

MINUTES OF THE REGULAR MEETING
OF THE BOSTON REDEVELOPMENT AUTHORITY

JUNE 9, 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 June 9, 1988. The meeting was called to order by the Chairman, and upon roll call, those present and absent were as follows:

Present

Robert L. Farrell
James K. Flaherty
Clarence Jones
Michael F. Donlan

Absent

Joseph J. Walsh (came in later)

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 June 9, 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 _____

June 3, 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 June 3, 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 ninth day of June, 1988.


Secretary

Messrs. Simonian and Coyle attended the meeting, which commenced at 2:50 P.M.

The Minutes of the Meeting of May 12, 1988, were read by the Secretary.

On motion duly made and seconded, it was unanimously VOTED: To approve the Minutes as read.

The Chairman opened the public hearing to consider the proposed petitions to the Zoning Commission to establish new permanent zoning for the area of the Port Norfolk Interim Planning Overlay District in South Dorchester.

Copies of a memorandum dated June 9, 1988, were distributed re: Request Authorization to Petition the Zoning Commission to Adopt Final Zoning in the Port Norfolk Interim Planning Overlay District, attached to which were copies of Port Norfolk Interim Planning Overlay District, Fact Sheet, with two maps indicating the location of the district; Text Amendment Application, Boston Redevelopment Authority, Waterfront Service Sub-District (W-1) and Neighborhood Districts; Text Amendment Application, Boston Redevelopment Authority Port Norfolk District, and a proposed vote.

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

The following appeared in support of the Port Norfolk IPOD:

Mr. John Reardon, Mayor's Office of Neighborhood Services, read letter from Mayor Flynn;

Mr. Stephen Cidlevich, aide to Representative James Brett, read prepared statement;

Mr. Richard Tuton, Vice President of Masco Auto,
Inc., Lawley street, Dorchester;

Michael H. Goshko, Esq., Singer, Stoneman,
Kunian & Kurland, representing Masco Auto;

Mr. James W. King, Jr., Chairman, Port Norfolk
Planning and Zoning Advisory Committee;

Councillor James E. Byrne;

Two-page letter from Lorraine M. Downey, Chair,
Harborpark Advisory Committee;

Ellie Spring, Senior Project Coordinator, EDIC,

All above letters to be made part of the record.

The Chairman recognized Mr. Roger Lyons, who resides
at 211 West Squantum Street, North Quincy, and a member
of the Port Norfolk Yacht Club, who is concerned that the
25 ft. restriction would hamper their storing of
boats.

Ms. Bourque informed Mr. Lyons that the 100 slips
would be untouched by this amendment--also, that the
existing yacht club will not be Jeopardized.

Mr. Jones Informed the Chairman of his concern regarding
the 35 ft', height limit.

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

VOTED: To amend the proposed Petition to the Zoning
Commission on the Text Amendment Application,
Port Norfolk Neighborhood District, as
follows:

The Port Norfolk Neighborhood District
Text Amendment is hereby amended by deleting
from Section 35-9 (4) (d), regarding the
height limit in the Waterfront Service
(W-1) sub-district, the number "35," and
inserting in place thereof, the number
"45."

On motion duly made and seconded, it was unanimously
VOTED: To approve the proposed Petition to the
Zoning Commission on Text Amendment
Applications, Port Norfolk Neighborhood
District as amended.

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

VOTED: To further amend the proposed Petition to
the Zoning Commission on the Text Amendment
Application, Port Norfolk Neighborhood
District as follows:

The Port Norfolk Neighborhood District Text
Amendment is hereby amended by deleting
Section 35-11 (6), and inserting in place
thereof, the following:

6. Determination of Proper Public Purpose for
Proposed Projects subject to Chapter 91
Licensing Requirements. If a Proposed Project
is subject to the licensing requirements
of Chapter 91 of the General Laws, the Boston
Redevelopment Authority, in making its
recommendation to the Department of
Environmental Quality Engineering of the
Commonwealth pursuant to said Chapter 91,
Section 18, shall determine whether or not
such Proposed Project serves a proper public
purpose and would not be detrimental to
the public's rights in tidal lands based
on the extent to which the public's right
to tidal lands are reasonably and
appropriately preserved. Without limiting
the generality of the foregoing, the Boston
Redevelopment Authority shall base such
determination on the extent to which a
Proposed Project reasonably and appropriately
preserves and enhances, among other things,
the public's rights to;

- a. visual access to the water, if such Proposed Project is for water-dependent or non-water-dependent use on private or Commonwealth tidelands, as defined in said Chapter 91, Section 1;
- b. navigation, fishing, and fowling, if such Proposed Project is for non-water-dependent use on private tidelands; and
- c, physical access to and along the water's edge, the preservation of the historic character of the Proposed Project's site, public recreational opportunities at the water's edge, and open space for public use and enjoyment, if such Proposed Project is for a water-dependent or non-water-dependent use on Commonwealth tidelands.

On motion duly made and seconded, it was unanimously
VOTED: To approve Text Amendment Application, Boston
Redevelopment Authority, Port Norfolk
District, as amended.

On motion duly made and seconded, it was unanimously

VOTED: That the Boston Redevelopment Authority
hereby authorizes the Director to petition
the Zoning Commission to adopt Text and
Map Amendments for final zoning in Port
Norfolk in substantial accord with the
Petitions submitted at its meeting of June
9, 1988, as amended above.

A copy of "Text Amendment Application, Boston Redevelopment Authority, Waterfront Service Sub-District (W-1) and Neighborhood Districts," and copy of Text Amendment Application, Boston Redevelopment Authority, Port Norfolk Neighborhood District," are incorporated in the Minutes of the Authority as Document No. 5048.

The Chairman declared a short recess.

The meeting resumed at 3:25 P.M.

The Chairman informed the Board that he would disqualify himself from participating in the Trammell Crow Company aspect of the Custom House designation, because Trammell Crow is a client of one of his partners.

At this point, the Chairman turned the gavel over to Mr. Flaherty so that there would be no semblance of a conflict of interest.

The Chairman then congratulated Mr. Dave Cowens on the fine Job he has done, and left the room.

Copies of a memorandum dated June 9, 1988, were distributed re: Custom House Designation, attached to which were copies of a Resolution; Fact Sheet; four maps indicating the location of the area; Lease Commencement Agreement Summary; Inter-Office Memorandum from the Authority and Director to Mayor Raymond L. Flynn re Selection of Custom House Redeveloper, and Part One, Redeveloper's Statement for Public Disclosure.

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

A letter of support from His Honor, Mayor Raymond L. Flynn, was read and made part of the record.

Mr. James G. White (Custom House Tower Associates) thanked the Board and Mayor Flynn for tentatively designating them as redeveloper of the Custom House.

Mr. Lawrence S. DiCata, 311 Ashmont Street, Dorchester, representing Custom House Tower Associates, addressed the Board and answered the Members' questions.

Mr. Dave Cowens, 433 Grove Street, Needham, also addressed the Board, and said he always thought of himself as a team player, and is proud to be part of the team of Trammell and Crow and Custom House Tower Associates in opening up the first three floors of the Custom House to Boys'/Girls' Clubs and civic and community groups for public cultural use.

Mr. Flaherty asked if there was any opposition. Ms. Grace Dowd Shea, 84 Windham Road, Hyde Park, said that the City needs a sports museum, but not at the Custom House. According to her, it should be sited at the Thomas P. O'Neill Building in the North Station.

Mr. Donlan at this point asked that the record show he was extremely impressed with the three superb presentations, and expressed the Authority's appreciation for some very fine presentations made by the parties not selected.

A Resolution entitled, "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: TENTATIVE DESIGNATION OF CUSTOM HOUSE TOWER ASSOCIATES, WATERFRONT URBAN RENEWAL AREA, MASS. R-77, BOSTON, CUSTOM HOUSE (2 INDIA STREET, BOSTON, MA.), 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. 5049.

A short recess was declared.

The meeting re-convened at 3:50 P.M.

On motion duly made and seconded, it was unanimously

VOTED: To take out of order Agenda No. 16, Tentative Designation of Gate Five Associates as redeveloper of Parcel P-2A, Charlestown.

Copies of a memorandum dated June 9, 1988, were distributed re: Charlestown Urban Renewal Area, Mass. R-55, Parcel P-2A (Main Street and Bunker Hill Street) Tentative Designation of Redeveloper, attached to which were copies of a Resolution; two maps indicating the location of the parcel; June 1, 1987, letter to Gate Five Associates from First Mortgage Resource of Boston, Inc.; March 8, 1987 letter to Director Coyle from Dennis McLaughlin, Chairman of the Neighborhood Council, which included a list of the council members; March 25, 1988 letter to Director Coyle from Council President Christopher A. Iannella; April 14, 1988 letter from Councillor Robert E. Travaglini; Parcel P-2 Committee Endorsement, and Abutters of Parcel P-2 in support of the development.

The Chairman recognized Councillor Robert E. Travaglini, who appeared in favor of the project.

The Chairman asked Mr. Timothy O'Connell, Owner, Gate Five Associates, if there was any provision for handicapped housing. Mr. O'Connell replied that 10% or 12 units would be made available as handicapped units.

Ms. Julia Rodriguez of Charlestown appeared in support of the designation.

Mr. James English, Deputy Director, addressed the Board and answered the Members' questions*

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

VOTED: To amend the proposed Resolution by adding to Section 1, sub-section (v), the words "and subject to the handicapped provisions according to the law."

A Resolution entitled, "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: TENTATIVE DESIGNATION OF GATE FIVE ASSOCIATES, PARCEL P-2A, (MAIN AND BUNKER HILL STREETS), CHARLESTOWN URBAN RENEWAL AREA, MASS. R-55, was introduced, read, considered and amended.

On motion duly made and seconded, it was unanimously

VOTED: To adopt the Resolution as amended.

The aforementioned Resolution is filed in the Document Book of the Authority as Document No. 5050.

Copies of a memorandum dated June 9, 1988, were distributed re: Request for Approvals for Post Office Square Park, Including Third Amendment to the Report and Decision on Chapter 121A Project, Selection of a Park Designer, Final Financing Plan, and Temporary Transportation Management Program, attached to which were copies of the Participants in the Park Design; June 1, 1988, letter from His Honor, Mayor Flynn, to Chairman Farrell; letter of May 31, 1988, from Ralph L. Ellis, of Fowler, Goedecke, Ellis & Connor to Chairman Farrell; Boston Redevelopment Authority, Third Amendment to the Report and Decision on the Application of Subsidiaries of Friends of Post Office Square, Inc.;

Post Office Square Park and Garage Project, Construction Schedule; Post Office Square Redevelopment Project, Financing Plan, May 20, 1988; Friends of Post Office Square, Inc. Pre-Construction and Construction Budgets Summary; Post Office Square Redevelopment Project, Equity Financing; four votes, and a Resolution.

Ms. Pamela Wessling, Deputy Assistant Director, read letter of support from Mayor Raymond L. Flynn; Mr. John Rattigan, Palmer and Dodge, representing the Friends of Post Office Square, 20 Puritan Road, Reading, as well as Ms. Shirley Muirhead, Senior Landscaper Architect, addressed the Board and answered the Members' questions.

Mr. Walsh entered the meeting at 4:10 P.M.

On motion duly made and seconded, it was unanimously

VOTED: That the Authority hereby approves the Park Design Review Committee's selection of The Halvorson Company as the Post Office Square Park designer; and further

VOTED: That the Authority hereby approves the final financing plan for the Post Office Square Park and Garage, which includes the issuance of preferred stock in accordance with the terms of the financing plan; and further

VOTED: That the Authority hereby approves the temporary transportation management program proposed by the Post Office Square Redevelopment Corporation; and further

VOTED: That the document presented at this meeting entitled, "Third Amendment to the Report and Decision on the Application of Subsidiaries of Friends of Post Office Square, Inc. for the Authorization and Approval of a Project under Massachusetts General Laws, Chapter 121A, as Amended, and Chapter 652 of the Acts of 1960, as Amended, and for Consent to the Formation pursuant to said Chapter 121A of an Urban Redevelopment Corporation under the name Post Office Square Redevelopment Corporation for the Purpose of Undertaking and Carrying Out the Project under said Chapter 121A,¹ does not propose a fundamental change in the Project, that any non-compliance of same with the Authority's Rules and Regulations is immaterial and therefore waived, and that the same be and hereby is approved and adopted.

On motion duly made and seconded, it was unanimously

VOTED: To approve the document as read and considered.

The aforementioned Third Amendment to the Report and Decision on the Application of Subsidiaries of Friends of Post Office Square is filed in the Document Book of the Authority as Document No. 5051.

Mr. Donlan left the meeting.

Copies of a memorandum dated June 9, 1988, were distributed re: 165 Tremont Street, Parkside at Mason, attached to which were copies of a map indicating the location of the area; Parkside at Mason, 165 Tremont Street Information Sheets; June 1, 1988, letter from Henry Lee, President of Friends of The Public Garden and Common to Mr. William Whitney of staff; May 31, 1988, letter from Henry Lee, President of the Friends of The Public Garden and Common to Mr. Scott Levison of Hall Davison & Company; May 19, 1988, letter from Louise Ridley, Mason Place Resident Council, 80 Mason Street, Boston; May 10, 1988, letter from Simone Auster, Vice President of the Greater Boston Chamber of Commerce to Chairman Farrell; May 16, 1988, letter from Bethany B. Kendall, Executive Vice President of the Downtown Crossing Association to Director Coyle; May 10, 1988, letter from Valerie A. Talmage, Executive Director, State Historic Preservation Officer, Massachusetts Historical Commission to Scott Levitan of Tremont One Associates; May 17, 1988, letter from Lawrence S. DiCara, President of the Boston Theatre District Association to Director Coyle; May 23, 1988, letter from John Trefethen, Trustee of Tremont-on-the-Common to Chairman Farrell; Housing and Employment Agreement, and two votes.

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

Mr. E. Jackson Hall and Mr. Thomas Piatt, General Partners of Tremont One Limited Partnership and Tremont Two Limited Partnership, addressed the Board and answered the Members' questions.

Mr. Farrell called attention to the letter from The Friends of The Public Garden and Common raising questions about the shadows. Questions were also raised about traffic, parking and wind velocity. The Director replied that questions are always raised by various groups, and if there are specific modifications that should be made, the developer indicated that he would comply.

Mr. Donlan returned to the meeting.

Mr. Joseph Hoskins, architect, 99 Fairmount Street, Brookline, informed the Board that the building has been designed to please everyone; that they have listened to input from all groups; variety has been created rather than solidity. He also said that the developer will be responsive to the Authority and community groups.

The Chairman asked if they would consider re-designing the glass building to which Mr. Hoskins replied that they would consider it.

The Director asked if the Authority could have that portion subject to further review. Mr. Hoskins again replied that they are fully prepared to make a change in the stone or masonry facade in that location and discuss the opera passage.

In reply to Mr. Flaherty's question regarding the number of parking spaces, Mr. Hoskins replied that there are 161 spaces, and 121 units in the building.

Mr. Jones left the meeting.

Mr. Hoskins informed the Authority that they will comply with Article 30 in connection with handicapped units. He said the subject had been discussed with Mr. Charles Sabatier of the City of Boston Office for Handicapped Affairs, setting aside 7 to 12 off-site units, which Mr. Sabatier feels is superior to Chapter 30.

The Chairman said that he agrees with the Director that housing is needed in this area of the city; that it is desirable, and he would certainly encourage it. He also said in this connection that he does not see overwhelming support from reading the correspondence. Since the Board is voting today nothing more than recommendations for variances to the Board of Appeal, the Chairman said he would entertain a motion to amend the proposed two votes as followst

That by deleting the last sentence in the first proposed vote to accomplish the following:

That the proponents agree to full submission of the design of the project to the Board of the Authority for its express approval; and further, That the proponents must submit a plan for addressing the handicapped housing requirements, said plan to be subject to the approval of the Authority; and further, That the proponents must submit a voluntary Housing Creation Proposal, said proposal must be satisfactory to the Authority.

Mr. Jones returned to the meeting.

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

VOTED: To amend the proposed votes so as to read as follows:

In reference to Petition Z-11793, 165 Tremont Street, Boston, for conditional use permits under Section 8-7, Use #71 for ancillary parking, Section 8-7 Use #72 for accessory parking for retail use, and Section 8-7, Use #36A for retail catering, for an IPOD permit under Section 27D-5, variances under Section 15-1 for floor area, Section 17-1 for usable open space, Section 19-1 for side yard, and Section 21-1 for parapet setback, the Authority recommends approval with the following provisos: that the proponent submit a Final Project Impact Report as required under Article 31, and that the Authority issue a Final Adequacy Determination in reference to said report prior to the Board of Appeal hearing.

FURTHER: That the proponents agree to full submission of the design of the project to the Board of the Authority for its express approval;

and further

That the proponents must submit a plan for addressing the handicapped housing requirements, said plan to be subject to the approval of the Authority;

and further

That the proponents must submit a voluntary Housing Creation Proposal, said proposal must be satisfactory to the Authority.

FURTHER

VOTED: That the Director is authorized to execute a Housing and Employment Agreement for the creation of off-site affordable housing units substantially in the form attached hereto, with such changes as the Director of the Authority deems appropriate.

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

VOTED: To adopt the proposed votes as amended above.

The aforementioned Housing and Employment Agreement is filed in the Document Book of the Authority as Document No. 5052.

Copies of a memorandum dated June 9, 1988, were distributed re: 172 Tremont Street, Parkside at Mason, attached to which were copies of a map indicating the location of the area; Parkside at Mason, 172 Tremont Street Information Sheets; June 1, 1988, letter from Henry Lee, President of Friends of The Public Garden and Common to Mr. William Whitney of staff; May 31, 1988, letter from Henry Lee, President of the Friends of The Public Garden and Common to Mr. Scott Levison of Hall Davison & Company; May 19, 1988, letter from Louise Ridley, Mason Place Resident Council, 80 Mason Street, Boston; May 10, 1988, letter from Simone Auster, Vice President of the Greater Boston Chamber of Commerce to Chairman Farrell; May 16, 1988, letter from Bethany B. Kendall, Executive Vice President of the Downtown Crossing Association to Director Coyle; May 10, 1988, letter from Valerie A. TaImage, Executive Director, State Historic Preservation Officer, Massachusetts Historical Commission to Scott Levitan of Tremont One Associates;

May 17, 1988, letter from Lawrence S. DiCara, President of the Boston Theatre District Association to Director Coyle; May 23, 1988, letter from John Trefethen, Trustee of Tremont-on-the-Common to Chairman Farrell; Housing and Employment Agreement, and two votes.

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

Mr. E. Jackson Hall and Mr. Thomas Piatt, General Partners of Tremont One Limited Partnership and Tremont Two Limited Partnership, addressed the Board and answered the Members' questions.

Mr. Farrell called attention to the letter from The Friends of The Public Garden and Common raising questions about the shadows. Questions were also raised about traffic, parking and wind velocity. The Director replied that questions are always raised by various groups, and if there are specific modifications that should be made, the developer indicated that he would comply.

Mr. Joseph Hoskins, architect, 99 Fairmount Street, Brookline, informed the Board that the building has been designed to please everyone; that they have listened to input from all groups; variety has been created rather than solidity. He also said that the developer will be responsive to the Authority and community groups.

The Chairman asked if they would consider re-designing the glass building to which Mr. Hoskins replied that they would consider it.

The Director asked if the Authority could have that portion subject to further review. Mr. Hoskins again replied that they are fully prepared to make a change

in the stone or masonry facade in that location and discuss the opera passage.

In reply to Mr. Flaherty's question regarding the number of parking spaces, Mr. Hoskins replied that there are 161 spaces, and 121 units in the building.

Mr. Hoskins informed the Authority that they will comply with Article 30 in connection with handicapped units. He said the subject had been discussed with Mr. Charles Sabatier of the City of Boston Office for Handicapped Affairs, setting aside 7 to 12 off-site units, which Mr. Sabatier feels is superior to Chapter 30.

The Chairman said that he agrees with the Director that housing is needed in this area of the city; that it is desirable, and he would certainly encourage it. He also said in this connection that he does not see overwhelming support from reading the correspondence. Since the Board is voting today nothing more than recommendations for variances to the Board of Appeal, the Chairman said he would entertain a motion to amend the proposed two votes as follows;

That by deleting the last sentence in the first proposed vote to accomplish the following:

That the proponents agree to full submission of the design of the project to the Board of the Authority for its express approval; and further, That the proponents must submit a plan for addressing the handicapped housing requirements, said plan to be subject to the approval of the Authority; and further, That the proponents must submit a voluntary Housing Creation Proposal, said proposal must be satisfactory to the Authority.

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

VOTED: To amend the proposed vote to read as follows:

In reference to Petition Z-11580, 172 Tremont Street, Boston, for a conditional use permit and an IPOD permit, the Authority recommends approval with the following provisos: continued design review, and approval by the Boston Redevelopment Authority,

FURTHER VOTED: That the proponents agree to full submission of the design of the project to the Board of the Authority for its express approval;

FURTHER VOTED: That the proponents must submit a plan for addressing the handicapped housing requirements, said Plan to be subject to the approval of the Authority;

FURTHER VOTED: That the proponents must submit a voluntary Housing Creation Proposal, said proposal must be satisfactory to the Authority;

FURTHER VOTED: That the Director is authorized to execute a Housing and Employment Agreement for the creation of off-site affordable housing units substantially in the form attached hereto, with such changes as the Director of the Authority deems appropriate.

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

VOTED: To adopt the proposed votes as amended above.

The aforementioned Housing and Employment Agreement is filed in the Document Book of the Authority as Document No. 5053.

Copies of a memorandum dated June 9, 1988, were distributed re: Tentative Designation of the National Center of Afro-American Artists, Inc. (NCAAA) as Co-Developer of Parcels P3-c, P3-d, P3-e, P3-g, and Portions of Parcel P-3b in the Campus High School Urban Renewal Area, Project No. Mass. R-129; Authorization for Director to Work with Specified Community Groups and NCAAA to Establish Project Review Committee; Authorization for Director to Execute Memorandum of Understanding, attached to which were copies of a Resolution; three votes; seven maps; NCAAA Table of Organization; Memorandum of Understanding and Brief Description of the Proposed Reorganized Corporate and Management Structure of the NCAAA.

This matter was Taken Under Advisement on April 21, 1988.

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

Letter of June 9, 1988, from His Honor, Mayor Raymond L. Flynn, to Chairman Parrell in support of the National Center of Afro-American Artists, was read and made a part of the record.

The Director informed the Board that he and Ms. Lewis met yesterday and discussed what this project will mean to the City of Boston; that what is going on in the city today is significant as to the number of people in the community who are involved; how innovative and important these projects are, and what is before you today is Elma Lewis' life-long commitment to the City.

Mr. Jones said at this point that any person who lived in the Roxbury area had to have been touched by Elma Lewis in some way, and as a Member of this Board, he would move this item and tentatively designate Ms. Lewis as co-developer at this time with the affection, concern and respect that goes with any vote of this nature to a person who has been admired and respected all her life.

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

VOTED: That the Authority accepts the Resolution attached hereto providing for Tentative Developer designation of the National Center of Afro-American Artists as co-redeveloper of Disposition Parcels P3-c, P3-d, P3-e, P3-g and portions of Parcel P3-b in the Campus High School Urban Renewal Project, Mass. R-129, and further

VOTED: That the Director be, and hereby is, authorized to establish with the Roxbury Neighborhood Council, the NCAAA and Parcel 18+ Task Force, a Project Review Committee consisting of residents and organizations from the impacted project area, and that the Roxbury Neighborhood Council, the Project Review Committee, Parcel 18+ Task Force and the National Center, together with the BRA staff, shall Jointly develop the guidelines and standards for the Request for Proposals, and shall Jointly recommend a co-developer of Parcel P-3 to the Authority for its approval, and further

VOTED: That the Director be, and hereby is, authorized to execute a Memorandum of Understanding among the Authority, the NCAAA, the Roxbury Neighborhood Council, and the Parcel 18+ Task Force, that will establish the roles of these groups and the Project Review Committee in the development review process for this project.

A Resolution entitled, "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: TENTATIVE DEVELOPER DESIGNATION OF THE NATIONAL CENTER OF AFRO-AMERICAN ARTISTS, INC. AS CO-DEVELOPER OF DISPOSITION PARCELS P3-c, P3-d, P3-e, P3-g, AND PORTIONS OF PARCEL P3-b IN THE CAMPUS HIGH SCHOOL URBAN RENEWAL AREA, PROJECT NO. MASS. R-129," 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. 5.054.

Copies of a memorandum dated June 9, 1988, were distributed re: Certificate of Completion for Roxbury Hills Common, Washington Park Project, Mass. R-24, attached to which were copies of a Certificate of Completion dated May 19, 1988; two maps indicating the location of the area; black and white snapshots of Parcel I-6-C; December 19, 1985 Board Memorandum concerning the Confirmatory Order of Taking; Metes and Bounds Description, 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 13 apartments on Parcel I-6-C located at 239-263 Harold Street in the Washington Park Urban Renewal Area,

Copies of a memorandum dated June 9, 1988, were distributed re: Certificate of Completion for Parcel 48-C, Located at 500 Albany Street, South End Urban Renewal Area, Mass. R-56, attached to which were copies of May 16, 1988, inter-office memo from Kenneth V. Keohane to Ricardo Millett; map indicating the location of the area; April 11, 1988, letter from Jeffrey M. Brown of Jager, Smith and Stetler to Ralph Cahill; Land Disposition Agreement for Commercial or Industrial Use dated December 2, 1968; Directors' vote of July 8, 1968 of The Independent Wholesale Florists and Suppliers Development Corporation; July 9, 1970, letter from Cumberland Construction Co., Inc., South Bellingham, Massachusetts; August 13, 1970, letter to Independent Wholesale Florists and Suppliers Development Corporation from Director John D. Warner, 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 the Independent Wholesale Florists and Suppliers Development Corporation for construction of a one-story structure on Parcel 48-C, located at 500 Albany Street in the South End Urban Renewal Area.

Copies of a memorandum dated June 9, 1988, were distributed re: South End Urban Renewal Area, Mass. R-56, Reuse Parcel SE-116/640 Tremont Street; Request Authorization to grant a First Mortgage for Parcel SE-116 to Act as Collateral Security for Pre-Construction Loans for Redevelopment of Parcel SE-116 by Inquilinos Boricuas En Accion (IBA), attached to which were copies of October 8, 1987, board memorandum regarding Tentative Designation; December 3, 1987 board memo regarding Loan Contract; inter-office memorandum April 8, 1988, from Kenneth V. Keohane to Deniz Ozan of staff; newspaper clipping from the South End News; March 6, 1988, Sunday HERALD article;

May 3, 1988, to Tom O'Malley of staff from Roger Herzog of IBA with enclosures, and a proposed vote.

On motion duly made and seconded, it was unanimously VOTED: That the Director be, and hereby is, authorized to enter into any and all legal documents necessary in order to encumber Parcel SE-116 with a first mortgage lien, the proceeds from non-profit foundations are to be used to fund pre-development costs, incurred by Inquilinos Boricuas en Accion (IBA), in the development of mixed-income residential units, commercial space and parking on the site, said mortgage to be discharged upon construction loan closing.

Copies of a memorandum dated June 9, 1988, were distributed re: Revised Tentative Designation of South Cove Parcel P-12-B.

On motion by Mr. Walsh, seconded by Mr. Donlan, it was unanimously

VOTED: To take this matter under advisement.

Copies of a memorandum dated June 9, 1988, were distributed re: Charlestown Urban Renewal Area, Mass. R-55, Parcel R-17-G, Park Street, Charlestown, Tentative Designation of Redeveloper, attached to which were copies of a proposed Resolution; Redeveloper's Statement for Public Disclosure, Part One; Redeveloper's Statement of Qualifications and Financial Responsibility, Part Two, two maps indicating the location of the parcel, and a list of abutters who support the designation.

A Resolution entitled, "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: TENTATIVE DESIGNATION OF ALLEN KUENY AND NANCY KUENY, PARCEL R-17-G, CHARLESTOWN URBAN RENEWAL AREA, MASS. R-55," 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. 5055.

Copies of a memorandum dated June 9, 1988, were distributed re: Charlestown Urban Renewal Area, Mass. R-55, Parcel R-17-H, Park Street, Tentative Designation of Thomas R. Howley and Nancy J. Howley, as Redevelopers, attached to which were copies of a proposed Resolution; Redeveloper's Statement for Public Disclosure, Part One; Redeveloper's Statement of Qualifications and Financial Responsibility, Part Two; List of Homeowners and Tenants in favor of the designation, and two maps indicating the location of the parcel.

A Resolution entitled, "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: TENTATIVE DESIGNATION OF THOMAS R, HOWLEY AND NANCY J. HOWLEY, PARCEL R-17-H, CHARLESTOWN URBAN RENEWAL AREA, MASS. R-55," 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. 5056..

Copies of a memorandum dated June 9, 1988, were distributed re: Charlestown Urban Renewal Area, Mass. R-55, Disposition Parcel R-31B; Tontine Crescent, Partial Certificate of Completion (30 Park Street), attached to which were copies of two maps, and a proposed vote.

On motion duly made and seconded, it was unanimously VOTED: That the Director be authorized to execute and deliver a Partial Certificate of Completion for the Henley Office Building (30 Park Street) within the Tontine Crescent project in Charlestown. Said Certificate is to be in the Authority's usual form, and in accordance with the project's Final Designation and Land Disposition Agreement, executed by and between the Boston Redevelopment Authority and Tontine Crescent Associates.

Copies of a memorandum dated June 9, 1988, were distributed re: Charlestown Urban Renewal Area, Mass. R-55, Disposition Parcel R-31A; Tontine Crescent, Partial Certificate of Completion (34-42 Warren Street), attached to which were copies of a map indicating the location of the area, and a proposed vote.

On motion duly made and seconded, it was unanimously VOTED: That the Director be authorized to execute and deliver a Partial Certificate of Completion for 34-42 Warren Street, containing a sixty (60) space parking structure, and 12,000 square feet of office space within the Tontine Crescent project in Charlestown. Said Certificate is to be in the Authority's¹ usual form, and in accordance with the project's Final Designation and Land Disposition Agreement, executed by and between the Boston Redevelopment Authority and Tontine Crescent Associates.

Copies of a memorandum dated June 9, 1988_f were distributed re: Charlestown Urban Renewal Area, Mass. R-55, Conveyance of Parcel R-87 Bounded by Tremont and Prospect Streets, attached to which were copies of a map indicating the location of the area, and a proposed vote.

On motion duly made and seconded, it was unanimously VOTED: That the Director be, and hereby is, authorized to convey to the Boston Housing Authority a 10,500 square foot portion of Parcel R-87 in the Charlestown Urban Renewal Area, to be known as Parcel R-87-A, and to be used for the creation of two (2) units of Chapter 689 Housing, These housing units will be constructed according to specifications provided by the Executive Office of Communities and Development (EOCD) and will be managed by the Massachusetts Department of Mental Health.

Copies of a memorandum dated June 9, 1988, were distributed re: Charlestown Urban Renewal Area, Mass. R-55, Parcel C-1-C, (Main and Austin Streets); Authorization to Erect a Memorial Plaque and Dedicate the Area as the John Boyle O'Reilly Memorial Park, attached to which were two maps indicating the location of the area, and a proposed vote.

On motion duly made and seconded, it was unanimously VOTED: That the Friends of John Boyle O'Reilly, Inc. are authorized to erect a memorial plaque and dedicate Parcel C-1-C, located at Main and Austin Streets in Charlestown, as the John Boyle O'Reilly Memorial Park. Said authorization is subject to the Authority's usual design review procedures and approvals» as well as the execution of an appropriate maintenance agreement (in the Authority's usual form).

Copies of a memorandum dated June 9, 1988, were distributed re: Charlestown Navy Yard, Authorization to Execute a Transfer Agreement with the City of Boston; A Development Agreement with the Developer of Building 36, and an Amendment to the Building 36 Lease for the Shipyard Park UDAG Project, attached to which were copies of an Amendment to the Indenture of Lease to Incubator Associates of Building 36; Development Agreement Between Incubator Associates and the Boston Redevelopment Authority; June 2, 1988, letter from Robert L. Paquin, Deputy Director of Office of Community Planning and Development of HUD, and a proposed vote.

This matter was Taken under Advisement on May 21, 1988.

On motion duly made and seconded, it was unanimously

VOTED: That the Director be, and hereby, is authorized in accordance with the terms and conditions of a certain Urban Development Action Grant No. B-80-AA-25-0090 (7), as amended and/or revised, to execute and deliver on behalf of the Boston Redevelopment Authority a Transfer Agreement with the City of Boston in substantially the form attached hereto, a Development Agreement with Incubator Associates in substantially in the form attached hereto, an amendment to the Building 36 Lease in substantially the form attached hereto, and any other documents that may be required by the U. S. Department of Housing and Urban Development to effectuate the release of the UDAG Funds.

The above-mentioned documents, Transfer Agreement with the City of Boston, Development Agreement with Incubator Associates, and Amendment to the Building 36 Lease, are filed in the Document Book of the Authority as Document No. 5057.

Copies of a memorandum dated June 9, 1988, were distributed re: Charlestown Navy Yard, Parcel 6, Contaminated Soil, attached to which were copies of a List of Contractors and Estimated Costs, and a proposed vote.

On motion duly made and seconded, it was unanimously

VOTED: That the Director be authorized to enter into a contract with Jet-Line Services, Inc. for the removal and disposal of contaminated soil and debris from Parcel 6 in the Charlestown Navy Yard, in accordance with applicable regulations of the Massachusetts Department of Environmental Quality Engineering, at a contract price of \$33,442.00 based upon unit prices and quantities,

Copies of a memorandum dated June 9, 1988, were distributed re: St. Botolph Street Streetscape Improvements, Phase One Design and Engineering Services Contract, which included a proposed vote.

On motion duly made and seconded, it was unanimously VOTED: That the Executive Director is authorized to execute a contract between Fay, Spofford & Thorndike, Inc., and the Authority, for Design and Engineering Services related to St. Botolph Street Improvements, Phase One, in an amount not to exceed \$60,000.00, with a contract time of 12 months.

Copies of a memorandum dated June 9, 1988, were distributed re: Heritage-on-the-Garden, Arlington-Hadassah Urban Renewal Project, Certificate of Completion of Residential Component, which included a proposed vote.

On motion duly made and seconded, it was unanimously VOTED: That the Director is authorized to issue a Certificate of Completion for the Residential Component of the Heritage-on-the-Garden, including all residential condominium units, appurtenant parking, storage spaces and terraces, and residential common areas of the Arlington-Hadassah Urban Renewal Project.

Copies of a memorandum dated June 9, 1988, were distributed re: Board of Appeal Referrals, attached to which were copies of 46 zoning petitions prepared by the Authority staff for transmittal to the Board of Appeal.

Ms. Gay Forbes, Deputy Director, addressed the Board and answered the Members' questions.

On motion duly made and seconded, it was unanimously
VOTED: To approve staff recommendations relating
to Petition Numbers:

Z-11142, 11395, 11423, 11424, 11427, 11428,
Z-11433, 11474-11475, 11477-11478, 11480,
Z-11505, 11506, 11520, 11522, 11556-11557,
Z-11558, 11559, 11560, 11561-11562, 11566,
Z-11567, 11570, 11571, 11572, 11573-11574,
Z-11575, 11576, 11577, 11579, 11586, 11589,
Z-11590, 11592, 11593, 11596, 11602, 11604,
Z-11605, 11621, 11645, 11675, 11704-11708,
Z-11754, 11731, 11482-87 and Z-11734.

The aforementioned Board of Appeal Referrals are
filed in the Document Book of the Authority as Document
No. 5058.

Copies of a memorandum dated June 9, 1988, were
distributed re: Management and Budget.

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

VOTED: To approve the payment of the following
bills:

| | |
|------------------------------------------------|--------------|
| Napoli Wrecking Co., Inc. | \$ 64,600.00 |
| Resident 51%; Minority 32.7%; Female 0% | |
| Green International Affiliates, Inc. | 7,418.24 |
| Brown & Rowe | 8,442.35 |
| Richard Partridge | 3,200.00 |
| Economic Research Associates | 13,685.00 |
| Northeast Security, Inc. | 16,617.60 |
| Frank B. Rogers | 3,200.00 |
| Hertz Penske Truck Leasing, Inc. | 1,769.51 |
| John Mahoney Const. Co., Inc. | 190,543.21 |
| Resident 25.1%; Minority 24.4%; Female 3.7% | |
| Sasaki Associates, Inc. | 11,108.72 |
| John Mahoney Construction Co., Inc. | 75,812.52 |
| Resident 37.1%; Minority 41.8%; Female 8.8% | |
| New England Chain Link Fence Co., Inc. | 31,011.85 |
| Resident 68.2%; Minority 20.9%; Female 1.4% | |
| National Center of Afro-American Artists | 3,283.50 |
| Professor Phillip Clay | 3,150.00 |
| Fay, Spofford & Thorndike, Inc. | 12,076.55 |
| Aetna Casualty & Surety Co. | 10,231.69 |
| Northeast Security, Inc. | 16,617.60 |
| Paul McGowan | 12,000.00 |
| Fay, Spofford & Thorndike, Inc. | 17,215.24 |
| National Center of Afro-American Artists | 11,910.00 |
| Sasaki Associates, Inc. | 133,514.24 |
| John Mahoney Const- Co., Inc. | 75,533.46 |
| Resident 42%; Minority 41.2%; Female 5.2% | |

Copies of several memoranda dated June 9, 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 David Hurley, Boston, Superintendent of Property Management, Real Estate Services Department at \$29,715 per annum, Grade 10, Step 6, effective May 30, 1988.

PERSONNEL MEMORANDUM #2

On motion duly made and seconded, it was unanimously VOTED: To approve the temporary appointment of Edward Quill, Pembroke, Chief Archivist, Policy Development and Research Department at \$54,989 per annum, Grade 14, Step 6, effective June 20, 1988.

PERSONNEL MEMORANDUM #3

On motion duly made and seconded, it was unanimously VOTED: To accept the following resignations:
Eileen Tate, effective June 3, 1988;
Joseph Delgado, effective June 1, 1988.

PERSONNEL MEMORANDUM #4

On motion duly made and seconded, it was unanimously VOTED: That the Authority hereby authorizes the Director to amend the contract with HMM Associates to extend the time to end June 30, 1988, and to increase the amount by \$1,000 to \$15,000.

PERSONNEL MEMORANDUM #5

On motion duly made and seconded, it was unanimously

VOTED: That the Director be, and hereby is, authorized to amend the Professional Services Contract with Rolf Goetze, extending the contract time by six months, at an hourly rate of \$37.00 in a total amount not to exceed \$20,000, for this amendment,

PERSONNEL MEMORANDUM #6

On motion duly made and seconded, it was unanimously

VOTED: That the Director be, and he hereby is, authorized to execute Amendment No. 8 to the Revised Contract for Professional Services with Saul A. Schapiro, Esq., by increasing the total compensation of such contract as amended by \$50,000.00.

PERSONNEL MEMORANDUM #7

On motion duly made and seconded, it was unanimously

VOTED: To take under advisement professional services contract with Thomas Ennen.

PERSONNEL MEMORANDUM #8

On motion duly made and seconded, it was unanimously

VOTED: That the Director be authorized to extend by six months the professional services contract with Peter Schlesinger, and to increase the contract by \$28,500.00.

PERSONNEL MEMORANDUM #9

On motion duly made and seconded, it was unanimously

VOTED: To authorize an appropriation of \$100,000 for the renewal of the summer employment program for the period June 13 to August 29, 1988.

Copies of a memorandum dated June 9, 1988, were distributed re: Implementing the Mayor's Executive Order on Minority and Women Business Enterprise Development, attached to which were copies of Memorandum of Agreement Between the Boston Redevelopment Authority and the Department of Administrative Services of the City of Boston Regarding the Executive Order on Minority and Women Business Enterprise Development; City of Boston Executive Order from Mayor Raymond L. Flynn on Minority and Women Business Enterprise Development, and a proposed vote.

On motion duly made and seconded, it was unanimously

VOTED: That the standards contained in the Mayor's Executive Order dated December 17, 1987, are hereby adopted as policy of the Authority, and that, in accordance with such Executive Order, the Director of the Authority shall maximize the opportunity for Minority and Women-Owned Businesses to more equitably participate in the receipt of contracts for goods, services and construction. Furthermore, the Director of the Authority is hereby authorized to execute a Memorandum of Agreement with the City of Boston, in substantially the form attached herewith, in order to implement the Mayor's Executive Order dated December 17, 1987.

The aforementioned Memorandum of Agreement with the City of Boston is filed in the Document Book of the Authority as noyymment No. SOSQ.

Copies of a memorandum dated June 9, 1988, were distributed re: Charlestown Navy Yard, Shipyard Park, Vietnam Veterans Memorial Project Update.

On motion duly made and seconded, it was unanimously VOTED: That the Authority rescind its permission for the Massachusetts Vietnam Veterans' Memorial Fund to submit a proposal for the Authority's consideration.

The Chairman polled the Members to enter into Executive Session for the purpose of considering litigation matters.

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

The Members entered Executive Session at 6:10 P.M.

The Members came out of Executive Session at 6:50 P. M. and resumed the Regular Meeting.

On motion duly made and seconded, it was unanimously
VOTED: That in reference to Charles River Park,
Inc. v. Boston Redevelopment Authority,
Suffolk Superior Court Civil Action No.
76086, the counsel of record in that case,
Lawrence S. Fordham, Esq. and Associates
of Fordham & Starrett, are hereby authorized
on behalf of the Boston Redevelopment
Authority (the "Authority") to take all
required actions, including but not limited
to perfecting an appeal of any orders,
decisions or Judgment in that case prior
to the deadline for filing such appeal,
in the Superior Court and appropriate
appellate courts that are in the best interest
of the Authority.

On motion duly made and seconded, it was unanimously
VOTED: That the Director of the Boston Redevelopment
Authority (the "Authority") be, and hereby
is, authorized to execute, on behalf of
the Authority, a Deed and any other related
documents deemed by him necessary to convey
what is known as Area F of Parcel 2-IE-IF
of the West End Land Assembly and
Redevelopment Plan, as amended and/or
modified, to Charles River Park Inc.,
for the purchase price of Four Hundred
Eighty-Nine Thousand, Two Hundred Eleven
Dollars and Ninety-Five Cents (\$489,211.95).

On motion duly made and seconded, it was unanimously

VOTED: That the Director of the Boston Redevelopment Authority (the "Authority") be, and hereby is, authorized to execute, on behalf of the Authority, a Deed and any other related documents deemed by him necessary to convey what is known as Area 2A of Parcel 2-1E-1F of the West End Land Assembly Plan, as amended and/or modified, to Charles River Park Inc., for the purchase price of Sixty-One Thousand, One Hundred Forty-Two Dollars and Eighty-Five Cents (\$61,142.85).

On motion duly made and seconded, it was unanimously

VOTED: That the next meeting of the Authority will be held on June 23, 1988, at 2:30 P.M.

On motion duly made and seconded, it was unanimously

VOTED: To adjourn.

The meeting adjourned at 6:55 P.M.


Secretary