area of additional signs permitted:	
permitted:	
2. COMPLETE FOR ANY OTHER SIGN	
Length in feet of building facade facing street: (a) 111 A. Area of signs allowed accessory to	
the building facade; outside (1 x a) 111 42, behind windows (0.5 x a) 55.42. Area of	
all existing signs on the building facade to remain (including any freestanding sign): Annual additional signs are signs at a D.	
Area of additional signs permitted: O	
SUMMARY OF LIMITATIONS FOR WALL SIGNS (see reverse side for more general summary of the sign regulations; review Article 7.000 of the Zoning Ordinance for all zoning requirements.)	
AREA: 60 square feet maximum. HEIGHT ABOVE THE GROUND: 20 feet but below the sills of second floor windows. ILLUMINATION: Natural or external, or internal illumination with significant limitations. NUMBER: No limit.	
COMMUNITY DEVELOPMENT DEPARTMENT CERTIFICATION	
Sign conforms to requirements of Article 7.000: YES NO	
Sign requires a variance from the Board of Zoning Appeal: YES	
Relevant sections: 7.16,22 C Wall Sign	
COMMENTS: exceeds 20 ft height limit,	
exceeds internal illumination of 30"	Imi
Date: 12 10 19 CDD Representative Shall Pale	





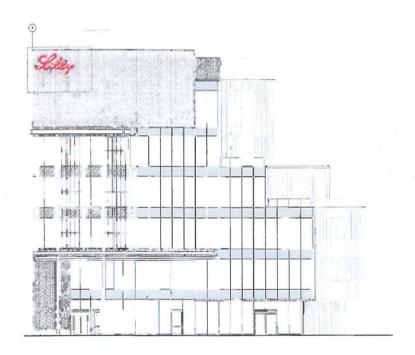
LOGO AT SCALE - 68 SIDED BOUNDING POLYGON

*******	selbert perkins design collaborative inc.	dienti	projects	drawing:	dates	sketch nos
5 Wider Street, Arlington Ma 02476 1781-574.6603 F781.574.6606	5 Water Street, Arlington Ma UZA/ 8	Eli Lilly	450 Kendall - Signage Exploration	Area Calculation	12.09.19	3

1135 NCD 77' N NCD 7 : 18 107 T

2 SIGN ENLARGEMENT

Construction: LED-internally lit acrylic face, aluminum can construction, 11" in depth. Structure is affixed to facade via internal routed hardware.



1 WEST ELEVATION

aslbert parkins
design collaborative inc.

450 Kendall - Signage Exploration

West Elevation

12.00.19

450 Kendall - Signage Exploration

West Elevation

12.00.19

450 Kendall - Signage Exploration



aslbert perkins
design cellaborative inc.
5 Water Steet, Adington Ma 02476
T781.574.6605 | F781.574.6606

Eli Lilly

projects

450 Kendall - Signage Exploration

drawing:

3/4 View - Render ·

dates

sketch no:

12.09.19



salbert perkins
design collaborative in
SWater Sheet, Arlington Ma

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project

450 Kendall - Signage Exploration

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West 3/4 Vlew - Render

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450 Kendall - Signage Exploration

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Kendall St. & Third St. - Render

dates

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12.09.19



selbert perkins
design collaborative inc.
5 Water Street, Arlington Ma 02476
1781.574.6605 | F781.574.6606

Eli Lilly

projects

450 Kendall - Signage Exploration

drawings

Night Illumination - Render

dates

sketch no:

12.09.19

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tso Kendall. 16-24 16-6 S 28-23 Rogers St 195 Binney St 28-33 275 Third St 16-33 28-31 /5 270 Third St 16-32 75 Binney St 5 50 Rogers S 220 Binney St 125 Binney St 16-28 Binney St 174 Binney St 300 Third St 16-34 28-44 65 Binney St 28-39 28-46 100-Binney St 15-29 Munroe St 64 Binney St 286 Third St Walkway 15-30 60 Binney St 15-31 314 Third St 318 Third St 285 Third St 695 West Kendall St Linskey Way 41 Linskey Way 15-28 S 29-48 289 Third St 14-44 29-34 14-55 14-51 303 Third Walkway Access 299 Third St. Henri A. Termeer Square 14-54 300 Athenaeum St 585 Kendall St Potter St 15-3 585 Third St14-56 Athenaeum St. 303 Athenaeum S 14-46 Kendall St 14-47 29-39 265 First St 1 Athenaeum S 350 Third St 29-49 14-41 356 Third St 13-16 Frird 350 Fandall St Broad/Canal Way 14-1038 450 Ke. 12 Kendall Square South Plaza Adjunct South Flaza Par 4 Broad Canal Way Broad Canal W 265 First St 265 First S 8 Broad Canal Way Broadway 15 Broad Canal Way 265 First St 10 Broad Canal Way 390 Third St 14-58 **Broad Canal Boat Dock Broad Canal Boardwalk** 1 Broadway 14-59 14-36 44-100 16 Broadway **Broad Canal Walkway** 175 Main St Point Park 165 Main St 14-26 167 Main St 139 Main St 101 Main St 44-102 238 Main St 1 Main St 242 Main St 84 Wadsworth St ROAD Main St St 58-166 Nadsworth 47-93 47-85 46-12 Charles River Basin 100 Main St 1 Memorial Dr Charles River Basin 47-90 30 Wadsworth St Charles River Basin 47-88 30 Memorial Dr Amherst St Memorial Dr. --R 17 Wadsworth St 50 Memorial Dr Memorial Dr. 70 Memorial Dr Memorial Dr 47-83 58-166 45 Memorial Dr 48-154 Charles River Basin₂₇₄₋₁₀ 46-3

450 Kendall St.

14-58
MIT ONE BROADWAY FEE OWNER, LLC
C/O MIT INVESTMENT MANG.
ONE BROADWAY, 9TH FL. SUITE 200
CAMBRIDGE, MA 02142

14-36 RREEF AMERICA REIT II CORP. PPP C/O CB RICHARD ELLIS P.O BX 4900, #207 SCOTTSDALE, AZ 85261-4900

14-39 COMMONWEALTH GAS CO. C/O NSTAR GAS CO PROPERTY TAX DEPT P.O. BOX 270 HARTFORD, CT 06141-0270

29-34 XIANG, JANE & WEI DENG 2 TREVOR LANE HOPKINTON, MA 01748

29-34 ROACH, ROGER A. 303 THIRD ST., # 415 CAMBRIDGE, MA 02142

14-1038 TP/P KENDALL SQUARE, LLC. 225 N.E. MIZNER BLVD. UNIT #400 BOCA RATON, FL 33432

29-34 STABILE, LAWRENCE A. JANE SANFORD STABILE 303 THIRD ST #517 CAMBRIDGE, MA 02141

29-34 DENNIS, JACK B. 303 THIRD ST., #705 CAMBRIDGE, MA 02141

29-34 LITSTER, J. DAVID, TRUSTEE J. DAVID LISTER 2009 REV TRUST 303 THIRD ST., # 812 CAMBRIDGE, MA 02141 13-21 /14-41 SOUTHERN ENERGY KENDALL C/O BRIAN KRAMSCHUSTER 13155 NOEL RD., SUITE 100 DALLAS , TX 75240

13-23 RREEF AMERICA REIT II CORP. P.O BX 4900, #207 SCOTTSDALE, AZ 85261-4900

14-47-49-50-52-56-57-1038 BMR KENDALL DEVELOPMENT LLC, C/O RYAN LLC. P.O. BOX 847 CARLSBAD, CA 92018

29-49 UNITED STATE OF AMERICA 20 POTTER ST CAMBRIDGE, MA 02141

29-34 POONEN, BJORN M. 303 3RD ST. #416 CAMBRIDGE, MA 02142

29-34 SIMHA. OVADIA R, TRUSTEE THE OVADIA R. SIMHA REV LIVING TRUST 303 THIRD ST., #704 CAMBRIDGE, MA 02142

29-34 BEAVER PAD LLC PO BOX 1588 JACKSON, WY 83001

29-34 GOODWAY, MARTHA 303 3RD ST UNIT #216 CAMBRIDGE, MA 02142

14-1038 WATERMARK II MEMBER, LLC 801 GRAND AVENUE DES MOINES, IA 50392 SELBERT PERKINS DESIGN C/O CORY DEPASQUALE 90 LEONARD STREET BELMONT, MA 02478

14-26
MIT 139 MAIN ST FEE OWNER LLC C/O MIT
INVESTMENT MGMT CO
ONE BROADWAY, 9TH FL, SUITE 200
CAMBRIDGE, MA 02142

29-34 OPPENHEIM, ALAN V. 303 THIRD ST., #605 CAMBRIDGE, MA 02138

14-46 BMR-THIRD LLC ATTN: LEGAL DEPARTMENT 17190 BERNARDO CENTER DRIVE SAN DIEGO, CA 92128

14-1038 TP/P KENDALL RETAIL, LLC 225 N.E. MIZNER BLVD, UNIT #400 BOCA RATON, FL 33432

29-34 303 THIRD SPE LLC, C/O EQR-R.E. TAX DEPARTMENT P.O. BOX 87407 (19337) CHICAGO, IL 60680-0407

29-39 UNITED STATES OF AMERICA 575 TECH SQ CAMBRIDGE, MA 02139

14-59 MIT 165 MAIN ST FEE OWNER LLC C/O MIT CAMBRIDGE REAL ESTATE LLC ONE BROADWAY, SUITE 09-200 CAMBRIDGE, MA 02142

DEPARTMENT OF CONSERVATION & RECREATION 251 CAUSEWAY STREET – SUITE 600 BOSTON, MA 02114-5517