

MINUTES OF THE REGULAR MEETING
OF THE BOSTON REDEVELOPMENT AUTHORITY

APRIL 21, 1988

The Members of the Boston Redevelopment Authority met in regular session at the office of the Authority, Board Room, City Hall, One City Hall Square, Boston, Massachusetts at 2:00 P.M. on April 21, 1988.

The meeting was called to order by the Chairman, and upon roll call, those present and absent were as follows:

<u>Present</u>	<u>Absent</u>
Robert L. Farrell	Joseph J. Walsh (came in later)
James K. Flaherty	Michael F. Donlan (came in later)
Clarence J. Jones	

A copy of the NOTICE OF MEETING, pursuant to Section 23B of Chapter 39, as amended, of the General Laws, with the CERTIFICATE AS TO SERVICE OF MEETING attached thereto, was read and ordered spread upon the minutes of this meeting and filed for record.

NOTICE OF MEETING

Notice is hereby given in accordance with Section 23B of Chapter 39 as amended, of the General Laws that a regular meeting of the Boston Redevelopment Authority will be held at 2:00 P.M. on April 21, 1988, in the Boston Redevelopment Authority Board Room, City Hall, One City Hall Square, in the City of Boston, Massachusetts.

BOSTON REDEVELOPMENT AUTHORITY

By Kane Simonian_____

Title_____Secretary_____


April 8, 1988

CERTIFICATE AS TO SERVICE OF NOTICE OF MEETING

I, Kane Simonian, the duly authorized, qualified and acting Secretary of the Boston Redevelopment Authority, do hereby certify that on April 8, 1988, I filed in the manner provided by Section 23B of Chapter 39, as amended, of the General Laws, with the City Clerk of the City of Boston, Massachusetts, a NOTICE OF MEETING, of which the foregoing is a true and correct copy.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of this Authority this twenty-first day of April, 1988.

LS


Secretary

Messrs. Coyle and Simonian attended the meeting.

The Minutes of the Meeting of April 7, 1988, were read by the Secretary.

On motion duly made and seconded, it was unanimously

VOTED: To approve the Minutes as read.

Copies of a memorandum dated April 21, 1988, were distributed re: Informational Memorandum and Request to Advertise a Public Hearing for Recommendation to Adopt an Interim Planning Overlay District (IPOD) for Dorchester Avenue, attached to which were copies of a Dorchester Avenue IPOD Study Area; Boulevard Planning Districts, Dorchester Avenue Staff Briefing of October 23, 1987; Project Structure; Letter of October 9, 1987, from Director Coyle to the DART Representative, which included the IPOD Procedure; Summary of Proposed Dorchester Avenue IPOD; Draft IPOD Amendment; Land Use and Urban Design Analysis, and a proposed vote.

On motion duly made and seconded, it was unanimously

VOTED: That the Secretary be, and hereby is, authorized to advertise a public hearing to be scheduled at 2:00 P.M. at the Board Meeting of May 12, 1988, for recommendation to adopt, for a one-year period, an Interim Planning Overlay District (IPOD) for Dorchester Avenue, establishing Interim Zoning Controls.

Copies of a memorandum dated April 21, 1988, were distributed re: Maritime Economy Reserve Zone (HER), attached to which were copies of a Text Amendment Application, Boston Redevelopment Authority, Maritime Economy Reserve; Map Amendment Application, Boston Redevelopment Authority, Charlestown--change W-2 and 1-2 areas to MER-2; Special Study Area Charlestown Waterfront map; Map Amendment Application, Boston Redevelopment Authority, East Boston: change W-2., M-1, M-2 and 1-2 areas to MER-2; Proposed East Boston MER zones; Map Amendment Application, Boston Redevelopment Authority, South Boston: change W-2 and 1-2 areas to MER-2; South Boston Piers map; letter from The Boston Shipping Association, Inc., August 10, 1987, to Chairman Farrell; letter of October 9, 1987, from MASSPORT to Chairman Farrell; letter of August 11, 1987, from EDIC to Lawrence Dwyer, Chairman of Ft. Pt. Channel CAC, with copy to Chairman Farrell; letter of October 3, 1986, from EDIC to Chairman Farrell, and a proposed vote.

On motion duly made and seconded, it was unanimously

VOTED: That the Secretary is authorized to schedule a public hearing before the Authority concerning zoning text and map amendments that would create the Maritime Economy Reserve Zone and apply it to specific properties in Charlestown, East Boston, and South Boston, to be held at 2:30 P.M., May 12, 1988, in the Board Room of the Authority.

Copies of a memorandum dated April 21, 1988, were distributed re: Authorization to Schedule a Public Hearing on a Proposed Zoning Text Amendment That Would Make the Operation of Retail Uses Between the Hours of 12 Midnight and 6:00 A.M. Conditional in General Business Districts, which included a proposed vote.

On motion duly made and seconded, it was unanimously

VOTED: That the Secretary is authorized to schedule a public hearing before the Authority concerning a zoning text amendment that would make the operation of retail uses between the hours of 12 Midnight and 6:00 A.M. conditional in the B (general business) districts, to be held at 3:00 P.M., May 12, 1988, in the Board Room of the Authority.

Copies of a memorandum dated April 21, 1988, were distributed re: Request Authorization to Petition the Zoning Commission to Adopt the Zoning Text Amendment Creating the New Light Manufacturing District, attached to which were copies of Text Amendment Application, Boston Redevelopment Authority, Light Manufacturing District, which contained a proposed vote.

Ms. Marilyn Swartz Lloyd, Director of EDIC, addressed the Board and answered the Members' questions.

Mr. Flaherty asked if her staff had been out to the neighborhoods explaining the light manufacturing, to which she replied they have been to the Newmarket area; also, the Jamaica Plain community asked for the light manufacturing zone.

She said the IPOD Planning process had just begun, and they have discussed the Light Manufacturing with the Citizens Advisory Committee. Mr. Farrell informed her that he had received a letter from the South Boston Board of Trade in opposition to the establishment of a Light Manufacturing District.

Chairman also asked Ms. Lloyd if the EDIC had checked out the legal ramifications to which she replied that she had; that other cities had adopted this proposal.

Ms. Bourque informed the Authority that land would be reserved for light manufacturing, and that the amendment would be flexible. .

The following appeared in support of the Light Manufacturing District:

Mr. Bruce Rossley, Commissioner of the Mayor's Office of Arts and Humanities, read a prepared statement.

Mr. Marvin Martin, Dudley Street Initiative, read prepared statement.

Mr. Charles Turner, Roxbury.

Mr. Bernard Doherty, Jamaica Plain, Neighborhood Council, read prepared statement.

Ms. Robin Peach, Director of the Ft. Ft. Arts Community, read prepared statement.

Mr. Walsh entered the meeting.

Thirty-four letters of support to be made part of the record.

At this point in the meeting, Attorney John R. Shek of Cargill, Masterman & Cuthbert, representing the Newmarket Industrial District, read a letter of qualifying support. His concern is the forbidden uses listed in the amendment, (Letter made part of the record.)

The following appeared in opposition:

Mr. Irving Busny, resident of Newton, President of BOMA, read prepared statement.

Attorney Gary Watzke, Vice President of Iron Mountain, 99 Bedford Street, Boston. His business consists of the storing of medical, legal, commercial records, etc.

Mr. Ted Hauri, President of Design Corporation, Newmarket area, owns 100,000 sq. ft. of land. He also owns a five-story building in the Newmarket area. He said that there is no way it can continue to exist as a manufacturing facility.

Mr. David Morse, Hemenway and Barnes, representing Banfield Realty, 530 East First Street, informed the Authority that he had learned of the hearing earlier today. He feels that more work should be done on this amendment with the business community. Their business consists of city rubbish collections; store plowing; street sweeping, etc.

(Opposition continued)

Harmonium Moving & Storage, 57 Magazine Street;

South Boston Board of Trade;

Edith M. Netter & Associates representing
Fort Point Channel Business Property Owners and
Tenants' Association;

Greater Boston Chamber of Commerce;

Mr. William Casey of Casey & Hayes, South
Boston;

Mr. Neil Fitzpatrick;

Mr. Charles Dolan, DiMare Bros., South Boston;

Mr. John Bradley, attorney, representing
Abend Coffee;

Mr. Charles Dow, life-long Boston resident,
owns land in South Boston at 105 West First Street;

Mr. Melvin Stavis, Stavis Seafoods.

On motion by Mr. Flaherty, duly seconded,
it was unanimously

VOTED: To amend the proposed Petition to
the Zoning Commission on the above
matter as follows:

BACK-OFFICE USE AMENDMENT

1. By inserting, after Paragraph 35-4.8,
the following provision:

"9. Back-Office Use, subject to the provisions
of Section 35-14."

2. By inserting in Paragraph 35-7 (j),
after the words "Office as a principal use," the
following:

", except as provided for in Paragraph 35-4.9."

#3. By inserting after Section 35-13, the following:

"Section 35-14. Provision of Back Office Space. Within any lot or contiguous lots in single ownership containing not less than one acre in the aggregate, back-office use is allowed in an amount not to exceed forty per cent (40%) of the gross floor area allowed within such lot or contiguous lots, regardless of whether such back office use is ancillary or accessory to any other use allowed in this article. For the purposes of this article, "back-office use" means the use of a structure or land principally for clerical, data processing, or support staff functions, and related services and occupations."

The Chairman made the following statement on Light Manufacturing Zone—Legal Policy Questions:

"While I support the policy of well-tailored manufacturing zoning, I have some questions about certain legal issues. I would suggest that the Board instruct the Authority's Chief General Counsel to transmit the following questions to the City's Corporation Counsel:

1. Does the proposed zoning regulation constitute a regulatory taking under the Constitution? In this regard, does the regulation allow a sufficient variety of uses to permit land owners a reasonable economic return on their investments?

"2. As the Zoning Code is now formulated, economic hardship alone is not a sufficient basis for the granting of a variance. Given that, should the LM district, as proposed, allow any form of zoning relief for land owners who can demonstrate economic hardship?

"3. If there is no provision for zoning relief within the LM district for uses which are uneconomic, does that establish a post-Lutheran compensable, "regulatory" taking for which the city would be liable for damages?

"4. Where a landowner does not have vested rights, or legal, non-conforming status, can investment-backed expectations in the form of the price paid for the land be such an important factor in the taking test so as to give rise to a compensable claim? Or, does the historic use of the property mitigate against a finding that a taking has occurred based on speculative investment alone?

"5. Assuming that the LM district would incorporate some form of zoning relief based on the reasonable use of the land, how can we assess what is a reasonable rate of return to the landowner? Is it, for example, based on what the landowner paid for the land, or its current market value? Should the proposed zoning's impact upon that value be considered? If the landowner can recoup his original investment, does he have any investment base left to consider for the purposes of zoning relief?¹¹

On motion duly made and seconded, it was unanimously

VOTED: To take this matter under advisement, and further

VOTED: That the Chief General Counsel transmit the above questions to the City's Corporation Counsel for his determination prior to the next Authority Board meeting on May 12, 1988.

The Director summed up the public hearing presentation by stating that what has been presented by EDIC and our Zoning Department is a thoughtful and comprehensive zoning amendment designed to preserve the city.

"Looking around, we see very alarming vacancy rates in other cities. Only Boston's office market does not have an alarming vacancy rate. Boston is, therefore, in a unique situation. Boston is right in proposing a planning policy for a Light Manufacturing District.

"I believe Mr. Flaherty's amendment goes to the central question and eliminates the question that this amendment could be subsequently challenged.

"This is a very clearly drafted ordinance. I think we should meet reasonable concerns and do the fine tuning necessary. However, this proposed Light Manufacturing ordinance will allow the city to plan for the future and protect the economy over the next 15-20 years while allowing owners and investors a fair return on their investment."

Five-minute recess declared.

Copies of a memorandum dated April 21, 1988, were distributed re: Amended and Restated Development Plan and Development Impact Project Plan for Planned Development Area No. 17 Bounded by Boylston, Clarendon and Berkeley Streets and St. James Avenue, attached to which were copies of "The Original PDA/DIP Plan for Planned Development Area No. 17;" Five Hundred Boylston West and East, April 21, 1988, Fact Sheet and Map; First Amendment to Cooperation Agreement for Planned Development Area No. 17, Bounded by Berkeley, Boylston and Clarendon Streets, and St. James Avenue, Boston Proper; First Amendment to Development Impact Project Agreement; Amended and Restated Development Plan for Development Impact Project Plan;; Exhibit I, Amended Restated and Development Plan, Description of Premises; Exhibit II, Amended and Restated Development Plan, Permitted Uses; Exhibit III-A, List of Plans Prepared by John Burgee Architects with Philip Johnson; Exhibit III-B, List of Plans Prepared by Robert A.M. Stern, Architects; Exhibit IV, Western Component Floor Area Ratio Calculations, and a proposed vote.

Mr. William Whitney, Acting Assistant Director, addressed the Board and answered the Members' questions.

Mr. Michael Harrity, Vice President of Copley Real Estate Advisers, and Mr. Mark Sears of Gerald D. Mines Interests, also addressed the Board.

Mr. Robert A. M. Stern, architect, showed models of the development.

District Councillor James Kelly appeared in support of the plan,

Mr. Donlan entered the meeting.

District Councillor Thomas Menino also appeared in support of the development.

Mr. Paul Demakis, Chairman of The Neighborhood Association of the Back Bay, Inc., and who resides on Commonwealth Avenue, was recognized. He is of the opinion that the overall size is still too large for the site, but is far superior to what was originally proposed,

Ms. Marianne Abrams representing Back Bay Association read letter of support, as did Ms. Jeannette Boone of Four Corners Development Corporation; Mr. Dan Ocasio of York Bay Development Corporation in support; Mr. Nelson Scott Smith representing the Boston Society of Architects submitted letter in support.

Ms. Anne Gleason, Chairman of the Back Bay Architectural Commission, also appeared in support of the development.

Letter in support received from Charles J. Sabatier, Jr., Executive Director, Commission on Handicapped Affairs.

Mr. Richard Nemrow, President of Citizens for a Better New England Life, read a prepared statement in opposition to the proposal. He urged the Board to take more direct responsibility if Boston streets become more congested.

At this point, the Director summed up the redesign of Planned Development Area No. 17 by stating that the second phase will always stand as a reminder that when people work together, a better design is forthcoming.

Credit also should be given to New England Life, an employer in the city for 155 years, for working with the community, city and Authority, and for bringing Architect Stern and his associates aboard to redesign the Eastern component.

The Director continued that the Boston Society of Architects, the Traffic and Parking Department, New England Life, and the Authority want to see quality urban design and quality architecture, traffic control and management and the benefits that accrue to the community as a result of working together.

On motion duly made and seconded, it was unanimously

VOTED: That the Authority adopts the attached Resolutions dated April 21, 1988, consisting of 13 pages, including four votes, and entitled "Findings and Votes of the Boston Redevelopment Authority regarding Amended and Restated Development Plan and Development Impact Project Plan for Planned Development Area No. 17, bounded by Boylston, Clarendon and Berkeley Streets, and St. James Avenue, Boston Proper, including approval of said plans and authorization to amend various documents relating to Planned Development Area No. 17."

The aforementioned Amendment to the Development Impact Project Plan for Planned Development Area No. 17, 222 Berkeley Street, is filed in the Document Book of the Authority as Document No. 5032 *

Copies of a memorandum dated April 21, 1988, were distributed re: Tentative Developer Designation of the National Center of Afro-American Artists, Inc. (NCAAA) as Co-Redeveloper of Parcels P3-c, P3-d, P3-e, P3-g, and Portions of P3-b in the Campus High School Urban Renewal Area, Mass. R-129, attached to which were copies of two votes; one Resolution, 7 maps; location map; Parcel Three Development Study Map, and three Organizational Charts.

Senator Royal Boiling; Representative Thomas McDonough, District Councillor Bruce Boiling, addressed the Board in support of the designation.

Letters from Representative Byron Rushing and Representative Gloria Fox read into the record in support of the designation.

Ms. Elma Lewis, proposed tentative developer, also addressed the Board and answered the Members' questions.

The Chairman said that he and the Members had just received the request to act on tentative developer designation, and would like more time to evaluate it before acting.

On motion duly made and seconded, it was unanimously

VOTED: To take this matter under advisement with the understanding that the questions will be resolved before the next meeting, and that Mr. Millett would set up a tour of the museum and parcel 3 site by the Board Members prior to the next meeting.

Ten-minute recess was declared at 6:05

P.M. Meeting re-convened at 6:15 P.M.

Mr, Walsh left the meeting.

Copies of a memorandum dated April 21, 1988, were distributed re: 64 Franklin Street, Boston, Z-10366, attached to which were copies of a Fact Sheet; Site Plan; Franklin/Arch Project Perspective, five votes and a Resolution.

Mr. William Whitney, Acting Assistant Director, addressed the Board and answered the Members' questions.

On motion duly made and seconded, it was unanimously

VOTED: In reference to Petition Z-10366, 64 Franklin Street, Boston, for variances for rear yard, setback of parapet, and off-street loading facilities, the Boston Redevelopment Authority recommends approval with the following provisos: continued design review and approval by the Boston Redevelopment Authority and the Boston Landmarks Commission, and the execution of an agreement satisfactory to the Authority between the Developer and the Downtown Crossing Association concerning a \$5,000 annual contribution made by the developer to the Downtown Crossing Association toward the maintenance of Shoppers' Park; and further

That the Director is authorized to issue an Adequacy Determination for the Final Project Impact Report submitted by the

London & Boston Development Corporation; and further

VOTED: That the Director is authorized to execute a Transportation Access Plan Agreement and other documents as necessary; and further

VOTED: That the Boston Redevelopment Authority hereby finds that the project is substantially in conformity with the Downtown Interim Planning Overlay District (Article 27D); and further

VOTED: That the Authority adopt the attached Resolution concerning restrictions currently affecting a portion of the site, and that the Director is authorized to execute such documents as may be necessary to implement the resolution.

The aforementioned Resolution is filed in the Document Book of the Authority as Document No. 5033.

Mr. Walsh returned to the meeting.

Copies of a memorandum dated April 21, 1988, were distributed re: 56 St. Botolph Street, Z-11502, attached to which were copies of a Locus Plan; April 16, 1988, letter from St. Botolph Citizens' Committee, Inc. to Mr. Richard Dennis, Chairman of the Board of Appeal, and two proposed votes.

Mr. William Whitney, Acting Assistant Director, addressed the Board and answered the Members' questions.

On motion duly made and seconded, it was

VOTED: In reference to Petition Z-11502, 52-58 St. Botolph Street, Boston, for variances for extension of a structural change to a non-conforming use, floor area, height, restricted roof structure, usable open

space, setback of parapet, off-street parking, dimensional requirements, and an IPOD permit, the Authority recommends approval with the following provisos: continued design review and approval by the BRA and the St. Botolph Area Architectural Conservation District Commission and the review and approval of streetscape plans consistent with the Authority's streetscape plans for the St. Botolph Street area; and further

VOTED: That the Director is authorized to execute an Affordable Housing Agreement for the creation of off-site affordable units.

The Chairman stepped down and voted in favor of Z-11502.

Mr. Flaherty voted "Nay."

Mr. Donlan voted "Present."

Copies of a memorandum dated April 21, 1988, were distributed re: Recommend Approval of Homeowner's Petition to Zoning Commission to Change an Area Along Union Avenue Between Brookside Avenue and the Washington Street Corridor in Jamaica Plain from an M-1 to an R-.5 District, attached to which were copies of Plan of Land; September 17, 1987, letter from Union Avenue Neighborhood Association, Jamaica Plain, Mass., to Ms. Linda Bourque; Map Amendment Application No. 272, John McDargh, Jamaica Plain, Union Avenue, M-1 to R-.5; letter of March 28, 1988, from DiCara, Selig, Sawyer & Holt to Mr. John Bell, and a proposed vote.

Ms. Linda Bourque, Assistant Director, and Mr. John McDargh, addressed the Board and answered the Members' questions.

A letter dated April 21, 1988, from Ms. Marilyn Swartz Lloyd, Director of EDIC, in support of John McDargh's petition made part of the record.

On motion duly made and seconded, it was unanimously

VOTED: In reference to Map Amendment Application No. 272, by John McDargh of 32 Union Avenue, to change from an M-1 to an R-.5 district in an area in Jamaica Plain along Union Avenue between Brookside Avenue and the Washington Street corridor, the Boston Redevelopment Authority recommends approval. The area to be rezoned is primarily a single- and two-family residential area, and continuation of residential uses is compatible with the neighborhood and contributes to the preservation of the City's housing stock.

Copies of a memorandum dated April 21, 1988, were distributed re: 2-5 Mansen Ct., 2-7 Kovey Ct., 7-25 Kovey Road, Hyde Park, Z-11203-11226, attached to which were copies of floor plans; maps; two draft agreements, and two proposed votes.

The Chairman read into the record a letter delivered to him from Attorney Susan J. Nicastro who represents Mrs, Claire O'Malley, 8 Kovey Road, who is in opposition to the recommendation. District Councillor Thomas Menino, and Mr. John Wise, principal of The Burkhand Corporation, who resides at 18 Brimmer Street, Boston, addressed the Board and answered the Members' questions.

Mr. Ricardo Millett, Assistant Director, also addressed the Board and answered the Members' questions.

On motion duly made and seconded, it was unanimously

VOTED: In reference to Petition Z-11203-11206, 2-5 Mansen Ct., 2-7 Kovey Ct., and 7-35 Kovey Road in Hyde Park for 24 conditional use permits for the Greenbelt Protection Overlay Plan, the Authority recommends approval with the proviso that the Authority have design review including specifically the landscape plans, and further

VOTED: That the Authority hereby authorizes the Director to enter into a Community Benefits Agreement with the developer of 2-5 Mansen Court, 2-7 Kovey Court, 7-35 Kovey Road in Hyde Park, John Wise.

At this point in the meeting, Mr. James Flaherty made the following motion:

On motion duly made and seconded, it was unanimously

VOTED: That the Director be, and hereby is, authorized to inform the Rouse Company and JMB, Inc. that they must present plans for the restoration of Faheuil Hall Marketplace to the Board for their review and approval at the next regularly scheduled meeting, and further

VOTED: That no action be taken on the redevelopment until it has been authorized by the Authority.

Copies of a memorandum dated April 21, 1988, were distributed re: Parcel-to-Parcel Linkage Project II; Park Square and South End Transitional Housing, attached to which were copies of two Resolutions, and a proposed vote.

Mr. Victor Karen, Project Manager; Mr. Charles Grigsby, South End; Mr. Eden Milroy, Vice President of Pavilion Corporation, who resides at 58 Lenox Road, Nahant; Mr. Richard Bernhardt, Mt. Vernon Street and Mr. Vincent McCarthy, 108 Lake Street, addressed the Board and answered the Members' questions,

Letter of April 21, 1988, from Attorney Vincent P. McCarthy to the Chairman in connection with the Transitional Housing Board's vote of April 20, 1988, requesting tentative designation of Pavilion Corporation made part of the record.

On motion duly made and seconded, it was unanimously

VOTED: That the Director is hereby authorized to enter into a contract with the South End Transitional Housing Board to serve as the Project Advisory Committee for the South End community for the Parcel-to-Parcel Linkage II project, with contract funding up to \$25,000, to be reimbursed by the developers, to fund administrative and legal expenses incurred for project review and Transitional Housing Board organizational and start-up activities.

A Resolution entitled, "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: TENTATIVE DESIGNATION OF SOUTH PARK PARTNERSHIP IN ASSOCIATION WITH PAVILION LIMITED PARTNERSHIP AS REDEVELOPER FOR PARCEL RC-9, RD-60, AND A PORTION OF PARCEL 30 IN THE SOUTH END URBAN RENEWAL PROJECT AREA," was introduced, read and considered.

On motion duly made and seconded, it was unanimously

VOTED: To adopt the Resolution as read and considered.

The aforementioned Resolution is filed in the Document Book of the Authority as Document No. 5034.

A Resolution entitled, "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: TENTATIVE DESIGNATION OF PAVILION LIMITED PARTNERSHIP IN ASSOCIATION WITH SOUTH PARK PARTNERSHIP AS REDEVELOPER FOR THE PARK SQUARE SUB-PARCEL AND CHURCH/CHARLES SUB-PARCEL OF PARCEL 2 OF THE PARK PLAZA URBAN RENEWAL PROJECT AREA," was introduced, read and considered.

On motion duly made and seconded, it was unanimously

VOTED: To adopt the Resolution as read and considered.

The aforementioned Resolution is filed in the Document Book of the Authority as Document No. 5035.

Copies of a memorandum dated April 21, 1988, were distributed re: Certificate of Completion for 18 Wellington Street, South End Project, Mass. R-56, attached to which were copies of a Certificate of Completion; December 22, 1987, letter from Charles Verbisky, Esq. of Englander & Associates, to the Authority; photo of 18 Wellington Street; Synopsis of 18 Wellington Street, and a proposed vote.

On motion duly made and seconded, it was unanimously

VOTED: That the Director be and hereby is authorized to issue a Certificate of Completion to Willa Kenney for a two-family building at 18 Wellington Street in the South End.

Copies of a memorandum dated April 21, 1988, were distributed re: Certificate of Completion for 2 Clarendon Street, South End Project, Mass. R-56, attached to which were copies of a Certificate of Completion; March 29, 1988, letter from James G. Alexander, AIA of Hotter Finegold + Alexander, Inc. to Mr. Kenneth V. Keohane; photo of 2 Clarendon Square, and a proposed vote.

On motion duly made and seconded, it was unanimously

VOTED: That the Director be and hereby is authorized to issue a Certificate of Completion to 2 Clarendon Street Realty Trust for the exterior improvements to the structure at 2 Clarendon Street in the South End.

Copies of a memorandum dated April 21, 1988, were distributed re: De-Designation of Redeveloper of Re-Use Parcel SE-18, 32 Wellington Street, South End Urban Renewal Area, Mass. R-56, attached to which were copies of a map indicating the location of the parcel; letter of November 24, 1987, from Ricardo Millett to Nancy Kougeas, attached to which were copies of the description of the parcel, and a proposed vote.

On motion duly made and seconded, it was unanimously

VOTED: That the tentative designation of the 26 Wellington Street Realty Trust as Redeveloper of Parcel SE-18/32 Wellington Street in the South End Urban Renewal Area be rescinded without prejudice.

Copies of a memorandum dated April 21, 1988, were distributed re: Authorization to Amend the License Agreement with Northeastern University, and Approval of Sub-License Between Northeastern University and Douglass Plaza to Allow Douglass Plaza to Use a Portion of the Phase II portion, Reuse Parcel 16, for Parking and Construction Staging, attached to which were copies of a map indicating the location of the parcel, and two proposed votes.

On motion duly made and seconded, it was unanimously

VOTED: That the Director be, and hereby is, authorized to execute an amendment to the License Agreement with Northeastern University dated December 1, 1987, to allow Phase II portion of Parcel 16 to be used as a construction staging area for the development of the Phase I portion of Parcel 16 in addition to parking, and further

VOTED: That the Authority approves the sub-license of a portion of the Phase II portion of Parcel 16 from Northeastern University to Douglass Plaza upon terms and conditions as the Director deems proper and in the best interest of the Authority.

Said sub-license shall contain a provision requiring sub-licensee to obtain liability insurance naming the Authority as an additional insured, and to indemnify the Authority from any liability resulting from Licensee's use of the premises.

Copies of a memorandum dated April 21, 1988, were distributed re: Permission to Enter Authority-Owned Land for Four Months for the Purpose of Parking Cars at 419-439 Harrison Avenue, South End Project, Mass. R-56, attached to which were copies of a map indicating the location of the area, and a proposed vote.

Mr. Ricardo Millett, Assistant Director, addressed the Board and answered the Members' questions.

On motion duly made and seconded, it was unanimously

VOTED: That the Director be, and hereby is, authorized to execute and deliver a License Agreement with Pine Street Inn/Paul Sullivan Housing Trust for the purpose of parking for its employees. Said License is to contain the express provision that no obligation on the part of the Authority, direct or indirect, is to be construed beyond this agreement for entry. Said License shall also contain the express provision that the Licensee shall obtain liability insurance naming the Authority as additional insured, and Licensee agrees to indemnify and hold harmless

the Authority from any liability and/or damage, resulting from the Licensee's use of the premises, said License to include other terms and conditions as the Director deems proper and in the best interest of the Authority.

Copies of a memorandum dated April 21, 1988, were distributed re: Certificate of Completion for Parcel 239A (R-26), Located at 71-73 Humboldt Avenue, Roxbury, Washington Park Project, Mass. R-24, attached to which were copies of a Certificate of Completion; photograph; two letters from Budd, Wiley & Richlin, Inc. (January 13, 1988 and March 1, 1988) to Attorney Ralph Cahill; synopsis of property; Inspectional Services Department Application, and a proposed vote.

On motion duly made and seconded, it was unanimously

VOTED: That the Director is hereby authorized to issue a Certificate of Completion to Cassie McIntyre for the rehabilitation of six apartments and a day-care center on parcel 239A (R-26), located at 71-73 Humboldt Avenue in the Washington Park Project Area.

Copies of a memorandum dated April 21, 1988, were distributed re: Certificate of Completion for Roxbury Hills Common, Washington Park Project, Mass. R-24, attached to which were copies of Certificate of Completion; Certificates of Use and Occupancy for 230-234 Harold Street; 48-60 Homestead Street; 62-66 Homestead Street; 42-46 Homestead Street; photographs of the buildings, and a proposed vote.

On motion duly made and seconded, it was unanimously

VOTED: That the Director be, and hereby is, authorized to issue a Certificate of Completion to Cass House Associates for 16 apartments on Parcel I-6-D, located at 230-234 Harold Street, and 42-46, 48-60 and 62-66 Homestead Street in the Washington Park Urban Renewal Area.

Copies of a memorandum dated April 21, 1988, were distributed re: East Boston Centralized Land Use Information Study (CLUIS); Permission to Enter into a Contract with Massachusetts Port Authority to Conduct this Massport-Funded Study, attached to which were copies of Work Plan, 1988; Table of Contents, and two proposed votes.

Mr. Alex Ganz, Assistant Director, addressed the Board and answered the Members' questions.

On motion duly made and seconded, it was unanimously

VOTED: That the Director is hereby authorized to enter into a one-year contract with the Massachusetts Port Authority to receive \$168,000 in funding for the design, development and completion of the East Boston Centralized Land Use Information Study. That, to fulfill the terms of the agreement, the Director be further authorized to enter into a contract with the City of Boston Management Information Systems Department to pay up to \$5,000 of the Massport funds for services related to the delivery of computerized data. And, that the Director be

authorized to enter into a professional services contract with Bowen & Hayes, Inc., for \$45,000 of Massport funds to coordinate the study.

Copies of a memorandum dated April 21, 1988, were distributed re: Long Wharf Phase 1-A Contract, Change Order No. 1, Extension of Contract Time, John McCourt Company, Harborpark, Waterfront Project, Mass. R-77, which included a proposed vote.

On motion duly made and seconded, it was unanimously

VOTED: That Change Order No. 1 to the Long Wharf Phase 1-A Contract in the Waterfront Project, extending the contract time by providing that the 206 consecutive calendar days start from the date of receipt by the John McCourt Company of the Notice to Proceed from the Authority be approved; and the Director of Engineering is hereby authorized by and on behalf of the Authority to execute said Change Order No. 1 with the John McCourt Company with no increase in cost to the Authority.

Copies of a memorandum dated April 21, 1988, were distributed re: Board of Appeal Referrals, attached to which were 34 zoning petitions prepared by the Authority staff for transmittal to the Board of Appeal.

Mr. Donlan left the meeting.

On motion duly made and seconded, it was unanimously

VOTED: To approve staff recommendations relating to Petition Numbers:

Z-11185, Z-11186, Z-11244, Z-11247, Z-11249, Z-11256,
Z-11257, Z-11290, Z-11370, Z-11372, Z-11733, Z-11374,
Z-11375, Z-11376, Z-11379, Z-11381, Z-11394, Z-11399,
Z-11400, Z-11401, Z-11043, Z-11404, Z-11405, Z-11409,
Z-11411, Z-11412, Z-11413, Z-11414-11415, Z-11417-11418,
Z-11455, Z-11456, Z-11229, Z-11410, Z-11453.

The aforementioned Board of Appeal Referrals
are filed in the Document Book of the Authority as
Document No. 5036.

At this point in the meeting, the Chairman read
the following Resolution which will be suitably engraved
and presented to Teresa M. Gannon:

Whereas, Teresa M. Gannon has been a member
of the Boston Redevelopment Authority staff
since November, 1962, and

Whereas, she has carried out her assigned
tasks with diligence and distinction, and

Whereas, she has been a colleague admired and
appreciated for her professionalism and her
personality, and

Whereas, she has made a notable contribution
towards this rebuilding of Boston and the
strengthening of its neighborhoods,

Be it therefore resolved that the Boston
Redevelopment Authority Board expresses its
appreciation for her loyal service and extends
best wishes on her retirement.

Copies of a memorandum dated April 21, 1988, were distributed re: Management and Budget.

On presentation of certified invoices, and on motion duly made and seconded, it was unanimously

VOTED: To approve the payment of the following bills:

Massachusetts Institute of Technology	\$ 2,850.93
Massachusetts Institute of Technology	4,453.17
Grimes Oil Co., Inc.	6,216.00
Hertz Penske Truck Leasing, Inc.	2,180.44
Saul Schapiro	39,107.69
Fordham & Starrett	17,276.82
Benjamin Thompson & Assoc., Inc.	38,154.36
Historic Boston, Inc.	5,717.50
Boston Urban Gardeners	4,336.00
CEMaguire, Inc.	18,103.71
Fay, Spofford & Thorndike, Inc.	2,828.20
National Center of Afro-American Artists, Inc.	4,878.50

Copies of several memoranda dated April 21, 1988, were distributed re: Personnel Actions.

PERSONNEL MEMORANDUM #1

On motion duly made and seconded, it was unanimously

VOTED: To approve the temporary appointment of L. Francois Konga, Jamaica Plain, as Macroeconomic Research Analyst, Policy Development and Research Department, Grade 11, Step 6, at \$32,650 per annum, effective April 25, 1988.

PERSONNEL MEMORANDUM #2

On motion duly made and seconded, it was unanimously

VOTED: To grant a six-month extension of Maternity Leave of Absence Without Pay for Ms. Kimberly King for the period May 2, 1988 to November 2, 1988.

The Chairman polled the Members to enter into Executive Session to consider a litigation matter,

On roll call, the following voted "Aye": Messrs. Farrell, Walsh, Flaherty and Jones; and the following voted "Nay": None.

The Members entered Executive Session at 7:20 P.M.

The Members came out of Executive Session at 7:25 P.M.

On motion duly made and seconded, it was
unanimously

VOTED: That the next meeting of the Authority
will be held on May 12, 1988, at
2:00 P.M.

On motion duly made and seconded, it was
unanimously

VOTED: To adjourn.

The meeting adjourned at 7:30 P.M.

 ^x

Secretary