

Andrew H. Kara
Direct Dial: (617) 330-7148
E-mail: akara@rubinrudman.com

August 12, 2022

**Via Electronic Mail &
Via Hand Delivery**

City of Boston,
Air Pollution Control Commission, Environment Department
1 City Hall Square, Room 709
Boston, Massachusetts 02201

**Re: Application to Modify Downtown Boston Parking Freeze Permit #APCC453741 for the
Parking Garage Located at 50 Dalton Street, Boston, (Back Bay), Massachusetts,
Ward 4**

Dear Sir/Madam:

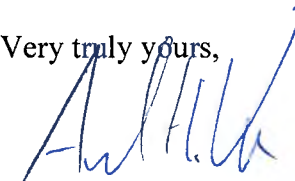
In connection with the above-referenced matter, enclosed please find the following documents:

1. Application to Modify Downtown Boston Parking Freeze Permit #APCC453741;
2. Statement of Need;
3. Tax Bill;
4. Authorization Letter;
5. Site Plan;
6. Garage Plans;
7. Locus Map;
8. Check made payable to the City of Boston, Air Pollution Control Commission in the amount of \$1,320.00 Re: FY 22 and
9. Check made payable to the City of Boston, Air Pollution Control Commission in the amount of \$1,320.00 Re: FY 23.

City of Boston,
Air Pollution Control Commission, Environment Department
August 12, 2022
Page 2

Please contact me with any questions. Thank you.

Very truly yours,



Andrew H. Kara

AHK/daw
Enclosures

cc: Mr. Matthew B. Hoffman, Cambria-Scotia Company
Mr. Mark Braconnier, Pilgrim Parking, Inc.
James H. Greene, Esq.



A. GENERAL APPLICATION INFORMATION

1. Project Location

50 Dalton Street a. Street Address	Boston b. City/Town	02111 c. Zip Code
04 f. Assessors Map/Plat Number	01336000 g. Parcel/Lot Number	

2. Applicant

Mark a. First Name	Braconnier b. Last Name	Pilgrim Parking, Inc. c. Company	
50 Dalton Street d. Mailing Address			
Boston e. City/Town		MA f. State	02111 g. Zip Code
(617) 723-1488 h. Phone Number	N/A i. Fax Number	mbraconnier@pilgrimparking.com j. Email address	

3. Property Owner

Matthew a. First Name	Hoffman b. Last Name	Cambria-Scotia Company c. Company	
c/o The Hoffman Companies, Inc., 60 Temple Place d. Mailing Address			
Boston e. City/Town		MA f. State	02111 g. Zip Code
(617) 523-6700 h. Phone Number	N/A i. Fax Number	mhoffman@thehoffmancompanies.com j. Email address	

Check if more than one owner:

(If there is more than one property owner, please attach a list of these property owners to this form.)



4. Representative (if any)

Andrew a. First Name	Kara b. Last Name	Rubin and Rudman LLP c. Company
53 State Street, Suite 1500 d. Mailing Address		
Boston e. City/Town	MA f. State	02109 g. Zip Code
(617) 330-7000 h. Phone Number	N/A i. Fax Number	akara@rubinrudman.com j. Email address

5. What kind of application is being filed?

Request a New Parking Freeze Permit or Exemption Certification

Modify an existing Parking Freeze Permit or Exemption Certification

6. Which Parking Freeze is your facility located in

Downtown Boston

South Boston

B. PARKING FACILITY INFORMATION

1. Applicant

Downtown Boston		South Boston	
Commercial Spaces	66	Commercial Spaces	
Exempt Spaces		Residential Included Spaces	
Residential Excluded Spaces		Residential Excluded Spaces	

2. Do you currently or will you charge for parking?

Yes

No

Not sure

3. What is your current or proposed parking method and facility type? (select all that apply)

Valet

Surface Lot

Self-Parking

Garage



4. Is your project compliant with the City's Bicycle Parking Guidelines?

Number of Long-Term Bicycle Spaces: 0	Number of Showers: 0
Number of Short-Term Bicycle Spaces: 0	Bikeshare Station Size and Contribution: 0
Number of Lockers: 0	Other Amenities (Please List): 0

5. Is your project compliant with the City's Electric Vehicle Readiness Policy?

EVSE-Installed Points: A	Total number of spaces: C
EV-Ready Points: B	Does A + B = C? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Note: Please attach the Electric Vehicle Equivalency Calculator to this application, available at www.boston.gov/recharge-boston.

6. Please fill out the information below:

Total Number of Proposed Spaces: 567	Total Parking Facility Square Footage: 200,000 sf
Number of New Spaces: 66	Ratio of Residential Spaces to Units: N/A
Number of Existing Spaces: 501	(Optional) Number of Spaces Returned: N/A

7. Please list the total facility square footage by use type:

Residential Sqft:	Retail Sqft: 25,000 s.f.
Office/Admin Sqft:	Institutional Sqft:
Industrial Sqft:	Lodging Sqft:

8. Are you required to execute a Transportation Access Plan Agreement (TAPA)?

Yes No

(If yes, please attach the draft or final TAPA to this form if available.)



C. SIGNATURES AND SUBMITTAL REQUIREMENTS

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Applicant will place notification of this Application in a local newspaper at the expense of the applicant in accordance with the Procedures and Criteria for the Issuance of Parking Freeze Permits.

<i>Michael Brannan</i>	8/11/2022
Signature of Applicant	Date
<i>Matthew Hoffman</i>	8/11/22
Signature of Property Owner (if different)	Date
<i>A.H. Lee</i>	8/11/22
Signature of Representative (if any)	Date

D. ADDENDUM: IMPORTANT APPLICATION INFORMATION

PAYMENT

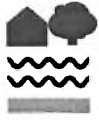
Please include a check or money order made payable to the City of Boston, Air Pollution Control Commission. The fee is \$20 per parking space. Application and renewal fees apply to all locations within the Downtown, East Boston, and South Boston Parking Freeze Zones.

WRITTEN PROOF

Please attach written proof that the applicant is the owner of record or has written approval from the owner of record to file this application.

STATEMENT OF NEED

Please attach a general description of the facility and the parking needs of the project, local entities, and patrons that the proposed facility will serve. Any written support (letters, etc.) that you wish to supply in support of this statement should be attached



SITE PLANS

Please attach a site plan of the parking facility showing:

- location of the facility;
- layout of the spaces;
- entry and exit locations;
- total square footage of the parking area;
- location, type and amount of electric vehicle parking;
- location and amount of bicycle parking and bicycle facilities.

OTHER APPLICABLE REVIEWS

If you are working in a historic district or on a designated landmark, you should consult with the appropriate historic or architectural commission. If you are working in the floodplain or within 100 feet of a wetland, you should consult with the Conservation Commission. Visit boston.gov/landmarks and boston.gov/conservation before starting any work.

WHERE TO SEND

We prefer you complete the digital application using this form. Export the form as a PDF and email your application and supporting documents to APCC@boston.gov. You can also mail your application, documents, and payment to: Air Pollution Control Commission, Boston City Hall, 1 City Hall Square, Room 709, Boston, MA 02201. Please notify us that you have sent an application by mail at APCC@boston.gov.

**CAMBRIA-SCOTIA COMPANY
c/o The Hoffman Companies
60 Temple Place
Boston, Massachusetts 02111**

August 11, 2022

**Via Electronic Mail &
Via Hand Delivery**

City of Boston,
Air Pollution Control Commission
1 City Hall Square, Room 709
Boston, Massachusetts 02201

**Re: Statement of Need-
Application to Modify Downtown Boston Parking Freeze Permit #APCC453741 for
the Parking Garage Located at 50 Dalton Street, Boston, (Back Bay), Massachusetts,
Ward 4**

Dear Sir/Madam:

Introduction

Cambria-Scotia Company, a Massachusetts limited partnership, is the owner (the "Owner") of that certain property containing an off-street public parking garage also known as the Auditorium Garage (the "Facility") located at 50 Dalton Street, Boston (Back Bay), Massachusetts, Ward 4 (the "Property"). The Facility is currently managed by Pilgrim Parking, Inc. ("Pilgrim"). Pilgrim has managed the Facility since 1965.

Purpose

On behalf of the Owner, Pilgrim is submitting to the City of Boston, Air Pollution Control Commission (the "APCC") an Application to Modify (the "Modification") Downtown Boston Parking Freeze Permit #APCC453741 (the "Permit").

The Permit for the Facility is for a total of 501 parking spaces. The Applicant is seeking a modification of the Permit to legalize 66 parking spaces in the basement of the Facility (the "Basement Parking Spaces"). The Applicant has discontinued the use of the Basement Parking Spaces at the direction of APCC. The Basement Parking Spaces have historically existed since the construction of the Facility in 1965. The approval of the Modification by the APCC will allow for the legalization of the Basement Parking Spaces and increase the total number of parking spaces at the Facility to 567.

City of Boston, Air Pollution Control Commission
August 11, 2022

Facility

The Facility contains approximately 200,000 square feet of gross floor and is 7 stories in height. The Basement Parking Spaces contain an area of approximately 23,000 square feet. The Facility currently contains 567 stripped parking spaces, including the 66 Basement Parking Spaces. The majority of the Facility is accessed off a gated driveway off Dalton Street. The Basement Spaces are accessed off a gated driveway off Cambria Street. Pilgrim has onsite parking attendants that closely monitor the use of the Facility. The Facility is self-park. The Basement Parking Spaces provided safe, convenient and affordable off-street parking to a significant Massachusetts employer. The remainder of the Facility provides off street public parking to support the Back Bay and its many businesses.

Historical Use of Facility

The Owner previously provided a letter dated March 23, 2022 to the APCC summarizing the history of the Facility and the historical use of the Basement Parking Spaces which is summarized below.

Shortly after the Facility was built, the Owner received permission from the City of the Boston for an additional gasoline storage permit for the basement in which additional vehicles were to be parked. Since that time, ownership has parked cars in the basement of the Facility for rental car companies, local businesses, and the general public. For well over 50 years, the Owner has operated on that basis and has had a total of 567 striped spaces in the Facility. During that time, the City of Boston has been aware of our total space count and has issued all relevant permits without question.

Commencing in the mid-1960's, Hertz parked and serviced a fleet of rental vehicles in the basement of the Facility. Directly following the closure of the Hertz Rent a Car operation, the parking use within the basement of the Facility was continued through its use as off-street parking for the general public and the local business community. There is a garage door and curb cut off Cambria Street, a public street, that provides direct vehicular access to the lower level of the Facility. There is also a sign above the door to the basement of the Facility noting that monthly parking is available within the Facility. The City of Boston has never historically restricted the access or use of the vehicular parking in the basement of the Facility. In reviewing the historical records available at the City of Boston Inspectional Services Department we did not find any notices of violation for the vehicular parking in the basement of the Garage.

Moreover, Petition CC-736 issued on May 3, 1965 and Petition CC-819 issued on April 21, 1966 (the “Petitions”) issued by the City of Boston Public Safety Commission, Committee on Licenses requested 1,000 gallons and 4,000 gallons of additional gasoline storage at the Facility in order to allow a 5,000 gallon underground storage tank to be constructed to service the vehicles parked in the basement of the Facility. These Petitions confirm the historical parking operations within the basement of the Facility. An affidavit from Gary Saunders, a general partner of the Owner that attested to the parking use within the basement of the Facility was also provided.

We believe the intent under the original Petitions was to allow for an off-street parking use in the basement and upper floors of the Facility, notwithstanding that 501 parking spaces were identified. The historical use of the Facility for 567 spaces well pre-dates the APCC’s regulations and inventory.

Conclusion

The Basement Parking Spaces provide safe, convenient and affordable off-street parking to a significant Massachusetts employer. We don’t believe that removing the Basement Parking Spaces from the current parking inventory would benefit the public given the historically tight supply of off-street parking spaces within the Back Bay Neighborhood. If the Basement Parking Spaces were removed, it would cause a potential increase in the use of on-street parking that is normally used by Back Bay residents. In addition, it would also increase the use of off-street parking at other parking facilities and lessen the amount of parking spaces that could be used by visitors and employees of local area businesses. As a result, we respectfully request the approval of the Modification to allow for the legalization of the Basement Parking Spaces.


We will provide letters of support at or prior to the APCC’s proposed hearing date.

If there is any additional information you require in connection with your review, please do not hesitate to contact me. Thank you.

Very truly yours,

Cambria-Scotia Company

By: Cambria Scotia GP LLC,
its General Partner

By: 

Name: Matthew B. Hoffman

Title: Manager

Hereunto duly authorized

Enclosures

cc: Mr. Mark Braconnier, Pilgrim Parking, Inc.
James H. Greene, Esq.
Andrew H. Kara, Esq.

This form approved by Commissioner of Revenue

COMMONWEALTH OF MASSACHUSETTS
CITY OF BOSTON
OFFICE OF THE COLLECTOR-TREASURER
ONE CITY HALL SQUARE, BOSTON, MA 02201

COLLECTOR OF TAXES
JUSTIN STERRITT



FY 2022

CITY OF BOSTON
REAL ESTATE TAX

Office of the Assessor 617-635-4287

Office of the Collector 617-635-4131

Office Hours: Monday - Friday 9:00 AM - 5:00 PM

PAYMENTS CAN BE MADE ONLINE AT:
www.boston.gov/taxpayments
credit/debit card payments are subject to fees

If you are using a payment service to pay this bill, you
MUST indicate the **TAXYEAR** and **BILL NUMBER** on the check

CAMBRIA- SCOTIA COMPANY
C/O HOFFMAN CO
60 TEMPL PL 2ND FL
BOSTON MA 02111

MAKE CHECKS PAYABLE TO:
THE CITY OF BOSTON

MAIL CHECKS TO:
BOX 55808
BOSTON, MA 02205

Do not send cash

WARD	PARCEL NO.	BILL NUMBER	BANK NO.											
04	01336-000	27517												
LOCATION			AREA											
50 DALTON ST			27318											
<table border="1"> <thead> <tr> <th></th> <th>RESIDENTIAL</th> <th>OPEN SPACE</th> <th>COMMERCIAL</th> <th>INDUSTRIAL</th> </tr> </thead> <tbody> <tr> <td>Tax Rate Per \$1,000</td> <td>10.88</td> <td>10.88</td> <td>24.98</td> <td>24.98</td> </tr> </tbody> </table>						RESIDENTIAL	OPEN SPACE	COMMERCIAL	INDUSTRIAL	Tax Rate Per \$1,000	10.88	10.88	24.98	24.98
	RESIDENTIAL	OPEN SPACE	COMMERCIAL	INDUSTRIAL										
Tax Rate Per \$1,000	10.88	10.88	24.98	24.98										
CLASS	DESCRIPTION	ASSESSED OWNER												
C C	LAND BUILDING	CAMBRIA- SCOTIA COMPANY												

IMPORTANT: SEE REVERSE SIDE FOR IMPORTANT INFORMATION

IF YOU WISH TO CONTEST YOUR ASSESSMENT, YOU MAY FILE AN ABATEMENT BY 02/01/2022.
DEADLINE FOR PAYMENT WITHOUT INTEREST IS 02/01/2022.

TAXPAYER'S COPY
3RD QUARTER

TOTAL FULL VALUATION	27,724,100.00
RESIDENTIAL EXEMPTION	.00
TOTAL TAXABLE VALUATION	27,724,100.00
COMMUNITY PRESERVATION ACT	6,900.50
SPECIAL ASSESSMENT	.00
CODE VIOLATIONS	.00
TOTAL TAX & SPEC ASSMNT. DUE	699,448.52
PERSONAL EXEMPTIONS	.00
PAYMENTS TO DATE/CREDITS	386,351.21
NET TAX & SPEC. ASSMNT. DUE	313,097.31
PRELIMINARY OVERDUE	.00
1ST TAX PAYMENTS DUE BY 02/01/2022	156,548.66
2ND TAX PAYMENTS DUE BY 05/02/2022	156,548.65
TAX DUE	156,548.66
FEES	.00
INTEREST	.00
TOTAL DUE	156,548.66
Pay by 02/01/2022	

Please detach this portion and remit this slip with payment

COMMONWEALTH OF MASSACHUSETTS
CITY OF BOSTON

COLLECTOR'S COPY
2022 REAL ESTATE TAX
3RD QUARTER

This form approved by Commissioner of Revenue

WARD	PARCEL NO.	BILL NUMBER	BANK NO.
04	01336-000	27517	
LOCATION			
50 DALTON ST			

COLLECTOR OF TAXES
JUSTIN STERRITT

ASSESSED OWNER: CAMBRIA- SCOTIA COMPANY

CAMBRIA- SCOTIA COMPANY
C/O HOFFMAN CO
60 TEMPL PL 2ND FL
BOSTON MA 02111

MAKE CHECKS PAYABLE TO:
THE CITY OF BOSTON

MAIL CHECKS TO:
BOX 55808
BOSTON, MA 02205

Do not send cash

TAX DUE	156,548.66
FEES	.00
INTEREST	.00
TOTAL DUE	156,548.66
Pay by 02/01/2022	

**Cambria-Scotia Company
c/o The Hoffman Companies
60 Temple Place
Boston, Massachusetts 02111**

August 11, 2022

**Via Electronic Mail &
Via Hand Delivery**

City of Boston,
Air Pollution Control Commission
1 City Hall Square, Room 709
Boston, Massachusetts 02201

**Re: Application to Modify Downtown Boston Parking Freeze Permit #APCC453741 for the
Parking Garage Located at 50 Dalton Street, Boston, (Back Bay), Massachusetts,
Ward 4**

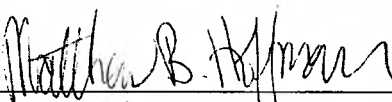
Dear Sir/Madam:

Please be advised that Mark Braconnier of Pilgrim Parking, Inc. and James H. Greene and Andrew H. Kara of Rubin & Rudman LLP are hereby authorized to file on behalf of Cambria-Scotia Company, a Massachusetts limited partnership, an Application to Modify Downtown Boston Parking Freeze Permit #APCC453741 (the "Modification") for the parking garage located at 50 Dalton Street, Boston, (Back Bay), Massachusetts, Ward 4, with the City of Boston, Air Pollution Control Commission ("APCC") and act and appear on our behalf with respect to the APCC's review of the Modification. Thank you.

Very truly yours,

Cambria-Scotia Company

By: Cambria Scotia GP LLC,
its General Partner

By: 
Name Matthew B. Hoffman
Title: Manager

Hereunto duly authorized

cc: Mr. Mark Braconnier
James H. Greene, Esq.
Andrew H. Kara, Esq.



SOCOTEC

150 NORTH STATE STREET
WALTON, MA 01886
P: 978.338.8800
F: 978.338.8801
WWW.SOCOTEC.COM

AUDITORIUM
GARAGE
BASEMENT
PARKING STALLS



**PILGRIM
PARKING, INC.**
80 DALTON STREET
BOSTON, MA 02115

Drawing Title

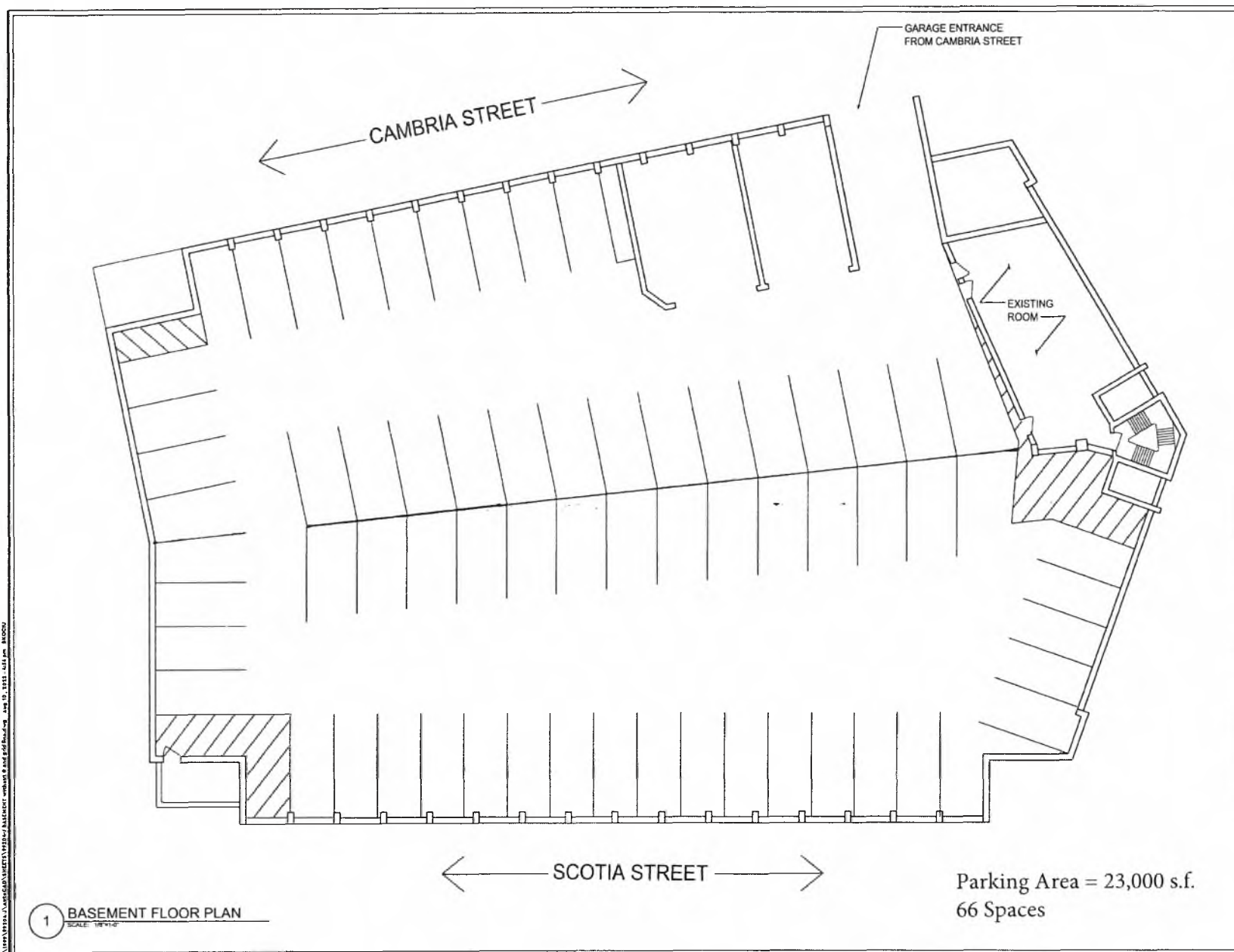
**BASEMENT
PLAN**

Revisions

Submitted

Date: 1/17/02
Project Number: 9004J
Project Manager: Sam
Drawn By: SC
Scale: AS NOTED

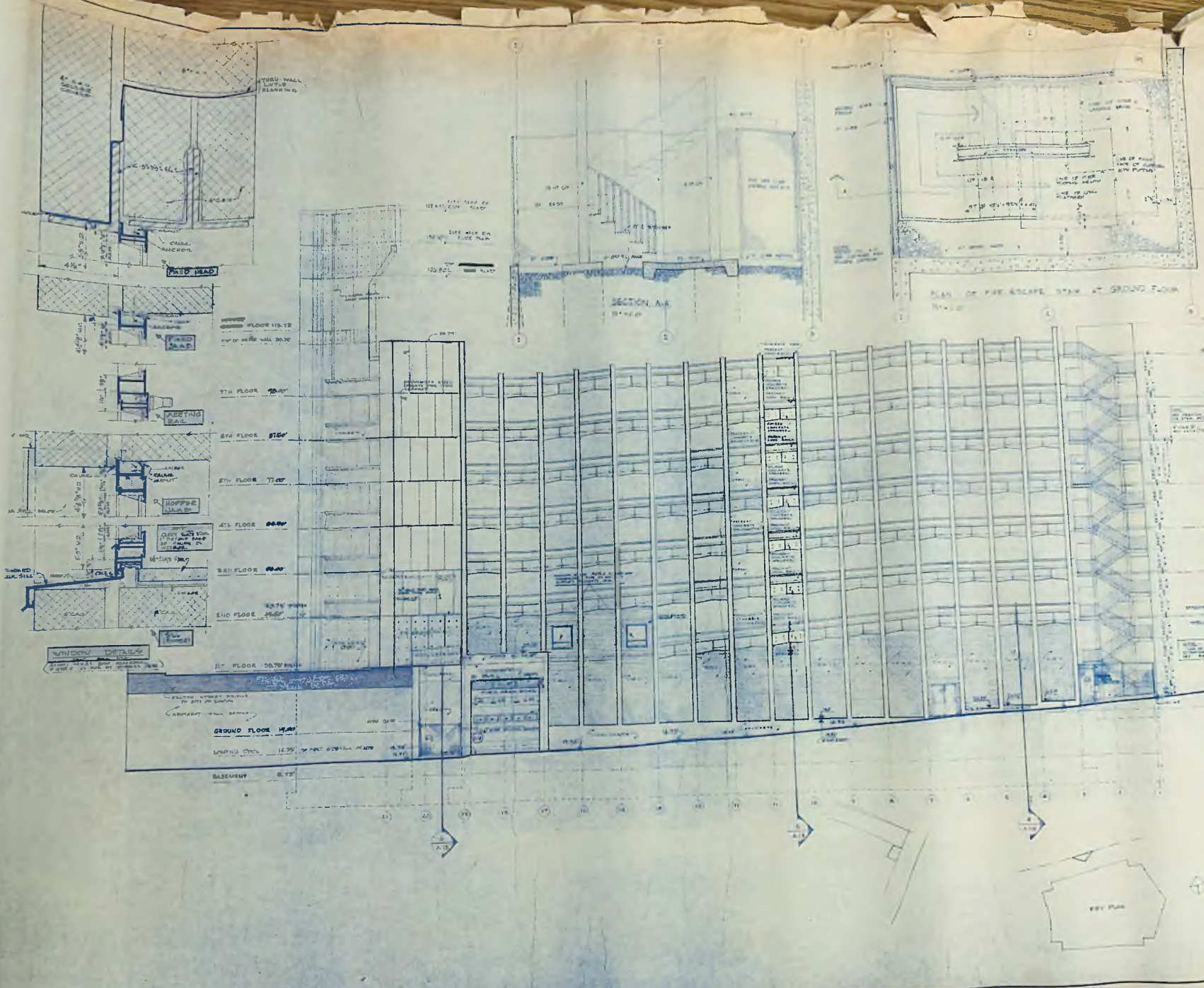
S1-01



1 BASEMENT FLOOR PLAN
SCALE: 1/8"=1'-0"

Parking Area = 23,000 s.f.
66 Spaces

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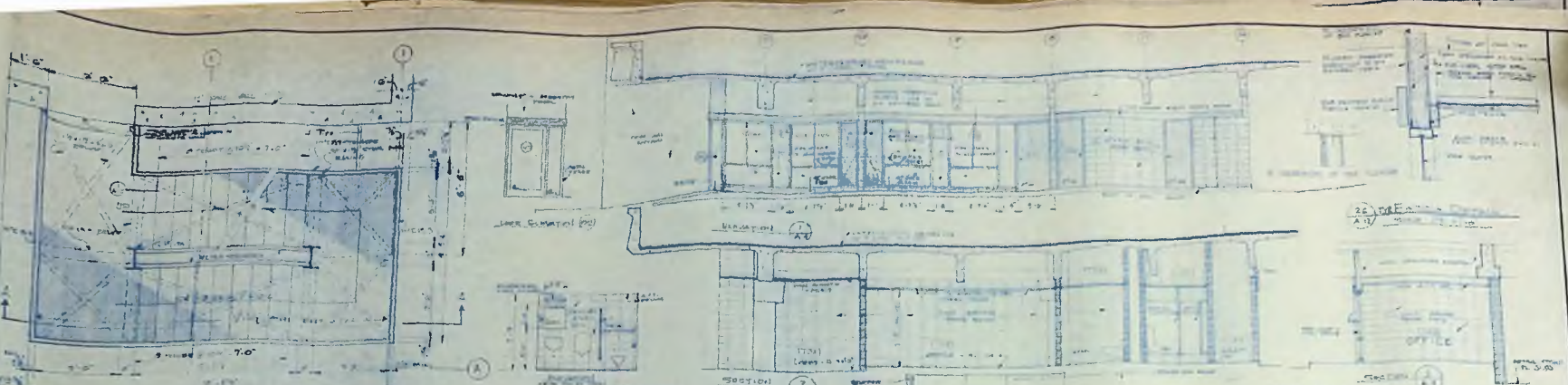


SGA

samuel glaser associates architects
 samuel glaser
 234 clarendon street boston mass 02116

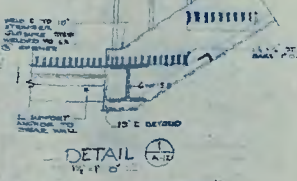
PROJECT NO. 100-100-100
 DATE 1-1-1960
 SHEET NO. A-8

STORE FRONT DETAILS

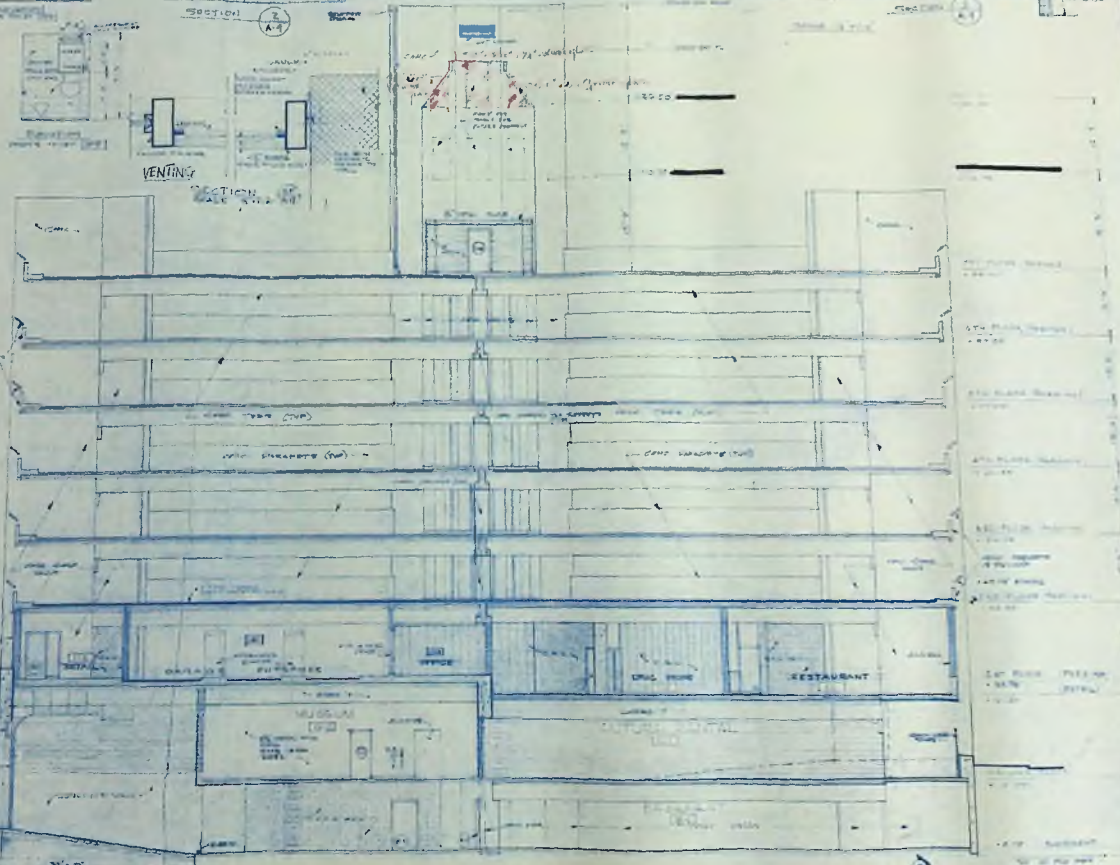


PLAN - Typical Floor
SCALE 3/8" = 1'-0"

STAIR #2



DETAIL 1-A-A
SCALE 1/4" = 1'-0"



VENTING SECTION

SECTION 1-A-A



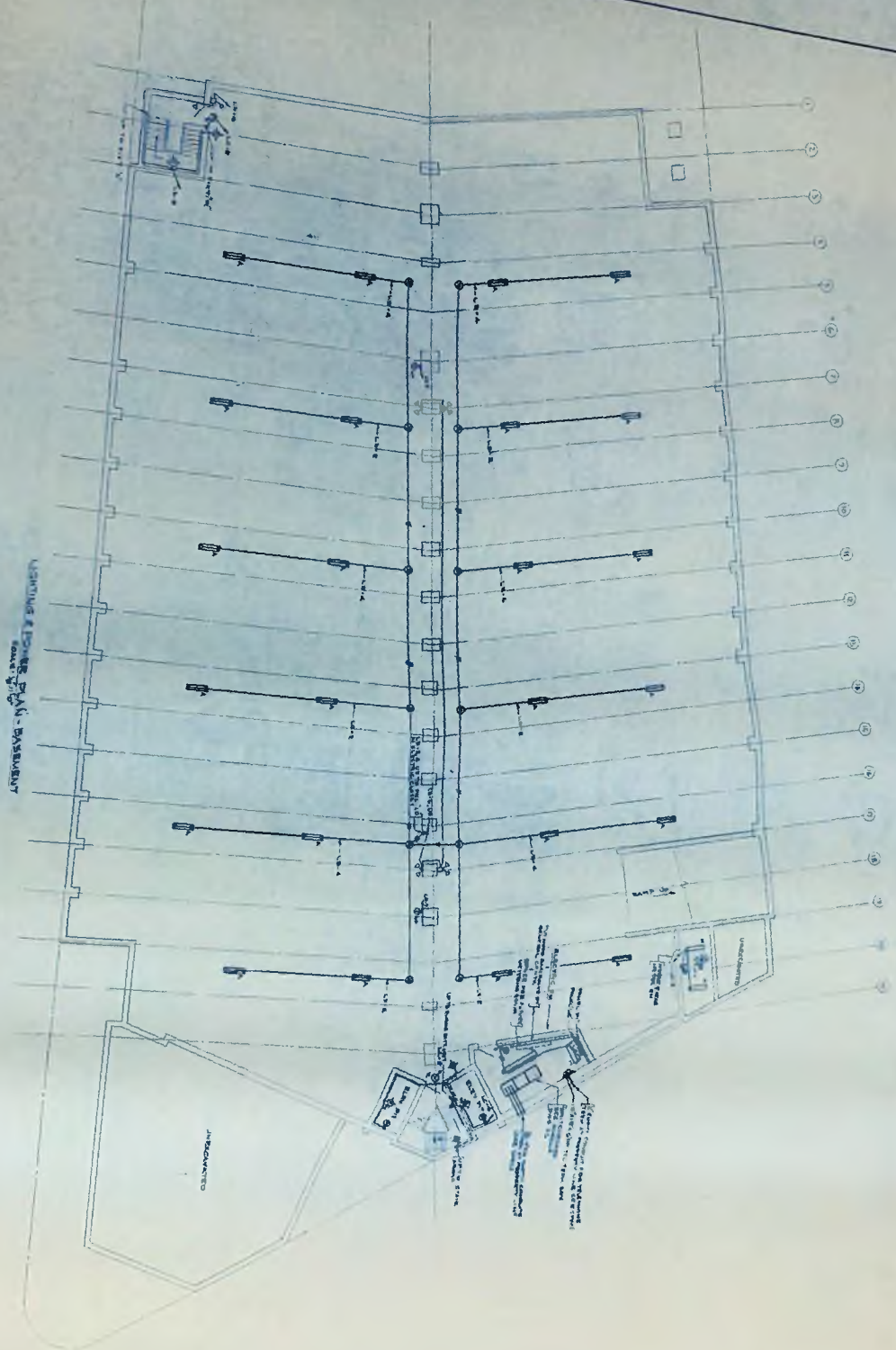
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SCALE 1/8" = 1'-0"



samuel glaser associates architects
234 clarendon street boston massachusetts

DATE 7-64

A-12



MECHANICAL & LIGHTING PLAN - BASEMENT

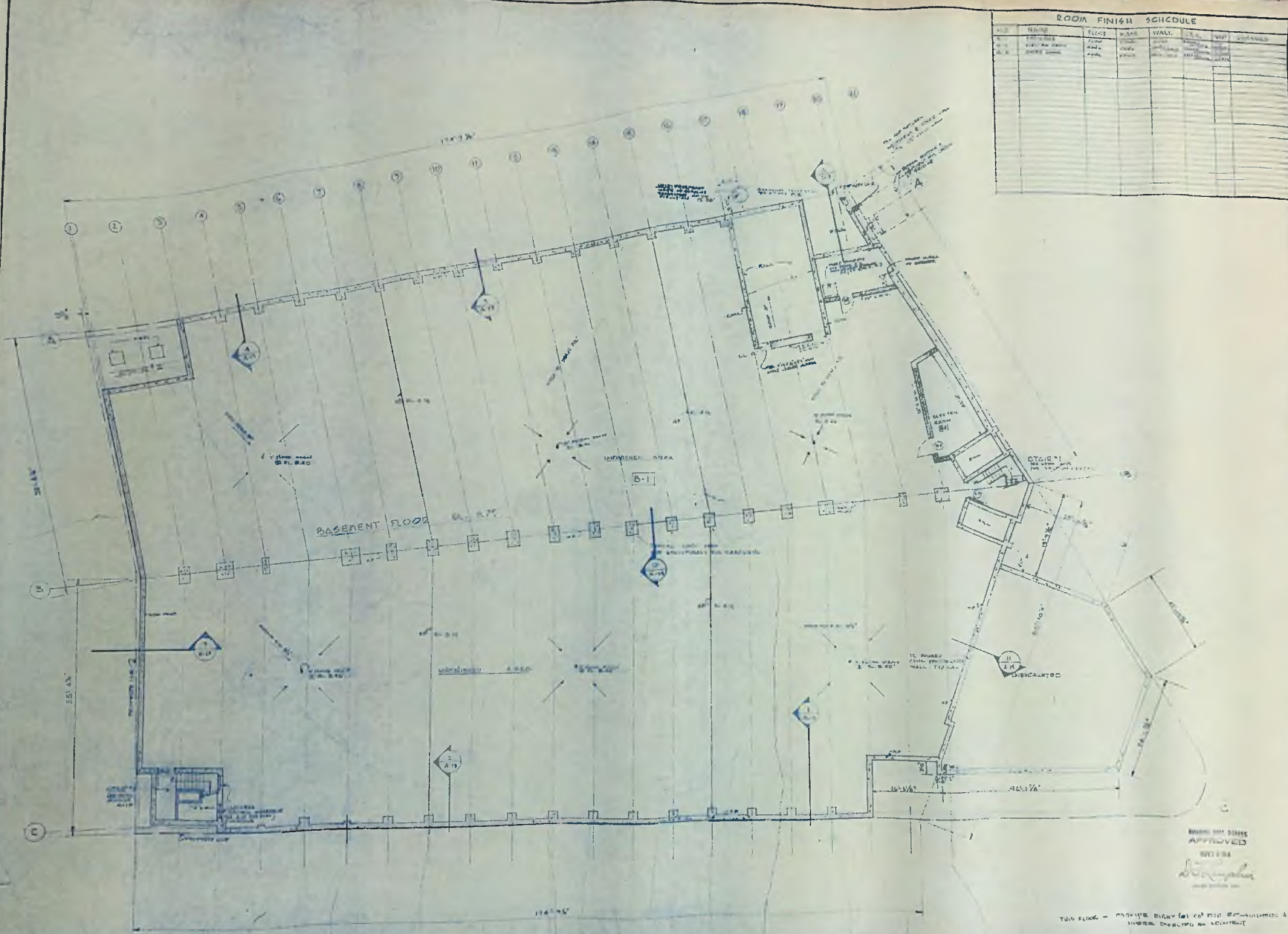
UNACCOUNTED

13-1
 AUDITORIUM GARAGE
 10 DALTON STREET BOSTON MASSACHUSETTS
 FOR CHARLES SCOTT ON
 BOSTON MASSACHUSETTS
 samuel glaser associates architects
 234 clarendon street boston massachusetts

ELECTRICAL
 BASEMENT PLAN
 GOODALL SHAFRO ASSOCIATES
 ELECTRICAL ENGINEERS
 262 WASHINGTON STREET BOSTON, MASS.

ROOM FINISH SCHEDULE

NO.	ROOM	FLOOR	WALL	CEILING	FURN.	DETAILS
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SGA

s Samuel G. S. Associates, Inc.
architects
111 Clarendon Street, Boston, Massachusetts

MASSACHUSETTS REGISTERED ARCHITECTS
NO. 10000

A-2

MADE BY STATE
APPROVED
DATE
[Signature]

THIS PLAN IS FOR THE USE OF THE ARCHITECT ONLY
IT IS NOT TO BE USED FOR ANY OTHER PURPOSE

ArcGIS Web Map



THIS CHECK IS VOID WITHOUT A GREEN & BLUE BORDER AND BACKGROUND PLUS A KNIGHT & FINGERPRINT WATERMARK ON THE BACK - HOLD AT ANGLE TO VIEW

 RUBIN and
RUDMAN LLP
Attorneys at Law
53 State Street
Boston, MA 02109

Eastern Bank Operating
53-179/113

CHECK NUMBER
14953

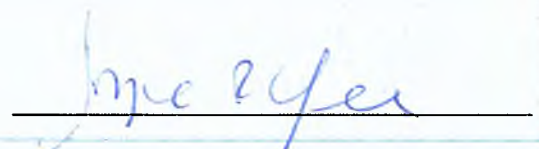
CHECK DATE
08/11/2022

CHECK AMOUNT
\$1,320.00

PAY ONE THOUSAND THREE HUNDRED TWENTY AND 00/100 DOLLARS ***

TO THE ORDER OF
City of Boston
Air Pollution Control Commission

Re: FY 22 Filing Fee



⑈ 14953⑈ ⑆011301798⑆ 0601621569⑈

THIS CHECK IS VOID WITHOUT A GREEN & BLUE BORDER AND BACKGROUND PLUS A KNIGHT & FINGERPRINT WATERMARK ON THE BACK - HOLD AT ANGLE TO VIEW

 RUBIN and
RUDMAN LLP
Attorneys at Law
53 State Street
Boston, MA 02109

Eastern Bank Operating
53-179/113

CHECK NUMBER
14952

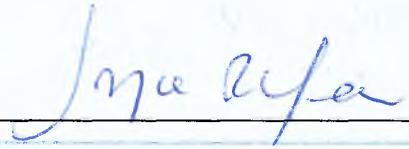
CHECK DATE
08/11/2022

CHECK AMOUNT
\$1,320.00

PAY ONE THOUSAND THREE HUNDRED TWENTY AND 00/100 DOLLARS ***

TO THE ORDER OF
City of Boston
Air Pollution Control Commission

Re: FY 23 Filing Fee



⑈ 14952 ⑈ ⑆ 011301798 ⑆ 0601621569 ⑈

ArcGIS Web Map

