

**Residences at Alewife  
223 Concord Turnpike**

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December 20, 2010

Hugh Russell, Chairman  
And Members of the Planning Board  
344 Broadway St.  
City Hall Annex  
Cambridge, MA 02139

Dear Mr. Russell and Members of the Board,

Enclosed please find the application and associated supporting documents for the redevelopment of 223 Concord Turnpike.

We are honored to have the opportunity to redevelop one of the City's most notorious and long standing eyesores. Given the site's location at the City's most western edge, the redevelopment of the Faces site will serve as one of the City's more prominent gateways. Criterion Development Partners understands this and is committed to creating an entrance to the City that is consistent with the City's design and planning objectives for the Special District.

We also are keenly aware of the site's place as an abutter to the Alewife Reservation. We are equally committed to protecting the Reservation while developing a sustainable and environmentally sensitive project in which the needs of the City, the Reservation and the Developer can be met in a mutually advantageous way.

We look forward to working with the Planning Board on this exciting development.

Sincerely,

Jack Englert  
Executive Vice President

C R I T E R I O N   D E V E L O P M E N T   P A R T N E R S

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December 17, 2010

Hugh Russell, Chairman  
And Members of the Planning Board  
344 Broadway St.  
City Hall Annex  
Cambridge, MA 02139

Subject: Unity of Consultants for Special District 4&4A

Dear Hugh and Members of the Board,

I have been lucky enough to help select the major consultants, first at Cambridge Discovery Park, and now at Faces. Criterion Development Partners recognized the value of having the same consultants working on both projects. The Planning Board has spoken often of the importance of finding ways to unite Special District 4&4A. These consultants have helped us find a variety of ways to understand the unity of the Districts.

The Districts are very different, as the zoning reflects. Thus finding opportunities to view them together is all the more important. We are fortunate that our 3 most important consultants provided the same services to the Bulfinch Company at Cambridge Discovery Park. They are Dennis Carlone from Carlone & Associates, Scott Thornton from Vanasse for Traffic, and finally Ingeborg Hegemann and Steve Martorano from BSC Group for Wetlands and Engineering. Below is a brief section for each of them. Each speaks to some of the subjects that have helped us see these Districts together.

## **MASTER PLANNING**

Carlone & Associates  
Dennis Carlone

Dennis has helped us keep some important planning issues in focus. The 2 districts are supposed to work together to create a mixed-use district. Because Cambridge Discovery Park has been planned as a research and office park, our site is the first opportunity to have a residential component.

He has reminded us that the building must have a sense of place. It is the entry to Cambridge from the West. It begins the Parkway's more appropriate redevelopment along Route 2. It also must relate to Discovery Park, the Reservation and Wetlands which are adjacent to the site as well as our abutters along Route 2.

I think Dennis, in his own words, makes the point better than I can. His understanding of the importance of connections:

“Given the lack of a quality, northern pedestrian/ bicycle path along Route 2 (Motel, bowling alley, and the last phase of Bulfinch’s build-out frontage) for years to come, the proposed southern connection to Bulfinch’s existing, inner roadway/Acorn Park Drive is critical to Criterion Apartment’s short and long-term viability. Cambridge’s goal to foster an integrated, mixed-use Special District 4 and maximize mass transit use are also largely dependent on the connection’s success.

Therefore it is to everyone’s benefit that this southern, Bulfinch to Criterion connection be as safe and inviting as possible to maximize resident and visitor use; to unite rather than isolate adjoining land uses. Given the connection’s length and location, this connection should incorporate a strong visible pedestrian/bicycle passage. Fortunately, a related Motel parking lot redesign and connection easement and Planning Board discussions with Bulfinch in 2004 encourage this possibility.”

## **TRAFFIC AND TRANSPORTATION**

Vanasse & Associates (VAI)  
Scott Thornton

Using the transportation consulting firm of Vanasse & Associates, Inc. (VAI) for both Cambridge Discovery Park and the proposed Residences has allowed an insight into the cross-current of the transportation needs of employers, employees, and residences. The transportation issues in the Alewife area are complex, there are modal opportunities; including bicycle, transit, and pedestrian. Yet they coexist adjacent to limited access highway and local streets intended for vehicular traffic.

In addition to the detailed research of traffic conditions required to develop TISs for both projects, VAI currently conducts annual employee and traffic surveys associated with Discovery Park and is thus able to tap into current commuting trends and concerns of employees related to transportation. It is anticipated that the Project will be able to utilize and share resources initialized by Discovery Park using cross-connections through the site and adjacent properties to Acorn Park Drive. These make available to residents opportunities to use shuttle service to the Alewife and Porter Square MBTA Stations as well as the multi-use path that connects to the Minuteman Bikepath and Fitchburg Cutoff Bikepath (now under construction). They provide recreation and non-motorized commuting possibilities for residents and employees alike. This approach will tie District \$ and \$A together in ways that help meet the City’s goal.

## **WETLANDS & ENGINEERING**

BSC Group Ingeborg Hegemann / Stephen Martorano

I actually believe that BSC is our most important consultant. If you think back to the long road to adoption of the zoning and the centrality of input from the environmental community then one thing is clear. What guides the District is the Alewife Reservation. Development can only proceed if it respects the Reservation in concrete ways and in fact leads to its health and restoration. BSC understands the Reservation itself and has guided this development as well as Discovery Park with that as an organizing principle.

They understand in great detail the nature of our shared infrastructure as well as its status today and the challenges and opportunities before all property owners in the District. All of these issues have been studied for Bulfinch and Criterion by BSC. They represent both of us in our ongoing talks with City officials.

Criterion and Bulfinch each share the fact that we are both subject to many of the same permitting obligations. BSC has handled all of this work. One of the most significant permitting efforts for both projects includes Special Permits under the Cambridge Flood Plain District and Orders of Conditions under the Wetland Protection Act, with a major focus on the flooding, floodplain and floodway issues in this area. With the re-mapping of this area by the Federal Emergency Management Agency (FEMA), this topic was of serious concern to not only the reviewing agencies, but also the surrounding communities and local residents. BSC carefully studied the existing conditions and tracked the FEMA revisions throughout the process to fully understand what the origin of the changes were, how they impacted the proposed developments and how to design the improvements to ensure water bodies and neighbors alike were not adversely affected. Both projects have implemented creative design approaches to ensure that the Resource Areas and the Reservation as a whole are protected and improved.

For all of those reasons and more, BSC has shown both projects how to proceed yet defer to the Reservation. Discovery Park is in it, we abut it. The difference is the same. This is evident in one decision above all others for our project. You are allowed to build within in a Buffer Zone using certain safeguards. The Wetlands are best protected by NOT building at all within the Buffer Zone between us and the Wetlands of Discovery Park. We have a very large Buffer Zone within our site. The decision not to build within it caused our buildable footprint to shrink from slightly less than 4 acres to just over 2&1/2 acres. Ultimately, Criterion made the call, but the counsel of BSC weighed heavily.

Let me close this, the most important section with a story about Ingeborg Hegemann of BSC which illustrates her commitment to the Alewife Reservation itself. I believe her commitment has informed and is evident in our project as well as Bulfinch's.

Ingeborg, as a volunteer, has been assisting the Friends of Alewife (FAR) with the establishment and monitoring of a wetland restoration pilot project to restore a 1,000 square foot area of the marsh, known as "Muskrat Marsh". With Ingeborg's help, the FAR also obtained technical assistance from the MA Division of Ecological Restoration to review hydrologic input to the marsh. To date, purple loosestrife and multiflora rose have been removed, and Phragmites has been chemically treated. The area has been overseeded with a wetland seed mix, resulting in an increase in the density of sedges, rushes, and wetland wildflowers. The pilot project will be complete in the summer of 2011, however, FAR may request an extension or file a new NOI for additional monitoring.

I believe Criterion's decision to use the same major consultants here who worked at Discovery Park was the right one. I hope the Planning Board will see the results reflecting in our projects.

Very Truly Yours,



Richard McKinnon

**CRITERION PROPERTY COMPANY, L.P.**  
**COMPANY OVERVIEW**



**C R I T E R I O N   D E V E L O P M E N T   P A R T N E R S**

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## EXECUTIVE SUMMARY

With offices in Dallas, Texas and Bedford, Massachusetts, Criterion Property Company, L.P. (“Criterion” or the “Company”) is an established multifamily real estate investment firm managed by seasoned and well-respected industry professionals. Criterion’s investment strategy focuses on the acquisition, development, construction management, asset management and disposition of institutional quality multifamily real estate. Through these activities, Criterion is focused on maximizing profitability for its investors. In addition to its own investment opportunities, Criterion also performs real estate advisory services for a variety of clients including landowners, lenders and investors through its wholly-owned subsidiary, Criterion Real Estate Services, LLC.

Criterion was formed by its four principals in 2004 and has since acquired or developed nine communities with a total invested cost of approximately \$400 million. Four communities have been sold resulting in a gross profit margin of approximately 13.5% and net profit to the partners of approximately \$23 million. Criterion is currently serving as general partner or managing member in four properties and one zoned land site with an estimated total cost of \$291 million.



*Windsor Green at Andover, Andover, Massachusetts*

## INVESTMENT STRATEGY

Criterion's investment strategy is premised upon the notion that risk adjusted returns can be maximized through the application of seasoned judgment and disciplined investment strategy. Criterion will continue to pursue a strategy that focuses on institutional quality multifamily acquisition and development on a regional basis in high barrier-to-entry metros in New England, New York, Pennsylvania, New Jersey and Washington, DC in addition to traditionally high growth markets in Austin and Dallas, Texas. Expansion into Northern and Southern California and Atlanta will be examined for future growth opportunities. Criterion's principals have extensive investment experience and local knowledge in all of these markets enabling them to secure superior investment opportunities.

Criterion continues to prioritize the importance of operating an efficient investment and asset management organization. We will also continue our proven practice of utilizing the most qualified and well-capitalized local general contractors in each market for acquisition/renovation services and new development construction needs. Additionally, Criterion engages highly sophisticated, nationally recognized firms possessing extensive local market knowledge for property management services. As the size of its portfolio grows regionally, Criterion will study the costs and benefits of self-managing its properties. The integration of these disciplines into the investment underwriting and due diligence process ensures efficient and effective execution enabling Criterion to mitigate a variety of risks and maintain flexibility on each investment.



*Windsor at Bee Cave, Austin, Texas*



## WHY MULTIFAMILY INVESTMENT?

Criterion has a proven track record of generating superior capital appreciation and investment returns by focusing on multifamily investment opportunities. As market conditions continue to improve for multifamily investment, traditional institutional resources are returning to the market. These institutional investors are attracted to our industry sector for a variety of reasons including:

- ⌘ “Echo boomers” are dramatically expanding the 19-29 age group over the next twenty years. This age group has historically shown the highest propensity to rent.
- ⌘ First-time homebuyer financing constraints and decreasing home ownership rates associated with the bursting housing “bubble” continue to significantly increase demand for rental housing.
- ⌘ Dramatic fluctuations and expected increases in the cost of energy will continue to drive demand for “smart growth oriented” rental investment that offers convenient access to public transportation and core employment.
- ⌘ Lifestyle seekers will continue to drive demand for infill, mixed-use oriented apartment communities that offer contemporary design and amenities as well as proximity to culture, recreation and entertainment.
- ⌘ Severely constrained capital markets over the past two to three years have led to significant reductions nationally in new multifamily development. Recently released data for early 2010 indicates that on an annualized basis less than 100,000 units will be started; a historically low number. Reduced multifamily supply is expected to dramatically enhance rental market fundamentals beginning in 2011 and continuing for the next several years.

## NEW PROPERTY DEVELOPMENT

Although capital markets have constrained new development over the past few years, Criterion believes that it is well positioned to take immediate advantage of a limited number of select development opportunities. Additionally, we are uniquely prepared to quickly re-engage in our targeted markets as capital markets recover given our extensive expertise in all aspects of the development process.

As we continue to meet with institutional investors, and discuss their near and longer term investment objectives, it is increasingly apparent that there is keen interest in undertaking new development opportunities, especially in the New England and Washington, DC Metro markets. Well-located institutional quality properties are commanding 5% cap rates. Therefore, developing to a 7.25% to 7.75% going in yield, with unit deliveries starting in late 2011, has become an attractive strategy. Institutional investors are also endorsing the demographic story of a coming shortage of quality multifamily housing. Demographers and economists are predicting double digit effective rent growth beginning in 2011 and continuing into 2012. With respect to the Texas markets, we continue to track the best land sites in both Austin and Dallas and are prepared for that market rebound.

#### **HOLD AND EXIT STRATEGIES**

Hold periods will depend on each asset and its positioning in the market. While some properties will have a shorter hold period, others will be held longer to generate current cash flow. The estimated hold period will be determined at the time of the initial investment and the strategy will be reviewed and updated periodically, but not less than on an annual basis.

Exiting a property could be accomplished in several ways. Assets could be sold individually or as a portfolio sale. Equity could also be returned via the refinance of an existing property's indebtedness after the repositioning is completed for an acquisition property or at stabilization of a development asset. Criterion will execute asset management and disposition strategies that enhance value and maximize returns for each of our investment partners.



*The Monterey, Dallas, Texas*

**STRONG RESEARCH ORIENTATION**

Criterion is dedicated to a continuing investment in leading-edge research for markets and new business opportunities. The Company utilizes research firms such as M/PF Research, Inc., Witten Advisors, Torto Wheaton, Economy.com and other market research professionals with local market knowledge to conduct comprehensive evaluations of its targeted markets. These evaluations, combined with Criterion’s local market and development experience, enable the Company to identify those submarkets where our product type will appeal to the local resident base.

For each major market, Criterion’s research will evaluate major economic, demographic and physical factors that would include:

Job Growth	Traffic Count
Population Growth	Rent Growth
Pent-Up Demand	Absorption
Barriers to Entry	Submarket Demographics
Existing Product	Proximity to Employment Centers
Land Sites and Future Development Plans	Propensity to Rent

In order to insure consistent rent increases and high occupancy, Criterion utilizes this market research to tailor design and amenities for each of its proposed communities.



*The Pradera, Richardson, Texas*

## BACKGROUND ON CRITERION PRINCIPALS

Criterion's principals formed the Company in 2004. The principals collectively have over eighty years of experience in multifamily acquisitions, development, financing, construction and asset management throughout the United States. Over the past twenty years, Criterion's principals have been responsible for developing or acquiring over 16,000 multifamily units. As a cohesive group of seasoned and sophisticated industry professionals, Criterion has consistently been able to distinguish itself from its competitors. Criterion's principals are committed to creating an entrepreneurial firm whose hands-on management, responsiveness and accountability will reward our customers and project partners with superior results. The following section provides a brief description of the experience and responsibilities of Criterion's principals:

### W. PRETLOW RIDDICK – *President and Principal*



Mr. Riddick oversees the overall Criterion operation. Mr. Riddick previously worked at JPI Partners, Inc. ("JPI") for approximately fourteen years, with his last position being Chief Investment/Development Officer for the company. During his time with JPI, he relocated to Houston, Texas to open their regional office in 1992. In August, 1995, Mr. Riddick relocated to the Washington, D.C. Metro area where he assumed responsibility for this area's activity. During his time in this market, he profitably grew this office to approximately \$100 million in new production on an annual basis. In April 1996, Mr. Riddick hired Andrew S. Kaye (see below) to open the New England Regional Office for JPI. As the Divisional President for the Eastern Division, Mr. Riddick managed the development, construction, management and market research activity for this area in addition to the Washington, D.C. Metro area. Additionally, in June 1999, he took over responsibility for JPI's Atlanta and South Florida offices. In June 2001, Mr. Riddick returned to the JPI home office in Irving, Texas and assumed the role of the JPI's Chief Investment/Development Officer. During his tenure at JPI, Mr. Riddick managed the development and acquisition of over fifty

apartment communities in fourteen states totaling nearly 13,000 units with a gross asset cost in excess of \$1.6 billion which generated a gross profit margin to JPI of approximately 23%. Mr. Riddick earned a Bachelor of Business Administration from the University of Texas, Austin, Texas and a Masters of Business Administration from George Washington University, Washington, D.C. In 1999, Mr. Riddick founded A Better Neighborhood Foundation to invest in faith-based community developments in the inner city. Mr. Riddick is married with three children.

**ANDREW S. KAYE – Executive Vice President and Principal**



Mr. Kaye oversees the investment process for the New England Region for Criterion in Bedford, Massachusetts. Mr. Kaye joined Criterion from JPI where he served as the Regional Managing Partner for the New England Region from 1996 through early 2004. He was responsible for all aspects of the regional operation including development, construction, management and market research. During his tenure at JPI, Mr. Kaye oversaw the development and construction of eleven properties in five New England states with a gross asset cost of approximately \$474 million. The seven projects sold during his tenure generated a 22% gross profit margin to JPI. Prior to joining JPI, Mr. Kaye worked with Toll Brothers, Inc. from 1994 through 1996 where he served in several management roles including Project Manager for the 212 lot Sharon Woods residential subdivision development in Westborough, Massachusetts. From 1991 until 1994, Mr. Kaye served as Vice President – Residential Development for Diversified Funding, Inc. and from 1985 through 1991 as founder and principal in Combined Resources Company. Both of these firms were based in Boston and concentrated on residential development activities. Mr. Kaye earned a Bachelor of Business Administration from Colby College, Waterville, Maine and a Masters of Business Administration in Finance and Marketing from Columbia University Graduate School of Business, New York, New York. Mr. Kaye is married with three children.

**JOHN J. ENGLERT – Executive Vice President and Principal**

Mr. Englert oversees the land sourcing and acquisition, contract negotiation, zoning and permitting for Criterion’s New England Region in Bedford, Massachusetts. Mr. Englert also joined Criterion from JPI where he served as Area Managing Partner for their New England Region from 1997 through early 2004. Mr. Englert worked closely with Mr. Kaye and Mr. Riddick on the aforementioned eleven properties in the New England Region for JPI. Prior to joining JPI, Mr. Englert was a Senior Project Manager for Toll Brothers, Inc. in Wayland, Massachusetts from 1995 through 1997, where he was responsible for deal generation, permitting and project management for several residential subdivisions within Massachusetts. From 1992 through 1995, Mr. Englert worked for the law firm of Jamieson, Moore, Peskin and Spicer as a real estate attorney specializing in land use and zoning issues. Mr. Englert earned Bachelor of Arts degrees in both Economics and Psychology from Duke University, Durham, North Carolina and a Juris Doctor from the Villanova University School of Law, Villanova, Pennsylvania. Mr. Englert is married with four children.

**C. CHRISTOPHER HARRIS – Executive Vice President, Chief Financial Officer and Principal**

Mr. Harris is responsible for finance, accounting and tax, budgeting and planning, investor and lender relations, risk management and treasury for Criterion. Mr. Harris joined Criterion from FirstWorthing, Dallas, Texas, where he served as Executive Vice President, Chief Financial Officer and Partner from 1999 until Criterion’s formation. While at FirstWorthing, Mr. Harris took the lead role in sourcing, negotiating and closing a \$350 million operating company partnership with Principal Enterprise Capital, LLC, a \$1.4 billion entity primarily funded by the Washington State Investment Board. Mr. Harris also negotiated and closed a \$100 million debt financing program with Freddie Mac for the conventional housing business and a \$150 million committed credit facility with Fannie Mae dedicated to the student housing business, the first of its kind. Prior to joining FirstWorthing,

Mr. Harris also worked at JPI from 1994 through 1999 where he served as Executive Vice President – Finance and Senior Operational Partner. During his tenure at JPI, Mr. Harris worked in one of the lead roles on the negotiation and closing of a \$450 million equity partnership with General Electric Capital Corporation in 1997. He also oversaw the sourcing and closing of several billion dollars in project-level financing. Mr. Harris also has senior financial management experience with Trammell Crow Residential, Dallas, Texas and Security Capital Group Incorporated, Santa Fe, New Mexico. Mr. Harris earned a Bachelor of Business Administration degree from Southern Methodist University, Dallas, Texas and is a Certified Public Accountant. Mr. Harris is married with two children.



*The Cottages of Onion Creek, Austin, Texas*

## SUMMARY OF PRINCIPALS' INVESTMENT EXPERIENCE

<u>Property Name</u>	<u>Location</u>	<u>Units</u>	<u>Project Cost</u>	<u>Experience</u>	<u>Deal Type</u>	<u>Status</u>
<b>Boston Metropolitan Area</b>						
1 Windsor Green at Andover *	Andover, MA	192	36,194,468	Criterion	Development	Sold
2 Winchester Gardens	Winchester, MA	92	26,105,463	Criterion	Acquisition	Sold
3 Windsor Woods at Canton *	Canton, MA	160	30,656,549	Criterion	Development	Sold
4 Village at Taylor Pond *	Bedford, MA	188	44,040,629	Criterion	Development	Owned
5 Residences at Rivers Edge *	Medford, MA	222	68,656,308	Criterion	Development	Owned
6 Residences at Natick Station *	Natick, MA	150	29,063,000	Criterion	Development	Q2 - 2011 Start
7 Residences at Alewife Station *	Cambridge, MA	227	59,284,000	Criterion	Development	Q2 - 2011 Start
8 Criterion on the Charles *	Watertown, MA	180	38,839,000	Criterion	Development	Q1 - 2011 Start
9 Jefferson at Salem Station	Salem, MA	267	42,459,314	JPI	Development	
10 Jefferson at Providence Place *	Providence, RI	330	60,404,665	JPI	Development	
11 Jefferson at Wheeler Hill *	Marlborough, MA	275	36,845,921	JPI	Development	
12 Jefferson on the Merrimack	Bedford, NH	241	19,701,120	JPI	Development	
13 Jefferson at Washington Crossing	Woburn, MA	203	27,323,368	JPI	Development	
14 Jefferson on the Park	Lawrence, MA	240	26,393,516	JPI	Development	
15 Jefferson at Dedham *	Dedham, MA	300	45,551,000	JPI	Development	
16 Jefferson at Bellingham *	Bellingham, MA	<u>285</u>	<u>38,853,000</u>	JPI	Development	
<b>Total Boston Metropolitan Area</b>		<u>3,552</u>	<u>630,371,321</u>			
<b>Washington, DC Metropolitan Area</b>						
1 Jefferson Pin Oak	Bowie, MD	348	30,466,000	JPI	Development	
2 Jefferson Park	College Park, MD	300	22,853,578	JPI	Development	
3 Jefferson Village *	Sterling, VA	247	22,105,000	JPI	Development	
4 Jefferson Villa *	North Bethesda, MD	261	31,972,521	JPI	Development	
5 Jefferson at King Farm *	Rockville, MD	434	40,990,000	JPI	Development	
6 Jefferson at President's Park *	Fairfax County, VA	413	38,169,168	JPI	Development	
7 Jefferson Park, VA *	Fairfax County, VA	222	32,306,000	JPI	Development	
8 Jefferson at Carlyle Mill *	Alexandria, VA	317	44,827,357	JPI	Development	
9 Jefferson at Fallsgrove *	Rockville, MD	361	40,735,480	JPI	Development	
10 Jefferson at Washington Boulevard	Arlington, VA	252	48,277,230	JPI	Development	
11 Jefferson at Thomas Farm *	Rockville, MD	268	29,476,065	JPI	Development	
12 Jefferson at Penn Quarter	Washington, DC	428	138,000,000	JPI	Development	
13 Jefferson at Congressional Village *	Rockville, MD	403	46,193,337	JPI	Development	
14 Jefferson at Logan Circle	Washington, DC	<u>292</u>	<u>73,000,000</u>	JPI	Development	
<b>Total Washington, DC Metropolitan Area</b>		<u>4,546</u>	<u>639,371,736</u>			
<b>New York Metropolitan Area</b>						
1 Jefferson at Merritt Park	Fishkill, NY	361	31,222,831	JPI	Development	
2 Jefferson at Aberdeen Station	Aberdeen, NJ	291	42,165,189	JPI	Development	
3 Residences at White Plains	White Plains, NY	<u>282</u>	<u>97,995,000</u>	JPI	Development	
<b>Total New York Metropolitan Area</b>		<u>934</u>	<u>171,383,020</u>			



<u>Property Name</u>	<u>Location</u>	<u>Units</u>	<u>Project Cost</u>	<u>Experience</u>	<u>Deal Type</u>	<u>Status</u>
<b>Philadelphia Metropolitan Area</b>						
1 Jefferson at Westtown	Philadelphia, PA	254	24,017,000	JPI	Development	
2 Jefferson Woods	Philadelphia, PA	<u>377</u>	<u>46,000,000</u>	JPI	Development	
<b>Total Philadelphia Metropolitan Area</b>		<u>631</u>	<u>70,017,000</u>			
<b>Dallas Metropolitan Area</b>						
1 The Monterey	Dallas, TX	371	68,187,428	Criterion	Development	Sold
2 The Pradera	Richardson, TX	<u>360</u>	<u>45,886,018</u>	Criterion	Development	Owned
<b>Total Dallas Metropolitan Area</b>		<u>731</u>	<u>114,073,446</u>			
<b>Austin, Texas</b>						
1 Windsor at Bee Cave Village	Austin, TX	293	31,986,628	Criterion	Development	Completed
2 The Cottages	Austin, TX	<u>330</u>	<u>33,860,569</u>	Criterion	Development	Owned
<b>Total Austin, Texas</b>		<u>623</u>	<u>65,847,197</u>			
<b>Houston/College Station, Texas</b>						
1 Jefferson on the Parkway	Houston, TX	352	19,922,000	JPI	Development	
2 Woodforest Arbor	Houston, TX	144	5,100,000	JPI	Acquisition	
3 Jefferson Forest	Houston, TX	404	21,260,000	JPI	Development	
4 Jefferson Ridge	College Station, TX	192	10,040,112	JPI	Development	
5 Jefferson Village	Houston, TX	<u>274</u>	<u>14,100,000</u>	JPI	Development	
<b>Total Houston/College Station, Texas</b>		<u>1,366</u>	<u>70,422,112</u>			
<b>North Carolina</b>						
1 Jefferson Creekside	Charlotte, NC	492	33,370,603	JPI	Development	
2 Jefferson at Cary Towne	Raleigh, NC	<u>354</u>	<u>27,600,950</u>	JPI	Development	
<b>Total North Carolina</b>		<u>846</u>	<u>60,971,553</u>			
<b>Florida</b>						
1 Jefferson at Flagler	West Palm Beach, FL	400	45,494,889	JPI	Development	
2 Jefferson at Camino Real	Boca Raton, FL	235	40,083,277	JPI	Development	
3 Jefferson at Imperial River	Bonita Springs, FL	198	18,714,864	JPI	Development	
4 Jefferson Lakeside	Pembroke Pines, FL	264	26,817,000	JPI	Development	
5 Jefferson at Young Circle	Hollywood, FL	253	29,470,366	JPI	Development	
6 Jefferson Place	Ft. Lauderdale, FL	<u>243</u>	<u>30,078,000</u>	JPI	Development	
<b>Total Florida</b>		<u>1,593</u>	<u>190,658,396</u>			
<b>Atlanta, Georgia</b>						
1 Jefferson at Lenox Park	Atlanta, GA	407	38,854,447	JPI	Development	
2 Jefferson at Peachtree	Atlanta, GA	<u>406</u>	<u>34,635,941</u>	JPI	Development	
<b>Total Atlanta, Georgia</b>		<u>813</u>	<u>73,490,388</u>			

<u>Property Name</u>	<u>Location</u>	<u>Units</u>	<u>Project Cost</u>	<u>Experience</u>	<u>Deal Type</u>	<u>Status</u>
<b>Ohio</b>						
1 Jefferson at New Albany	Columbus, OH	<u>395</u>	<u>29,154,140</u>	JPI	Development	
<b>Tennessee</b>						
1 Jefferson at River Estates	Memphis, TN	<u>400</u>	<u>27,499,376</u>	JPI	Development	
<b>56 Total Projects</b>		<b><u>16,430</u></b>	<b><u>\$2,143,259,685</u></b>			
<b><u>TOTALS</u></b>						
Criterion		<u>2,765</u>	<u>512,760,060</u>			
JPI		<u>13,665</u>	<u>1,630,499,625</u>			
<b>TOTAL</b>		<b><u>16,430</u></b>	<b><u>\$2,143,259,685</u></b>			

\* Includes a component of affordable housing



*The Village at Taylor Pond, Bedford, Massachusetts*

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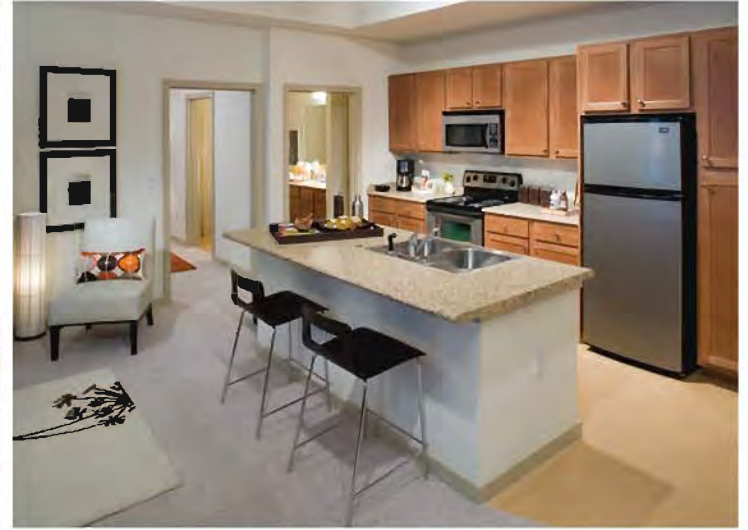


  
**WINDSOR  
WOODS**  
AT CANTON  
LUXURY APARTMENT HOMES

c | d | p





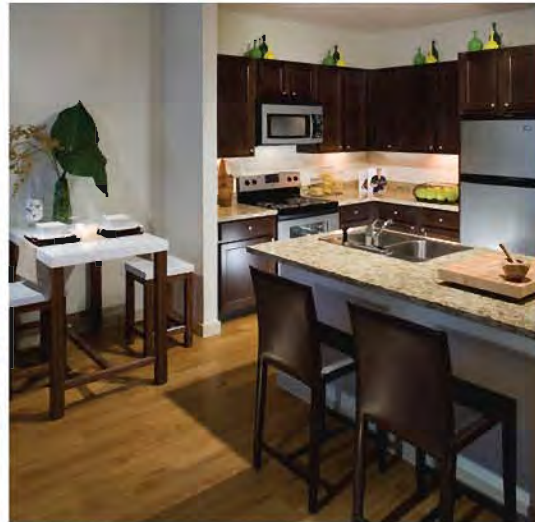


**THE COTTAGES**  
LUXURY RESORT LIVING

c | d | p



UPTOWN RESORT LIVING  
**THE MONTEREY**



**Residences at Alewife  
223 Concord Turnpike  
Development Team**

**Applicant**

CPC-T, L.P.

**Architect**

Cube 3 Studio

**Master Planner**

Carlone Associates

**Engineering/Wetlands**

BSC Group

**Landscape Architect**

Shadley Associates

**Traffic Engineer**

Vanasse & Associates

**Legal**

Goulston & Storrs

**Development Consultant/Partner**

The McKinnon Company

**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. 19.20 Project Review Special Permit
- 2. 20.63.70 Green Area Open Space
- 3. 20.70 Flood Plain Overlay District
- 4. 17.42 Special District 4A Height and yard requirements
- 5. 5.25.42 FAR and Floodplain

Applicant: CPC-T, L.P.

Address: 1102 Taylor Pond Lane, Bedford, MA 01730

Telephone: 781-890-5600 FAX: 781.280.0502

Location of Premises: 223, 225, & 231 Concord Turnpike

Zoning District: Special District – 4A, Parkway Overlay District, Floodplain Overlay District

Submitted Materials: Please refer to the table of contents for a list of submitted materials

Signature of 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**

<b>Project Name:</b> <b>Address of Site:</b> <b>Applicant:</b> <b>Planning Board Project Number: (CDD)</b>
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**Hearing Timeline** (CDD)

Application Date:		
Planning Board 1 <sup>st</sup> 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 <sup>nd</sup> 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)**

- See special permits requested above, as more particularly described in the attached narrative

**Project Description**

***Brief Narrative:***

Special Permits to allow construction of a new Residential Development of 227 Units at 223 Concord Turnpike. Please see the attached narrative for a further description of the Project.

***Project Size:***

- Total GFA: 254,000
- Non-residential uses GFA: 0
- Site Area (acres and SF): 73,909 SF, 3.99 acres
- # of Parking Spaces: 227

***Proposed Uses:***

- # of Dwelling Units: 227
- Other Uses None
- Open Space (% of the site and SF) 71%, 123,475 SF

***Proposed Dimensions:***

- Height: 70 feet
- FAR: 1.46

**Residences at Alewife  
223 Concord Turnpike  
Narrative in Support of Special Permit Application**

**I. PROJECT DESCRIPTION**

CPC-T, L.P., an affiliate of Criterion Development Partners (“CDP”) proposes to develop the Residences at Alewife, a new multifamily residential building on an 173,909 square foot site located at 223 Concord Turnpike (Rt. 2) (the “Site”). The Site is in Special District 4A, the Parkway Overlay District and the Flood Plain Overlay District. The Site is currently improved with one long-vacant, single-story building, the defunct Faces night club (the “Existing Building”).

CDP proposes to demolish the Existing Building and construct a first class, four-story, multifamily building containing 227 units of rental housing, a clubhouse and pool for residents, and a structured parking facility beneath the building (the “Project”). The parking facility will contain 220 parking spaces. In addition, there will be 7 surface parking spaces in the entry courtyard for visitors. Parking will be provided at a ratio of 1.0 space per dwelling unit in accordance with the requirements of the Cambridge Zoning Ordinance (the “Ordinance”). The Project will provide a variety of unit types: approximately 11% of the units (25) will be studios, 58% (131) will be 1 bedroom units, and 31% (71) will be 2 bedroom units. Access to the Project will be provided through one right-turn only entrance driveway and egress will be provided through one right-turn only exit driveway from and to Route 2 eastbound.

Located less than a half mile from the Alewife MBTA station, the Project’s pedestrian and bike friendly design and extensive Transportation Demand Management program will encourage residents to utilize public transportation. The Project’s inviting façade and landscaping will serve as a welcoming visual transition to drivers entering Cambridge on Route 2.

CDP proposes to provide pedestrian and bicycle connections to Alewife Reservation and the abutting Cambridge Discovery Park. Subject to obtaining the appropriate easements across the adjacent properties, CDP proposes to create connections for pedestrians and bicyclists to cross the adjacent property to the Cambridge Discovery Park property to Acorn Park Drive and access the existing multi-use path, which connects to Alewife station. CDP also plans to reconstruct the existing sidewalk in front of the Site to improve the path between the Acorn Park Drive/Frontage Road intersection and the eastern property line. These connections provide access to the extensive bike and pedestrian trails through Cambridge, Arlington, and Watertown, giving residents diverse commuting and recreational options. Please see **Appendix 5** for plans showing potential bicycle and pedestrian connections.

## **II. ZONING RELIEF SOUGHT**

CDP is requesting the following relief under the Ordinance in connection with the Project:

- Special Permit under Section 20.73 of the Ordinance for construction in the Flood Plain Overlay District.
- Special Permit under Section 5.25.42 of the Ordinance related to the Flood Plain Overlay District so that the above ground parking structure for the Project is not included in Floor Area Ratio.
- Special Permit under Section 17.42.2 of the Ordinance, to reduce the side and rear yard requirements otherwise applicable to the Project in the Office 2 zoning district.
- Special Permit under Section 17.42.3 to permit height to exceed 60 feet in Special District 4A.
- Project Review Special Permit pursuant to Section 19.20 of the Ordinance for construction of more than 50,000 square feet of new Gross Floor Area.
- Special Permit under Section 20.63.7 for relief from the Green Area Open Space in the Front Yard requirement in Section 20.64.

## **III. ZONING REQUIREMENTS FOR GRANTING REQUESTED RELIEF**

The provisions of the Ordinance set forth below apply to the requested Special Permits for the Project. Application of each provision to the Project follows the provision in italics.

### **A. 10.43 Generally Applicable Criteria for Approval of a Special Permit**

Pursuant to Section 10.43 of the Ordinance, Special Permits will normally be granted where specific provisions of the 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:

- 1) It appears that requirements of this Ordinance cannot or will not be met.

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

- 2) Traffic generated or patterns of access or egress would cause congestion, hazard or substantial change in established neighborhood character.

*Unlike the vast majority of development sites in the city, the Project is not located in an established neighborhood. In any case, CDP has completed a detailed analysis of the traffic impacts associated with the Project as evidenced in the Transportation Impact Study (the "TIS") prepared by Vanasse and Associates and submitted with this*



*Application (see Appendix 9). This study includes an analysis of the existing and future vehicular traffic and bicycle volumes, defines site access requirements, identifies specific improvements on the Site, 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 for TIS, complies with the scoping determination dated August 22, 2008, and has been certified by the Cambridge Traffic, Parking and Transportation Department ("TPTD").*

*The TIS indicates that, of 69 indicators of traffic impact, the Project has satisfied 63, with the remaining 6 indicators exceeded due to the Project's location adjacent to Route 2 and by conditions that exist with or without the Project. The Project impact alone does not exceed any of the City's traffic indicators. Access to the site will be provided by a right-turn only exit and right-turn only entry driveway to and from Concord Turnpike (Rt. 2). With implementation of the identified mitigation measures, (including extensive bicycle parking, subsidized MBTA passes and Bike Charlie cards, improved access to sidewalks and bicycle paths, and additional charges for parking), vehicle trips originating from the Project will be reduced. Based on the TIS, the Project is expected to have minimal impact on traffic and will not cause congestion, hazard, or substantial change to the established neighborhood character. In fact, increased pedestrian and bicycle use will add activity to Special District 4, especially during weekend times along the Little River open space and neighboring Acorn Park Drive.*

*As requested by the TPTD, new traffic counts were conducted in 2010 to determine relative changes in the traffic volume of area roadways from the traffic counts initially performed for the TIS in 2008. The updated counts indicate a reduction of eight percent in the daily traffic volume on Route 2 in the vicinity of the Site. This indicates that the original TIS was prepared using a conservative (higher) traffic volume baseline and that the results of the TIS are still valid.*

- 3) The continued operation of or the development of adjacent uses as permitted in the Ordinance would be adversely affected by the nature of the proposed use.

*The Project will not adversely affect continued operation or future development of adjacent uses. To the southeast of the Site, heading toward Alewife station, the adjacent properties fronting Concord Turnpike are a Gateway Inn, a bowling alley, and two commercial buildings. Behind the site on Acorn Park Drive, several new office and laboratory buildings have been constructed as part of Cambridge Discovery Park. The Project fronts Concord Turnpike to the north, and the Alewife Reservation is to the south and west of the Site.*

*The Project will be a complimentary use to the existing adjacent uses by providing convenient residential housing for employees of the office buildings and Cambridge Discovery Park. Adding a residential use to the mix of uses in the area (a long-time goal of Cambridge) will enhance the vibrancy of the Route 2 corridor. Likewise, the planned multifamily residential project will not adversely impact the Alewife Reservation. The Project has been intentionally designed outside the wetlands resource areas and all*

*adjacent buffer zone. The property as it presently exists has impervious areas within the buffer zones and runoff from these areas enters the wetlands untreated. The creation of residential housing adjacent to the Alewife Reservation will likely increase recreational use, add to the general security of the area, and appreciation of the Reservation by the residents of the development while preserving these resources.*

*Another direct benefit of redeveloping the site will be the removal of Faces, a long-time, highly visible eyesore at the northwest entrance to Cambridge. As described below, citizens and City officials have been trying to replace the Faces building for decades.*

- 4) 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.

*The Project will not create any nuisance or hazard to the detriment of the health, safety and/or welfare of the occupants of the Project or the citizens of the City. To the contrary, the Project includes demolition of an existing nuisance in the Existing Building. The Existing Building, a dilapidated nightclub built in 1964 and vacant for over 20 years, was featured on Cambridge Community Television in November 2008 as the lead location in a series on "Cambridge Eyesores." Replacing the Existing Building with the Project will be a benefit to the citizens of the City and will serve to welcome all those who enter Cambridge via the Concord Turnpike.*

*The owners of Cambridge Discovery Park have told us that the Faces eyesore has made their leasing efforts more difficult. Removing the dilapidated building and replacing it with the Project should be a benefit to Cambridge Discovery Park and the potential redevelopment of other sites along Route 2 as well.*

*As described above, consistent with our promises to our neighbors and the very active environmental community in the area, we have designed the Project so that no building will be constructed in the extensive buffer zone that exists on the Site adjacent to the Alewife Reservation resource areas. This approach will provide enhanced protection to the Alewife Reservation.*

*The Project is consistent with the City's broader health, safety and welfare goals as set forth in Section 19.30 (Citywide Urban Design Objective) of the Ordinance to foster development which is responsive to the existing or anticipated pattern of development, is designed for pedestrian and bicycle access, mitigates adverse environmental impacts upon its neighbors, and provides open space amenities.*

- 5) 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.

*The Project will not impair the integrity of any of the districts in which it is located or the adjoining Special District 4. The Project will not derogate from the intent and purpose of the Ordinance. The demolition of the Existing Building and the construction of the Project will enhance and further the purposes of the districts in which it is located and the adjacent Special District 4 (as further described below). When completed, the Project will replace the existing unsightly parking lots and dilapidated commercial*

*building with a thoughtfully designed and landscaped first class, residential building that is in compliance with the requirements of Special District 4A, the Parkway Overlay District, and the Flood Plain Overlay District.*

*Special District 4A and the adjacent Special District 4 –*

*The intent of Special Districts 4 and 4A is to permit an appropriate level of residential and nonresidential development in the Districts consistent with the public interest in protecting regulated wetlands; maintaining flood storage capacity consistent with federal, state and local regulations; restoring areas currently developed to their natural state in order to eliminate harmful impacts on sensitive wetlands environments; limiting the extent of the land covered by impervious surfaces; and minimizing the amount of additional traffic passing through congested intersections on arterial and neighborhood streets. Further enhancement of the parkway character of Concord Turnpike is also intended.*

*The Project will go a long way towards meeting the intent of Special Districts 4 and 4A. In particular, it will provide a residential component that is otherwise lacking in this area. Cambridge Discovery Park is home to the Smithsonian Astrophysical Observatory and Forrester Research, now under construction. The remainder of Cambridge Discovery Park's Special Permitted master plan is also planned as non-residential. The Project provides the only real opportunity to achieve the mixed use objectives of Special Districts 4 and 4A. As outlined below in more detail the Project also furthers the Districts' intent of protecting wetlands and maintaining flood storage capacity.*

*The Project will also restore areas that are currently paved and stagnant to active and more appropriate urban uses and enhance the parkway character of Concord Turnpike by replacing the Existing Building and its expansive parking lot with a residential redevelopment conforming to best practices for mitigation of impacts and preservation of the natural environment. As detailed above, the Project will adopt the traffic mitigation measures identified in the TIS, thereby minimizing the amount of additional traffic passing through nearby arterial and neighborhood streets.*

*The Project addresses the lack of quality, northern pedestrian/bicycle routes along Route 2 by the proposed southern connection to Acorn Park Drive. This connection is an essential piece to achieve Cambridge's goals of fostering an integrated, mixed-use Special District 4 and maximizing mass transit use. This connection was in the Cambridge Discovery Park's Special Permitted master plan submitted to the Planning Board in 2004.*

*Parkway Overlay District –*

*The purpose of the Parkway Overlay District is to create unified identifiable images of designated areas, to enhance public safety by reducing visual confusion and haphazard development, to encourage development which will protect and enhance the use and enjoyment of public open space resources. The Project will conform to the intent and purpose of the Parkway Overlay District. The Project will immediately create a new*

*positive image by demolishing Faces and constructing a first class, residential development that is consistent with and enhances the natural resources in the area. The Project will reduce visual confusion through urban design, lighting and landscaping measures. As described throughout this narrative, the Project protects the existing open space resources, brings new residences to the area to enhance enjoyment of them, and proposes several new connections that will enhance the use of those resources for residents of the Project, occupants of adjacent properties and the public in general. The removal of Faces as an eyesore alone will enhance the parkway's image and the enjoyment of the open space resources by substantially improving the view from them.*

*Flood Plain Overlay District –*

*The purpose of the Flood Plain Overlay District is to protect the health, safety, and general welfare, to protect human life and property from the hazards of periodic flooding, to preserve the natural flood control characteristics and the flood storage capacity of the flood plain, to preserve and maintain the ground water recharge areas within the flood plain, and to ensure the appropriate design and location of flood water retention systems and their relationship to other surrounding development. The Project falls within the 100-year floodplain of the Little River, which is located south of the property, across Acorn Park Road, about 800 feet away from the property line. Additionally, the Project falls partially within the limits of the Floodway. The Project will conform to the intent and purpose of the Flood Plain Overlay District. The Project has been designed with a compact building on piles to avoid construction of ground-level structures in the flood plain and to provide compensatory flood storage per the Massachusetts Wetland Protection Act. The design of the Project, in particular its potential impact of the Flood Plain and Floodway, has previously been reviewed by the Cambridge Conservation Commission which issued an Order of Conditions approving the Project on October 30, 2008 (see **Appendix 8**). More detail regarding the Project's conformance with the intent of the Flood Plain Overlay District is provided below.*

- 6) The new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.

*As described in detail below, the Project is consistent with the Urban Design Objectives set forth in Section 19.30.*

**B. 20.75 Criteria for Flood Plain Overlay District Special Permit**

Pursuant to Section 20.75 of the Ordinance, the Planning Board shall grant a Special Permit for development in the Flood Plain Overlay District if the Board finds that such development has met the following criteria in addition to other criteria specified in Section 10.40:

- 1) No filling or other encroachment shall be allowed in Zone A areas or in the floodway which would impair the ability of these special flood hazard areas to carry and discharge flood waters, except where such activity is fully offset by stream improvements such as, but not limited to, flood water retention systems as allowed by applicable law.

*According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Number 25017C0419E dated June 4, 2010, the Project is located in Flood Zone AE.*

*In order to minimize the volume of ground-level structures placed within the limits of Floodplain and Floodway, the bottom of the garage level floor slab has been designed at elevation 7.4 (NAVD 88), at the 100-year flood elevation, placing the first floor of the building and garage parking level at approximately elevation 8.4 (NAVD 88). This design will allow water to flow, unrestricted, beneath and around the building without reaching the entrance to the garage or the lobby areas for the 100-year storm event. CDP filed for and received an Order of Conditions (DEP File Number 123-216) dated October 30, 2008 and recorded on November 21, 2008 at Book 51918 Page 271, approving the Project. The Order of Conditions confirms that the Project will not impair the ability of the applicable flood hazard areas to carry and discharge flood waters.*

- 2) Displacement of water retention capacity at one location shall be replaced in equal volume at another location on the same lot, on an abutting lot in the same ownership, on a noncontiguous lot in the same ownership, or in accordance with the following requirements.

*The existing and proposed conditions of the Project site were analyzed on a foot-by-foot incremental elevation basis, in accordance with the MA DEP performance standards for work within a Bordering Land Subject to Flooding (BLSF). Enclosed in the stormwater report submitted with the approved Notice of Intent are both graphics detailing the available storage at each foot interval and a tabular summary. The footprint of the existing building, within the limits of the subject site has been excluded from this calculation since there is no storage available within that area. The proposed flood water retention system is located underneath the building providing compensatory flood storage on a foot-by-foot incremental elevation basis allowing flood waters to flow and recede to the Little River unrestricted. Thereby, the displacement of existing water retention capacity on the Site will be replaced with water retention capacity on Site as part of the Project.*

- 3) All flood water retention systems shall be suitably designed and located so as not to cause any nuisance, hazard, or detriment to the occupants of the site or abutters. The Planning Board may require screening, or landscaping of flood water retention systems to create a safe, healthful, and pleasing environment.

*The flood water retention system at the Project has been designed and located so as not to cause any nuisance, hazard, or detriment to the occupants of the site or abutters. The flood water retention system is located underneath the proposed building and will be screened to create a safe and pleasing environment for the occupants of the Project and abutters.*

- 4) The proposed use shall comply in all respects with the provisions of the underlying zoning district, provisions of the State Building Code, Wetlands Protection Act, and any other applicable laws.

*As described in this narrative, the Project will comply with all applicable provisions of the Special District 4A. As evidenced by the Order of Conditions, the Project will comply with the Wetlands Protection Act. The Project also will comply with the State Building Code and any other applicable laws.*

- 5) Applicants for development in the Alewife area shall be familiar with area-specific and general city-wide land use plans and policy objectives (e.g. *Concord-Alewife Plan, A Report of the Concord Alewife Planning Study*, November 2005; *Toward a Sustainable Future, Cambridge Growth Policy*, 1993, *Update*, 2007; Section 19.30 – Urban Design Objectives of this Zoning Ordinance) and shall demonstrate how their plan meets the spirit and intent of such documents in conjunction with the requirements of this Section 20.70 – Flood Plain Overlay District and Section 20.90 – Alewife Overlay Districts 1-6.

*The Site, located at 223 Concord Turnpike, is not included in the Concord-Alewife Planning Study map or the Concord-Alewife Plan, A Report of the Concord Alewife Planning Study, November 2005. Nonetheless, the Project is consistent with the broader aims of said Study and the relevant policy statements of Towards a Sustainable Future.*

*As set forth in Towards a Sustainable Future: List of Policy Statements and the Concord-Alewife Design Areawide Guidelines, the Project will encourage non-automobile mobility by creating a pleasant and safe pedestrian and bicycle environment and strengthening bicycle and pedestrian links to adjacent areas. The Project will also seek to utilize Low Impact Development (LID) principles in building and site design in addition to meeting the City, State, and Federal stormwater requirements. Some of the LID techniques used include pervious pavements, native plantings, vegetated swales and Rain Gardens. The Project will offer open space amenities in the form of three courtyards, a swimming pool area, and on-grade gardens to the residents, thereby providing more open space and outdoor recreational facilities to citizens of Cambridge.*

- 6) The requirement of Section 20.74(3) has been met.

*Compensatory flood storage has been designed to ensure the site's capacity to provide storage for floodwaters has not been decreased in accordance with The Massachusetts Wetlands Protection Act. This analysis has been performed for all flooding up to and including a 100-year flood event. This has been provided in the certified Drainage Report prepared by The BSC Group and submitted as part of the Conservation Commission Notice of Intent and referenced in the Cambridge Conservation Commission Order of Conditions (see **Appendix 8**).*

#### **C. 5.25.42 Criteria for Approval of Special Permit Regarding FAR**

Pursuant to Section 5.25.42 of the Ordinance, a special permit may be granted to a project in the Flood Plain Overlay District which excludes the floor area of an above ground

parking facility from Floor Area Ratio (FAR), provided that only the minimum number of parking spaces required for the uses on the site are provided. In granting such a special permit, the Planning Board shall make the following findings:

- 1) [T]he construction of a parking facility underground is (a) not technically feasible due to the requirements of the Massachusetts Wetlands Protection Act (M.G.L. ch. 131, s.40,) (b) would require construction that would violate requirements or limitations of the Massachusetts Wetlands Protection Act, (c) would, in the view of the Cambridge Conservation Commission, seriously compromise the wetlands protection objectives of the Massachusetts Wetlands Protection Act), and (d) would result in costs of construction that are significantly greater than would otherwise be typical for the location were it not in a flood hazard area; or
- 2) [not applicable]; and
- 3) The above ground facility is designed so as to reduce its actual or perceived bulk through, among other possible techniques, limiting the number of parking spaces it contains, placement of portions of the facility below grade where feasible, or its location relative to actively occupied portions of the construction. Construction above grade is discouraged that would increase the amount of impervious area on the lot.

*As described above, the Project includes the minimum number of required parking spaces. Because the Project is located entirely within the flood plain, an underground parking facility is not technically feasible, given the existing site topography. Construction of an underground parking facility would result in a loss of available flood storage within the floodplain. Given the site constraints (i.e. entirely within the floodplain and relatively flat topography), there is no available location to provide the required Compensatory Storage and therefore would violate the performance standards outlined in the Massachusetts Wetlands Protection Act, for work within a floodplain.*

*The Cambridge Conservation Commission approved the Project, including the above ground parking facility, in the Order of Conditions (DEP File Number 123-216) dated October 30, 2008 and recorded on November 21, 2008 at Book 51918 Page 271, implicitly recognizing that construction of an underground parking facility would seriously compromise the wetlands protection objectives of the Massachusetts Wetlands Protection Act, by reducing the site's capacity to provide required flood storage.*

*The parking garage is designed to accommodate the minimum number of parking spaces permitted by the Ordinance, and to comply otherwise with the minimum design criteria for parking facilities. In addition to minimizing the actual bulk of the facility, the parking will be completely enclosed, and vehicles will not be visible from the street or the Alewife Reservation. Active ground floor areas including the main entry/lobby, management offices, clubhouse fitness center and bicycle storage/repair facilities will screen parking at key locations from public view. Building the proposed above ground parking facility has also allowed CDP to avoid constructing any surface parking in the resource area buffer zones on Site and to decrease the amount of impervious area on the Project Site.*

#### **D. 17.42.3 Height**

Pursuant to Section 17.42.3 of the Ordinance, the Planning Board shall grant the requested Special Permit for height if the applicant demonstrates to the satisfaction of the Planning Board that the additional height will better serve the objectives of Section 17.40 to increase the amount of open space in the district and to limit the extent to which building and other hard surfaces cover the ground.

*The Ordinance permits height of up to 60 feet in Special District 4A by right and up to 90 feet for residential uses with a special permit. As described above, the parking for the Project cannot be constructed underground because of the existence of flood plain on the Site. The requested relief for a relatively minor increase in height is required because of the additional height added to the building by having the parking facility above ground. The alternative would be to construct surface parking areas in the buffer zones on Site. The additional 5 feet of height will not have an adverse impact on any abutter, users of the Alewife Reservation or anyone driving by on Route 2. Therefore, the additional height will better serve the objectives of Section 17.40 to increase the amount of open space in the District and to limit the extent to which building and other hard surfaces cover the ground.*

#### **E. 19.20 Project Review Special Permit**

In granting a Project Review Special Permit under Section 19.20 of the Ordinance, the Planning Board is required to make the following findings:

- 1) The Project will have no substantial adverse impact on city traffic within the study area as analyzed in the required traffic study.

*As described in the TIS, of the 69 total data entries for the Planning Board Criteria Performance Summary, none were directly exceeded by the Project. A total of 6 criteria were exceeded by virtue of the Project location, existing lack of handicap accessible routes for pedestrians and bicyclists, or by current conditions that exist with or without the Project. Overall, the Project is expected to result in increases to area road volumes of 1.0 percent or less which has a negligible effect on traffic operations. As described above, TPTD has certified the TIS for the Project.*

- 2) The Project is consistent with the urban design objectives of the city as set forth in Section 19.30 of the Ordinance.

*As described below, the Project conforms with the Citywide Urban Design Objectives set forth in Section 19.30 of the Ordinance.*

#### **F. 19.30 Citywide Urban Design Objectives**

- 1) Pursuant to Section 19.31 of the Ordinance, new projects should be responsive to the existing or anticipated pattern of development. Indicators include:



(a) Heights and setbacks provide suitable transition to abutting or nearby residential zoning districts that are generally developed to low scale residential uses.

*There are no abutting or nearby residential uses. The heights and setbacks of the Project provide an appropriate transition from Route 2 to the abutting Cambridge Development Park commercial uses. The Project complies with the front yard setback for the Parkway Overlay District as well as the bulk control plane requirements. In addition, the moderate height of the proposed building and the proposed setback in the rear of the building provide an appropriate transition to and from the Alewife Reservation.*

*The more streamlined urban character of the Concord Turnpike elevation appropriately contrasts with the more articulated and smaller-scaled Alewife Reservation elevation that is centered on the three distinct courtyards facing the reservation.*

(b) New buildings are designed and oriented on the lot so as to be consistent with the established streetscape on those streets on which the project lot abuts. Streetscape is meant to refer to the pattern of building setbacks and heights in relationship to public streets.

*The Project is oriented on the Site so as to be consistent with, in fact, to improve the existing streetscape of Concord Turnpike (Route 2). In accordance with Section 20.64.1, the Project will be oriented toward Concord Turnpike and will provide a minimum of twenty-five (25) feet of front yard area. This setback is consistent with the abutting Cambridge Gateway Inn. In compliance with the Ordinance, but differing from existing neighboring properties, the parking for the Project will be concealed from view and Green Area Open Space will be created in the front yard.*

(c) In mixed-use projects, uses are to be located carefully to respect the context, e.g. retail should front onto a street, new housing should relate to any adjacent existing residential use, etc.

*The Project is not a mixed-use project. Nonetheless, the orientation of the Project balances the needs of residents with the visual and safety concerns of passersby. The Project is thoughtfully located to present an animated Concord Turnpike elevation that includes both the lobby and leasing offices as well as clubhouse fitness facilities, along with lush landscaping and visitor parking to activate the entry courtyard and provide an improved streetscape. Private outdoor amenities for residents are located in the rear of the building facing the Alewife Reservation.*

(d) Where relevant, historical context are respected, e.g. special consideration should be given to buildings on the site or neighboring buildings that are preferably preserved.

*There are no neighboring historic buildings or buildings that are preferably preserved on or adjacent to the Site.*

- 2) Pursuant to Section 19.32 of the Ordinance, development should be pedestrian and bicycle-friendly, with a positive relationship to its surroundings. Indicators include:

(a) Ground floors, particularly where they face public streets, public parks, and publicly accessible pathways, consist of spaces that are actively inhabited by people, such as retail stores, consumer service businesses and restaurants where they are allowed, or general office, educational or residential uses and building lobbies. Windows and doors that normally serve such inhabited spaces are encouraged to be a prominent aspect of the relevant building facades. Where a mix of activities are accommodated in a building, the more active uses are encouraged facing public streets, parks and pathways.

*The ground floor of the proposed building will include active residential uses. The main entrance to the building will be a two-story glass entryway facing Concord Turnpike. The ground-level parking facility will be hidden from view by the entry lobby, leasing offices, clubhouse fitness center, bicycle storage/repair facilities and a mixture of glass and metal louvers and accompanying landscaping measures. The rear elevation includes a pedestrian entrance from the bike and walking trail and a mix of louvered infill panels and layered landscaping will screen cars from the Alewife Reservation.*

In commercial districts, such active space consists of retail and consumer service stores and building lobbies that are oriented toward the street and encourage pedestrian activity on the sidewalk. However, in all cases such ground floor spaces should be occupied by uses (a) permitted in the zoning district within which the building is located, (b) consistent with the general character of the environment within which the structure is located, and (c) compatible with the principal use for which the building is designed.

*The ground floor of the Project will be occupied by uses that are permitted in Special District 4A, that are consistent with the neighboring environment, and are compatible with the principal use for which the primary residential use of the building, including a glass-enclosed two-story lobby, leasing office, clubhouse fitness center and bicycle storage/repair facilities.*

(b) Covered parking on the lower floors of a building and on-grade open parking, particularly where located in front of a building, is discouraged where a building faces a public street or public park, and publicly accessible pathways.

*The Project is designed with an enclosed parking facility because the nature of the Site and its location within the Flood Plain Overlay District makes underground accessory parking impracticable. The accessory parking facility is designed to minimize the visibility of the parking area from Concord Turnpike and the Alewife Reservation. Only seven (7) well-screened entry courtyard parking spots are provided for visitors in the front of the building. The Project will include landscaping to screen the seven (7) surface parking spaces from the Concord Turnpike.*

(c) Ground floors should be generally 25-50% transparent. The greatest amounts of glass would be expected for retail uses with lesser amounts for office, institutional or residential use.

*The architectural treatment of the ground floor facing Concord Turnpike is approximately 40% glass, enclosing a two-story lobby and adjacent leasing office, fitness*

*center and portions of the parking garage. The sides and back of the Project will be screened by a louvered architectural treatment and landscape screening. The character of the Site suggests that the approach to transparency be adjusted to be compatible with the unique nature of the site. Clearly, the most glass and transparency is called for at the Route 2 entry courtyard to activate the space and reinforce a pedestrian-friendly facade. In contrast, the sides of the Site and especially the rear elevation facing the wetlands call for a more naturalistic approach to the transparency issues.*

(d) Entries to buildings are located so as to ensure safe pedestrian movement across streets, encourage walking as a preferred mode of travel within the city and to encourage the use of public transit for employment and other trips. Relating building entries as directly as possible to crosswalks and to pathways that lead to bus stops and transit stations is encouraged; siting buildings on a lot and developing site plans that reinforce expected pedestrian pathways over the lot and through the district is also encouraged.

*The main entrance to the project is located in an entry courtyard recessed about 45 feet from the face of the building closest to Concord Turnpike (Route 2) where the seven (7) surface parking spaces will be located. There will be no street to cross between the entry courtyard/parking spaces and the building entrance. CDP anticipates that the majority of pedestrian activity will occur to the rear of the Project by residents utilizing the bike and walking path network. As described above, subject to obtaining the necessary approvals and easements, the Project will include pathways across Cambridge Discovery Park, into the Alewife Reservation and to the Alewife MBTA station, which will provide tremendous commuting and recreational options for residents. The rear pedestrian entrance to the Project continues as a walkway through the garage connecting directly to the main building lobby along the Route 2 side of the Project.*

(e) Pedestrians and bicyclists are able to access the site safely and conveniently; bicyclists should have, secure storage facilities conveniently located on-site and out of the weather. If bicycle parking is provided in a garage, special attention must be [p]aid to providing safe access to the facilities from the outside.

*Pedestrians and bicyclists will be able to access the Project safely and conveniently. The Project provides enclosed (in the garage), secure, on-site parking for 114 bicycles. Four bicycle storage facilities are located near different entries around the parking garage to provide convenient bicycle access for all residents and encourage non-automotive transportation. The bicycle storage facilities are separate from the automobile parking area and have safe, direct access to the outside. Bicycle pump and repair facilities will also be provided for resident use. Additionally, several outdoor racks are provided near the entries to the building for short-term bicycle parking to encourage the use of bicycles for multiple trips throughout the day. In addition to the several bike storage facilities, the project will have a number of community bikes. These bikes, equipped with a master lock that can be unlocked by all residents that enroll in the program, will be available for both recreational and commuting purposes. Initially, some of the bikes will be left at the Alewife Train Station so that enrolled residents can have the opportunity to spontaneously take one and return to the complex.*

(f) Alternate means of serving this policy objective 19.32 through special building design, siting, or site design can be anticipated where the building form or use is distinctive such as freestanding parking structures, large institutional buildings such as churches and auditoriums, freestanding service buildings, power plants, athletic facilities, manufacturing plants, etc.

*The project complies with the policy objective 19.32.*

3) Pursuant to Section 19.33 of the Ordinance, the building and site design should mitigate adverse environmental impacts of a development upon its neighbors. Indicators include:

(a) Mechanical equipment that is carefully designed, well organized or visually screened from its surroundings and is acoustically buffered from neighbors. Consideration is given to the size, complexity and appearance of the equipment, its proximity to residential areas, and its impact on the existing streetscape and skyline. The extent to which screening can bring order, lessen negative visual impacts, and enhance the overall appearance of the equipment should be taken into account. More specifically:

- (i) Reasonable attempts have been made to avoid exposing rooftop mechanical equipment to public view from city streets. Among the techniques that might be considered is the inclusion of screens or a parapet around the roof of the building to shield low ducts and other equipment on the roof from view.
- (ii) Treatment of the mechanical equipment (including design and massing of screening devices as well as exposed mechanical elements) that relates well to the overall design, massing, scale and character of the building.
- (iii) Placement of mechanical equipment at locations on the site other than on the rooftop (such as in the basement), which reduces the bulk of elements located on the roof; however, at-grade locations external to the building should not be viewed as desirable alternatives.
- (iv) Tall elements, such as chimneys and air exhaust stacks, which are typically carried above screening devices for functioning reasons, are carefully designed as features of the building, thus creating interest on the skyline.
- (v) All aspects of the mechanical equipment have been designed with attention to their visual impact on adjacent areas, particularly with regard to residential neighborhoods and views and vistas.

*The Project is designed to minimize negative visual impacts on its surroundings and enhance the overall appearance of the existing streetscape and skyline. First and foremost, the Project significantly improves the appearance of the Site by demolishing the Existing Building. Minimal common area mechanical equipment will be located on the roof and will be located out of sight line. All unit HVAC is provided by mechanical equipment located within the units with the exception of the low-profile rooftop air-conditioning units which are located in the center of the building wings, out of view from the street and nearby open spaces. Several pieces of mechanical equipment are located in enclosed, out of sight, at-grade rooms and wall-mounted gas meters are appropriately located on the west and east sides of the building, away from the publicly accessible*

areas of the site on the north side (Concord Turnpike) and south side (Alewife Reservation).

(b) Trash that is handled to avoid impacts (noise, odor, and visual quality) on neighbors, e.g. the use of trash compactors or containment of all trash storage and handling within a building is encouraged.

*The trash/recycling storage and handling for the Project is contained within the building to avoid noise, odor, and visual impacts on the neighbors and building residents. Centralized trash and recycling rooms are provided on each floor of the building and a main trash/recycling room is provided at the parking level to offer convenience for the residents and to minimize impacts on the neighboring properties. In compliance with the Ordinance, no refuse storage areas are located in the front yard or anywhere on-grade outside of the building.*

(c) Loading docks that are located and designed to minimize impacts (visual and operational) on neighbors.

*The Project is 100% residential and does not require a loading facility.*

(d) Stormwater Best Management Practices and other measures to minimize runoff and improve water quality are implemented.

*The Project implements stormwater Best Management Practices and other measures to minimize runoff and improve water quality. The Project is defined as a redevelopment project under the Rivers Protection Act provisions of the Wetlands Protection Act and as such, has been designed to meet the applicable provisions of the Stormwater Management Standards to the maximum extent practicable. The project has incorporated Low Impact Development (LID) design features into the overall Stormwater Management design of the site, including a reduction in impervious surfaces, a hydrodynamic separator stormwater unit (VortSentry HS), vegetated/stone-lined swales, deep sump/hooded drainage structures and two bio-retention areas. The stormwater management system provides attenuation of the peak runoff rates from the 2, 10, 25 and 100-year, 24-hour storm events and increased TSS removal for the proposed redevelopment.*

*As described above, the stormwater management design for the Project has been approved by the Cambridge Conservation Commission pursuant to the Order of Conditions, (Appendix 8).*

(e) Landscaped areas and required Green Area Open Space, in addition to serving as visual amenities, are employed to reduce the rate and volume of stormwater runoff compared to pre-development conditions.

*The Project has incorporated Low Impact Development (LID) design features into the overall Stormwater Management design of the site, including a reduction in impervious*

*surfaces and natural, landscape stormwater treatment options such as vegetated/stone-lined swales and two bio-retention areas. As described above, the stormwater management design for the Project has been approved by the Cambridge Conservation Commission pursuant to the Order of Conditions.*

(f) The structure is designed and sited to minimize shadow impacts on neighboring lots, especially shadows that would have a significant impact on the use and enjoyment of adjacent open space and shadows that might impact the operation of a Registered Solar Energy System as defined in Section 22.60 of the Ordinance.

*The siting of the project close to the Concord Turnpike creates open space on the south side of the site thereby minimizing shadows to the adjacent properties including the Alewife Reservation.*

(g) Changes in grade across the lot are designed in ways that minimize the need for structural retaining walls close to property lines.

*Changes in grade across the lot are minimized. There are no retaining walls close to property lines.*

(h) Building scale and wall treatment, including the provision of windows, are sensitive to existing residential uses on adjacent lots.

*There is no existing residential use on adjacent lots. However, the building scale is broken down through a series of bays, balconies and detailed architectural features to create a more intimate and residential scale.*

(i) Outdoor lighting is designed to provide minimum lighting and necessary to ensure adequate safety, night vision, and comfort, while minimizing light pollution.

*Architectural lighting will be designed to minimize light pollution. The glass entrance at the Concord Turnpike will provide a soft “glow” to the entry courtyard, accenting the safety and pedestrian lighting around the project. Architectural lighting will be used to illuminate key features of the building roofline. Pedestrian lighting along the paths will provide safe lighting without negatively impacting the Reservation.*

(j) The creation of a Tree Protection Plan that identifies important trees on the site, encourages their protection, or provides for adequate replacement of trees lost to development on the site.

*The Project is a redevelopment of an existing site which is currently almost entirely covered with the Existing Building and paved surfaces. Plans were submitted to the City of Cambridge Arborist on November 17, 2010.*

- 4) Pursuant to Section 19.34 of the Ordinance, projects should not overburden the City infrastructure services, including neighborhood roads, city water supply system, and sewer system. Indicators include:

(a) The building and site design are designed to make use of water-conserving plumbing and minimize the amount of stormwater run-off through the use of best management practices for stormwater management.

*As described above, the Project's stormwater management system has been designed to incorporate best management practices and has been approved by the Cambridge Conservation Commission. Water-conserving plumbing fixtures will be installed in each residence, and water is submetered so that residents are aware of their own usage.*

(b) The capacity and condition of drinking water and wastewater infrastructure systems are shown to be adequate, or the steps necessary to bring them up to an acceptable level are identified.

#### Sanitary Sewer Service Infrastructure

*Based on the current design, there are a total of 298 bedrooms (156 – studio/1 BR & 71 - 2 BRs) resulting in 32,780 gallons per day (gpd) of sewer flows based on the Massachusetts Title 5 of the State Environmental Code (Title 5) regulations, 310 CMR 15 calculations. Because sewer flows will be below the 50,000-gpd threshold, the Project will not require a Sewer Connection Permit from DEP, but will be required to provide DEP a Connection Certification within 60 days of the project being connected into the system.*

*The project's sewerage will be discharged via a new 8" sanitary sewer main located in Concord Turnpike. This new main will run east to the existing utility easement located on the Martignetti property. A new 8" sanitary sewer line will also be installed through the easement and will connect to the recently upgraded sanitary system at the Cambridge Discovery Park Project. This system ultimately connects to the municipal pump station located on the Cambridge Discovery Park property. The pump station is currently under construction as part of the Discovery Park Project and is anticipated to be conveyed to the City of Cambridge in the next couple of years. This system is completely separate from the storm drainage system, thereby meeting the requirement of eliminating combined sanitary/storm sewer systems.*

*In addition to the typical sanitary sewer connection, the City of Cambridge requires developments in this area to provide an on-site sewerage storage tank for use during significant rainfall storm events. The storage tank, located within the footprint of the building, provides approximately 24-hour storage, which equates to a 32,780 gallon tank. This system will be connected to the City's remote monitoring system that will activate when the CSO pump activates at the pumping station. When the peak subsides, the wastewater will be released by the City. In the event of an unusually long storm event, the system is also equipped with an overflow, should the 32,780 gallon on-site capacity be exceeded.*

*The Cambridge Department of Public Works has indicated that the existing sanitary system, with the known proposed and on-going system upgrades (i.e. new pump station, piping replacements described above) has the capacity to handle the Project's sewerage discharges.*

Water Service Infrastructure

*The current water supply to the Faces site and adjacent properties is provided by a 6” water main that was previously identified in 2005 by Cassandra A. Koutalidis, P.E., Manager of Engineering and Program Development for the Cambridge Water Department as “very turberculated”. The City of Cambridge Water Department (“CWD”) also reported that a hydrant previously located at the end of the water main was taken out of service due to low water pressure.*

*In response to the current conditions and to serve the Project, the Applicant will be upgrading approximately 1,300 linear feet of existing 6” CWD water main currently located along Route 2 and within the adjacent Martignetti and Cambridge Discovery Park properties. Additionally, the Project will replace the existing 6” CWD water main connecting from Acorn Park Drive to Cambridgepark Drive to complete a looped system that will better serve the recent and anticipated redevelopments in the immediate area. The Applicant will continue to work with the CWD to determine the final water main replacement lengths and locations. The proposed water main loop will be 10” cement lined ductile iron (DICL) pipe. The Project will be served by an 8” DICL loop from Route 2, through the Martignetti property, to the system on the Discovery Park property and ultimately completing the loop to Acorn Park Drive. From this line, the building services are anticipated to be two (2) redundant 4” domestic service and a 6” fire protection service. The fire protection system design will be coordinated with the City Fire Chief.*

*The Project will require approximately 36,000 gallons per day for its domestic water demands. The CWD has indicated that the existing water supply system, with the proposed system upgrades (i.e. piping replacements and completion of the Project areas water loop described above) has the capacity to handle the Project’s proposed domestic and fire protection services.*

(c) Buildings are designed to use natural resources and energy resources efficiently in construction, maintenance, and long-term operation of the building, including supporting mechanical systems that reduce the need for mechanical equipment generally and its location on the roof of a building specifically. The buildings are sited on the lot to allow construction on adjacent lots to do the same. Compliance with Leadership in Energy and Environmental Design (LEED) certification standards and other evolving environmental efficiency standards is encouraged.

*The project will seek certification under the Energy Star Home program, the US Green Building Standard and LEED-Homes. Please see an overview of the Project’s LEED compliance in **Appendix 7**.*

- 5) Pursuant to Section 19.35 of the Ordinance, new construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically. Indictors include:



(a) New educational institutional construction that is focused within the existing campuses.

*N/A to the Project.*

(b) Where institutional construction occurs in commercial areas, retail, consumer service enterprises, and other uses that are accessible to the general public are provided at the ground (or lower) floors of buildings. Where such uses are not suitable for programmatic reasons, institutional uses that encourage active pedestrian traffic to and from the site.

*N/A to the Project.*

(c) In large, multiple-building non-institutional developments, a mix of uses, including publicly accessible retail activity, is provided where such uses are permitted and where the mix of uses extends the period of time the area remains active throughout the day.

*N/A to the Project.*

(d) Historic structures and environments are preserved.

*N/A to the Project.*

(e) Preservation or provision of facilities for start-up companies and appropriately scaled manufacturing activities that provide a wide diversity of employment paths for Cambridge residents as a component of the development; however, activities heavily dependent on trucking for supply and distribution are not encouraged.

*N/A to the Project.*

6) Pursuant to Section 19.36 of the Ordinance, expansion of the inventory of housing in the city is encouraged. Indicators include:

(a) Housing is a component of any large, multiple building commercial development. Where such development abuts residential zoning districts substantially developed to low-scale residential uses, placement of housing within the development such that it acts as a transition/buffer between uses within and without the development.

(b) Where housing is constructed, providing affordable units exceeding that mandated by the Ordinance. Targeting larger family-sized middle income units is encouraged.

*The Project is 100% residential, and will add 227 additional residential dwelling units to the housing inventory of the City. A range of unit types are provided, of which 31% will be 2 bedroom units. The Project will include affordable units in compliance with the Ordinance.*

7) Pursuant to Section 19.37 of the Ordinance, enhancement and expansion of open space amenities in the city should be incorporated into new development in the city. Indicators include:

(a) On large-parcel commercial developments, publicly beneficial open space is provided.

(b) Open space facilities are designed to enhance or expand existing facilities or to expand networks of pedestrian and bicycle movement within the vicinity of the development.

(c) A wider range of open space activities than presently found in the abutting area is provided.

*The Project enhances and expands open space amenities in the City. The outdoor courtyard spaces and pool area will provide outdoor recreation areas for the residents, and on-grade landscaping, including a rain garden, is consistent with and enhances the adjacent Alewife Reservation. In addition, the bike and walking trail along the south side of the project site is a continuation of the extensive bike and trail system around the Alewife Reservation.*

*The planting strategy for the site is to utilize drought tolerant native or adapted species along the perimeter of the property and to transition to a blend of native and hardy ornamental materials closer to the building. The courtyards and entry plaza will be planted with primarily ornamental grasses and flowering perennials as the understory layer with a few shade trees and flowering trees comprising the canopy layer. The arrangement of plant materials throughout the site is intended to create a visually dynamic composition which enhances and is deferential to the large natural area that borders the site to the south. All irrigated planting areas will employ efficient drip tubing.*

#### **IV. CONCLUSION**

As described above, the Project is appropriate to the Site and surroundings. It provides needed additional housing, including affordable housing, to the City's housing stock. The Project has a minimal transportation impact on the area roadways, enhances adjacent properties and, overall, the entrance to Cambridge along Route 2. Finally, the Project will get rid of an eyesore that has been universally despised for more than 20 years. The Project will protect and enhance the Alewife Reservation and existing open space and natural resource areas and will improve pedestrian and bicycle circulation and safety in the area. In short, the Project furthers the objectives of the Zoning Ordinance and applicable planning studies of the area in several significant ways. Accordingly, for the reasons set forth above, CDP respectfully requests that the Board find that the Project satisfies all applicable requirements of the Ordinance in connection with the granting of the requested Special Permits.

**Residences at Alewife  
223 Concord Turnpike  
Noise Narrative**

The Project will comply with the requirements of the Noise Control Ordinance of the City of Cambridge (Chapter 8.16).

The proposed building is entirely residential and is not anticipated to generate any noise disturbances to abutting properties.

Acoustically designed walls and windows will be used to prevent any negative impacts on the residents from Route 2 traffic noise. All rooftop equipment for the proposed building will be designed in order to prevent noise from transmitting into the residential units below by locating them over corridors and not directly over the residential units.

Noise generated by construction will be consistent with typical urban redevelopments and construction. The Project will conform to all local, state and federal requirements for controlling noise during construction.



North Elevation (Route 2)



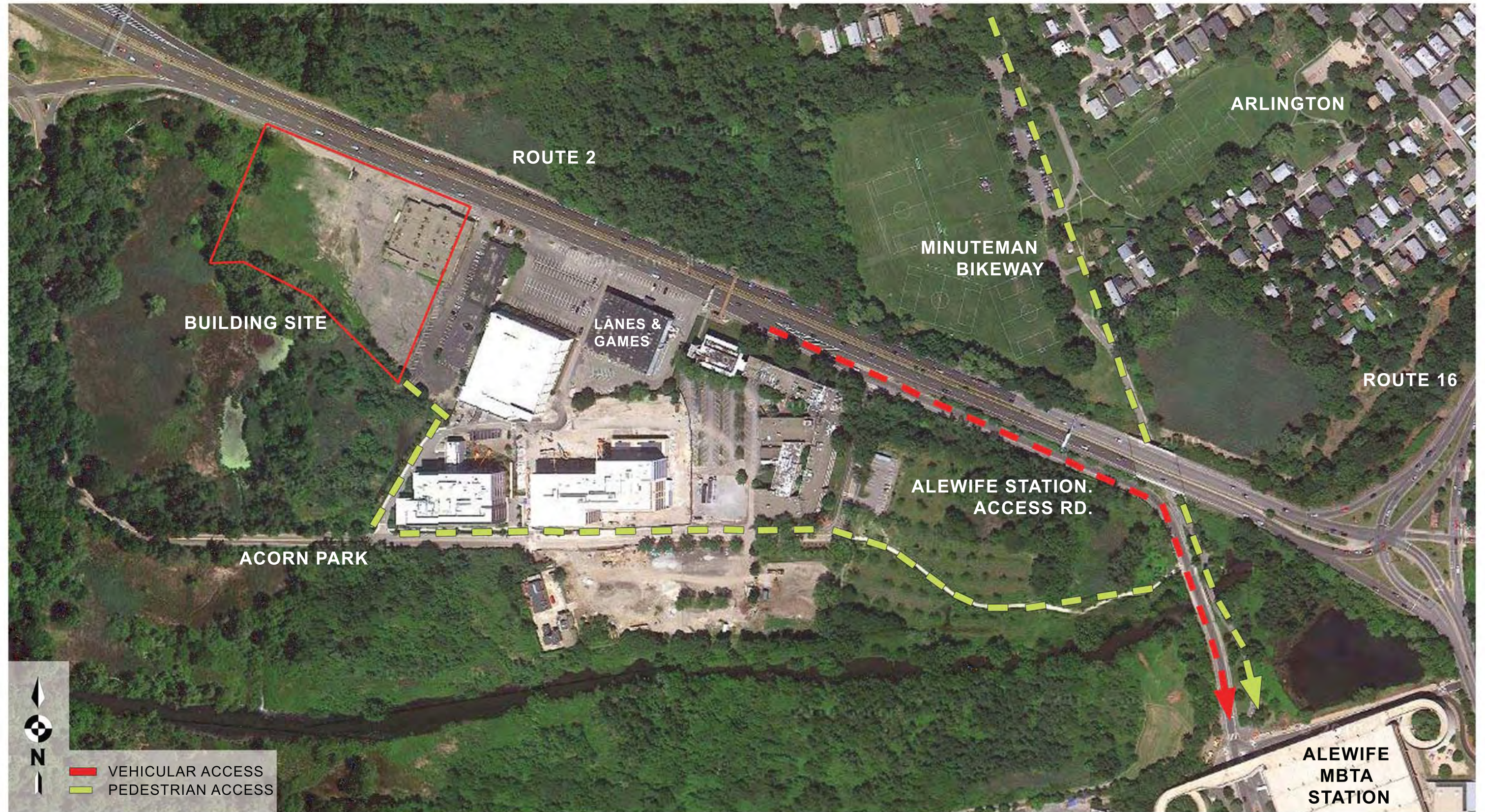
West Elevation



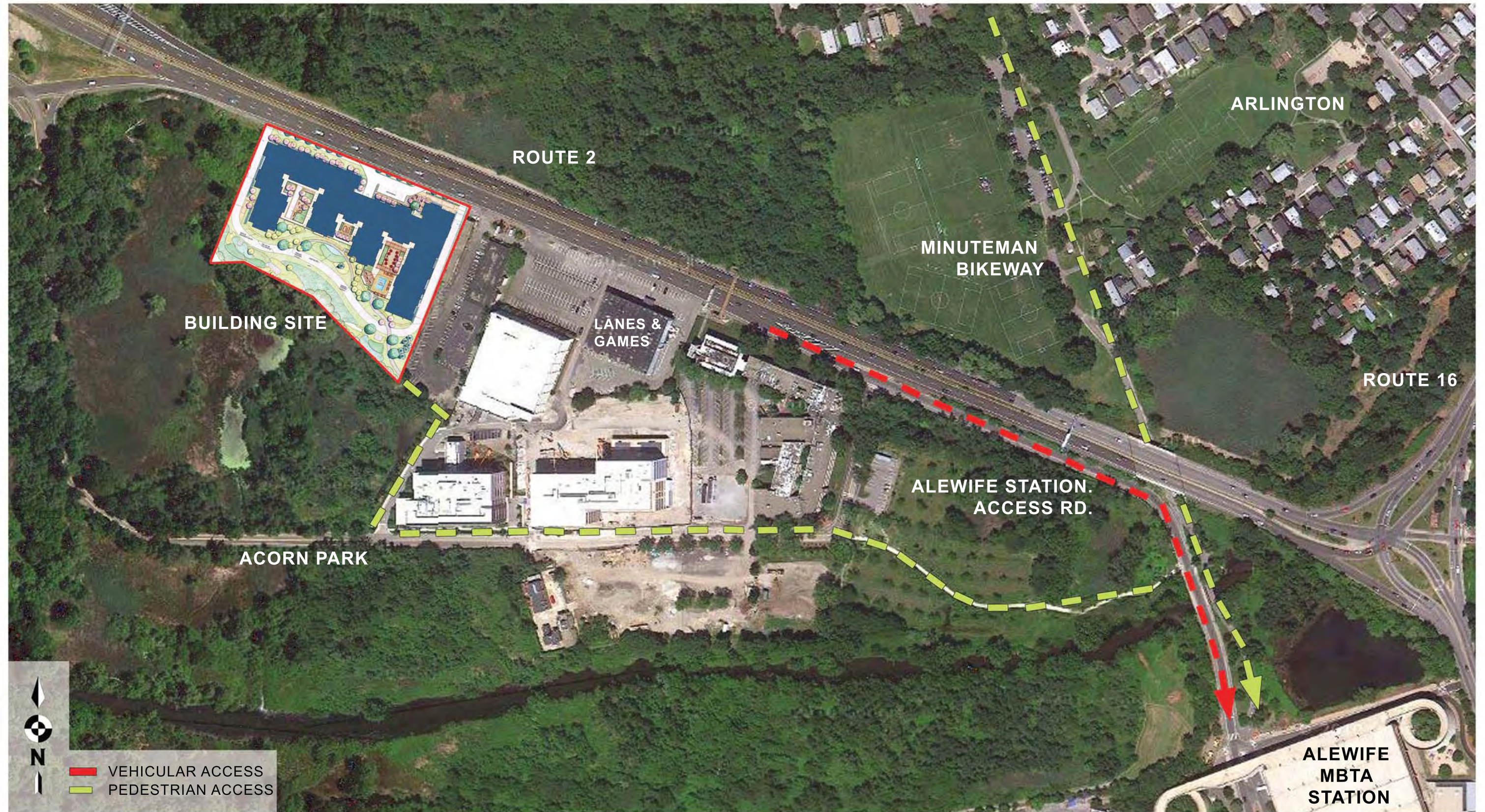
South Elevation (Wetlands)



East Elevation



Existing Building Site With Context



Proposed Building Site With Context



Surrounding Context and Connectivity



ROUTE 2 CONCORD TURNPIKE

CONCRETE SIDEWALK

PROPERTY LINE

CONCRETE SIDEWALK

LAWN

VISITOR PARKING

BENCH  
BIKE RACKS (STORAGE FOR 6)  
UNIT PAVER ENTRY PLAZA

LATTICE SCREEN FENCE  
WITH VINE PLANTING  
UNIT PAVER  
MOVE-IN AREA

EVERGREEN SHRUBS  
FIRE LANE,  
SEE CIVIL DRAWINGS

PROPOSED PARKING  
LOT IMPROVEMENTS  
BY OTHERS

PROPOSED LANDSCAPING  
BY OTHERS

EVERGREEN SHRUBS  
DRIFTS OF ORNAMENTAL  
GRASSES

PROPOSED PARKING  
LOT IMPROVEMENTS  
BY OTHERS

UTILITY / PEDESTRIAN  
EASEMENT  
WALK/ BIKE PATH

Criterion  
Development  
Partners  
1102 Taylor Pond Lane  
Bedford, MA 01730

Shadley Associates  
Landscape Architects / Site Planning Consultants  
1730 Massachusetts Ave. • P 781.652.8809  
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www.shadleyassociates.com



The Residences  
at Alewife  
Cambridge, Massachusetts

ISSUED FOR PERMITTING  
NOT FOR CONSTRUCTION

SA PROJECT NUMBER:  
10100.0.00

SCALE: 1" = 20'-0"

DRAWN BY: IR / US

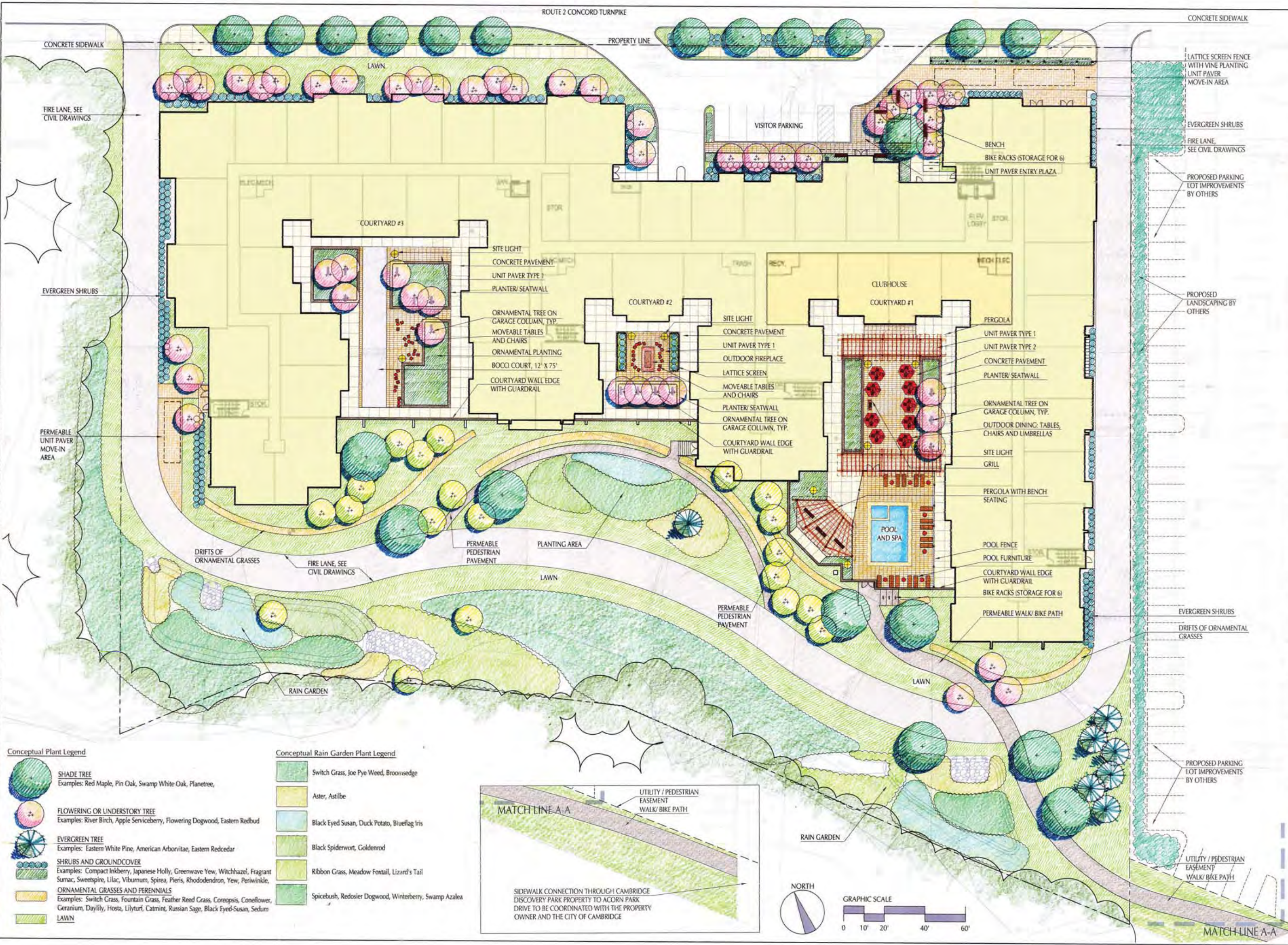
REVIEWED BY: JPS

DATE:  
DECEMBER 20, 2010

SHEET TITLE:  
LANDSCAPE PLAN

SHEET NUMBER:

L-1

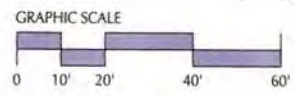
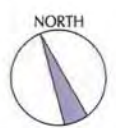
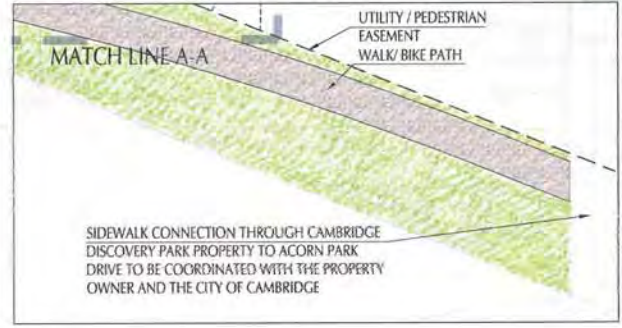


Conceptual Plant Legend

- SHADE TREE**  
Examples: Red Maple, Pin Oak, Swamp White Oak, Planetree,
- FLOWERING OR UNDERSTORY TREE**  
Examples: River Birch, Apple Serviceberry, Flowering Dogwood, Eastern Redbud
- EVERGREEN TREE**  
Examples: Eastern White Pine, American Arborvitae, Eastern Redcedar
- SHRUBS AND GROUNDCOVER**  
Examples: Compact Inkberry, Japanese Holly, Greenwave Yew, Witchhazel, Fragrant Sumac, Sweetspire, Lilac, Viburnum, Spirea, Pieris, Rhododendron, Yew, Periwinkle,
- ORNAMENTAL GRASSES AND PERENNIALS**  
Examples: Switch Grass, Fountain Grass, Feather Reed Grass, Coreopsis, Coneflower, Geranium, Daylily, Hosta, Lilyturf, Calmint, Russian Sage, Black Eyed-Susan, Sedum
- LAWN**

Conceptual Rain Garden Plant Legend

- Switch Grass, Joe Pye Weed, Broomsedge
- Aster, Astilbe
- Black Eyed Susan, Duck Potato, Blueflag Iris
- Black Spiderwort, Goldenrod
- Ribbon Grass, Meadow Foxtail, Lizard's Tail
- Spicebush, Redosier Dogwood, Winterberry, Swamp Azalea



**Residences at Alewife  
223 Concord Turnpike  
Existing Conditions Photographs**



From Rear of Site



From Route 2/Concord Turnpike (west bound lane looking east)

*Existing Conditions Photographs (continued)*



Aerial looking South



Existing dilapidated building

*Existing Conditions Photographs (continued)*



Photos from within the site looking west



Photo from within the site looking south

*Existing Conditions Photographs (continued)*



Looking toward building from Cambridge Discovery Park  
(at point of proposed pedestrian connection)



Southerly Vegetated Buffer to remain undisturbed

December 20th, 2010

**CDP CAMBRIDGE ALEWIFE**  
CAMBRIDGE, MA



Spring/Fall 9AM

Shadow Studies

360 Merrimack Street Building 5 / Floor 3 Lawrence, MA  
978.989.9900 www.cube3studio.com



December 20th, 2010

# CDP CAMBRIDGE ALEWIFE

CAMBRIDGE, MA



Spring/Fall 12PM

Shadow Studies

360 Merrimack Street Building 5 / Floor 3 Lawrence, MA  
978.989.9900 www.cube3studio.com



December 20th, 2010

**CDP CAMBRIDGE ALEWIFE**  
CAMBRIDGE, MA



Spring/Fall 3PM

Shadow Studies

360 Merrimack Street Building 5 / Floor 3 Lawrence, MA  
978.989.9900 www.cube3studio.com





December 20th, 2010



Summer 9AM

Shadow Studies

360 Merrimack Street Building 5 / Floor 3 Lawrence, MA  
978.989.9900 www.cube3studio.com



December 20th, 2010

# CDP CAMBRIDGE ALEWIFE

CAMBRIDGE, MA



Summer 12PM

Shadow Studies

360 Merrimack Street Building 5 / Floor 3 Lawrence, MA  
978.989.9900 www.cube3studio.com



December 20th, 2010

# CDP CAMBRIDGE ALEWIFE

CAMBRIDGE, MA



Summer 3PM

Shadow Studies

360 Merrimack Street Building 5 / Floor 3 Lawrence, MA  
978.989.9900 www.cube3studio.com



December 20th, 2010

# CDP CAMBRIDGE ALEWIFE

CAMBRIDGE, MA



Winter 9AM

Shadow Studies

360 Merrimack Street Building 5 / Floor 3 Lawrence, MA  
978.989.9900 www.cube3studio.com



December 20th, 2010



Winter 12PM

Shadow Studies

360 Merrimack Street Building 5 / Floor 3 Lawrence, MA  
978.989.9900 www.cube3studio.com



December 20th, 2010

**CDP CAMBRIDGE ALEWIFE**  
CAMBRIDGE, MA



Winter 3PM

Shadow Studies

360 Merrimack Street Building 5 / Floor 3 Lawrence, MA  
978.989.9900 www.cube3studio.com



# ELEVATION CERTIFICATE

OMB No. 1660-0008  
Expires March 31, 2012

Important: Read the instructions on pages 1-9.

## SECTION A - PROPERTY INFORMATION

<b>SECTION A - PROPERTY INFORMATION</b>		<b>For Insurance Company Use:</b>
A1. Building Owner's Name <u>CPC-T, L.P.</u>		Policy Number
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. <u>223, 225 &amp; 231 Concord Avenue</u>		Company NAIC Number
City <u>Cambridge</u>	State <u>MA</u>	ZIP Code <u>02140</u>
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) <u>267.1-270 / 267.1-269 / 267.1-268</u>		
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>Residential</u>		
A5. Latitude/Longitude: Lat. <u>42°23'58.06"N</u> Long. <u>71°09'01.32"W</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983		
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.		
A7. Building Diagram Number <u>7</u>		
A8. For a building with a crawlspace or enclosure(s):		A9. For a building with an attached garage:
a) Square footage of crawlspace or enclosure(s) <u>82,000</u> sq ft		a) Square footage of attached garage _____ sq ft
b) No. of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>45</u>		b) No. of permanent flood openings in the attached garage within 1.0 foot above adjacent grade _____
c) Total net area of flood openings in A8.b <u>100,500</u> sq in		c) Total net area of flood openings in A9.b _____ sq in
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No

## SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number <u>25017C0419E</u>		B2. County Name <u>Middlesex</u>		B3. State <u>MA</u>	
B4. Map/Panel Number <u>0419</u>	B5. Suffix <u>E</u>	B6. FIRM Index Date <u>June 4, 2010</u>	B7. FIRM Panel Effective/Revised Date <u>June 4, 2010</u>	B8. Flood Zone(s) <u>AE</u>	B9. Base Flood Elevation(s) (Zone AO, use base flood depth) <u>7.4</u>
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9. <input checked="" type="checkbox"/> FIS Profile <input type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other (Describe) _____					
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other (Describe) _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

## SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on:  Construction Drawings\*  Building Under Construction\*  Finished Construction  
\*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO. Complete Items C2.a-h below according to the building diagram specified in Item A7. Use the same datum as the BFE.  
Benchmark Utilized MCR16 Vertical Datum NAVD 1988  
Conversion/Comments \_\_\_\_\_

		Check the measurement used.	
a) Top of bottom floor (including basement, crawlspace, or enclosure floor)	<u>9.0</u> <input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)	
b) Top of the next higher floor	<u>21.0</u> <input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)	
c) Bottom of the lowest horizontal structural member (V Zones only)	<u>7.8</u> <input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)	
d) Attached garage (top of slab)	<u>N/A</u> <input type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)	
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)	<u>4.0</u> <input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)	
f) Lowest adjacent (finished) grade next to building (LAG)	<u>3.5</u> <input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)	
g) Highest adjacent (finished) grade next to building (HAG)	<u>9.0</u> <input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)	
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support	<u>3.5</u> <input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)	

## SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Check here if comments are provided on back of form. Were latitude and longitude in Section A provided by a licensed land surveyor?  Yes  No

Certifier's Name <u>Stephen P. Martorano, P.E.</u>		License Number <u>45942</u>	
Title <u>Associate/Project Manager</u>	Company Name <u>BSC Group</u>		
Address <u>15 Elkins Street</u>	City <u>Boston</u>	State <u>MA</u>	ZIP Code <u>02127</u>
Signature _____	Date <u>12/17/2010</u>	Telephone <u>617-896-4300</u>	



<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			For Insurance Company Use:
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 223, 225 & 231 Concord Avenue			Policy Number
City Cambridge	State MA	ZIP Code 02140	Company NAIC Number

**SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)**

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments

Signature \_\_\_\_\_ Date \_\_\_\_\_  Check here if attachments

**SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)**

For Zones AO and A (without BFE), complete Items E1-E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1-E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
- a) Top of bottom floor (including basement, crawlspace, or enclosure) is \_\_\_\_\_ feet  meters  above or  below the HAG.  
b) Top of bottom floor (including basement, crawlspace, or enclosure) is \_\_\_\_\_ feet  meters  above or  below the LAG.
- E2. For Building Diagrams 6-9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 8-9 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is \_\_\_\_\_ feet  meters  above or  below the HAG.
- E3. Attached garage (top of slab) is \_\_\_\_\_ feet  meters  above or  below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is \_\_\_\_\_ feet  meters  above or  below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance?  Yes  No  Unknown. The local official must certify this information in Section G.

**SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION**

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. *The statements in Sections A, B, and E are correct to the best of my knowledge.*

Property Owner's or Owner's Authorized Representative's Name BSC Group - Stephen P. Martorano, P.E.

Address 15 Elkins Street City Cambridge State MA ZIP Code 02140

Signature \_\_\_\_\_ Date 12/17/2010 Telephone 617-896-4300

Comments

Check here if attachments

**SECTION G - COMMUNITY INFORMATION (OPTIONAL)**

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8 and G9.

- G1.  The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2.  A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3.  The following information (Items G4-G9) is provided for community floodplain management purposes.

G4. Permit Number	G5. Date Permit Issued	G6. Date Certificate Of Compliance/Occupancy Issued
-------------------	------------------------	---

- G7. This permit has been issued for:  New Construction  Substantial Improvement
- G8. Elevation of as-built lowest floor (including basement) of the building \_\_\_\_\_ feet  meters (PR) Datum \_\_\_\_\_
- G9. BFE or (in Zone AO) depth of flooding at the building site \_\_\_\_\_ feet  meters (PR) Datum \_\_\_\_\_
- G10. Community's design flood elevation \_\_\_\_\_ feet  meters (PR) Datum \_\_\_\_\_

Local Official's Name \_\_\_\_\_ Title \_\_\_\_\_

Community Name \_\_\_\_\_ Telephone \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Comments

Check here if attachments



**Memorandum**

DATE: 8 DECEMBER 2010

**Project: The Residences at Alewife – 230 Concord Turnpike (Route 2)**

To: Criterion Development Partners  
1102 Taylor Pond Lane  
Bedford, MA 01730

From: Doug Carr  
Project Manager  
CUBE 3 Studio, LLC

Criterion Team:

This Memo is intended to be a summary of the approach to LEED for the Residences at Alewife project, using the LEED for Homes Multifamily Midrise rating system.

**Background**

LEED for homes is an initiative designed to promote the transformation of the mainstream homebuilding industry toward more sustainable practices. By recognizing sustainable design and construction in homes nationwide, LEED for Homes helps home builders differentiate their homes as some of the best homes in their markets, using a recognized national brand.

The LEED for Homes Rating System was originally designed for single family and low rise multi-family residential development. As the program has grown, residential projects in the 4 to 6-story category have shown an interest in using the LEED for Homes criteria. In order to address this market sector, USGBC developed LEED for Homes Multifamily Midrise Guidance, to better address this project type.

**Rating System**

The LEED for Homes Rating System measures the overall performance of a home in eight categories:

1. **Innovation & Design Process.** Special design methods, unique regional credits, measures not currently addressed in the Rating System and exemplary performance levels.
2. **Location and Linkages.** The placement of homes in socially and environmentally responsible ways in relation to the larger community.
3. **Sustainable Sites.** The use of the entire property so as to minimize the project's impact on the site.
4. **Water Efficiency.** Water-efficient practices, both indoor and outdoor.
5. **Energy and Atmosphere.** Energy efficiency, particularly in the building envelope and heating and cooling system.

6. **Materials and Resources.** Efficient utilization of materials, selection of environmentally preferable materials, and minimization of waste during construction.
7. **Indoor Environmental Quality.** Improvement of indoor air quality by reducing the creation of and exposure to pollutants.
8. **Awareness and Education.** The education of a homeowner, tenant, and/or building manager about the operation and maintenance of the green features of a LEED home.

The checklist for LEED for Homes Mid-rise Projects is much more extensive than in past iterations, taking into account much more of the surrounding site and neighborhood context. This approach makes sense, as a LEED certified project that is an island of green development with no connectivity on a pristine, undeveloped site is not very green.

Categories of compliance for LEED for Homes Mid-rise (Note that these numbers have been adjusted to account for the average unit size of the project; the smaller the average Unit SF, the fewer points are needed to achieve each level of certification. The residences at Alewife achieved a home size adjustment of -3 points, meaning that all categories below have been reduced by three points from the base certification number).

- **Certified** – 42 Points
- **Silver** – 57 Points
- **Gold** – 72 Points
- **Platinum** – 87 Points

### Initial Assessment by Category

#### 1. Innovation & Design Process (Max 11 points)

- Possible points: Professional Credentialed for LEED for Homes; Hosting a pre-DD Design Charrette with the entire design team; Pre-Construction Green Trade training for 8 hours for all plumbing, mechanical and insulation subs; 90% of south-facing glazing shaded in summer, unshaded in winter; durability planning, durability management in construction, and provide a third-party durability verification.
- Not possible: Building orientation for solar design (different glazing on east & west vs. north & south; project east-west axis is not within 15 degrees of true east-west).

#### 2. Location and Linkages (Max 10 Points)

- Possible points: Site aspects such as infill development (75% of site bordering previously developed land) and previously existing infrastructure, community resources (stores and services within ½ mile from site), access to open space, site stewardship (building a density of 80 units/buildable acre).
- Not possible: Brownfield, additional Community Resources (many stores and community services are more than ½ mile from site).

#### 3. Sustainable Sites (Max 22 Points)

- Possible points: site stewardship, basic green landscaping design; limiting conventional turf, drought-tolerant plants, reduced roof heat-island effects (landscaped garage roof/courtyards), pest control alternatives, compact development (80 units/ buildable acre); public transit within ½ mile; lots of bicycle storage; preferred parking for LEV or fuel-efficient vehicles for 5% of spaces.
- Not possible: site heat-island effects.

**4. Water Efficiency (Max 15 Points)**

- Possible points: reduced irrigation use by 45%; high-efficiency plumbing fixtures and fittings (dual flush toilets and low-use lavatories); water efficient appliances (ENERGY STAR dishwashers).
- Not possible: recycled water, gray-water.

**5. Energy and Atmosphere (Max 38 Points)**

- Possible points: optimize energy performance; water heating pipe insulation; appropriate HVAC refrigerants.
- Not possible: most some points are achievable in most categories of this section

**6. Materials and Resources (Max 16 Points)**

- Possible points: Detailed framing documents; detailed cut list and lumber order; framing efficiencies; off-site fabrication; environmentally preferable products; construction waste reduction.
- Not possible: some points are achievable in most categories of this section.

**7. Indoor Environmental Quality (Max 21 Points)**

- Possible points: Third-party performance testing for outdoor air ventilation and exhaust, local exhaust & space heating and cooling; radon-resistant construction; enhanced unit compartmentalization, contaminant control; minimize pollutants for garage; tobacco smoke reduction.
- Not possible: moisture control.

**8. Awareness and Education (Max 3 Points)**

- Possible points: Enhanced Training and public awareness of LEED via website, newspaper article and LEED signage; education of building manager.
- Not possible: some points are achievable in most categories of this section.

The required goal for Cambridge is **Silver Certified**, or 57 points total. The initial checklist review positions the project as being able to achieve a Silver rating. We are early in the design process and our understanding of exactly which points are achievable will become clearer as the design process moves beyond master planning and conceptual into Design Development.

We look forward to working with all project stakeholders to make this project as green as possible.

Regards,

Doug Carr

Project Manager, CUBE3 Studio, LLC  
360 Merrimack Street  
Building 5, Floor 3  
Lawrence, MA 01843

Email: [dcarr@cube3studio.com](mailto:dcarr@cube3studio.com)  
Direct: 978.379.8726

cc: LEED for Homes Mid-Rise Draft Checklist



for Homes

# LEED for Homes Mid-rise Pilot Simplified Project Checklist

<b>Builder Name:</b>
<b>Project Team Leader (if different):</b>
<b>Home Address (Street/City/State):</b>

**Project Description:**

**Adjusted Certification Thresholds**

Building type: **Mid-rise multi-family** # of stories: **4** Certified: **42.0** Gold: **72.0**  
 # of units: **227** Avg. Home Size Adjustment: **-3** Silver: **57.0** Platinum: **87.0**

<b>Project Point Total</b>	<b>Final Credit Category Total Points</b>			
Prelim: <b>64.5 + 18 maybe pts</b> Final: <b>2</b>	<b>ID: 0</b>	<b>SS: 2</b>	<b>EA: 0</b>	<b>EQ: 0</b>
<b>Certification Level</b>	<b>LL: 0</b>	<b>WE: 0</b>	<b>MR: 0</b>	<b>AE: 0</b>
Prelim: <b>Silver</b> Final: <b>Not Certified</b>	<b>Minimum Point Thresholds Not Met for Final Rating</b>			

date last updated :  
last updated by :

				Max Pts	Project Points			
					Preliminary	Final		
					Y/Pts	Maybe	No	Y/Pts
<b>Innovation and Design Process (ID)</b> (No Minimum Points Required) OR				Max	Y/Pts	Maybe	No	Y/Pts
<b>1. Integrated Project Planning</b>	1.1	Preliminary Rating		Prereq				
	1.2	Energy Expertise for MID-RISE		Prereq				
	1.3	Professional Credentialed with Respect to LEED for Homes		1	0	0		0
	1.4	Design Charrette		1	1	0		0
	1.5	Building Orientation for Solar Design		1	0	0	N	0
	1.6	Trades Training for MID-RISE		1	0	1		0
<b>2. Durability Management Process</b>	2.1	Durability Planning		Prereq				
	2.2	Durability Management		Prereq				
	2.3	Third-Party Durability Management Verification		3	3	0		0
<b>3. Innovative or Regional Design</b>	3.1	Innovation #1 _____		1	1	0		0
	3.2	Innovation #2 _____		1	0	1		0
	3.3	Innovation #3 _____		1	0	0		0
	3.4	Innovation #4 _____		1	0	0		0
<i>Sub-Total for ID Category:</i>				<b>11</b>	<b>5</b>	<b>2</b>		<b>0</b>
<b>Location and Linkages (LL)</b> (No Minimum Points Required) OR				Max	Y/Pts	Maybe	No	Y/Pts
<b>1. LEED ND</b>	1	LEED for Neighborhood Development	<b>LL2-6</b>	10	0	0	N	0
<b>2. Site Selection</b>	2	Site Selection		2	0	0	N	0
<b>3. Preferred Locations</b>	3.1	Edge Development		1	1	0		0
	3.2	Infill	<b>LL 3.1</b>	2	0	2		0
	3.3	Brownfield Redevelopment for MID-RISE		1	0	0	N	0
<b>4. Infrastructure</b>	4	Existing Infrastructure		1	1	0		0
<b>5. Community Resources/ Transit</b>	5.1	Basic Community Resources for MID-RISE		1	0	0		0
	5.2	Extensive Community Resources for MID-RISE	<b>LL 5.1, 5.3</b>	2	2	0		0
	5.3	Outstanding Community Resources for MID-RISE	<b>LL 5.1, 5.2</b>	3	0	0		0
<b>6. Access to Open Space</b>	6	Access to Open Space		1	1	0		0
<i>Sub-Total for LL Category:</i>				<b>10</b>	<b>5</b>	<b>2</b>		<b>0</b>
<b>Sustainable Sites (SS)</b> (Minimum of 5 SS Points Required) OR				Max	Y/Pts	Maybe	No	Y/Pts
<b>1. Site Stewardship</b>	1.1	Erosion Controls During Construction		Prerequisite				
	1.2	Minimize Disturbed Area of Site for MID-RISE		1	1	0		0
<b>2. Landscaping</b>	2.1	No Invasive Plants		Prerequisite				
	2.2	Basic Landscape Design		1	0	1		0
	2.3	Limit Conventional Turf for MID-RISE	<b>SS 2.4</b>	2	2	0		0
	2.4	Drought Tolerant Plants for MID-RISE	<b>SS 2.4</b>	1	1	0		0
	2.5	Reduce Overall Irrigation Demand by at Least 20% for MID-RISE		3	1	1		0
<b>3. Local Heat Island Effects</b>	3.1	Reduce Site Heat Island Effects for MID-RISE		1	0	1		0
	3.2	Reduce Roof Heat Island Effects for MID-RISE		1	1	0		0
<b>4. Surface Water Management</b>	4.1	Permeable Lot for MID-RISE		2	1	0		0
	4.2	Permanent Erosion Controls		1	0	1		0
	4.3	Stormwater Quality Control for MID-RISE		2	2	0		0
<b>5. Nontoxic Pest Control</b>	5	Pest Control Alternatives		2	1	0		0
<b>6. Compact Development</b>	6.1	Moderate Density for MID-RISE		2	0	0		2
	6.2	High Density for MID-RISE	<b>SS 6.1, 6.3</b>	3	0	0		0
	6.3	Very High Density for MID-RISE	<b>SS 6.1, 6.2</b>	4	4	0		0
<b>7. Alternative Transportation</b>	7.1	Public Transit for MID-RISE		2	2	0		0
	7.2	Bicycle Storage for MID-RISE		1	1	0		0
	7.3	Parking Capacity/Low-Emitting Vehicles for MID-RISE		1	1	0		0
<i>Sub-Total for SS Category:</i>				<b>22</b>	<b>17</b>	<b>4</b>		<b>2</b>

## LEED for Homes Mid-rise Pilot Simplified Project Checklist (continued)

				Max Pts	Project Points				
				Max	Y/Pts	Maybe	No	Y/Pts	
				OR	Y/Pts	Maybe	No	Y/Pts	
<b>Water Efficiency (WE)</b> (Minimum of 3 WE Points Required)				OR	Max	Y/Pts	Maybe	No	Y/Pts
1. Water Reuse	✔	1	Water Reuse for MID-RISE		5	0	0	0	0
2. Irrigation System	✔	2.1	High Efficiency Irrigation System for MID-RISE	WE 2.2	2	0	1	0	0
	✔	2.2	Reduce Overall Irrigation Demand by at Least 45% for MID-RISE		2	0	2	0	0
3. Indoor Water Use		3.1	High-Efficiency Fixtures and Fittings		3	2	1	0	0
		3.2	Very High Efficiency Fixtures and Fittings		6	2	0	0	0
		3.3	Water Efficient Appliances for MID-RISE		2	1	1	0	0
<i>Sub-Total for WE Category:</i>					<b>15</b>	<b>5</b>	<b>4</b>	<b>0</b>	<b>0</b>
<b>Energy and Atmosphere (EA)</b> (Minimum of 0 EA Points Required)				OR	Max	Y/Pts	Maybe	No	Y/Pts
1. Optimize Energy Performance		1.1	Minimum Energy Performance for MID-RISE		Prereq				
		1.2	Testing and Verification for MID-RISE		Prereq				
		1.3	Optimize Energy Performance for MID-RISE		34	10	0	0	0
7. Water Heating	✔	7.1	Efficient Hot Water Distribution		2	0	0	N	0
		7.2	Pipe Insulation		1	0	1	0	0
11. Residential Refrigerant Management		11.1	Refrigerant Charge Test		Prereq				
		11.2	Appropriate HVAC Refrigerants		1	1	0	0	0
<i>Sub-Total for EA Category:</i>					<b>38</b>	<b>11</b>	<b>1</b>	<b>0</b>	<b>0</b>
<b>Materials and Resources (MR)</b> (Minimum of 2 MR Points Required)				OR	Max	Y/Pts	Maybe	No	Y/Pts
1. Material-Efficient Framing		1.1	Framing Order Waste Factor Limit		Prereq				
		1.2	Detailed Framing Documents	MR 1.5	1	1	0	0	0
		1.3	Detailed Cut List and Lumber Order	MR 1.5	1	1	0	0	0
		1.4	Framing Efficiencies	MR 1.5	3	2.5	0	0	0
		1.5	Off-site Fabrication		4	4	0	0	0
2. Environmentally Preferable Products	✔	2.1	FSC Certified Tropical Wood		Prereq				
	✔	2.2	Environmentally Preferable Products		8	4	0	0	0
3. Waste Management		3.1	Construction Waste Management Planning		Prereq				
		3.2	Construction Waste Reduction		3	1	2	0	0
<i>Sub-Total for MR Category:</i>					<b>16</b>	<b>9.5</b>	<b>2</b>	<b>0</b>	<b>0</b>
<b>Indoor Environmental Quality (EQ)</b> (Minimum of 6 EQ Points Required)				OR	Max	Y/Pts	Maybe	No	Y/Pts
2. Combustion Venting		2	Basic Combustion Venting Measures		Prereq				
3. Moisture Control		3	Moisture Load Control		1	0	0	N	0
4. Outdoor Air Ventilation	✔	4.1	Basic Outdoor Air Ventilation for MID-RISE		Prereq				
		4.2	Enhanced Outdoor Air Ventilation for MID-RISE		2	0	0	0	0
		4.3	Third-Party Performance Testing for MID-RISE		1	1	0	0	0
5. Local Exhaust	✔	5.1	Basic Local Exhaust		Prerequisite				
		5.2	Enhanced Local Exhaust		1	0	1	0	0
		5.3	Third-Party Performance Testing		1	1	0	0	0
6. Distribution of Space Heating and Cooling	✔	6.1	Room-by-Room Load Calculations		Prereq				
		6.2	Return Air Flow / Room by Room Controls		1	0	0	0	0
		6.3	Third-Party Performance Test / Multiple Zones		2	2	0	0	0
7. Air Filtering		7.1	Good Filters		Prereq				
		7.2	Better Filters	EQ 7.3	1	0	1	0	0
		7.3	Best Filters		2	0	0	0	0
8. Contaminant Control	✔	8.1	Indoor Contaminant Control during Construction		1	0	0	0	0
		8.2	Indoor Contaminant Control for MID-RISE		2	0	0	0	0
	✔	8.3	Preoccupancy Flush		1	0	1	0	0
9. Radon Protection	✔	9.1	Radon-Resistant Construction in High-Risk Areas		Prereq				
	✔	9.2	Radon-Resistant Construction in Moderate-Risk Areas		1	1	0	0	0
10. Garage Pollutant Protector		10.1	No HVAC in Garage for MID-RISE		Prereq				
		10.2	Minimize Pollutants from Garage for MID-RISE	EQ 10.3	2	2	0	0	0
		10.3	Detached Garage or No Garage for MID-RISE		3	0	0	N	0
11. ETS Control		11	Environmental Tobacco Smoke Reduction for MID-RISE		1	1	0	0	0
12. Compartmentalization of Units		12.1	Compartmentalization of Units		Prereq				
		12.2	Enhanced Compartmentalization of Units		1	1	0	0	0
<i>Sub-Total for EQ Category:</i>					<b>21</b>	<b>9</b>	<b>3</b>	<b>0</b>	<b>0</b>
<b>Awareness and Education (AE)</b> (Minimum of 0 AE Points Required)					Max	Y/Pts	Maybe	No	Y/Pts
1. Education of the Homeowner or Tenant	✔	1.1	Basic Operations Training		Prereq				
	✔	1.2	Enhanced Training		1	1	0	0	0
		1.3	Public Awareness		1	1	0	0	0
2. Education of Building Manager	✔	2	Education of Building Manager		1	1	0	0	0
<i>Sub-Total for AE Category:</i>					<b>3</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

DEP File Number:

**WPA Form 5 – Order of Conditions**

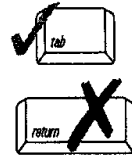
123-216

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**BOTH WAYS**

**A. General Information**

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



From: Cambridge  
1. Conservation Commission

2. This issuance is for (check one): a.  Order of Conditions b.  Amended Order of Conditions

3. To: Applicant:  
James Pennington Criterion Development Partners  
a. First Name b. Last Name c. Company  
1601 Trapelo Road, Suite 172  
d. Mailing Address  
Waltham MA 02451  
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):  
Cam Cambridge ventures LLC JAM Cambridge ventures LLC  
Dam Cambridge ventures LLC see NOI. Dam Cambridge ventures LLC  
a. First Name b. Last Name c. Company  
c/o Lanes and Games 195 Concord Tpk  
d. Mailing Address  
Cambridge MA 02140  
e. City/Town f. State g. Zip Code

5. Project Location:  
 223, 225, &231 Concord Turnpike Cambridge  
a. Street Address b. City/Town  
267.1 268, 269, &270  
c. Assessors Map/Plat Number d. Parcel/Lot Number  
Latitude and Longitude, if known (note: 42 23 59 -71 09 01  
electronic filers will click for GIS locator): e. Latitude f. Longitude

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):  
Middlesex 234836  
a. County b. Certificate (if registered land)  
45937, 45937 311, 319  
c. Book d. Page

7. Dates: 9/5/08 10/20/08 10/30/08  
a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):  
see submitted NOI  
a. Plan Title

b. Prepared By c. Signed and Stamped by

d. Final Revision Date e. Scale

f. Additional Plan or Document Title g. Date

LOTS K, N, P, J, D. CO T 234836



2008 01487035  
Bk: 01307 Pg: 31 Cert#: 234836  
Doc: ORD 11/21/2008 03:28 PM

DEBORAH HOROWITZ, ESQ.  
GOULSTON & STORRS  
400 Atlantic Avenue  
Boston, MA 02110-3333  
11975.0002

234836 1307-31



**B. Findings**

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act. Check all that apply:

- a.  Public Water Supply
- b.  Land Containing Shellfish
- c.  Prevention of Pollution
- d.  Private Water Supply
- e.  Fisheries
- f.  Protection of Wildlife Habitat
- g.  Groundwater Supply
- h.  Storm Damage Prevention
- i.  Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

**Approved subject to:**

- a.  the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

**Denied because:**

- b.  the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect these interests, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c.  the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**

**Inland Resource Area Impacts:** Check all that apply below. (For Approvals Only)

3. <input type="checkbox"/> Buffer Zone Impacts: Shortest distance between limit of project disturbance and wetland boundary (if available)				_____ a. linear feet
Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	_____ a. linear feet	_____ b. linear feet	_____ c. linear feet	_____ d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
	_____ e. cu.yd dredged	_____ f. cu.yd dredged		



**B. Findings (cont.)**

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
7. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding	160,800	160,800	160,800	160,800
	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	7,500	7,500	7,500	7,500
	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding				
	a. square feet	b. square feet		
Cubic Feet Flood Storage				
	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. <input type="checkbox"/> Riverfront area				
	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft				
	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft				
	g. square feet	h. square feet	i. square feet	j. square feet

**Coastal Resource Area Impacts:** Check all that apply below. (For Approvals Only)

10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	a. square feet	b. square feet		
	c. cu.yd dredged	d. cu.yd dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	a. square feet	b. square feet	c. c/y nourishmt.	d. c/y nourishmt.
14. <input type="checkbox"/> Coastal Dunes	a. square feet	b. square feet	c. c/y nourishmt.	d. c/y nourishmt.
15. <input type="checkbox"/> Coastal Banks	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	a. square feet	b. square feet		
	c. cu.yd dredged	d. cu.yd dredged		
19. <input type="checkbox"/> Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	a. cu.yd dredged	b. cu.yd dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	a. square feet	b. square feet		





## C. General Conditions Under Massachusetts Wetlands Protection Act

(only applicable to approved projects)

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
  - a. the work is a maintenance dredging project as provided for in the Act; or
  - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
7. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
8. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to this Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
9. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MA DEP"]

"File Number 123-216"



**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**C. General Conditions Under Massachusetts Wetlands Protection Act**

10. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before DEP.
11. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
12. The work shall conform to the plans and special conditions referenced in this order.
13. Any change to the plans identified in Condition #12 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
14. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
15. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
16. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
17. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
18. All work associated with this Order is required to comply with the Massachusetts Stormwater Policy Standards.

Special Conditions:

See Attachment

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If you need more space for additional conditions, select box to attach a text document



# WPA Form 5 – Order of Conditions

123-216

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

## D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable?  Yes  No
2. The Cambridge hereby finds (check one that applies):  
Conservation Commission
3.  that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

a. Municipal Ordinance or Bylaw

b. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

4.  that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

a. Municipal Ordinance or Bylaw

b. Citation

The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

- c. The special conditions relating to municipal ordinance or bylaw are as follows:

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If you need more space for additional conditions, select box to attach a text document



Massachusetts Department of Environmental Protection  
 Bureau of Resource Protection - Wetlands  
**WPA Form 5 – Order of Conditions**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

123-216

**E. Issuance**

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

10/30/08  
 1. Date of Issuance

Please indicate the number of members who will sign this form:

This Order must be signed by a majority of the Conservation Commission.

2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

[Signature]  
Doris H. Altman  
[Signature]  
Oliver Simeron

[Signature]  
[Signature]  
[Signature]

**Notary Acknowledgement**

Commonwealth of Massachusetts County of

Middlesex

On this 30<sup>th</sup> Day of

October 2008  
 Month Year

Before me, the undersigned Notary Public, personally appeared

Jennifer K. Wright  
 Name of Document Signer

proved to me through satisfactory evidence of identification, which was/were

City of Cambridge ID  
 Description of evidence of identification

[Signature]

to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

As member of Cambridge City/Town

Conservation Commission

[Signature]

Signature of Notary Public

Printed Name of Notary Public

My Commission Expires (Date)

Place notary seal and/or any stamp above

This Order is issued to the applicant as follows:

by hand delivery on

by certified mail, return receipt requested, on

Date

Date

10/30/2008



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## F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request of Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant. Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.

**Section G, Recording Information is available on the following page.**



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 5 – Order of Conditions**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:  
123-216

**G. Recording Information**

This Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on Page 7 of this form shall be submitted to the Conservation Commission listed below.

Cambridge  
 Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

-----

To:

Cambridge  
 Conservation Commission

Please be advised that the Order of Conditions for the Project at:

\_\_\_\_\_  
 Project Location

\_\_\_\_\_  
 DEP File Number

Has been recorded at the Registry of Deeds of:

\_\_\_\_\_  
 County

\_\_\_\_\_  
 Book

\_\_\_\_\_  
 Page

for:

\_\_\_\_\_  
 Property Owner

and has been noted in the chain of title of the affected property in:

\_\_\_\_\_  
 Book

\_\_\_\_\_  
 Page

In accordance with the Order of Conditions issued on:

\_\_\_\_\_  
 Date

If recorded land, the instrument number identifying this transaction is:

\_\_\_\_\_  
 Instrument Number

If registered land, the document number identifying this transaction is:

\_\_\_\_\_  
 Document Number

\_\_\_\_\_  
 Signature of Applicant

**Attachment to OOC for DEP File #123-216  
Redevelopment of the Former Faces Site  
223, 225, & 231 Concord Turnpike  
Cambridge, MA 02140**

**Special Conditions:**

18. Work shall conform to the Notice of Intent under the Massachusetts Wetlands Protection Act, M.G.L. ch. 131, sec. 40, submitted to the Cambridge Conservation Commission on **September 5, 2008**, and the additional information and modifications outlined in the supplemental documents and plans provided by the applicant. Specifically, the proposed work shall conform to the most recent revisions to the Notice of Intent document and plans, received by the Commission as stated above.
19. Any further proposed or executed changes in the plans approved under this Order shall require the applicant to seek an amended Order of Conditions or to file a new Notice of Intent, or to inquire of the Cambridge Conservation Commission in writing whether the change or changes is/are substantial enough to require a new filing. Any errors in the plans or information by the applicant shall be considered changes and the above procedures shall be followed.
20. Prior to any work on the site, the applicant shall record this Order of Conditions at the Middlesex Registry of Deeds pursuant to Condition 8. Failure to do so shall be deemed cause to revoke this Order.
21. The applicant shall provide to the Conservation Commission copies of all other permits, variances, licenses or determinations which may be necessary for this project by other local, state and federal agencies, such as the Chapter 91 License, NPDES permit, Water Quality Certificate, Army Corps of Engineers permit, MEPA Certificate, building permits, and zoning board approvals. The applicant shall provide copies of all applicable permits to the Commission at least 2 weeks prior to commencement of work authorized under any such permit.
22. This Order of Conditions shall be included in all construction contracts and subcontracts dealing with the work proposed and shall supersede all conflicting contract requirements that are less protective of Wetland Resource Areas.
23. The applicant is responsible for submitting the 100% construction documents to the Commission.
24. The applicant and its contractor shall keep at least one copy of this Order at the project site until a Certificate of Compliance is issued for the project. The copy of the Order shall be kept at a location mutually acceptable to the applicant and the Commission, so that the order will be available for review during regular working hours. The sign with the DEP File Number for this project, required in condition 9, on DEP Form 5, shall remain posted at the site until a Certificate of Compliance is issued for this project.

25. All erosion control measures shall be installed before work commences and kept in working conditions until all areas are stabilized. After installation, a site visit shall be arranged with the Director to ensure that installation meets the intended standards.
26. The applicant or its agent shall specify to the Commission, prior to commencement of activity on the site, the name and telephone number of the person(s) designated by the applicant to be responsible for compliance with the conditions of this Order on the site and his/her alternate.
27. Prior to initiation of work on the site, the applicant shall convene a pre-construction site meeting with the Director of the Commission, a representative of the contractor performing the work, and the person responsible for compliance with this Order per special Condition 18.
28. The applicant shall provide 72 hours written notice to the Commission prior to commencement of activity on the site.
29. The applicant shall provide to the Conservation Commission copies of project inspectional reports during construction including but not limited to maintenance and operation and vegetation monitoring.
30. The applicant shall submit construction documents for approval by the Conservation Commission. These documents may be stand-alone or may be incorporated into a single document. The documents include but are not limited to the following:
  - Pollution Prevention Plan;
  - Soil Management Plan;
  - Sedimentation and Erosion Control Plan; and
  - Dewatering Plan
31. The applicant shall submit a stand-alone copy of the Operation and Maintenance Plan to the Conservation Commission as approved in the Notice of Intent.
32. The members and agents of the Conservation Commission shall have the right to enter the site to verify compliance with this Order and to require the submittal of additional data deemed necessary by the Commission for that verification. The Commission understands that construction-site safety procedures must be followed during site visits.
33. During project construction and operations the applicant or its contractors shall provide and maintain free and safe passage by pedestrians and bicyclists along the roads or walkways adjacent to the site.
34. If some unexpected or unforeseen event occurs, that needs to be addressed, all work shall stop until the event can be brought to the attention of the Director of the Commission and a decision made by the Director as to whether it needs to be brought before the Commission.



35. Prior to the use of herbicides, pesticides and/or fertilizer to aid in the planting plan and vegetation management, the applicant and/or representative must submit a proposal to be approved by the Commission including but not limited to a delineation of the subject area, reason for proposed application, chemicals to be used (including MSDS sheets), and all applicator licenses if needed.
36. The applicant shall take appropriate steps to insure that existing trees not to be removed are adequately protected at the perimeter of their dripline to prevent injury.
37. If a workday commences with heavy rain, no work shall take place in the buffer zone or resource area that day. If heavy rain commences after start of work, all work shall cease in the buffer zone or resource area for that day, and appropriate sedimentation and erosion control shall be in place, to prevent any sedimentation to the river and other resource areas.
38. All disturbed areas shall be stabilized during and after construction to prevent erosion and sedimentation. Upon completion of construction, all disturbed areas will be immediately stabilized, with mulching, planting or other means to prevent erosion, as specified in the project's Notice of Intent and Stormwater Management Plan. The project proponents are responsible for providing semi-annual reports to the Commission. Site landscaping in accordance with the Landscape and Planting Plan and the Operation and Maintenance Plan shall commence as soon as possible after construction is complete.
39. At the completion of work and after three growing seasons, a request for a certificate of compliance may be submitted to the Conservation Commission along with the following: An as-built plan prepared, signed, stamped and dated by a registered professional engineer or land surveyor and color photographs of the site. The photographs shall be labeled, dated and keyed to the as-built plans for ready identification. A report from a botanist or certified arborist is to be submitted, certifying that all replacement trees are alive and vigorous.
40. A Long-Term Vegetation Maintenance Plan must be submitted and approved by the Commission prior to the issuance of a Certificate of Compliance.
41. All structures and equipment used for temporary stormwater management during construction, such as silt curtain/hay-bale fences, silt booms, debris screens, and catch basins, shall be maintained in good working condition at all times. These structures shall be inspected weekly on a regular basis, and immediately after rainstorms or snowmelt events, and repaired and/or cleaned if necessary.
42. No untreated construction runoff shall be routed directly into any Wetlands Resource Area, surface water, or storm drain. Runoff and other discharges from construction areas shall be routed to sedimentation/erosion control structures or allowed to flow

over land in a direction away from Wetlands Resource Areas at all times during construction.

43. The applicant, contractor, owner, successor or assignees shall be responsible for ensuring the lasting integrity of the surface cover on the site and site activities so as to prevent erosion, siltation, sedimentation, chemical contamination or other detrimental impact to the on-site and/or off-site resource areas so as to comply with this Order and the Wetlands Protection Act.
44. All drainage structures constructed per this Order shall be inspected and maintained as described in the applicant's approved Operation and Maintenance Plan, except as outlined in this Order. This condition shall remain in effect in perpetuity and shall not expire with a Certificate of Compliance for the project.
45. All soil stockpiling shall occur as outside of resource areas, and refueling and maintenance activities during construction shall occur within a defined area outside of wetland resource areas and their buffer zones. A plan showing this defined area shall be submitted to the Commission prior to initiation of work on the site.
46. The applicant shall be prepared to effectively deal with spillage of fuel or hydraulic fluids from equipment. A quick-absorbent material, such as "Speedi Dry" or equivalent, shall be stored in a dry, readily available area and used in the event petroleum-based fluids are spilled or leaked. The spent material is then to be containerized and disposed of properly. Any release of fuel or lubricants at the work site shall be reported to the Commission immediately. There shall be no discharge or spillage of fuel, oil, or any other pollutant into any Wetland Resource Area.
47. No construction material debris, other debris or refuse from construction workers shall be allowed to enter or remain in any resource area. Any debris entering these areas must be removed immediately by hand.
48. The applicant shall take appropriate steps to control dust at the project site and prevent its spread by trucks leaving the site.
49. Trucks entering and leaving the site shall have their loads completely covered in compliance with M.G.L. Chapter 85 section 36. The applicant shall also instruct all drivers on site that vehicles shall not idle for longer than 5 minutes in compliance with M.G.L. Chapter 90 section 16A.
50. A written report shall be submitted monthly detailing the day and time of sweeping and location of sweeping, to the Commission office.
51. There shall be no use of sodium de-icing agents on the site. The applicant shall submit to the Commission and the DPW a plan that identifies the method of de-icing which will have the least impact on water quality and function of pervious pavement areas.

52. The applicant must submit confirmation that the City Engineer has reviewed and approved the stormwater calculations and design prior to the start of work.
53. Prior to installing any plant material, a final landscaping plan must be submitted and reviewed by the Conservation Commission.

*with copy of  
11/16/2008*

**BOTH WAYS**

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**DOCUMENT 01487035**

Southern Middlesex LAND COURT

REGISTRY DISTRICT

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CITY OR TOWN \_\_\_\_\_ ZIP \_\_\_\_\_