

**Memorandum of Agreement
between the
Boston Redevelopment Authority
and the
Massachusetts Historical Commission
Regarding the
New Dudley Office Building Project
(Roxbury) Boston, Massachusetts**

WHEREAS, the Boston Redevelopment Authority (BRA) has proposed to construct a mixed-use multi-story office building (Project) that will incorporate portions of the properties at 9-15 Warren Street, historically known as Ferdinand's Blue Store and also addressed as 2260-2272 Washington Street, and 17-19 Warren Street, historically known as the Ferdinand's Blue Store Addition; and

WHEREAS, the Project will require removal of the Ferdinand's Blue Store Addition, the demolition of portions of Ferdinand's Blue Store, and the construction of new buildings that may be out of scale with the surrounding Dudley Station Historic District; and

WHEREAS, the property at 9-15 Warren Street, also addressed as 2260-2271 Washington Street and historically known as Ferdinand's Blue Store, and the property at 17-19 Warren Street, historically known as Ferdinand's Blue Store Addition, are located within the Dudley Station Historic District and are listed in the State and National Registers of Historic Places; and

WHEREAS, the Massachusetts Historical Commission (MHC) has determined that the proposed demolition will have an "adverse effect" on the Dudley Station Historic District due to the "destruction or alteration of all or part of...State Register propert[ies]" (950 CMR 71.05(a)) and the "introduction of visual, audible, or atmospheric elements that are out of character with, or alter the setting of....State Register propert[ies]" (950 CMR 71.05(c)) through the removal of Ferdinand's Blue Store Addition, and the construction of new buildings that are out of scale with the surrounding Dudley Station Historic District; and

WHEREAS, the BRA has consulted with the MHC pursuant to 950 CMR 71.00; and

WHEREAS, the Boston Landmarks Commission (BLC) has participated in the consultation and been invited to concur in the Memorandum of Agreement; and

WHEREAS, the BLC has reviewed the proposed demolition of 17-19 Warren Street under Article 85 review and issued a finding of "no feasible alternative" in a letter dated September 26, 2007 [sic]; and

WHEREAS, the BRA held a public community meeting on August 21, 2007 and received public comment, which was provided to the BLC and the MHC; and

WHEREAS, the BRA has provided all additional materials requested by the BLC during the Article 85 review and by the MHC in response to comments on the Project Notification Form; and

WHEREAS, the BLC has reviewed the proposed removal of the brick elevator shaft only of the Ferdinand's Blue Store at 2260-2272 Washington Street under Article 85 review and determined that the elevator shaft is not a significant structure, but that all necessary care should be taken to protect the rest of the building in a letter dated October 30, 2007, and the MHC has received copies of all these documents; and

WHEREAS, the BRA has completed a Preservation and Salvage Plan for 17-19 Warren Street (Attachment A) and included preservation and salvage in the Demolition Specifications; and

WHEREAS, the Project will include restoration of the façade and rehabilitation of the Ferdinand's Blue Store at 2260-2272 Washington Street; and

WHEREAS, the BRA has completed an Existing Conditions Summary for the façade of 2260-2272 Washington Street (Attachment B); and

WHEREAS, no feasible or prudent alternative to demolition and construction exist that would avoid or minimize the adverse effect of the project;

NOW, THEREFORE, the BRA and the MHC agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

Stipulations

The BRA will ensure that the following measures are carried out in coordination with the MHC:

1. Documentation

Prior to any construction or demolition activity associated with the New Dudley Square Office Building Project, the BRA will ensure that photographic documentation of 17-19 Warren Street and 2260-2272 Washington Street is undertaken in accordance with the following requirements:

- (a) Photographic documentation shall provide views of all exterior elevations, major interior spaces, and significant features (both typical and unique), including but not limited to, windows, entrances, and architectural details: At least three context views shall be provided showing the structure in relationship to its setting. All photographs will meet the MHC requirements for digital photography documentation.

- (b) The BRA will ensure that all documentation is completed and accepted by the MHC prior to the commencement of demolition activities and that one copy of this documentation is made available to both the MHC for subsequent transmittal to the Massachusetts State Archives and that another copy is submitted directly to the BLC. The MHC will review and comment on the documentation package within 10 business days of receipt.

2. 17-19 Warren Street Salvage and Reuse of Architectural Elements

The BRA shall ensure that the significant architectural elements of 17-19 Warren Street identified in the Preservation and Salvage Plan (Attachment A of this Agreement) are salvaged, safely stored, and integrated to the extent practicable in the new design. Salvage elements not considered practicable for use in the new design shall be considered for use in the interpretive exhibit, see Stipulation 4.

3. 2260-2272 Washington Street

The BRA shall ensure that the façade of 2260-2272 Washington Street will be restored in accordance with the measures and treatments identified in the Existing Conditions Summary (Attachment B of this Agreement) and set forth in the Secretary of the Interior's *Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings* (U.S. Department of the Interior, National Park Service, 1992) and that work is completed by contractors with experience on historic buildings and overseen by a conservation architect.

The BRA's intent is to preserve and restore the building facades and to retain the building's massing and other potential features to the greatest extent possible. The BRA shall afford the MHC and BLC opportunity to review and comment on the design plans as they are developed.

4. Historic Interpretation

The BRA shall ensure that a display of historic photographs expressing the history of the site is developed and installed in a public space in the new building. The exhibit will feature historic and contemporary photographs of the subject property with identifying captions, a history of the property, and how the property contributed to the history of the Dudley Square neighborhood. Salvage items from 17-19 Warren Street which are not integrated into the new design of the project (see Stipulation 2) shall be considered for use in the interpretive exhibit.

5. New Design and Construction

The BRA shall ensure that the design of the New Dudley Office Building is compatible with the surrounding properties in its setback, design, massing, fenestration, and materials and is responsive to the recommended approaches to new construction set forth in the Secretary of the Interior's *Standards for Rehabilitation and Illustrated Guidelines*

for *Rehabilitating Historic Buildings* (U.S. Department of the Interior, National Park Service, 1992). The BRA shall afford the MHC and BLC opportunity to review and comment on the design plans as they are developed. Design plans shall be provided to the MHC and the BLC as early in the design process as possible to facilitate an effective design review.

Execution and implementation of this Memorandum of Agreement evidences compliance with M.G.L. Chapter 9, Section 26-27c, as amended by Chapter 254 of the Acts of 1988 (950 CMR 71.00).

Signatories

MASSACHUSETTS HISTORICAL COMMISSION

By: Brona Simon Date: 1/28/08
Brona Simon, Executive Director
Massachusetts Historical Commission
Massachusetts State Historic Preservation Officer

BOSTON REDEVELOPMENT AUTHORITY

By: John F. Palmieri Date: 1/15/08
John F. Palmieri, Director

Concur:

BOSTON LANDMARKS COMMISSION

By: Ellen Lipsey Date: 1/16/08
Ellen Lipsey, Executive Director

LIST OF ATTACHMENTS

- A. Ferdinand's Blue Store Addition, Guscott Building, 17-19 Warren Street, Preservation and Salvage Plan, Building Conservation Associates, Inc., October 2007
- B. Ferdinand Building, Dudley Square, Boston, Existing Conditions Summary, Building Conservation Associates, Inc., July 2007