

Messrs. Maloney and Collings attended the meeting.

The Chairman opened the meeting of the Boston Redevelopment Authority.

The Minutes of the meeting of January 8, 2004, which were previously distributed, were submitted.

Copies of a memorandum dated January 29, 2004 were distributed entitled, "JAMAICAWAY TOWER AND TOWNHOUSES CHAPTER 121A PROJECT, CERTIFICATE OF PROJECT TERMINATION", which included two proposed votes. Attached to said memorandum were a document entitled "CERTIFICATE OF PROJECT TERMINATION" and a map indicating the location of the proposed termination.

On a motion duly made and seconded, it was unanimously

VOTED: That the Boston Redevelopment Authority (the "Authority") in accordance with G.L. c. 121A, §18C, hereby determines and finds with regard to the Jamaicaway Tower and Townhouses Chapter 121A Project, as follows: (1) that Jamaicaway Tower and Townhouses Housing Cooperative Company has carried out its obligations and performed the duties as imposed by G.L. c. 121A and the St. 1960, c. 652, as amended and applicable (collectively, hereinafter "C. 121A"); and (2) that the Jamaicaway Tower and Townhouses Chapter 121A Project is terminated as of March 8, 2003, and thereafter the property which constitutes the Project and Jamaicaway Tower and Townhouses Housing Cooperative Company shall no longer be subject to the obligations, except for any outstanding liabilities incurred, nor shall they enjoy the rights, benefits, exemptions and privileges conferred or imposed by C. 121A.

FURTHER

VOTED: That the Director of the Boston Redevelopment Authority be, and hereby is, authorized to execute on behalf of the Authority, a Certificate of Project Termination with regard to the Jamaicaway Tower and Townhouses Chapter 121A Project. Such Certificate of Project Termination shall be delivered to Jamaicaway Tower and Townhouses Housing Cooperative Company, the Department of Revenue of the Commonwealth of Massachusetts and the City of Boston, respectively the City Clerk, the Commissioner of Assessing, Assessing Department and the Collector-Treasurer of the Treasury Department.

The aforementioned CERTIFICATE OF PROJECT TERMINATION is incorporated in the Minutes of this meeting and filed in the Document Book of the Authority as Document No. 6527.

Copies of a memorandum dated January 29, 2004 were distributed entitled, "SALE OF MASON PLACE APARTMENTS CHAPTER 121A PROJECT, 80 MASON STREET", which included two proposed votes. Attached to said memorandum were a document entitled "THIRD REPORT AND DECISION AMENDMENT ON THE MASON PLACE CHAPTER 121A PROJECT FOR APPROVAL UNDER MASSACHUSETTS GENERAL LAWS CHAPTER 121A AND THE ACTS OF 1960, CHAPTER 652, BOTH AS AMENDED AND APPLICABLE, OF THE TRANSFER OF SUCH PROJECT AND CONSENT TO THE FORMATION OF MASON RHF LIMITED PARTNERSHIP AS AN URBAN REDEVELOPMENT LIMITED PARTNERSHIP FOR THE PURPOSE OF ACQUIRING AND CARRYING OUT SUCH PROJECT" and a map indicating the location of the proposed project.

Ms. Rene LaFerve, Assistant General Counsel, addressed the Authority and answered the Members' questions.

On a motion duly made and seconded, it was unanimously

VOTED: That the document presented at this meeting and attached hereto entitled THIRD REPORT AND DECISION AMENDMENT ON THE MASON PLACE CHAPTER 121A PROJECT FOR APPROVAL UNDER MASSACHUSETTS GENERAL LAWS CHAPTER 121A AND THE ACTS OF 1960, CHAPTER 652, BOTH AS AMENDED AND APPLICABLE, OF THE TRANSFER OF SUCH PROJECT AND CONSENT TO THE FORMATION OF MASON RHF LIMITED PARTNERSHIP AS AN URBAN REDEVELOPMENT LIMITED PARTNERSHIP FOR THE PURPOSE OF ACQUIRING AND CARRYING OUT SUCH PROJECT, be and hereby is adopted; and

FURTHER VOTED: That the Director be and hereby is authorized to execute and deliver on behalf of the Authority a Regulatory Agreement with Mason RHF Limited Partnership with respect to the Mason Place Apartments development, 80 Mason Street, in such form as the Director in his sole discretion deems appropriate and necessary, and such other documents and agreements relating to such transfer which the Director, in his sole discretion, deems necessary, appropriate, and in the best interests of the Authority.

The aforementioned THIRD REPORT AND DECISION AMENDMENT is incorporated in the Minutes of this meeting and filed in the Document Book of the Authority as Document No. 6526.

Copies of a memorandum dated January 29, 2004 were distributed entitled "44 PRINCE STREET PROJECT, NORTH END", which included four proposed votes. Attached to said memorandum were a map and photos of the site indicating the location of the proposed project.

Ms. Heather Campisano, Project Manager, Attorney William Ferullo, Mr. David Gilcrest, developer and Mr. Jack French, architect, addressed the Authority and answered the Members' questions

The following people spoke in favor of the proposed project:

Councilor Paul Scapicchio

Ms. Janice Cappola, Mayor's Office of Neighborhood Services

No one spoke in opposition to the proposed project.

On a motion duly made and seconded, it was unanimously

VOTED: That the Director be, and hereby is, authorized to issue a Scoping Determination under Section 80B-5.3(d) of the Boston Zoning Code, which (i) finds that the Project Notification Form adequately describes the potential impacts arising from the 44 Prince Street project, and provides sufficient mitigation measures to minimize these impacts, and (ii) waives further review of the 44 Prince Street project under subsections 4 and 5 of Section 80B-5 of the Boston Zoning Code, subject to continuing design review by the Boston Redevelopment Authority; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Compliance for the 44 Prince Street project upon the successful completion of all Article 80 processes; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute a Cooperation Agreement, an Affordable Housing Agreement for the creation of four (4) one-bedroom affordable units and two (2) two-bedroom affordable units, a Boston Residents Construction Employment Plan, and any and all other agreements and documents which the Director deems appropriate and necessary in connection with the 44 Prince Street project, all upon terms and conditions determined to be in the best interests of the Boston Redevelopment Authority (the "Authority"); and

FURTHER

VOTED: In reference to petition BZC-24624, 44 Prince Street, for one (1) conditional use permit in a Multi-Family Residential District within the North End Neighborhood District, the Boston Redevelopment Authority recommends APPROVAL WITH PROVISIO: that plans be submitted to the Authority for design review approval.

Copies of a memorandum dated January 29, 2004 were distributed entitled, "99 TREMONT STREET PROJECT, 97-111 TREMONT STREET, BRIGHTON", which included four proposed votes. Attached to said memorandum were two maps indicating the location of the proposed project.

Mr. Nicholas Haney, Project Manager, Mr. Michael Lombardi, developer, Mr. Bernie Goba, B. Goba & Associates, addressed the Authority and answered the Members' questions

The following people spoke in favor of the proposed project:

Councilor Jerry McDermott

Mr. Paul Holloway, Mayor's Office of Neighborhood Services

No one spoke in opposition to the proposed project.

On a motion duly made and seconded, it was unanimously

VOTED: That the Director be, and hereby is, authorized to issue a Adequacy Determination waiving further review under Section 80B-5.5 of the Boston Zoning Code (the "Code"), which (i) finds that the Project Notification Form, the Draft Project Impact Report, the Final Project Impact Report, and the Additional Materials adequately describe the potential impacts arising from the 99 Tremont Street Residences project and provides sufficient mitigation measures to minimize those impacts, and (ii) waives further review of the 99 Tremont Street Residences project, under subsections 5 of Section 80B of the Code, subject to continuing design review by the Boston Redevelopment Authority (the "Authority"); and

FURTHER
VOTED: That the Director be, and hereby is, authorized to issue a Certification of Compliance for the 99 Tremont Street Residences project, upon the successful completion of all Article 80 processes; and

FURTHER
VOTED: That the Director be, and hereby is, authorized to execute a Cooperation Agreement; an Affordable Housing Agreement for the creation of two (2) one-bedroom units, to be made available to households earning up to 80% of area median income, and two (2) two-bedroom units, to be made available to households earning up to 80% of area median income, and one (1) two-bedroom unit, to be made available to households earning up to 100% of area median income and one (1) two-bedroom unit to be made available to households earning up to 120% of area median income, a Boston Residents

Construction Employment Plan; and any and all other agreements and documents which the Director deems appropriate and necessary in connection with the 99 Tremont Street Residences project, all upon terms and conditions determined to be in the best interests of the Boston Redevelopment Authority; and

FURTHER

VOTED: In reference to petitions BZC 24442-24443, for the Proposed Project, located at 87-107 Tremont Street, for thirteen (13) variances within the Multi-Family Residential Subdistrict in the Allston Brighton Neighborhood District, the Authority recommends APPROVAL WITH PROVISIO: that plans be submitted to the Authority for design review approval.

Copies of a memorandum dated January 29, 2004 were distributed entitled “36 A STREET CONDOMINIUMS PROJECT, 36 A STREET, SOUTH BOSTON”, which included three proposed votes. Attached to said memorandum were two maps indicating the location of the proposed project.

Mr. Nicholas Haney, Project Manager, Mr. Gregg Donovan, developer and Mr. Tim Russell, architect, addressed the Authority and answered the Members’ questions

The following people spoke in favor of the proposed project:

Mr. Joseph Rull, Mayor Office of Neighborhood Services

The following person spoke in opposition to the proposed project:

Councilor James Kelly

On a motion duly made and seconded, it was unanimously

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Approval, confirming that the proposed project by Boston Marine Development LLC to develop 36 A

Street into twenty-five (25) residential units has complied with the requirements of Small Project Review, under Section 80E of the Boston Zoning Code; and

FURTHER
VOTED:

That the Director be, and hereby is, authorized to enter into an Affordable Housing Agreement for the creation of two (2) two-bedroom unit with a maximum initial sales price of \$165,300 to be made available to households earning up to 80% of area median income, and one (1) two-bedroom units with a maximum initial sales prices of \$211,300 to be made available to households earning up to 100% of area median income, and any and all agreements and documents which the Director deems appropriate and necessary in connection with the proposed project, all upon terms and conditions determined to be in the best interests of the Boston Redevelopment Authority (“Authority”); and

FURTHER
VOTED:

In reference to Petition BZC-24769, Boston Marine Development LLC, 36 A Street, for one (1) conditional use and six (6) variances in a M-1 zoning district, the Boston Redevelopment Authority recommends APPROVAL WITH PROVISIO: that plans be submitted to the Authority for design review approval.

Mr. Michael Taylor left the room at this time.

Copies of a memorandum dated January 29, 2004 were distributed entitled, “CONFIRMATORY TAKING, BOSTON CONVENTION AND EXHIBITION CENTER AND HEADQUARTERS HOTEL”, which included three proposed votes. Attached to said memorandum were a document entitled “Text Amendment Application No. 342, Boston Redevelopment Authority, South Boston

Waterfront IPOD-Convention Center Special Study Area” and three maps indicating the location of the proposed project.

On a motion duly made and seconded, it was unanimously

VOTED: That the Authority hereby adopts the resolution that states “BE IT RESOLVED by the Boston Redevelopment Authority that a CONFIRMATORY ORDER OF TAKING Dated January 29, 2004, relating to certain property in South Boston, Suffolk County, Commonwealth of Massachusetts, be executed and made a permanent part of these proceedings, a copy of which the Secretary shall cause to be recorded in the office of the Registry of Deeds of the County of Suffolk”; and

FURTHER VOTED: That the Director be, and hereby is, authorized to petition the Boston Zoning Commission of the City of Boston to amend Section 27P-8 of Article 27P, the South Boston Waterfront Interim Planning Overlay District, to allow for Retail Uses necessary to advance the development program for the BCEC Headquarters Hotel; and

FURTHER VOTED: That the Director be, and hereby is, authorized on behalf of the Authority to execute and deliver any and all deeds, certificates, and other documents necessary to convey the herein voted Taking Parcel to the Massachusetts Convention Center Authority.

The aforementioned CONFIRMATORY TAKINGS AND TEXT AMENDMENT are incorporated in the Minutes of this meeting and filed in the Document Book of the Authority as Document Nos. 6524 & 6525.

Copies of a memorandum dated January 29, 2004 were distributed entitled “DOWNTOWN INTERIM PLANNING OVERLAY DISTRICT (IPOD)

EXTENSION”, which included a proposed vote. Attached to said memorandum were a document entitled “Text Amendment Application No. 341, Boston Redevelopment Authority, Downtown Interim Planning Overlay District: Extension of Time” and a document entitled “Map Amendment Application No. 492, Boston Redevelopment Authority, Downtown Interim Planning Overlay District: Extension of Time, Map 1: Boston Proper” and a map indicating the location of the proposed project.

Mr. Rick Shaklik, Director of Zoning, addressed the Authority and answered the Members’ questions.

On a motion duly made and seconded, it was unanimously

VOTED: That the Director be, and hereby is authorized to petition the City of Boston Zoning Commission to extend the time period for the expiration of the Downtown Interim Planning Overlay District, excluding those areas for which final zoning has already been adopted, from March 24, 2004 to March 24, 2005 in substantial accord with the text and map amendments presented to the Boston Redevelopment Authority at its hearing on January 29, 2004.

The aforementioned TEXT AMENDMENT AND MAP AMENDMENT, respectively, are incorporated in the Minutes of this meeting and filed in the Document Book of the Authority as Document Nos. 6528 & 6529.

Mr. Michael Taylor re-entered the room at this time.

Copies of a memorandum dated January 29, 2004 were distributed entitled “BOARD OF APPEAL REFERRALS”, attached to which were 51 zoning petitions prepared by Authority staff for transmittal to the Board of Appeal.

Mr. Richard Shaklik, Director of Zoning, addressed the Authority and answered the Members’ questions.

On a motion duly made and seconded, it was unanimously

VOTED: BZC-24377, BZC-24317, BZC-24476, BZC-24492-24493, BZC-24505, BZC-24514, BZC-24638-24641, BZC-24656-24657, BZC-24658, BZC-24661, BZC-24663, BZC-24664, BZC-24666, BZC-24668, BZC-24674, BZC-24680, BZC-24683, BZC-24684, BZC-24693, BZC-24694, BZC-24695, BZC-24696, BZC-24697, BZC-24696, BZC-24697, BZC-24699, BZC-24700, BZC-24704, BZC-24711, BZC-24712, BZC-24713, BZC-24715, BZC-24716, BZC-24717, BZC-24720, BZC-24722, BZC-24723, BZC-24724, BZC-24725, BZC-24726, BZC-24727, BZC-24729, BZC-24732-24733, BZC-24734, BZC-24755, BZC-24757, BZC-24762, BZC-24764, BZC-24766, BZC-24772, BZC-24776, BZC-24781 and BZC-24782.

Copies of a memorandum dated January 29, 2004 were distributed entitled "CONTRACTUAL PAYMENTS".

On a motion duly made and seconded, it was unanimously

VOTED: To approve payment of the following bills:

Goulston & Storrs	\$ 11,022.80
Dechert LLP	\$ 14,917.76
Rosenberg & Schapiro	\$ 10,317.61
Goody, Clancy & Associates	\$ 11,400.00
Goody, Clancy & Associates	\$ 9,722.12
RDA Construction Corp.	\$ 32,226.20
Weston & Sampson	\$ 1,223.00

Copies of a memorandum dated January 29, 2004 were distributed entitled, "PERSONNEL ACTIONS".

PERSONNEL MEMORANDUM #1

On a motion duly made and seconded, it was unanimously

VOTED: To approve and authorize the following reclassification,
effective immediately:

Francis P. Collins, from Building and Grounds Coordinator to
Project Manager; grade 17 to grade 18; no salary change

PERSONNEL MEMORANDUM #2

On a motion duly made and seconded, it was unanimously

VOTED: To approve and authorize the appointment of Lisa M.
Bodenhamer of Boston as a Temporary Development Program
Employee in the position of Attorney 1 (Assistant Counsel),
Grade 19, at an annual salary of \$45,894.26

VOTED: That the next meetings of the Authority will be held on
Tuesday, February 24, 2004 at 2:30 p.m.; Thursday, March 11,
2004 at 2:00 p.m.; Thursday, April 1, 2004 at 2:00 p.m. and
Tuesday, April 27, 2004 at 2:00 p.m.

On a motion duly made and seconded, it was unanimously

VOTED: To adjourn.

The meeting adjourned at 3:47 p.m.

Secretary