

AMENDMENT TO DESIGN GUIDELINES
FOR THE NEW DEVELOPMENT AREA,
CHARLESTOWN NAVY YARD

This Amendment to Design Guidelines for the New Development Area, Charlestown Navy Yard ("Amendment") is made as of this 19th day of July 1991, by and among the Massachusetts State Historic Preservation Officer ("MSHPO"), the Advisory Council on Historic Preservation ("ACHP"), and the Boston Redevelopment Authority ("BRA") (collectively hereinafter the "Parties").

The following facts and circumstances are pertinent to the making of this Amendment:

- A. On May 21, 1979, the General Services Administration ("GSA") conveyed to the BRA a 58.4 acre portion of the Charlestown Navy Yard, which portion is commonly referred to as the "New Development Area" or "Buy Parcel."
- B. Said conveyance was made subject to a Memorandum Of Agreement ("MOA") executed in June of 1978, by and among the GSA, ACHP, and MSHPO, with the concurrence of the BRA. Among other things, the MOA established certain design guidelines, dated June 1978 ("Design Guidelines"), to which subsequent restoration, rehabilitation, demolition, and new construction activities were required to conform.
- C. Since the original conveyance, the New Development Area has been substantially redeveloped in accordance with the Design Guidelines.
- D. On October 11, 1990, the Board of the BRA adopted a new master plan ("Master Plan") for the Yard's End portion of the Charlestown Navy Yard.
- E. In order to permit implementation of the Yard's End Master Plan in accordance with the terms of the MOA, it is the desire of the Parties to amend the Design Guidelines as set forth herein.

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained, the Parties agree to amend the Design Guidelines as follows:

1. Definitions. For the purposes of this Amendment and the MOA, the following terms and phrases have the meanings ascribed:

"Building Height" shall mean, excluding mechanical roof structures, penthouses, masts, spires, roof structures, and other structures normally built above the roof and not used or designed to be used for human occupancy, (a) for a flat roof, the vertical distance from the grade to the top of the highest point of the roof beams and (b) for a pitched roof, the vertical distance from grade to the lower of (i) the mean level of the highest gable or of the slope of a hip roof or (ii) the top of the structure of the highest occupied floor. For Piers, grade shall be measured from the top of the deck of the Pier.

"Design Guidelines": Those certain design guidelines identified in paragraph B above.

"Master Plan": That certain Master Plan identified in Paragraph D above.

"New Parcels": Those certain parcels identified as "4A," "4B," "5," "6," and "7" on Exhibit A, attached hereto and incorporated herein.

"Permitted Use(s)": The principal or predominant use(s) of a site. The designation of a Permitted Use or Uses shall not be deemed to exclude accessory and incidental uses.

2. Subsection II(c)(2) of Part 2 of the Design Guidelines, which subsection is entitled "New Construction" is amended by adding the following new paragraph (d):

(d) **ROOFTOP MECHANICAL EQUIPMENT:** Mechanical equipment can enhance the industrial character of the Navy Yard by adhering the following four guidelines:

(i) Separation: Equipment should be desegregated wherever possible and not connected together in a single mass.

(ii) Design: The location and composition of the equipment must minimize its visual impact on the surrounding areas.

(iii) Unscreened: Large screens should be avoided; the scale and irregularity of the equipment should be allowed to be seen.

(iv) Setback: Mechanical equipment must be located sufficiently back from the parapet to minimize its visibility from pedestrian right-of-ways immediately adjacent to the structure.

3. The parcel controls for Parcel 1B; set forth in Part 3 of the Design Guidelines are amended as follows:

(a) in subsection 3(b), entitled "Height," by deleting the phrase "2 1/2 stories or 35 feet" and inserting in lieu thereof "55' except that within 35 feet of the seaward end of the pier there shall be a no-build area."

(b) in subsection 3(c), entitled "Parking," by inserting before the period at the end of the sentence the following:

"consistent with the Yard's End Master Plan"

(c) in subsection 3(d), by inserting, after the word "consistent," the following:

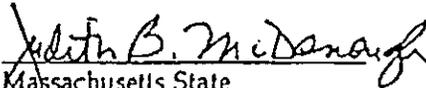
"with the Yard's End Master Plan and"

4. With respect to Parcels 4A, 4B, 5, 6, and 7, the parcel controls set forth in Part 3 of the Design Guidelines are hereby rescinded and the parcel controls set forth in Exhibit B for the corresponding New Parcels are substituted in lieu thereof. For parcels other than said Parcels 4A, 4B, 5, 6, and 7, the parcel controls set forth in said Part 3 remain applicable, except as modified in Sections 2 and 3 above.

5. This agreement constitutes an approval under M.G.L. C. 9 sec. 26-27C as amended (950 CMR 71.00) of the Amended Design Guidelines on proposed developments on Parcels 1B, 4A, 4B, 6 and 7, subject only to design review which will not reduce the density or height of any development permitted by operation of the design restrictions.

6. Except as expressly modified hereby, the provisions of the Design Guidelines are hereby ratified and confirmed.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the day and date first above written.


Massachusetts State
Historic Preservation Officer


Advisory Council on
Historic Preservation


Boston Redevelopment Authority

Attachments

- Exhibit A - Plan Showing New Parcels
- Exhibit B - Design Guidelines for New Parcels

EXHIBIT A
PLAN SHOWING NEW PARCELS

EXHIBIT B
DESIGN GUIDELINES FOR NEW PARCELS

New Parcel 4A

1. SITE DATA

A. LOCATION:

Between Thirteenth and Sixteenth Streets, First Avenue and the water.

B. PARCEL:

Approximately 2.3 acres of land.

C. EXISTING STRUCTURES:

None.

2. PERMITTED USES

Hotel, conference center, residential, office, retail, restaurant, parking, marina and marina amenities.

3. PARCEL CONTROLS

A. HEIGHT:

The maximum building height of new construction shall not exceed 135 feet, except that within 50 feet of southwesterly boundary of New Parcel 4A, the maximum building height shall not exceed 90 feet.

B. ACCESS:

Vehicular access to the site shall be via First Avenue and an extension of Sixteenth Street.

C. PARKING:

Sufficient parking shall be provided to satisfy the demand generated by the proposed uses, consistent with the Yard's End Master Plan.

D. PUBLIC ACCESS:

Continuous public pedestrian access shall be provided along the entire water's edge.

E. MATERIALS:

New construction shall be concrete, masonry, metal and glass.

New Parcel 4B

1. SITE DATA

A. LOCATION:

Pier 9.

B. PARCEL AREA:

Approximately 1 acres of pier, and 3.1 acres of water.

C. EXISTING STRUCTURES:

Pier Nine was constructed with wood piles and wood deck.

2. PERMITTED USES

Marina and marina amenities.

3. PARCEL CONTROLS

A. EXISTING STRUCTURES:

Pier Nine may be demolished.

New Parcel 5

1. SITE DATA

A. LOCATION:

Dry Dock Five, Pier Eleven and Pier 10 area.

B. PARCEL AREA:

Approximately 1.8 acres of land, 2.1 acres of pier, 1.4 acres of dry dock and 1.2 acres of water.

C. EXISTING STRUCTURES:

Dry Dock Five was constructed in 1942 of concrete with steel sheeting.

Pier Eleven was constructed in 1956 with end-bearing concrete filled steel pipe piles and a concrete deck.

Pier Ten was constructed with wood piles and wood deck.

Building 226 is a one-story structure with steel frame, masonry walls and steel industrial sash.

2. PERMITTED USES

Aquarium/Cultural, hotel, residential, restaurant, retail, office, research & development, marina, marina amenities, and parking.

3. PARCEL CONTROLS

A. EXISTING STRUCTURES:

Dry Dock Five shall be retained, repaired and remain flooded, or covered and used in a manner consistent with Aquarium uses.

Pier Eleven shall be retained.

Building 226 may be demolished.

B. HEIGHT:

The maximum building height of new construction shall be 110 feet.

C. PARKING:

Sufficient parking shall be provided to satisfy the demand generated by the proposed uses, consistent with the Yard's End Master Plan.

D. PUBLIC ACCESS:

Continuous public pedestrian access shall be provided along the entire water's edge.

E. MATERIALS:

New construction shall be concrete, masonry, metal and glass.

F. ACCESS:

Vehicular access shall be via an extension of Sixteenth Street and an extension of First Avenue.

New Parcel 6

1. SITE DATA

A. LOCATION:

East of Sixteenth Street, between First and Second Avenues.

B. PARCEL AREA:

Approximately 1.5 acres of land and 0.3 acres of pier.

C. EXISTING STRUCTURES:

Building 131 is a three-story concrete and brick masonry structure.

Building 206 is a two-story wood frame building constructed in 1942 as an office.

Building 225 is one-story concrete and masonry building.

2. PERMITTED USES

Research and development, light manufacturing, office, restaurant, retail, parking.

3. PARCEL CONTROLS

A. EXISTING STRUCTURES:

All existing structures may be demolished.

B. HEIGHT:

The permitted height of new construction shall be 110 feet. Any further change in height of new construction, or portions thereof, on Parcel 6 shall be jointly determined by the BRA, the Massachusetts SHPO, and the ACHP.

There shall be a 60-foot no build area on Parcel 6 bordering Sixteenth Street. The no build area will serve to mitigate height next to the Historic Monument Area.

C. PARKING:

Sufficient parking shall be provided to satisfy the demand generated by the proposed uses, consistent with the Yard's End Master Plan.

D. PUBLIC ACCESS:

Continuous public pedestrian access shall be provided along the entire water's edge. Vehicular access shall be via Sixteenth Street and an extension of First Avenue.

E. MATERIALS:

New construction shall be concrete, masonry, metal, and glass.

F. ACCESS:

Vehicular access shall be via Sixteenth Street and an extension of First Avenue.

New Parcel 7

1. SITE DATA

A. LOCATION:

East of Sixteenth Street between Second Avenue and Building 114.

B. PARCEL AREA:

Approximately 3.5 acres of land.

C. EXISTING STRUCTURES:

Building 178 is a one-story frame wood storage shed.

Building 193 is a two-story concrete and brick masonry scrap salvage building.

Building 203 is a two-story incinerator with steel and concrete frame and clad with sheet metal.

Building 227 is a one-story gas storage shed.

Building 165 is a two-story concrete and brick masonry structure.

2. PERMITTED USES

Research and development, light manufacturing, office, restaurant, retail, and parking.

3. PARCEL CONTROLS

A. EXISTING STRUCTURES:

All existing structures may be demolished.

B. HEIGHT:

The maximum Building Height of new construction shall be 155 feet, except that Building 1, a component of the proposed Research Center referenced in the Notice of Project Change on the Charlestown Navy Yard Redevelopment (EOEA File No. 2383) received by the Secretary of the Executive Office of Environmental Affairs on October 31, 1990, shall be limited to a Building Height of 140 feet.

C. PARKING:

Parking shall be provided to satisfy the demand generated by the proposed uses, consistent with the Yard's End Master Plan.

D. PUBLIC ACCESS:

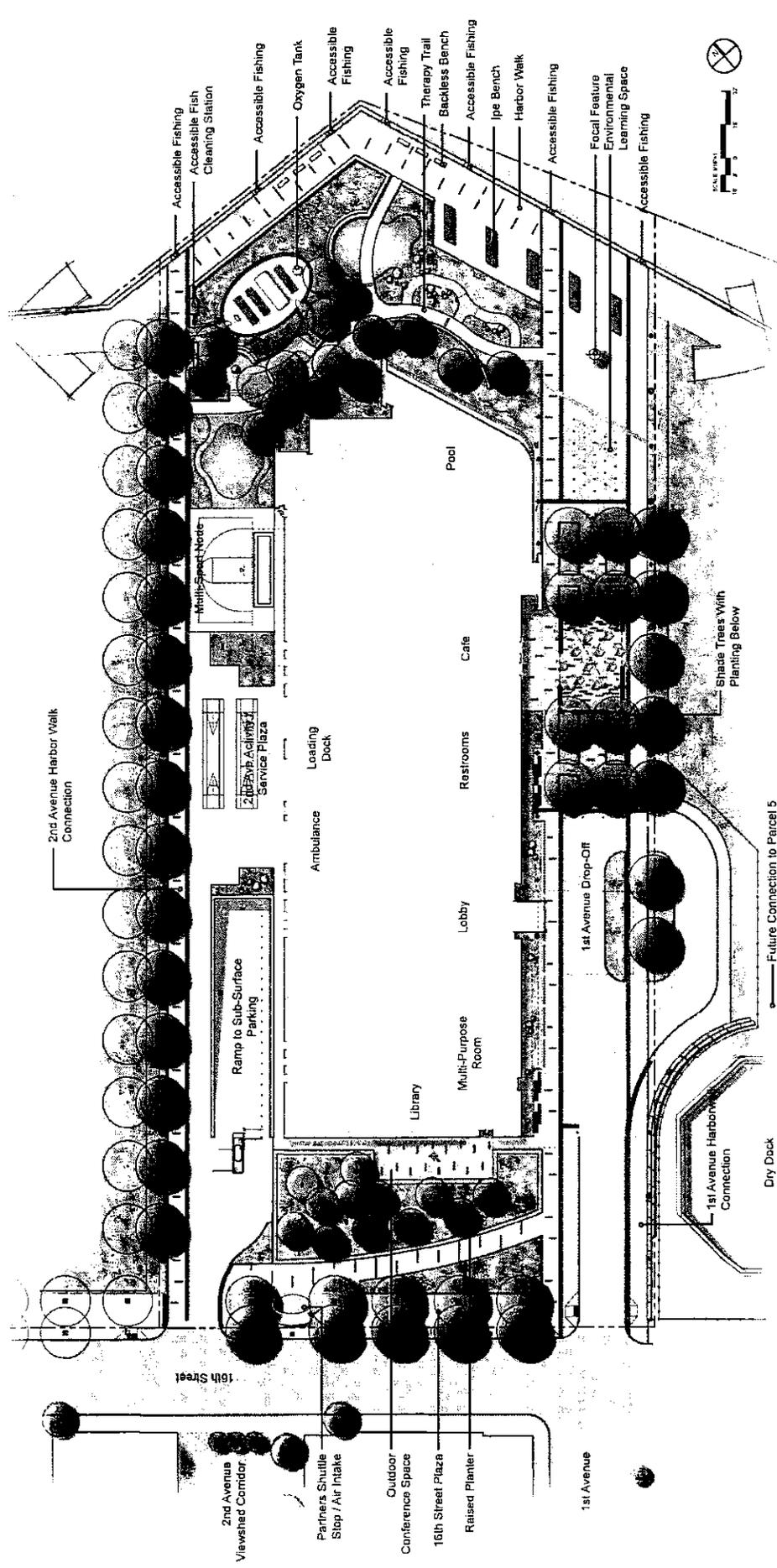
Continuous public pedestrian access shall be provided along the entire water's edge.

E. ACCESS:

Vehicular access shall be via Sixteenth Street and an extension of First Avenue. There is no obligation to create a new street by extending Second Avenue into Parcel 7.

F. MATERIALS:

New construction shall be constructed of materials which are compatible with those of adjoining existing or proposed structures.



Sources: Copley Wolff Design Group, PERKINS + WILL

Spaulding Rehabilitation Hospital

