

View APCC Online Application Details

Date Submitting	07/30/2024
Project Address	79 Atlantic Avenue Boston, MA 02109
Parcel Number	303549000
Applicant Name	Riccardo Rullo, Esq.
Applicant Company	Law Offices of Frank N. Dardeno, LLP
Applicant Mailing Address	424 Broadway Somerville, MA 02145
Applicant Email	rrullo@dardeno.com
Applicant Phone Number	(617) 666-2600
Property Owner Name	Ronald Dardeno, Trustee
Property Owner Company	Wharf Realty Trust
Property Owner Mailing Address	424 Broadway Somerville, MA 02145
Property Owner Email	rdardeno@dardeno.com
Property Owner Phone Number	(617) 666-2600
Check if more than one property owner:	No
If more than one property owner, please list all additional property owners below:	
Representative Name (if any)	
Representative Company	
Representative Mailing Address	
Representative Email	
Representative Phone Number	
Which Parking Freeze is your facility located in	Downtown Boston
Type of Application	Request a New Parking Freeze Permit or Exemption Certification
APCC Permit Number (if modifying permit)	APCCXXXXXX

Applicant**Staffs**

Number of Commercial Parking Spaces 0

Number of Exempt Spaces (Downtown only) 22

Number of Residential Included Spaces (South Boston only)

Number of Residential Excluded Spaces 24

Do you currently or will you charge for parking? Yes

What is your current or proposed parking method and facility type? (select all that apply) Self Parking, Surface Parking Lot

Is your project compliant with the City's Bicycle Parking Guidelines? No

Number of Long-Term Bicycle Spaces: 0

Number of Short-Term Bicycle Spaces: 0

Number of Showers: 0

Number of Lockers: 0

Bikeshare Station Size and Contribution: 0

Other Amenities (Please List):

Is your project compliant with the City's Electric Vehicle Readiness Policy? No

A. EVSE-Installed Points: 0

B. EV-Ready Points: 0

C: Total number of EV spaces: 0

Does A + B = C? No

If applicable, please attach the Electric Vehicle Equivalency Calculator available at www.boston.gov/rechargebost on (OR, include in supporting documents PDF at end of form):

Total Number of Proposed Spaces: 46

Number of New Spaces: 0

Number of Existing Spaces: 46

Total Parking Facility Square Footage: 12700

of Residential Units 33

Ratio of Residential Spaces to Units: .73

(Optional) Number of Spaces Returned:

Which building use types does your facility include? (check all that apply) Residential, Office/Admin, Retail

Residential Sq ft: 32,995

Office/Admin Sq ft: 25,707

Industrial Sq ft: 0

Retail Sq ft: 0

Institutional Sq ft: 0

Lodging Sq ft: 0

Are you required to execute a Transportation Access Plan Agreement (TAPA)? No

If you are required to execute a TAPA, attach a copy or draft here (OR, include in supporting documents PDF at end of form):

Signature Applicant



Date Signed Applicant 07/30/2024

Signature Owner (if different) 

Date Signed Owner: 07/30/2024

Signature Representative (if any)

Date Signed Representative 07/30/2024

Upload Supporting Documents [supportingattachments.pdf](#)



DARDENO 

424 Broadway, Somerville, Massachusetts 02145-2619

Frank N. Dardeno, Jr.
Ronald A. Dardeno
Riccardo L. Rullo
Kara Dardeno Mathieu
Jillian S. Brosnan
Peter R. Winnett

Telephone (617) 666-2600

Fax (617) 666-2794

Frank N. Dardeno 1921-2009

Jane Park, *Paralegal*

July 30, 2024

Via Electronic Mail

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

In Re: Exemption Certificate Request

Dear Sir/Madam,

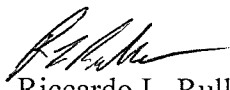
Please be advised that this office represents Commercial Wharf West Realty Trust, the owners of 85 Atlantic Avenue, Boston, Massachusetts. This letter accompanies the online Exemption Certificate Request. Please allow this correspondence to serve as our respectful request for an Exemption Certificate to issue for 22 parking spaces.

As indicated in the online application, of the 46 parking spaces, 24 are designated for the benefit of the residents of this property. With respect to the remaining 22 parking spaces, these spaces are used exclusively by the Owner's commercial lessees, employees, patrons, customers, clients, patients, or their guests. Any charges for the use of the parking spaces are factored into, and are a part of, the Owner's leases with the respective tenants. None of the subject parking spaces are available for use by the general public at any time.

It is my hope that the application and its accompanying documentation is satisfactory to your office and that an Exemption Certificate issues as requested. However, should you have any questions or require any additional filings, please feel free to contact me at (617)666-2600.

Thank you.

Respectfully yours,



Riccardo L. Rullo, Esquire

D E E D

8913 126

See Plan
on File

8913

1

On Roll

BOSTON REDEVELOPMENT AUTHORITY, a public body, politic and corporate, duly organized and existing pursuant to Chapter 121B of the General Laws of Massachusetts, having its usual place of business in Boston, Suffolk County, Commonwealth of Massachusetts, (the "Grantor"), in consideration of Five Thousand (\$5,000.00) Dollars paid and in consideration of covenants herein contained, grants unto Michael F. Giglio and Anthony L. Orlandello, Trustees of Commercial Wharf West Realty Trust, under a Declaration of Trust dated August 14, 1973 filed and registered as Document No. 316227 in the Suffolk Registry District of the Land Court on Certificate of Title No. 84803, (the "Grantee"), with QUITCLAIM COVENANTS, that certain parcel of land in Boston known as Parcel C-2-B(1) within the Downtown-Waterfront-Faneuil Hall Urban Renewal Area located in said City of Boston, bounded and described in Exhibit A, attached hereto and made a part hereof, as shown on a Plan entitled "Downtown-Waterfront-Faneuil Hall Project, Project No. Mass. R-77, Boston-Suffolk County-Massachusetts, Parcels C-2-B(1), V, X, Y", dated September 15, 1976, which Plan is to be recorded herewith. Said parcel being a part of the same premises acquired by the Grantor from Union Freight Railroad Company by a Deed dated *29 January 1971* and recorded in Suffolk County Registry of Deeds in Book 8420, Page 131.

The Grantor reserves the right to install or cause to be installed curbing and sidewalk upon that part of Parcel C-2-B(1) within six (6.00) feet of the southerly boundary line of said Parcel C-2-B(1). The Grantor also reserves for the benefit of the public, a pedestrian easement along such sidewalk as is to be built upon the aforementioned six (6.00) foot strip.

The Grantor, for itself, its successors and assigns, does herewith specifically extinguish, and does herewith specifically surrender and release to the Grantee, any and all rights it may have in and to that portion of Commercial Wharf South, shown as Parcel V, on said plan, dated September 15, 1976, whether said rights may have accrued to the grantor under the deed, aforesaid, from Union Freight Railroad Company, or otherwise; subject only, however, to a reservation to the Grantor, its successors and assigns, of a right of access to any and all public and private utilities now located or hereafter located in or under said Commercial Wharf South.

*M.F.G.
A.L.C.*

The Grantee covenants for the Grantee and (except as otherwise expressly provided) the Grantee's successors and assigns as follows:

(1) Until June 8, 2004, the Property shall be used in conformity with the land use provisions, planning objectives, and other requirements for the property contained in the Downtown-Waterfront-Faneuil Hall Urban Renewal Plan, recorded in Suffolk County Registry of Deeds, Book 7948, Page 527, as the same may be from time to time modified pursuant to the provisions thereof.

(2) Without limitation as to time, the Grantee shall not discriminate or permit discrimination upon the basis of race, color, sex, religion or national origin in the sale, lease, or rental, or in the use or occupancy of the Property, or in connection with the construction of Improvements on the Property.

(3) Until June 8, 2004, the Grantee shall, from time to time, at all reasonable hours, give to the duly authorized representatives of the Grantor and the City of Boston and duly authorized representatives of the United States Government, free and unobstructed access for inspection purposes to any and all of the Improvements constructed on the Property and of all open areas surrounding the same.

Commercial Wharf West Realty Trust
c/o Frank N. Dardeno, Esquire
424 Broadway
Somerville, Massachusetts 02145

Address of the Grantee:

(4) The Grantee shall at all times, and at his expense, keep, maintain and repair Commercial Wharf South, and Parcel C-2-B(1), including the sidewalk to be constructed thereon, so that said way and said sidewalk are in good and safe condition and repair.

IN WITNESS WHEREOF, on the 22nd day of October, 1976, at Boston, Massachusetts, the parties hereto have caused this Instrument in five counterparts to be signed, sealed and delivered by their duly authorized officers or representatives, respectively.

Signed, sealed and delivered in the presence of:

BOSTON REDEVELOPMENT AUTHORITY
(Corporate Seal)

Edward J. Langan

By *Robert T. Kenney*
_____ Robert T. Kenney, Director

MICHAEL F. GIGLIO AND ANTHONY L. ORLANDELLO, TRUSTEES OF COMMERCIAL WHARF WEST REALTY TRUST

James J. Brennan
_____ Witness to signatures of Michael F. Giglio and Anthony L. Orlandello, Trustees

By *Michael F. Giglio*
_____ Michael F. Giglio

By *Anthony L. Orlandello*
_____ Anthony L. Orlandello

Approved as to form:

Charles J. Speleofis
_____ Charles J. Speleofis
Chief General Counsel

8910 128

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

October 22, 1976
Somerville, Mass.

Then personally appeared the above named MICHAEL F. GIGLIO and ANTHONY L. ORLANDELLO who executed the foregoing instrument on behalf of Commercial Wharf West Realty Trust, and acknowledged the same to be their free act and deed as Trustees of said Trust, before me,



Theresa M. Doncaster
Theresa M. Doncaster - Notary Public

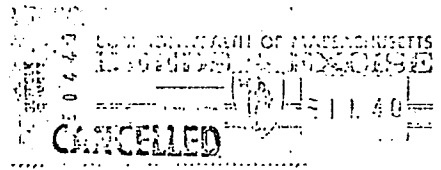
My commission expires: April 23, 1982

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss

Boston, Mass.
October 22, 1976

Then personally appeared the above named ROBERT T. KENNEY, who executed the foregoing instrument on behalf of Boston Rehabilitation Authority, and acknowledged the same to be his free act and deed and free act and deed of said Authority, before me,



Edward J. Langan
Notary Public

My commission expires: 9/1/1983

EXHIBIT A

METES AND BOUNDS

PARCEL C-2-B(1)

Beginning at a point on the Easterly side of Commercial Street having a distance of forty-six and eighty-two hundredths (46.82) feet from the Southwesterly corner of a Granite Block Building (being the neat line of West and South face of the Building at sidewalk grade) across Commercial Wharf South, a Private Way and along the Easterly Street Line of Commercial Street; thence along a bearing of S 46° 35' 36" E for a distance of one hundred ninety-six and seventy-six hundredths (196.76) feet; thence along a bearing of S 45° 54' 01" W for a distance of twenty-four and eighty-five hundredths (24.85) feet; thence along a bearing of N 44° 05' 59" W for a distance of one hundred ninety-two and eighty-three hundredths (192.83) feet; thence along a bearing of N 32° 58' 39" E for a distance of sixteen and seventy-three hundredths (16.73) feet to the point of beginning, said parcel of land containing, in part, a Right-of-Way to Commercial Wharf Corporation according to Deed recorded in Book 1663, Page 404, in the Suffolk Registry of Deeds, said parcel of land located in Boston Proper, Suffolk County, Massachusetts, containing four thousand sixteen and eleven hundredths (4,016.11) square feet and as shown on a Plan entitled "Downtown-Waterfront-Faneuil Hall Project, Project No. Mass. R-77, Boston-Suffolk County-Massachusetts, Parcels C-2-B(1), V, X, Y", prepared by Schoenfeld Associates, Inc., Consulting Engineers, Boston, Massachusetts, dated September 15, 1976.

Nov. 8, 1976 At 4 o'clock & 4 mins. P.M. Rec'd At'd & Exam'd - 139

M.F.G.
A.L.O.
Exhibit A

SUBJECT PARKING LOT



Photographs taken on May 17, 2018 by James Daly

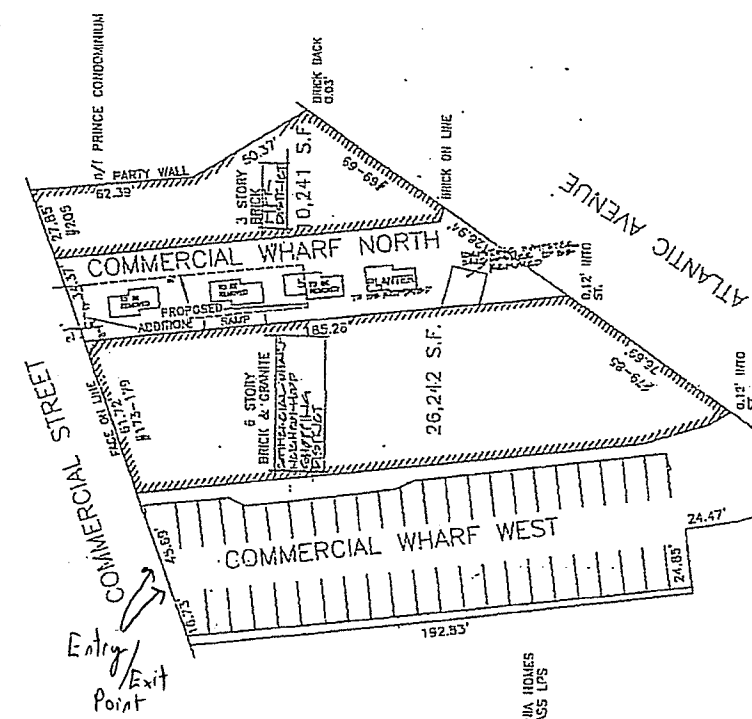
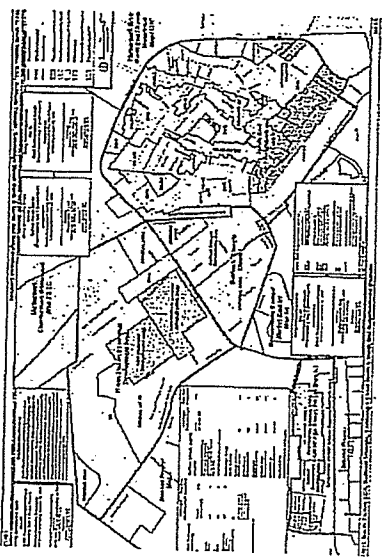


SUBJECT PROPERTY PHOTOS



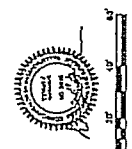
Photographs taken on May 17, 2018 by James Daly





PLOT PLAN IN BOSTON, MA
 PREPARED FOR
 COMMERCIAL WEST REALTY TRUST
 &
 THE WHARF REALTY TRUST

DATE: 2/27/14 SCALE: 1" = 20' JOB NO. 14107
 LANDMARK
 ENGINEERING & SURVEYING, INC.
 583 CHESTNUT STREET
 LYNN, MA 01904
 (781) 992-7016



THE BUILDINGS AND STRUCTURES ON THE PLAN
 ARE LOCATED ON THE GROUND AS SHOWN
 AS OF 2/26/14
 DENNIS J. MCMAUS, P.L.S.

PARKING SPACES - 45

177-179 COMMERCIAL STREET ARE ASSESSOR
 PARCELS 030354000 AND 030355000 AND
 ARE OWNED BY COMMERCIAL WEST REALTY TRUST.

183-60 ATLANTIC STREET IS ASSESSOR PARCEL
 0303546000 AND IS OWNED BY THE WHARF
 REALTY TRUST.

171 AUSONIA HOMES
 ASSOC. MASS LPS

Entry/Exit
 Point

Entry/Exit
 Point