

**BOARD APPROVED**

MEMORANDUM

SEPTEMBER 15, 2016

**TO:** BOSTON REDEVELOPMENT AUTHORITY AND  
BRIAN P. GOLDEN, DIRECTOR

**FROM:** MICHAEL CHRISTOPHER, DEPUTY DIRECTOR FOR DEVELOPMENT  
REVIEW/GOVERNMENT AFFAIRS  
KRISTIN KARA, DEPUTY DIRECTOR FOR SPECIAL PROJECTS  
COREY ZEHNGEBOT, SENIOR ARCHITECT/URBAN DESIGNER

**SUBJECT:** ADOPTION OF NEW PROCEDURES RELATIVE TO BOSTON  
REDEVELOPMENT AUTHORITY URBAN RENEWAL ACTIONS

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**SUMMARY:** This Memorandum requests authorization for Boston Redevelopment Authority ("BRA") to adopt certain procedural changes relative to the BRA's exercise of its urban renewal powers.

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**BACKGROUND**

Today, the City of Boston ("City") has sixteen (16) remaining urban renewal plans and associated areas wherein the Boston Redevelopment Authority ("BRA") holds certain powers and responsibilities to effect change. Over the past year and half, the BRA went to great lengths to foster a robust public conversation about urban renewal. The BRA sought feedback directly from community members about how urban renewal can best be used in the future. Highlights of the BRA's community process include: twelve (12) large public meetings in different neighborhoods since March 2015; five (5) neighborhood Q&A sessions in partnership with the City Hall To Go truck in May 2015; an exhibition about past, present, and future of urban renewal in conjunction with West End Museum; and nearly 100 opportunities for engagement. Members of an Urban Renewal Task Force representing the neighborhoods where urban renewal plans are active were also involved at multiple points throughout the public outreach process.

Following the public process, on December 10, 2015, a public hearing before the BRA Board was held and the BRA Board adopted a Resolution to extend fourteen (14) of the City's urban renewal plans to April 30, 2026. In connection with the extension of the plans, the BRA has, in consultation with the Mayor's Office, engaged in a lengthy dialogue with the Boston City Council. The BRA presented at an information session, two briefings, and one hearing of a committee of the Boston City Council. These sessions were open to the public. Additionally, on March 3, 2016, the Boston City Council held a public hearing regarding the proposed extension of the urban renewal

plans. To continue the discussion of the proposed extension, on March 8, 2016 the Boston City Council held a working session. Subsequently, the Boston City Council, by vote duly taken and recorded on March 23, 2016, approved the extension of fourteen (14) of Boston's urban renewal plans for a period of six (6) years, with a termination date of April 30, 2022. Subsequently, Mayor Martin J. Walsh approved the extension of the urban plans on March 28, 2016.

Because the Boston City Council's and Mayor Walsh's approval of the extension was for six (6) years, and not for ten (10) years, the Resolution entitled "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: MODIFICATION TO CERTAIN URBAN RENEWAL PLANS OF THE CITY OF BOSTON", that was adopted by the BRA Board on December 10, 2015, was rescinded by the BRA Board on April 14, 2016.

On April 14, 2016, the BRA Board adopted a new Resolution that (1) reflects both the reduced timeframe of the extension to six (6) years and the new termination date that were approved by the Boston City Council and Mayor Walsh, and (2) that included a sixty (60) day, short-term extension. Subsequently the Commonwealth's Department of Housing and Community Development ("DHCD") approved the sixty (60) day extension, which terminated on June 29, 2016.

Subsequently, on June 9, 2016, the BRA Board adopted a Resolution that included a sixty (60) day, short-term extension of the fourteen (14) urban renewal plans. DHCD approved this sixty (60) day extension extending the termination date to August 28, 2016.

### **DHCD APPROVAL**

On August 3, 2016, the BRA received DHCD's approval of the six (6) year extension for the urban renewal plans. DHCD's approval extends the urban renewal plans to April 22, 2022. A copy of DHCD's approval is attached hereto.

### **PROCEDURAL CHANGES AND OVERSIGHT**

DHCD's approval requires new procedures for the BRA to follow with respect to notifying and receiving approval of DHCD regarding various urban renewal actions. These new protocols are similar in many ways to the Action Plan that was a part of the City Council Order that granted the six (6) year extension by the City Council. The BRA will provide similar updates and notices to DHCD that the BRA provides to the City Council including 30-day written notice of minor modifications.

Furthermore, DHCD's approval requires, within two (2) years of its approval, that the BRA catalogue all Land Disposition Agreements ("LDAs") and note the restrictions, including affordability restrictions, and the term of each LDA. DHCD also requires that

the BRA develop a plan to manage the restrictions stipulated in the LDAs to account for LDAs which have expiration terms that are tied to the expiration of an urban renewal plan. Additionally, the BRA is required to catalogue all BRA-owned land, both vacant and occupied; the BRA is required to identify the properties it plans to dispose of and develop an accompanying timeline.

Additionally, as part of DHCD's approval, within three (3) years, the BRA will submit a proposal to DHCD regarding the urban renewal plans, including a plan for sunseting applicable urban renewal plans as well as an analysis and explanation of whether the urban renewal plans' boundaries should be modified. Also the BRA is required to submit a plan to DHCD regarding urban renewal plans it intends to seek an additional extension of past April 22, 2022.

DHCD's approval of the extension also requires DHCD approval of the BRA's acquisition of occupied parcels within urban renewal plan areas that may result in the displacement of persons or entities. DHCD's approval also requires DHCD's review and opportunity to comment on any proposed acquisition by the BRA of unoccupied property as well any proposed disposition by the BRA of parcels located within urban plan areas.

Specifically, DHCD is requiring the following procedural changes:

1. Within two (2) years of the date of DHCD's approval (that is, August 3, 2018), the BRA will:
  - a) Catalogue all Land Disposition Agreements (LDAs) within Urban Renewal areas, noting the type of restrictions imposed, if any, the term, and the number of affordable housing units covered by each agreement.
  - b) Develop a plan by which the BRA will manage the LDAs. In the instances when the LDA will end at the time the Urban Renewal Plan ends, include a proposal for addressing land use restrictions which resulted from the LDA. Land use restrictions include the preservation of affordable housing, open spaces, public realm and art.
  - c) Catalogue all BRA owned land (vacant and occupied) within the Urban Renewal Plan areas.
  - d) Develop a plan by which the BRA will manage those properties (i.e. identify the properties to be disposed of to a redeveloper and the properties to be retained by the BRA, and set a timetable for redevelopment or other use).

2. Based on the information catalogued and reviewed, the BRA will provide DHCD all information provided to the Boston City Council, including updates, progress reports, and carrying out the Action Plan ("Action Plan") as set out in the City Council vote (attached).
3. Within three (3) years of the date of DHCD's approval (that is, August 3, 2019), the BRA will submit to DHCD a proposal for what the BRA intends to do with its Urban Renewal Plans over the remaining years of the six (6) year extension, describing, with respect to each Urban Renewal Plan:
  - a) A timetable for sunseting the applicable Urban Renewal Plans;
  - b) An analysis as to whether the Urban Renewal Plan Areas should remain as drawn or be modified, with an explanation as to why; and
  - c) A framework and timetable for action in any Urban Renewal Plan Areas where the BRA is either proposing, or not proposing, to seek an additional extension after the six (6) year extension.
4. The BRA will provide DHCD written notice of all proposed minor modifications to the Urban Renewal Plans. DHCD will review and comment within thirty (30) days of written notice.
5. The BRA will continue to request DHCD approval of all major modifications to all Urban Renewal Plans. The BRA acknowledges and agrees that any proposed changes to the boundaries of any Urban Renewal Plan Area is a major modification, and any such proposal shall require DHCD's prior approval under DHCD's standard procedure for approving major modifications to Urban Renewal Plans.
6. The BRA will provide DHCD the same information to be provided to the Boston City Council as a result of the Action Plan.
7. Subject to Sections 9 and 10 below, the BRA will submit to DHCD, for DHCD's prior approval, any proposal for acquisition by the BRA of any occupied parcels within an Urban Renewal Plan Area that may result in the displacement of persons or entities, identifying compliance with the relocation requirements pursuant to M.G.L. c. 79A. The BRA shall include with its submission two (2) appraisals valuing the property to be acquired. DHCD will give written notice to the BRA of DHCD's decision within thirty (30) days from the date of DHCD's receipt of the required submission. The BRA will not, without the approval of DHCD, unconditionally obligate itself to purchase or otherwise acquire any such occupied parcel.

8. Subject to Section 9 below, from and after the date of DHCD's approval letter (August 3, 2016), the BRA will submit to DHCD for DHCD's review and comment:
  - a) any proposal for acquisition by the BRA of any unoccupied parcels within any Urban Renewal Plan Areas, with the documentation described in Section 7 above, and
  - b) any proposal for disposition by the BRA of any parcels within any Urban Renewal Plan Areas, with (in the case of a disposition) the Board Memorandum being submitted to the BRA Board, which will provide a summary of the affected project and project sponsor, together with an appraisal of the parcel(s), and a copy of the proposed LDA for the parcel(s).

DHCD will provide any comments within thirty (30) days from the date of DHCD's receipt of the required submission. The BRA will not unconditionally obligate itself to acquire or dispose of any such parcel, or proceed with such acquisition or disposition, prior to the earlier to occur of (i) receipt of DHCD's comments or (ii) the expiration of such thirty (30) day period.

9. The following categories of acquisition and dispositions will be exempt from the requirements of Sections 7 and 8 above:
  - a) Granting or receiving easements for utilities
  - b) Confirmatory takings for the purpose of title clearing
  - c) Tax foreclosures
  - d) Conveying non-buildable lots of less than 5,000 square feet to owners of adjacent parcels
  - e) Acquiring an interest in property made available through a full or partial discontinuance of a public way by the City of Boston Public Improvement Commission, including without limitation, partial interests such as (i) limited air rights required to allow building elements such as cornices to extend into the air above a sidewalk or roadway, or (ii) subsurface easements
  - f) Disposition of limited air rights above or subsurface easements acquired pursuant to subsection 9(e) above, provided that such limited rights do not affect passage on foot or by vehicle over the public way
  - g) Transfer of a property interest to or from another public entity
10. The process outlined above in Sections 4 through 9 shall not apply to actions that were tentatively approved by the BRA Board prior to the date of DHCD's approval (August 3, 2016) and that have been scheduled for further action at a BRA Board meeting to be held within thirty (30) days of August 3, 2016.

11. For DHCD approval or review and comment within specified time frames, the BRA will provide DHCD information when such information is made available to the BRA Board.

## **RECOMMENDATION**

BRA staff recommends adoption of the new procedures set forth above.

Appropriate votes follow:

**VOTED:** That the Boston Redevelopment Authority (“BRA”) adopts the following new procedures to guide the BRA’s exercise of its urban renewal powers under Chapter 121B of Massachusetts General Laws:

The BRA proposes the following procedural changes in connection with the Commonwealth of Massachusetts Department of Housing and Community (“DHCD”). Specifically, DHCD is requiring the following procedural changes:

1. Within two (2) years of the date of DHCD’s approval (that is, August 3, 2018), the BRA will:
  - a) Catalogue all Land Disposition Agreements (LDAs) within Urban Renewal areas, noting the type of restrictions imposed, if any, the term, and the number of affordable housing units covered by each agreement.
  - b) Develop a plan by which the BRA will manage the LDAs. In the instances when the LDA will end at the time the Urban Renewal Plan ends, include a proposal for addressing land use restrictions which resulted from the LDA. Land use restrictions include the preservation of affordable housing, open spaces, public realm and art.
  - c) Catalogue all BRA owned land (vacant and occupied) within the Urban Renewal Plan areas.
  - d) Develop a plan by which the BRA will manage those properties (i.e. identify the properties to be disposed of to a redeveloper and the properties to be retained by the BRA, and set a timetable for redevelopment or other use).

2. Based on the information catalogues and reviewed, the BRA will provide DHCD all information provided to the Boston City Council, including updates, progress reports, and carrying out the Action Plan ("Action Plan") as set out in the City Council vote (attached).
3. Within three (3) years of the date of DHCD's approval (that is, August 3, 2019), the BRA will submit to DHCD a proposal for what the BRA intends to do with its Urban Renewal Plans over the remaining years of the six (6) year extension, describing, with respect to each Urban Renewal Plan:
  - a) A timetable for sunseting the applicable Urban Renewal Plans;
  - b) An analysis as to whether the Urban Renewal Plan Areas should remain as drawn or be modified, with an explanation as to why; and
  - c) A framework and timetable for action in any Urban Renewal Plan Areas where the BRA is either proposing, or not proposing, to seek an additional extension after the six (6) year extension.
4. The BRA will provide DHCD written notice of all proposed minor modifications to the Urban Renewal Plans. DHCD will review and comment within thirty (30) days of written notice.
5. The BRA will continue to request DHCD approval of all major modifications to all Urban Renewal Plans. The BRA acknowledges and agrees that any proposed changes to the boundaries of any Urban Renewal Plan Area is a major modification, and any such proposal shall require DHCD's prior approval under DHCD's standard procedure for approving major modifications to Urban Renewal Plans.
6. The BRA will provide DHCD the same information to be provided to the Boston City Council as a result of the Action Plan.
7. Subject to Sections 9 and 10 below, the BRA will submit to DHCD, for DHCD's prior approval, any proposal for acquisition by the BRA of any occupied parcels within an Urban Renewal Plan Area that may result in the displacement of persons or entities, identifying compliance with the relocation requirements pursuant to M.G.L. c. 79A. The BRA shall include with its submission two (2) appraisals valuing the property to be acquired. DHCD will give written notice to the BRA of DHCD's decision within thirty (30) days from the date of

DHCD's receipt of the required submission. The BRA will not, without the approval of DHCD, unconditionally obligate itself to purchase or otherwise acquire any such occupied parcel.

8. Subject to Section 9 below, from and after the date of DHCD's approval letter (August 3, 2016), the BRA will submit to DHCD for DHCD's review and comment:
  - a) any proposal for acquisition by the BRA of any unoccupied parcels within any Urban Renewal Plan Areas, with the documentation described in Section 7 above, and
  - b) any proposal for disposition by the BRA of any parcels within any Urban Renewal Plan Areas, with (in the case of a disposition) the Board Memorandum being submitted to the BRA Board, which will provide a summary of the affected project and project sponsor, together with an appraisal of the parcel(s), and a copy of the proposed LDA for the parcel(s).

DHCD will provide any comments within thirty (30) days from the date of DHCD's receipt of the required submission. The BRA will not unconditionally obligate itself to acquire or dispose of any such parcel, or proceed with such acquisition or disposition, prior to the earlier to occur of (i) receipt of DHCD's comments or (ii) the expiration of such thirty (30) day period.

9. The following categories of acquisition and dispositions will be exempt from the requirements of Sections 7 and 8 above:
  - a) Granting or receiving easements for utilities
  - b) Confirmatory takings for the purpose of title clearing
  - c) Tax foreclosures
  - d) Conveying non-buildable lots of less than 5,000 square feet to owners of adjacent parcels
  - e) Acquiring an interest in property made available through a full or partial discontinuance of a public way by the City of Boston Public Improvement Commission, including without limitation, partial interests such as (i) limited air rights required to allow building elements such as cornices to extend into the air above a sidewalk or roadway, or (ii) subsurface easements
  - f) Disposition of limited air rights above or subsurface easements acquired pursuant to subsection 9(e) above, provided that such



limited rights do not affect passage on foot or by vehicle over the public way

g) Transfer of a property interest to or from another public entity

10. The process outlined above in Sections 4 through 9 shall not apply to actions that were tentatively approved by the BRA Board prior to the date of DHCD's approval (August 3, 2016) and that have been scheduled for further action at a BRA Board meeting to be held within thirty (30) days of August 3, 2016.

11. For DHCD approval or review and comment within specified time frames, the BRA will provide DHCD information when such information is made available to the BRA Board; and

**FURTHER**

**VOTED:** The Director or his/her designee is hereby authorized to submit to DHCD all of the above-referenced actions, as he/she deems appropriate.



CITY OF BOSTON

IN THE YEAR TWO THOUSAND SIXTEEN

AN ORDER REGARDING THE  
PROMOTION OF COMMUNITY DEVELOPMENT  
IN THE CITY OF BOSTON

BRA  
2016-11-17  
3:10

- WHEREAS*, The City of Boston has worked tirelessly to promote the sound growth and development of the neighborhoods and provide places for Boston's residents to live, work, and recreate; and
- WHEREAS*, The results of this activity have been the creation of new homes and businesses, as well as new parks, schools, and other public facilities, leading to Boston's reputation as one of the world's most vibrant and livable cities; and
- WHEREAS*, While much progress has been made, there are many vacant and underutilized parcels; and
- WHEREAS*, The City's urban renewal program has effectuated great change in the City's central business district and neighborhoods, creating new opportunities for many of Boston's residents, and the urban renewal program is the appropriate method for redeveloping vacant and underutilized parcels; and
- WHEREAS*, The City of Boston maintains sixteen (16) active urban renewal plans originally approved by the Boston Redevelopment Authority ("BRA"), the Boston City Council, and the Mayor of Boston between 1957 and 1980; and
- WHEREAS*, Federal funding for urban renewal was eliminated in the early 1970s, leaving little public funding to complete the goals and objectives of the plans; and
- WHEREAS*, New England suffered a number of economic downturns in the intervening time, including the 1970s, 1980s, 1990s, and 2000s; and
- WHEREAS*, Despite the best efforts of the City of Boston and the BRA, several of the plans' renewal actions, design objectives, and other purposes remain incomplete; and
- WHEREAS*, By their provisions, the plans and the powers conferred and programs set forth will terminate in 2016 unless so extended; and

*WHEREAS*, The BRA seeks a 6 year extension for fourteen (14) of the active urban renewal plans that are set to expire on April 30, 2016; and

*WHEREAS*, Each plan includes within its provisions the ability to modify said termination date and extend said plan; and

NOW THEREFORE BE IT

*ORDERED*, In recognition of the City Council's authority in connection with the aforementioned urban renewal plan extensions, the BRA Director has agreed to seek BRA Board approval at the BRA's Board Meeting on April 14, 2016, to implement a series of procedural changes with respect to urban renewal plans in Boston, including: (1) committing to the Action Plan that is outlined below; (2) notifying the City Council via a filing of the minor modification notice by the BRA to the City Clerk in addition to the notifications that currently are in place; (3) providing the City Council with a digital copy of the minor modification notice via email transmission; (4) a commitment to testify at any hearing the City Council chooses to hold regarding a proposed minor modification to an urban renewal plan within the thirty day (30) notice period, with the protocol outlined below; (5) providing the City Council with a thirty (30) day notice of any proposed eminent domain taking of city-owned land in excess of 5,000 square feet; (6) providing the City Council with a thirty (30) day notice of any proposed eminent domain taking of properties occupied by private residents or private businesses; (7) meeting with the City Council twice per calendar year to provide updates on urban renewal activity; and (8) submitting an annual report of urban renewal activity to all members of the City Council; and

Action Plan items:

1. Extend the life of the notice and information page on the BRA website or related website beyond any approval of urban renewal extension as an information conduit for urban renewal activities by the BRA, including notice of all minor and major modifications.
2. Compile an inventory of all land disposition agreements ("LDAs") within urban renewal areas and make the same publicly available. The BRA's priority for the LDA inventory is the South End and Charlestown. The new digital database of LDAs will be organized in such a way to complement the BRA's ongoing efforts to modernize its ongoing management of property leases and land assets.
3. The BRA will evaluate and organize BRA-owned land.
4. The BRA will review the boundaries of plan areas to determine where modifications may be warranted, prioritizing the South End and Charlestown.

5. The BRA commits to exploring the creation of new urban renewal plan areas, including Mattapan.
6. The BRA will review the existing procedures surrounding disposition of BRA-owned land and revise protocols for land disposition accordingly, in such a manner that reflects community planning goals and priorities.
7. As part of the annual update, the BRA will continue to provide updates on progress of the completion of the urban renewal plans.

Outline of minor modification hearing protocol:

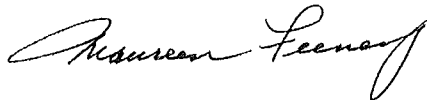
1. The BRA will file any minor modification notice with the City Clerk to be read into the agenda of the next City Council meeting. In accordance with the Rules of the City Council, the President can refer the matter to the appropriate committee which may hold a hearing on the notice and issue a non-binding report (the "Committee Report") to be included in the packet submitted to the BRA Board on the minor modification. Said report, if any, must be received within thirty (30) days of the time the notice is filed with the City Clerk.
2. Upon adoption of the Committee Report, the President of the City Council may file the Committee Report with the Executive Secretary of the BRA for transmittal to BRA Board members prior to any vote on the minor modification notice.

*ORDERED*, That the City Council does hereby approve the extension of the term of the urban renewal plans listed below, to April 30, 2022, subject to the BRA action as outlined above:

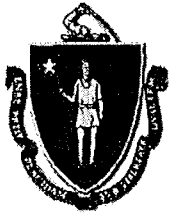
1. Brunswick-King Urban Renewal Plan
2. Campus High School Urban Renewal Plan
3. Central Business District Boylston-Essex Plan
4. Central Business District School-Franklin Plan
5. Central Business District South Station Plan
6. Charlestown Urban Renewal Plan
7. Downtown Waterfront-Faneuil Hall Urban Renewal Plan
8. Fenway Urban Renewal Plan
9. Government Center Urban Renewal Plan
10. Kittredge Square Urban Renewal Plan
11. Park Plaza Urban Renewal Plan
12. South Cove Urban Renewal Plan
13. South End Urban Renewal Plan
14. Washington Park Urban Renewal Plan

In City Council March 23, 2016. Passed; yeas 10, nays 3 (Jackson, Pressley, Zakim)  
 Approved by the Mayor March 28, 2016.

Attest:



Maureen Feeney  
 City Clerk



Commonwealth of Massachusetts  
**DEPARTMENT OF HOUSING &  
COMMUNITY DEVELOPMENT**

Charles D. Baker, Governor ♦ Karyn E. Polito, Lt. Governor ♦ Chrystal Kornegay, Undersecretary

August 3, 2016

Mr. Brian Golden  
Director  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201-1007

**RE: Request for Six Year Extension of Certain Boston Urban Renewal Plans**

Dear Mr. Golden:

The Department of Housing and Community Development (DHCD) is in receipt of the Boston Redevelopment Authority's (BRA) April 15, 2016 request for approval of six-year extensions for the following 14 urban renewal plans:

Brunswick-King  
Campus High School  
CBD Boylston-Essex  
CBD School-Franklin  
CBD South Station  
Charlestown  
Fenway  
Government Center  
Kittredge Square  
Park Plaza  
South Cove  
South End  
Washington Park  
Downtown Waterfront

Documentation provided by BRA shows that the Boston City Council voted, on March 23, 2016, to extend the above plans for 6 years, ending on April 22, 2022. The City Council ordered that the BRA commit to an Action Plan which includes many items, such as inventorying land disposition agreements, reviewing plan boundaries to determine where modifications are necessary, and providing updates on the progress of the completion of the urban renewal plans.

DHCD received the BRA's request while in undertaking an ongoing regulatory review process pursuant to Executive Order 562. As part of that process, DHCD reviewed both its existing regulations and positions previously taken regarding extensions of urban renewal plans. DHCD has concluded that a mere temporal extension, without any substantive change to the basic elements of the plan, does not constitute a major modification, and is in the process of revising its regulations to provide greater clarity on that point. However, in light of the extensive public interest in this particular request, DHCD asked the BRA to engage in a public outreach effort, hold a public hearing, and seek City Council approval, similar to the process usually required for a major plan change. DHCD acknowledges receipt of information from the BRA regarding its public outreach effort, and comments received from the public by the BRA prior to the City Council approval noted above. Similarly, when DHCD received the request for approval of the proposed six-year extension, DHCD scheduled its own public hearing on April 22, 2016, to provide interested members of the public an opportunity to comment on the request. DHCD also has received and considered extensive written comments on the proposed extension request.

After considering both the oral and written comments received, and the documentation submitted by the BRA, DHCD has determined that the proposed plan amendments extending the above 14 urban renewal plans will be approved, but only under the following conditions:

1. Within 2 years of the date of this approval, BRA will:

- a. Catalogue all Land Disposition Agreements (LDAs) within Urban Renewal areas, noting the type of restrictions imposed, if any, the term, and the number of affordable housing units covered by each agreement.
- b. Develop a plan by which BRA will manage the LDAs. In the instances when the LDA will end at the time the Urban Renewal Plan ends, include a proposal for addressing land use restrictions which resulted from the LDA. Land Use Restrictions include the preservation of affordable housing, open spaces, public realm and art.
- c. Catalogue all BRA owned land (vacant and occupied) within the Urban Renewal Plan areas.
- d. Develop a plan by which BRA will manage those properties, (i.e. identify the properties to be disposed of to a redeveloper and the properties to be retained by BRA, and set a timetable for redevelopment or other use).

2. Based on information cataloged and reviewed, BRA will provide DHCD all information provided to the Boston City Council, including updates, progress reports, and carrying out the Action Plan as set out in the City Council vote (attached).

3. Within 3 years of the date of this approval, BRA will submit to DHCD a proposal for what the BRA intends to do with its Urban Renewal Plans over the remaining years of the 6 year extension, describing, with respect to each Urban Renewal Plan:

- a. A timetable for sunseting the applicable Urban Renewal Plans;

- b. An analysis as to whether the Urban Renewal Plan Areas should remain as drawn or be modified, with an explanation as to why;
  - c. A framework and timetable for action in any Urban Renewal Plan Areas where the BRA is either proposing, or not proposing, to seek an additional extension after the 6 year extension.
4. BRA will provide to DHCD, written notice of all proposed minor modifications to the Urban Renewal plans. DHCD will review and comment within 30 days of the written notice.
  5. BRA will continue to request DHCD approval of major modifications to all Urban Renewal Plans. BRA acknowledges and agrees that any proposed changes to the boundaries of any Urban Renewal Plan Area is a major modification, and any such proposal shall require DHCD's prior approval under DHCD's standard procedure for approving major modifications to Urban Renewal Plans.
  6. BRA will provide DHCD the same information to be provided to Boston City Council as a result of the attached Action Plan (voted by City Council on March 23, 2016).
  7. Subject to Sections 9 and 10 below, BRA will submit to DHCD, for DHCD's prior approval, any proposal for acquisition by the BRA of any occupied parcels within an Urban Renewal Plan Area that may result in the displacement of persons or entities, identifying compliance with relocation requirements pursuant to M.G.L. c. 79A. The BRA shall include with its submission two (2) appraisals valuing the property to be acquired. DHCD will give written notice to the BRA of DHCD's decision within 30 days from the date of DHCD's receipt of the required submission. The BRA will not, without the approval of DHCD, unconditionally obligate itself to purchase or otherwise acquire any such occupied parcel.
  8. Subject to Section 9 below, from and after the date of this letter, BRA will submit to DHCD for DHCD's review and comment:
    - (a) any proposal for acquisition by the BRA of any unoccupied parcels within any Urban Renewal Plan Areas, with the documentation described in items 7 above, and
    - (b) any proposal for disposition by the BRA of any parcels within any Urban Renewal Plan Areas, with (in the case of a disposition) the Board Memorandum being submitted to the BRA Board, which will provide a summary of the affected project and project sponsor, together with an appraisal of the parcel(s), and a copy of the proposed Land Disposition Agreement (LDA) for the parcel(s).
- DHCD will provide any comments within 30 days from the date of DHCD's receipt of the required submission. The BRA will not unconditionally obligate itself to acquire or dispose of any such parcel, or proceed with such acquisition or disposition, prior to the earlier to occur of (i) receipt of DHCD's comments or (ii) the expiration of such 30 day period.
9. The following categories of acquisitions and dispositions will be exempt from the requirements of #7 and #8:

- a. Granting or receiving easements for utilities
  - b. Confirmatory takings for the purpose of title clearing
  - c. Tax foreclosures
  - d. Conveying non-buildable lots of less than 5,000 square feet to owners of adjacent parcels
  - e. Acquiring an interest in property made available through a full or partial discontinuance of a public way by the City of Boston Public Improvement Commission, including without limitation partial interests such as (i) limited air rights required to allow building elements such as cornices to extend into the air above a sidewalk or roadway, or (ii) subsurface easements
  - f. Disposition of limited air rights above or subsurface easements acquired pursuant to subsection 9(e) above, provided that such limited rights do not affect passage on foot or by vehicle over the public way.
  - g. Transfer of a property interest to or from another public entity.
10. The process outlined above in paragraphs 4-9 shall not apply to actions that were tentatively approved by the BRA Board prior to the date of this letter and that have been scheduled for further action at a BRA Board meeting to be held within thirty (30) days of the date hereof.
11. For DHCD approval or review and comment within specified time frames, BRA will provide DHCD information when such information is made available to the BRA Board.

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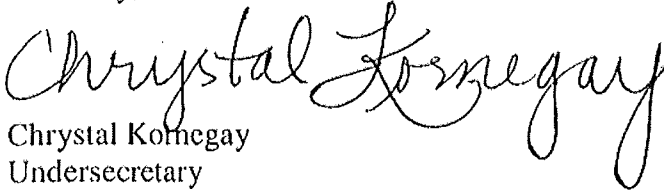
With the above conditions, the Department approves the requested plan extensions. The new expiration date of each plan is April 22, 2022.



Brian Golden, Director, Boston Redevelopment Authority  
August 3, 2016  
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Please contact Laura L. Schaefer, Municipal and Revitalization Specialist, at [Laura.Schafer@state.ma.us](mailto:Laura.Schafer@state.ma.us) or at (617) 573-1450, if you have any questions or need assistance.

Sincerely,

  
Chrystal Komegay  
Undersecretary

cc: Michael Christopher, Intergovernmental Relations Liaison, BRA (by e-mail)  
Kristin Kara, Deputy Director for Special Projects, BRA (by e-mail)  
John Barros, Chief of Economic Development, BRA (by email)  
Corey Zehngebort, Senior Architect/Urban Designer, BRA (by email)  
Renee LeFavre, General Counsel, BRA (by email)  
Roberta Rubin, Chief Counsel, DHCD (by e-mail)  
Christine McClave, Deputy General Counsel, DHCD (by e-mail)  
Louis Martin, Associate Director, Div. of Com. Services, DHCD (by e-mail)  
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