

Yareni Sanchez ysanchez@goulstonstorrs.com (617) 574-3564 (tel)

December 16, 2024

BY EMAIL AND HAND DELIVERY

Boston Air Pollution Control Commission c/o Environment Department 1 City Hall Square, Room 709 Boston, MA 02201 Attn: Alice Brown, Director of Environmental Quality Email: apcc@boston.gov

Re: Block L-3 Project, Seaport Square Project

Dear Ms. Brown:

Enclosed please find the Application of Seaport L Title Holder LLC (the "<u>Applicant</u>") to the City of Boston Air Pollution Control Commission (the "<u>APCC</u>") for a new Parking Freeze Permit and modification to APCC South Boston Parking Freeze Permit No. APCC367728 (390 Congress Street) (the "<u>L Block Permit</u>"), in connection with the construction of the Block L-3 Project (the "<u>Block L-3 Project</u>") on Block L-3 of the Seaport Square project in the Seaport district of South Boston.

The Block L-3 Project involves the construction of an 18-story mixed-use building of approximately 425,000 square feet of Gross Floor Area of office and/or research, retail and residential uses. The Block L-3 Project building includes a subsurface garage that will contain up to 173 self-park and/or valet-assisted spaces. The garage will also include: Electric Vehicle (EV) chargers for 44 spaces, consisting of Level-2 chargers serving 22 spaces, DCFC-50KW chargers serving 2 spaces and outlets serving 20 electric bicycles; sufficient infrastructure to support installing EV chargers, if needed in the future, for an additional 74 spaces, consisting of Level-2 charger accommodating approximately 268 bicycles for office and/or research, retail/entertainment/restaurant/service and residential uses; and public short-term bicycle parking accommodating approximately 102 bicycles. As further detailed in the enclosed materials, the Applicant seeks the APCC's approval of a new Parking Freeze Permit for the Block L-3 Project for up to 173 spaces, comprised of (i) 86 commercial spaces currently included in the L Block Permit, and (ii) an allocation of 87 commercial parking spaces from the South Boston Parking Freeze Bank.

We enclose the following in support of this Application:

- A. A completed APCC Application for Parking Freeze Permit, including a check (no. 033738) in the amount of \$3,460 for applicable fees;
- B. A Statement of Need, including a copy of the EV Requirement Equivalence Calculator;

- C. A copy of the Deed of the Property to the Applicant; and
- D. A Site Plan showing the proposed location of the proposed parking garage and surrounding area, the layout and number of parking spaces, ground-level access to and egress from the garage, the total square footage of the parking area, the location, type and amount of electric vehicle parking space and the location and amount of bicycle parking and bicycle facilities.

We respectfully request to be included on the agenda for the next scheduled APCC meeting on January 15, 2025.

Hardcopies of the enclosed materials, together with a Joint Staff Report and a locus map, will be submitted not less than two (2) weeks before the anticipated hearing date of January 15, 2025.

If you have any questions about this matter, please do not hesitate to contact me if any additional information is required.

Sincerely, Yareni (Yari) Sanchez

Enclosures

cc (via email w/encl.):

Alyssa Farkas, Air Pollution Control Commission Yanni Tsipis, WS Development Amy Prange, WS Development Elizabeth Peart, Howard Stein Hudson Peter N. Kochansky, Goulston & Storrs

APPENDIX A

APPLICATION

[See Attached]



APCC Permit Number

A. GENERAL APPLICATION INFORMATION

1. Project Location

33 Boston Wharf Road a. Street Address	Boston b. City/Town	MA c. Zip Code
	0602643060	
f. Assessors Map/Plat Number	g. Parcel/Lot Number	

2. Applicant

Yanni	Tsipis	WS Development	
a. First Name	b. Last Name	c. Company	
c/o WS Asset Management, LLC, 33 Boylston Street, Suite 3000			Suite 3000
Chestnut Hill e. City/Town		MA f. State	g. Zip Code
(617) 646-3180 h. Phone Number	i. Fax Number	yanni.tsipis@wsd j. Email address	evelopment.com

3. Property Owner

a. First Name	b. Last Name	Seaport L Title Ho	lder LLC	
c/o WS Asset Man d. Mailing Address	agement, LLC, 33 B	3 Boylston Street, Suite 3000		
Chestnut Hill e. City/Town		MA f. State	g. Zip Code	
(617) 646-3180 h. Phone Number	i. Fax Number	yanni.tsipis@wsdevelopment.com		

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.)



APCC Permit Number

Representative (if any) 4.

Yareni a. First Name	Sanchez b. Last Name	Goulston & Storrs F	°C
One Post Office So	quare, 25th Floor		_
Boston e. City/Town		MA f. State	g. Zip Code
(617) 574-3564 h. Phone Number	i. Fax Number	ysanchez@gouls	tonstorrs.com
5. What kind of application is being filed? Request a New Parking Freeze Permit or Exemption Certification Modify an existing Parking Freeze I or Exemption Certification		0	
6. Which Parking F	reeze is your facility locate oston	d in South Boston	

В. **PARKING FACILITY INFORMATION**

1. Applicant

Downtown Boston	South Boston	
Commercial Spaces	Commercial Spaces	173
Exempt Spaces	Residential Included Spaces	
Residential Excluded Spaces	Residential Excluded Spaces	

2. D	o you currently or will you c	harg	e for parking?
V	Yes		No

Not sure

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

~	Valet
	Self-F

Self-Parking

Surface Lot Garage



APCC Permit Number

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

Number of Long-Term Bicycle Spaces:	268	Number of Showers:	4
Number of Short-Term Bicycle Spaces:	102	Bikeshare Station Size and Contribution:	\$75,000
Number of Lockers:	28	Other Amenities (Please List):	

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

EVSE-Installed Points:	^A 43	Total number of spaces:	^c 173
EV-Ready Points:	в 130	Does A + B = C ?	Yes 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: 173	Total Parking Facility Square Footage: 102,500 sf
Number of New Spaces: 87	Ratio of Residential Spaces to Units: N/A
Number of Existing Spaces: 86	(Optional) Number of Spaces Returned: N/A

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

Residential Sqft: 260,000	Retail Sqft: 15,000
Office/Admin Sqft: 150,000	Institutional Sqft:
Industrial Sqft:	Lodging Sqft:

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



No

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



PARKING FREEZE APPLICATION FORM

Air Pollution Control Commission

APCC Permit Number

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.

Dariel B. Preysman	12/13/2024
Signaturestapplicant	Date
Signature of Property Owner (if different)	Date
Jareni Sanduz	12/13/2024
Signatine OF Mepresentative (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



APCC Permit Number

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 <u>boston.gov/landmarks</u> and <u>boston.gov/conservation</u> 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 <u>APCC@boston.gov</u>. 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 <u>APCC@boston.gov</u>.

Entity	Remit To:	Date	Invoice	Reference	Amount	Discount	Net
SEASAL	CHRISTA SEMERJI	12/5/2024	PermDEC24L3		3,460.00	0.00	3,460.00
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APPENDIX B

SEAPORT SQUARE BLOCK L-3 - STATEMENT OF NEED

SUBMITTED DECEMBER 16, 2024

Seaport L Title Holder LLC, a Delaware limited liability company ("<u>Applicant</u>"), is the owner of Block L-3 of the Seaport Square project, which is an approximately 34,118 square foot parcel in the Seaport district of South Boston, bounded by Autumn Lane to the north, Block L-5 of the Seaport Square project to the south, Boston Wharf Road to the west and Block L-4 of the Seaport Square project to the east (the "<u>Property</u>"). The Applicant acquired the Property from MS Boston Seaport, L.L.C. ("<u>MS Boston</u>"), by a deed dated October 23, 2015 and recorded with the Suffolk County Registry of Deeds in Book 55221, Page 252. The Applicant proposes to construct a mixed-use building, as well as a three-level subsurface parking garage on the Property (the "<u>Block L-3 Project</u>").

The Property is a part of the approximately 23.5-acre Seaport Square project, a phased, mixed-use project approved in 2010 by the Boston Planning & Development Agency ("**BPDA**") and the Boston Zoning Commission ("**BZC**") in the form of a Development Plan for Planned Development Area No. 78, Seaport Square ("**2010 PDA Plan**"). In 2015, after the construction of certain Blocks of the Seaport Square project, Seaport Square Development Company LLC ("**SSDC**") acquired the undeveloped Seaport Square Blocks – Blocks D, F, G, L3-L6, N, and P – from MS Boston, the original master developer. In 2017, SSDC filed an Amended and Restated Development Plan for Planned Development Area No. 78 for the Seaport Square Project (the "**A&R PDA Plan**"), which was approved by the BPDA and the BZC, and in 2022, SSDC filed a First Amendment (the "**First Amendment**") to the A&R PDA Plan (the A&R Plan, as amended by the First Amendment, the "**PDA Plan**"), which was approved by the BPDA and the BZC. One key change in the PDA Plan is a reduction in the total number of parking spaces in the Seaport Square project – from approximately 6,350 approved subsurface spaces in the 2010 PDA Plan to approximately 5,300 subsurface spaces in the First Amendment. Of those 5,300 approved spaces, approximately 3,885 spaces have been constructed or are under construction.

The Block L-3 Project is comprised of an 18-story mixed-use building containing approximately 425,000 square feet of Gross Floor Area of commercial office and/or research, retail and residential uses. Significant public realm improvements will be constructed on the Property. Among them, the Block L-3 Project will include the construction of the hardscape improvements completing the portions of the Harbor Way pedestrian path immediately adjacent to the Property, in addition to the construction of sidewalk improvements along the portions of Boston Wharf Road and Autumn Lane immediately adjacent to the Block L-3 building.

The subsurface garage to be constructed by the Applicant will contain up to 173 self-park and/or valet-assisted spaces. The 173 total spaces requested under this Application will be for use by the Block L-3 Project's office and/or research tenant(s), retail and residential tenants and their patrons, employees and guests. The garage will also be open to the general public at market rates. The provision of 173 parking spaces is necessary in order to meet the market demands of a first-class office, research and residential building and the destination-style retail uses envisioned for the Property. Upon completion of the Block L-3 Project, the garage on Block L-3 will connect to, and be operated as a unified garage with, the permitted garages on Blocks L-4 and L-5 and/or the garage to be constructed on Block L-6 of the Seaport Square project.

Vehicular access and egress to the three-level subsurface parking garage will be from a ramp off of Autumn Lane. The garage will include Electric Vehicle (EV) chargers for 44 spaces, consisting of Level-

2 chargers serving 22 spaces, DCFC-50KW chargers serving 2 spaces and outlets serving 20 electric bicycles, as well as sufficient infrastructure to support installing EV chargers, if needed in the future, for an additional 74 spaces, consisting of Level-2 chargers serving 22 spaces and DCFC-50KW chargers serving 8 spaces. Enclosed is a copy of the EV Requirement Equivalence Calculator for the Block L-3 Project. The garage will also include secure long-term bicycle storage accommodating approximately 268 bicycles for office and/or research, retail/entertainment/restaurant/service and residential use; the Applicant will also provide public short-term bicycle parking on-site for approximately 102 bicycles. The provision of long-term and short-term bicycle parking for the Block L-3 Project meets the minimum spaces required under the Bike Parking Guidelines of the City of Boston Transportation Department.

Currently, the Property contains a total of 86 commercial surface parking spaces. Those spaces are included within the larger APCC South Boston Parking Freeze Permit No. APCC367728 (390 Congress Street) (the "<u>L Block Permit</u>"). The L Block Permit originally corresponded to Blocks L-3, L-4, L-5 and L-6 of the Seaport Square project. Since the initial issuance of the L Block Permit, a garage facility has been constructed on Block L-4, which operates pursuant to APCC South Boston Parking Freeze Permit No. APCC387316, and a garage facility has been constructed on Block L-5, which operates pursuant to APCC South Boston Parking Freeze Permit No. APCC387316, and a garage facility has been constructed on Block L-5, which operates pursuant to APCC South Boston Parking Freeze Permit No. APCC447277. The Applicant recently worked with APCC staff to administratively modify the L Block Permit to return 385 spaces to the South Boston Freeze Bank, and the administratively modified L Block Permit now authorizes 164 spaces, of which 86 are permitted on the Property and 78 are permitted on Block L-6 of the Seaport Square project. Simultaneously herewith, the Applicant is filing a separate Application to the APCC relating to the project to be constructed on Block L-6 of the Seaport Square project.

The Applicant respectfully requests that the APCC (i) allocate 86 spaces from the 164 permitted under the L Block Permit to the permit for the new Block L-3 garage, and (ii) allocate 87 spaces from the South Boston Freeze Bank, for a total of 173 spaces on a new Parking Freeze Permit for Block L-3. Approval of the requested actions would result in a modification of the L Block Permit reducing the number of spaces permitted under the L Block Permit from 164 spaces to 78 spaces.

INTERACTIVE EV REQUIREMENT EQUIVALENCE CALCULATOR

PROJECT CHARACTERISTICS	Fill Out Cells Below
Parking Requested	173

REQUIRED	EVSE READY TOTAL POINTS REQUIRED
43	130

EVSE-INSTALLED EQUIVALENCE CALCULATOR

		Weighted Points (per		
Options	Amount of parking spaces served	mitigation measure)	Total Points	Restriction/Range
LEVEL I GHARGER		1	0	office may offset with
LEVEL 2 CHARGER	22	1	22	
DCFC - 50KW	2	8	16	
DCFC - 150KW		24	0	
EV Carshare		19	0	
Electric Bike Parking Amenities	20	0.5	10	Maximum of 5 points.
Total Vehicle Parking Spaces	44			

	EVSE-INSTALLED POINTS REQUIRED
48*	43

*45 accounting for the maximum of 5 points in the "Electric Bike Parking Amenities" category.

EV READY EQUIVALENCE CALCULATOR

Options	Amount of parking spaces served	Weighted Points (per mitigation measure)	Total Points	Restriction/Range
				office may offset with this option. Parking spaces must be assigned
LEVEL 1 CHARGER LEVEL 2 CHARGER	66	1	0 66	if residential.
DCFC - 50KW DCFC - 150KW Total Vehicle Parking Spaces	8	8 24	64 0	

TOTAL POINTS ACCRUED	POINTS REQUIRED
130	130

APPENDIX C

DEED TO THE APPLICANT

[See Attached]



Bk: 55221 Pg: 252 Page: 1013 Recorded: 10/23/2015 12:00 PM ATTEST:Francis M. Roache, Register Suttolk County Registry of Deeds Massachuselte xasetax ughtobany Ostilation HOD # 001 Date: 10/23/2015 12:00 PM Ctrl# 153309 28156 Doc# 00094790 Fee: \$624,827.16 Cons: \$137,023,462.00

<u>DEED</u>

MS BOSTON SEAPORT, L.L.C., a Delaware limited liability company with an address of c/o Morgan Stanley Real Estate Funds, 1585 Broadway, 37th Floor, New York, New York 10036 ("**Grantor**"), for consideration paid and full consideration of One Hundred Thirty-Seven Million Twenty-Three Thousand Four Hundred Sixty-Two and 00/100 DOLLARS (\$137,023,462.00) grants to SEAPORT L TITLE HOLDER LLC, a Delaware limited liability company with an address of c/o WS Development LLC, 33 Boylston Street, Suite 3000, Chestnut Hill, Massachusetts 02467, with QUITCLAIM COVENANTS, the land, together with any improvements thereon, located in Boston, Suffolk County, Massachusetts, as more particularly described in <u>Exhibit A</u> attached hereto and made a part hereof (the "**Property**").

Subject to and together with that certain Declaration of Covenants, Restrictions, Development Standards and Easements, recorded with the Suffolk County Registry of Deeds ("**Deeds**") in Book 48846, Page 1 (as amended and supplemented to date, the "**Declaration**"), which Declaration provides inter alia that the Seaport Square Project is a multi-phase, mixed-use project being developed in the Seaport District of Boston. Development of the Seaport Square Project may occur in phases over a period of time. The Seaport Square Project will involve a variety of uses, including without limitation residential, office, hotel, research and development, cultural, educational, retail, and restaurant uses. As a result of the Seaport Square Project, the character of the Seaport Square area will change over time. The Seaport Square Project is expected to bring pedestrian and vehicular traffic into the area, and involves the construction of roadway and traffic signalization improvements. Because the Seaport Square Project will occur over an extended period of time in a phased manner, construction activities will occur on the Seaport Square Project property and on adjacent roadways regularly.

Grantor certifies that it has not elected to be treated as a corporation for federal tax purposes for the current taxable year.

The conveyance is made together with and subject to all recorded easements, conditions, restrictions, contracts, and agreements, and other matters of record that encumber, affect or otherwise apply to the Property, including, without limitation, that certain Notice of Activity and Use Limitation dated December 22, 2000, recorded with said Deeds in Book 25700, Page 329, as affected by Confirmatory Notice of Activity and Use Limitation dated January 8, 2001, recorded with said Deeds in Book 25788, Page 287, and as affected by Partial Terminations of Notice of Activity and Use Limitation, recorded with said Deeds in Book 54915, Pages 47 and 54.

For Grantor's title to the Property see Deed of Fox Boston Seaport Land LLC, dated September 1, 2006, recorded with the Suffolk County Registry of Deeds in Book 40319, Page 52.

> PLEASE RETURN TO: FIDELITY NATIONAL TITLE INSURANCE COMPANY 133 FEDERAL STREET 12TH FLOOR BOSTON, MA 02110

Bk: 55221 Pg: 253

Witness our hand and seal as of the 31 day of October, 2015.

MS Boston Seaport, L.L.C., a Delaware limited liability company

Bv: hn P. Buza ice Presiden Name: Tit

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

On this 22nd day of October, 2015, before me, the undersigned notary public, personally appeared John P. Buza, provided to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document and acknowledged to me that he signed it voluntarily for its stated purpose as Vice President of MS Boston Seaport, L.L.C.

townel ich herine Culkin

(official signature and seal of notary) My commission expires: 4/18/19

KATHERINE CULKIN Notary Public Commonwealth of Massachusetts My Commission Expires April 18, 201

1

EXHIBIT A

Legal Description

BLOCKS L3, L4, L5 AND L6:

That certain parcel of land in the City of Boston, South Boston District, County of Suffolk, located on the southerly side of Seaport Boulevard, being shown as Remaining L Block on a plan titled "Subdivision Plan – L Block, Boston Seaport Square, Boston, Massachusetts", dated October 10, 2012, prepared by Nitsch Engineering and recorded with the Suffolk County Registry of Deeds in Plan Book 2012, Plan 414, containing an area of 205,076 square feet, more or less, according to said plan.

APPENDIX D

SITE PLAN OF THE GARAGE

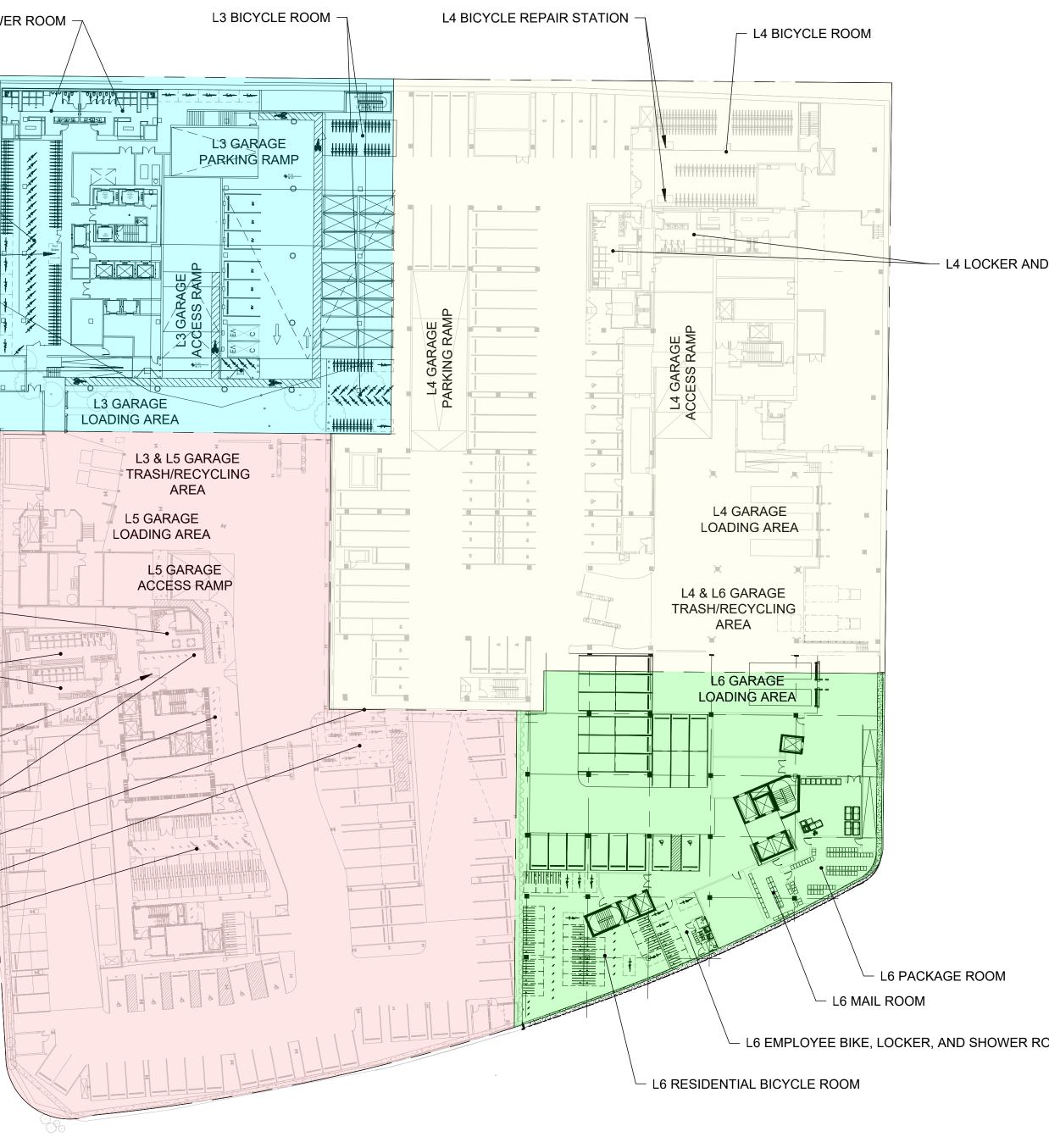
[See Attached]

	L3 LOCKER AND SHOW
·	
	L3 BICYCLE ROOM
	L3 BICYCLE REPAIR STATION
	L3 VISITOR BICYCLE PARKING
	L5 EMPLOYEE LOCKER ROOM
	L5 LOCKER AND SHOWER ROOM
	L5 BICYCLE REPAIR STATION
	L5 VISITOR BICYCLE PARKING
	L5 E-BIKE CHARGING
	L5 VISITOR BICYCLE PARKING
	L5 BICYCLE ROOM
	Block L3
	Block L4
	Block L5
	Block L6

Printed by: Michael White

NOT FOR CONSTRUCTION

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	R ROOM				
D SHOWE	RROOM				
ООМ					
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] [FINAL DESIGN PER			quare Block	
	DRAFT	(SITE PLAI GARAGE LEV		EXHIBIT X
	TRANSPORTATION ACCESS PLAN AGREEMENT	11	ARD STEIN HUDSON Beacon Street, Suite 1010 Boston, MA 02108 www.hshassoc.com	Date: December 2024	Scale: 1" = 40'-0"
		SITE PLAN IS	SUBJECT TO REVISIONS BY BT	D AND PIC	

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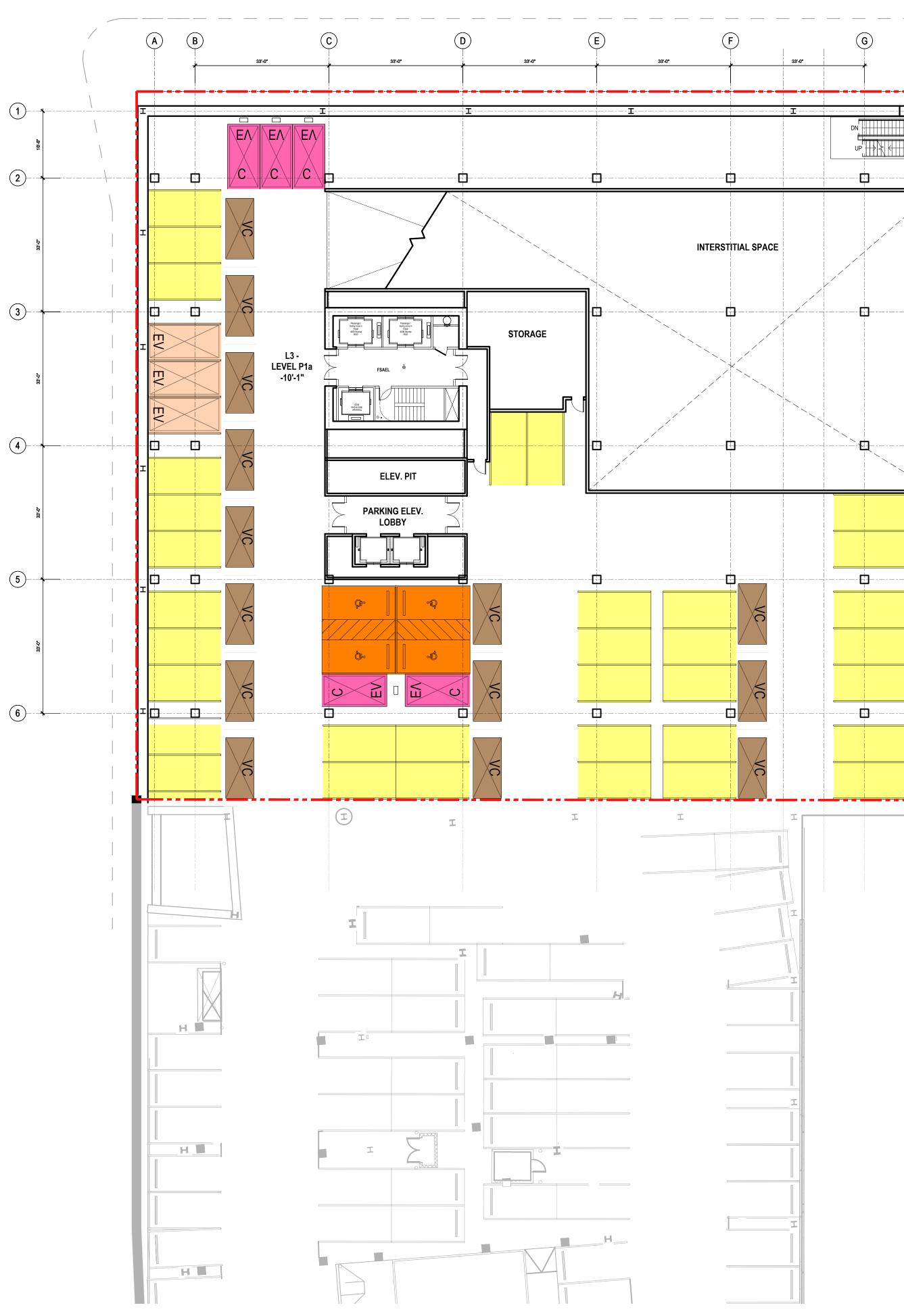
ROAD

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BOSTON WHAR

		F2F Height (ft)	P1 20	P1a 10	P2 10	Total 40
	aces	GSF HC VAN HC Standard	34,120	34,120 2 2	34,120 4	102,500 2 6
	Parking Spaces	HC Standard Standard Compact	14	2 34	4 61	<mark>109</mark> 0
	Par	Valet Spot		14	18 Total	32 149
	EV Day1	Level2 Standard Level2 Compact	4	3 5	3 5	10 12
	E	DCFC-50KW	2		Total	2 24
				Gr	and Total	173
	EV Day2*	Level2 Standard Level2 Compact	7	15	40	66
	EV D	DCFC 50Amp EV Car Share			Tatal	8
 		Extra Wide	20		Total	74
	Bikes	Post / U rack High density Showers Lockers	20 82 268			82 268 4 28
		Bike acess path			Total	370
	EV	EV EV	EV			
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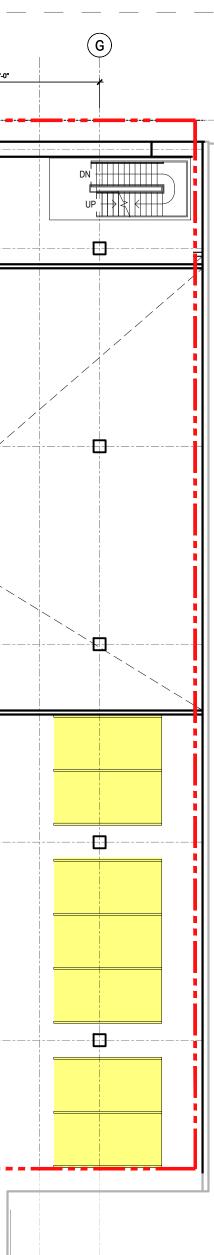
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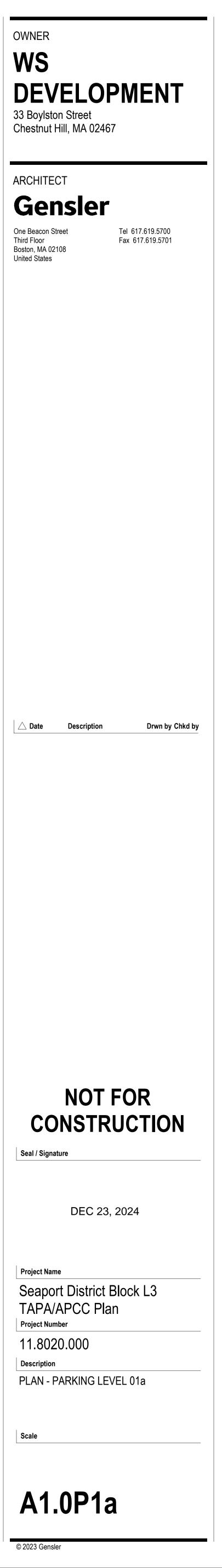
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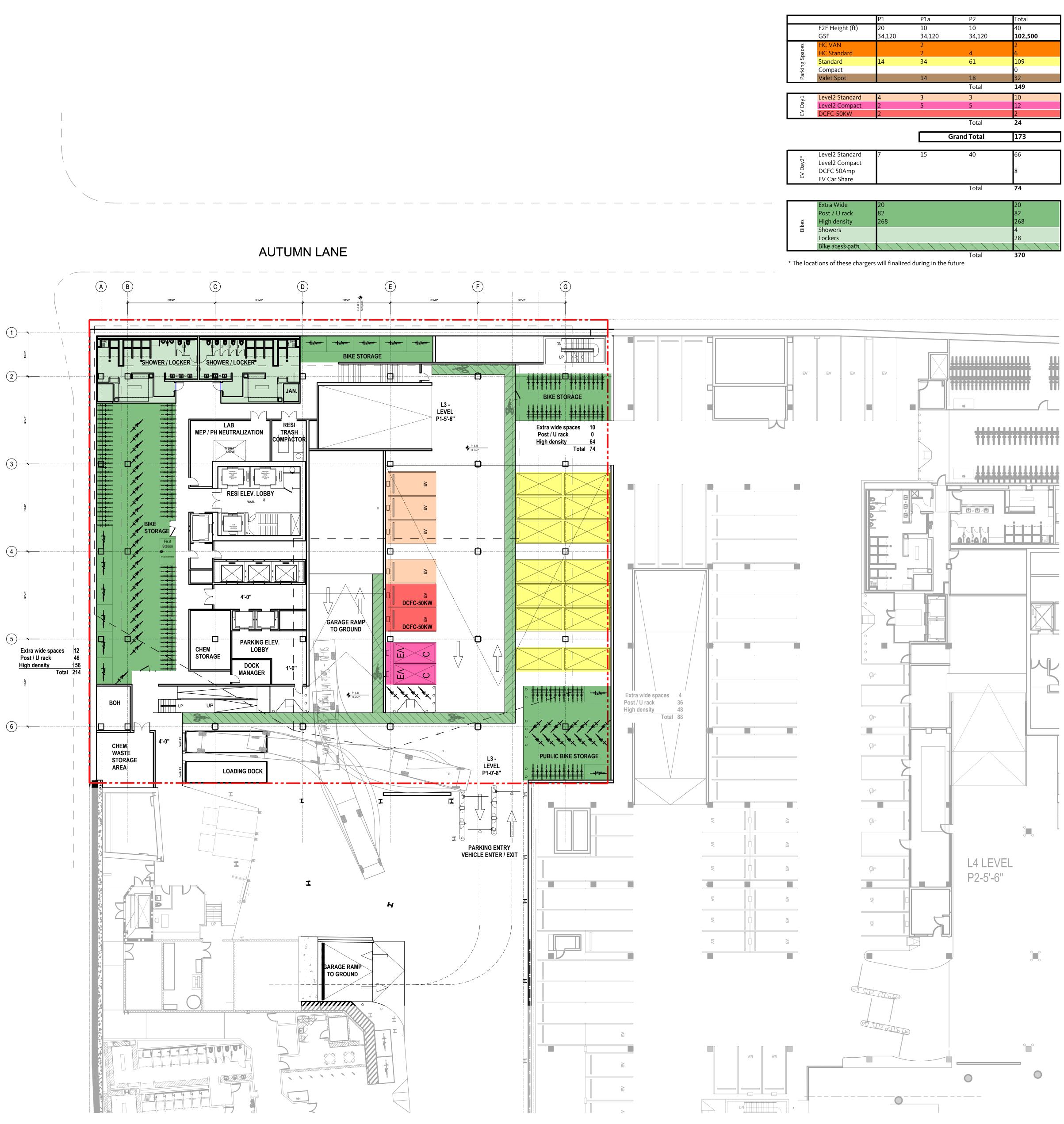
BOSTON WHAR

		P1	P1a	P2	Total
	F2F Height (ft)	20	10	10	40
	GSF	34,120	34,120	34,120	102,500
es	HC VAN		2		2
Parking Spaces	HC Standard		2	4	6
ы С	Standard	14	34	61	109
ТХ Т	Compact				0
Ра	Valet Spot		14	18	32
				Total	149
<u></u>	Level2 Standard	4	3	3	10
EV Day1	Level2 Compact	2	5	5	12
Е<	DCFC-50KW	2			2
				Total	24
				rand Total	173
			6	ranu rotai	1/3
v	Level2 Standard	7	15	40	66
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≥	Level2 Compact				
/ Day	Level2 Compact DCFC 50Amp				8
EV Day	Level2 Compact DCFC 50Amp EV Car Share				8
EV Day	DCFC 50Amp			Total	8 74
EV Day	DCFC 50Amp EV Car Share			Total	74
EV Day	DCFC 50Amp EV Car Share Extra Wide	20		Total	74 20
	DCFC 50Amp EV Car Share Extra Wide Post / U rack	82		Total	74 20 82
	DCFC 50Amp EV Car Share Extra Wide Post / U rack High density			Total	74 20 82 268
	DCFC 50Amp EV Car Share Extra Wide Post / U rack High density Showers	82		Total	74 20 82 268 4
Bikes EV Day2*	DCFC 50Amp EV Car Share Extra Wide Post / U rack High density	82		Total	74 20 82 268

* The locations of these chargers will finalized during in the future





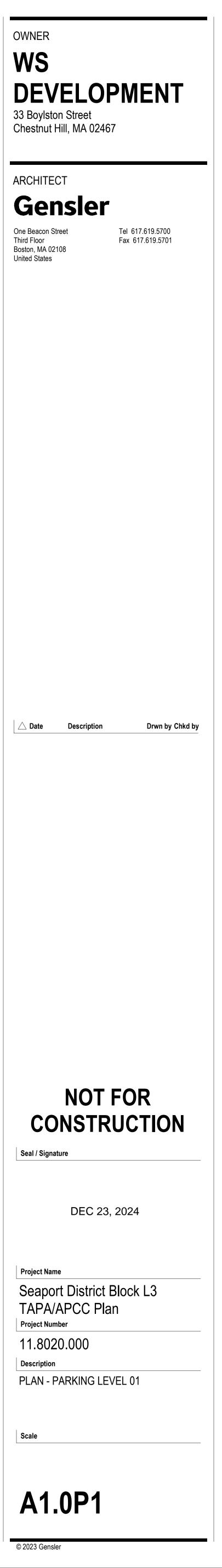


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ROAD

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BOSTON



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