

MINUTES OF A REGULAR MEETING
OF THE BOSTON REDEVELOPMENT AUTHORITY
HELD ON JULY 29, 1965

The Members of the Boston Redevelopment Authority met in regular session at the offices of the Authority, Room 350, 73 Tremont Street, Boston, Massachusetts, at 2:00 p.m., on July 29, 1965. The meeting was called to order by the Chairman, and upon roll call those present and absent were as follows:

<u>Present</u>	<u>Absent</u>
Msgr. Francis J. Lally Stephen E. McCloskey James G. Colbert	Melvin J. Massucco George P. Condakes (came in later)

A copy of the NOTICE OF MEETING, pursuant to Section 23A of Chapter 39 of the General Laws, with the CERTIFICATE AS TO SERVICE OF NOTICE 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 23A of Chapter 39 of the General Laws that a meeting of the Boston Redevelopment Authority will be held at 2:00 p.m. on July 29, 1965 at Room 350, 73 Tremont Street in the City of Boston, Massachusetts.

BOSTON REDEVELOPMENT AUTHORITY

By Kane Simonian

July 26, 1965

Title: Secretary

CERTIFICATE AS TO SERVICE OF NOTICE OF MEETING
(Sec. 23A, Chapter 39, General Laws)

I, Kane Simonian, the duly appointed, qualified and acting Secretary of the Boston Redevelopment Authority, do hereby certify that on July 26, 1965, I filed, in the manner provided by Sec. 23A, Chapter 39, 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 said Authority this 29th day of July, 1965.

Kane Simonian
Secretary

Messrs. Logue, Simonian and Conley attended the meeting.

The Secretary stated that the minutes of the meeting of July 22, 1965 were not ready for distribution.

On motion duly made and seconded, it was unanimously VOTED; to enter into Executive Session.

Copies of a memo dated July 29, 1965 were distributed re South End Urban Renewal Project Public Hearing, attached to which were copies of a proposed Notice.

On motion by Mr. Colbert, seconded by Mr. McCloskey, it was unanimously

VOTED: to amend the proposed Notice to read 6:45 p. m. , and further, to insert the following paragraph:

"Any elderly or infirm persons residing in the project area who desire to testify early, either for or against the project, are invited to write to Kane Simonian, Secretary, Boston Redevelopment Authority, 73 Tremont Street, Boston, Massachusetts 02108, giving their name and address, so that arrangements will be made for them to testify early. "

On motion duly made and seconded, it was unanimously

VOTED: that a public hearing on the proposed Plan for the South End Urban Renewal Project be held at 6:45 p.m. on Monday, August 23, 1965 in the auditorium of the Mackey School, 90 Warren Avenue, Boston, Mass. ; that the attached Notice of Public Hearing is hereby approved, and that the Executive Director of the Authority is hereby authorized by and on behalf of the Authority to arrange for publication of said notice in newspapers of general circulation and the Boston City Record in accordance with the attached schedule.

On motion duly made and seconded, it was unanimously

VOTED: to resume public meeting.

Mr. Condakes entered the meeting at this point.

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

VOTED: to approve payment of the following bills:

	§
John G. Hewitt, Washington Park appraisals. ...	2, 750. 00
Henry F. Bryant & Son, Inc.	8, 707. 50
Charles A. Maguire & Associates.	19, 843. 86
Sasaki, Dawson, DeMay Associates.	1, 035. 25
Murray D. Segal.	3, 411. 60

Copies of Government Center Site Office reports were distributed.

On motion duly made and seconded, it was unanimously

VOTED: that the Executive Director be authorized to execute sheriff's warrants for the eviction of all tenants remaining in the building at 10 State Street on August 12, 1965.

Copies of North Harvard Site Office reports were distributed.

On the recommendation of the Site Office and for failure to pay use and occupancy charges, on motion duly made and seconded, it was unanimously

VOTED: that the Executive Director be authorized to execute sheriff's warrants for the eviction of the following:

Richard Stearns	158 No. Harvard Street
Stanley Zalesky	176 No. Harvard Street
Charles Donners	169 Western Avenue
Mary Casey	17 Hefferan Street
Donald LeBlanc	157 Western Avenue

Copies of a memo dated July 29, 1965 from the Real Estate Officer were distributed re Samuel Lebow Company, 36 Canal Street, Government Center Project Account No. 1501.

On motion duly made and seconded, it was unanimously

VOTED: to table this matter.

On motion duly made and seconded, it was unanimously

VOTED: that the Chairman, Vice Chairman or Executive Director be authorized to accept the lowest bid or bids to be received on August 17, 1965 for the following Preliminary Loan Notes: Washington Park Project, Mass. R-24, 5th Series C, \$6, 445, 000; North Harvard Project, Mass. R-54, 2d Series E, \$473, 000; South End Project, Mass. R-56, 5th Series D, \$5,428,000.

Copies of a memo dated July 29, 1965 were distributed re North Harvard Project - Increase in Amount of Awards.

On motion duly made and seconded, it was unanimously

VOTED: to concur in the recommendation of the Real Estate Officer and the General Counsel as outlined in the memorandum dated 7/23/65.

Copies of a memo dated July 28, 1965 were distributed re Washington Park Urban Renewal Area, Demolition and Site Clearance Contract No. 2, Change Order No. 6.

On motion duly made and seconded, it was unanimously

VOTED: to approve Change Order No. 6, Contract No. 2, Maher and Fall Wrecking Company, Washington Park Project, extending the contract time by forty-five calendar days to September 20, 1965 with no change in the contract price.

Copies of a memo dated July 29, 1965 were distributed re Government Center Project, Mass. R-35, Demolition and Site Clearance Contract No. 6.

On motion duly made and seconded, it was unanimously

VOTED: that a contract be awarded for \$68,600 to Corey Steeplejacks, Inc. as the lowest responsible and qualified bidder for the demolition of 7-25 Pemberton Square and further, that the Executive Director be authorized to execute a contract for the same.

On motion duly made and seconded, it was unanimously

VOTED: to postpone action on the award of a contract for the demolition of 10 State Street until the Engineering Department has completed its report on the low bidder.

Copies of a memo dated July 28, 1965 were distributed re North Harvard Urban Renewal Area Mass. R-54, Demolition and Site Clearance Contract No. 1.

On motion duly made and seconded, it was unanimously

VOTED: that North Harvard Demolition and Site Clearance Contract No. 1 be awarded in the amount of \$26,900 to Corey Steeplejacks, Inc. as the lowest responsible and qualified bidder and further, that the Executive Director is authorized to execute contract for same.

On motion duly made and seconded, it was unanimously

VOTED: to take from the table the memo dated July 22, 1965 re Government Center Contract to Prepare Specifications for the Preparation of Under Cornhill Service Street, attached to which was a proposed vote and a proposed form of contract.

On motion duly made and seconded, it was unanimously

VOTED: that the Development Administrator is hereby authorized to execute a contract with the Architects and Engineers for the Boston City Hall to prepare specifications for the preparation of the Under Cornhill Service Street, said contract to be substantially in the form presented to this meeting in an amount not to exceed \$25, 000.

On motion duly made and seconded, it was unanimously

VOTED: to take from the table copies of a memo dated July 22, 1965 re Southwest Corridor.

On motion duly made and seconded, it was unanimously

VOTED: to accept Items 1 through 6 of the Southwest Corridor Study Policy Committee as shown in the above memo.

On motion duly made and seconded, it was unanimously

VOTED: that no more than \$1000 is hereby appropriated to be expended on an equal basis with the other participating agencies for the publication of the Southwest Corridor Study Report, to be paid if possible from project funds.

On motion duly made and seconded, it was unanimously

VOTED: to take from the table the memo of July 22, 1965 re Traffic Signal Planning Studies, to which was attached a copy of a résumé of Roe P. Hendrick, P. E. , and copies of a proposed contract.

the Development Administrator distributed copies of a letter dated July 27, 1965 from Thomas F. Carty, Commissioner, Traffic and Parking Department, indicating the Department's approval of the proposed contract.

On motion duly made and seconded, it was unanimously

VOTED: that the Development Administrator is authorized to enter into a contract with Planning Engineers and Development for the conduct of traffic signal planning studies in connection with and respecting any area within the City of Boston, with primary emphasis on the areas outside urban renewal project areas, in an amount not to exceed \$10,000, such amount having been appropriated by the Boston City Council and to be paid from non-project funds.

Copies of a memo dated July 29, 1965 were distributed re Rules for Conduct of South End Urban Renewal Project Public Hearing, attached to which were copies of a proposed set of rules.

On motion duly made and seconded, it was unanimously

VOTED: to take the matter under advisement.

Copies of memoranda dated July 29, 1965 were distributed re Submission of Urban Renewal Plan, Submission of Relocation Plan, Submission of Project Area Eligibility Report and Submission of Statement of Conformity to General Plan .

On motion duly made and seconded, it was unanimously

VOTED: to take the above memoranda under advisement.

Copies of a memo dated July 29, 1965 were distributed re Brief Review of Community Participation in the South End Planning Process, the contents of which were noted and placed on file.

On motion duly made and seconded, it was unanimously

VOTED: that the next meeting of the Authority would be held on August 19, 1965 at two p.m.

Copies of a memo dated July 29, 1965 were distributed re Charles-town Urban Renewal Area Title Work.

On motion duly made and seconded, it was unanimously

VOTED: that the Development Administrator and General Counsel be authorized to arrange for title examination work in connection with the

properties to be acquired under the Charlestown Urban Renewal Plan at the customary hourly rate that is used by the Authority for work of this nature.

Copies of a memo dated July 29, 1965 were distributed re Community College Land Disposition Agreement, Charlestown Urban Renewal Project, attached to which were copies of a proposed vote.

On motion duly made and seconded, it was unanimously

VOTED: that the action of the Development Administrator on July 7, 1965, executing the Land Disposition Agreement with the Massachusetts Board of Regional Community Colleges, is hereby ratified and affirmed, subject to Housing and Home Finance Agency concurrence.

With respect to the suit by John J. Greatorex~ et al vs Edward J. Logue, Mr. Colbert requested that the following statement be put on record:

"While we criticize most severely the conduct of some of the residents at some of the hearings, it is not the contention of the Redevelopment Authority nor the Development Administrator nor any employee of the Redevelopment Authority, nor do we have any evidence or reason to believe that any are members of the John Birch Society.

"I was at the hearing when Mr. Logue spoke and I didn't hear any reference to them as members of the John Birch Society. The people who are involved say that what they are suing for is that they were called members of the John Birch Society, but if that is what bothers them, I would go on record as stating that we do not have any information whatever that any resident of Charlestown whatever his views, is a member of the John Birch Society.

"I would further say that if any resident of Charlestown is under the impression that we said that, we would retract it and apologize for the remark."

The Chairman and Members concurred in Mr. Colbert's statement.

Mr. Condakes requested that the record show that the Development Administrator was instructed to work with all of the people in the project area, whether they were for or against the project.

Copies of a memo dated July 29, 1965 were distributed re South Cove Cooperation Agreement with Don Boaco School, attached to which were copies of a proposed vote and a proposed Cooperation Agreement.

On motion duly made and seconded, it was unanimously

VOTED: to continue this matter on the table.

Copies of a memo dated July 29, 1965 were distributed re South Cove Cooperation Agreement with Tufts-New England Medical Center, attached to which were copies of a proposed vote and a proposed Cooperation Agreement.

On motion duly made and seconded, it was unanimously

VOTED: to table the matter again.

Copies of a memo dated July 29, 1965 were distributed re Preliminary Drawings, Phase II and III, Parcel 1Z, Government Center Project, attached to which were copies of a proposed vote.

On motion duly made and seconded, it was unanimously

VOTED: that the Preliminary drawings for Phase II and III of Parcel 12, designated SC 1, 2, 3 and 4, dated June, 1965, are hereby approved, subject to:

- (a) reservations regarding the roadway alignment and design of Pemberton Square;
- (b) access on Tremont Street;
- (c) the exact treatment of the proposed entrance to the subway;
- (d) a more definite program for the temporary solution of traffic and pedestrian movement during the construction stages.

Copies of a memo dated July 29, 1965 were distributed re Order of Taking to clear title to Pemberton Square, attached to which were copies of a proposed Resolution and Order of Taking; Annex A, Project Area Description, and Annex B, Taking Area Description.

On motion by Mr. Colbert, seconded by Mr. Condakes, it was unanimously

VOTED; to adopt the following Resolution:

BE IT RESOLVED by the Boston Redevelopment Authority that an Order of Taking dated July 29, 1965 relating to a portion of the Government Center Project be executed, together with a plan entitled "Government Center Project, Mass. R-35, Additional Taking at Pemberton Square, Boston Redevelopment Authority, Boston-Suffolk County-Massachusetts, Scale: 1 inch = 40 feet, August 7, 1963, Whitman & Howard, Inc., Engineers", which is incorporated herein and made a permanent part of these proceedings, copies of which the Secretary shall cause to be recorded in the offices of the Registry of Deeds for the County of Suffolk.

The foregoing Order of Talking is filed in the Document Book of the Authority as Document No. 492A.

Copies of a memo dated July 29, 1965 were distributed re Resolution Concerning Design Advisory Committee, attached to which were copies of a proposed vote.

On motion duly made and seconded, it was unanimously

VOTED: that the Authority vote of February 22, 1961, creating an Architectural Advisory Committee, and the Authority vote of June 24, 1965, are hereby rescinded. The Development Administrator is hereby authorized to invite:

Nelson W. Aldrich, Partner, Campbell and Aldrich
Lawrence Anderson, Partner, Anderson, Beckwith & Haible
Pietro Belluschi, Dean, School of Planning, M.I. T.
Jose Laiis Sert, Partner, Sert, Jackson fe Associates
Hugh A. Stubbins, Jr. , Principal, Hugh Stubbins & Associates

to organize a committee from among their number or such other persons as they may from time to time select to comment informally as they see fit on matters relating to the design of projects which the Development Administrator may bring to their attention or which may come to their attention from other sources. The Redevelopment Authority shall be notified of any other persons so selected. Membership on this committee is entirely voluntary and will not interfere with the members' opportunities for obtaining architectural work within the City of Boston, provided that the committee shall not comment on any matter in which any member has a personal interest, direct or indirect.

Copies of a memo dated July 29, 1965 were distributed re Designation of Counsel in the matter of Harrington et al vs City of Boston, Boston City Council, Edward J. Logue and the Boston Redevelopment Authority.

On motion duly made and seconded, it was unanimously

VOTED: that the firm of Foley, Hoag & Eliot is hereby designated as counsel representing the respondents in the matter of Harrington et al vs

City of Boston et al. The firm of Foley, Hoag & Eliot is authorized and directed to defend the respondents and to take such steps as may be appropriate in the defense. Payment shall be at the rate of \$35.00 per hour for partners and \$25.00 per hour for associates, in an amount not to exceed \$3000.00

Copies of a memo dated July 29, 1965 were distributed re Designation of Counsel in the matter of Ida Gilbert et al vs Theodore Schulenberg et al, attached to which were copies of a proposed vote.

On motion duly made and seconded, it was unanimously

VOTED: that the firm of Foley, Hoag & Eliot is hereby designated as counsel representing the Boston Redevelopment Authority in the matter of Ida Gilbert et al vs Theodore Schulenberg et al. The firm of Foley, Hoag & Eliot is authorized and directed to defend the Boston Redevelopment Authority and to take such steps as may be appropriate in this defense. Payment shall be at the rate of \$35.00 per hour for partners and \$25.00 per hour for associates, in an amount not to exceed \$3000.00.

Monsignor Lally left the meeting at this point and the Vice Chairman, Stephen E. McCloskey, assumed the Chairmanship.

Copies of a memo dated July 29, 1965 were distributed re Zoning Referrals. The Authority reviewed the petitions and recommendations contained in the aforementioned memoranda and unanimously took the following actions with respect to each case:

Map Application No. 15:

VOTED: to table the matter.

Map Application No. 16:

VOTED: that in connection with Map Application No. 16 brought by Edward and Mildred Robbart seeking to extend the S-. 5 (Single Family, Floor Area Ratio of 0.5) zone on the northerly side of Prospect Street in Hyde Park across the street to the southerly side for a depth of 100 feet between Williams Avenue and a line 240 feet southwest of Fairmount Street, the Boston Redevelopment Authority recommends approval since in its opinion, the intent and purpose of zoning is being met in placing both sides of Prospect Street in this particular area in the same zone.

Petition No. Z-I47:

VOTED: that no action be taken.

Petition No. Z-148:

VOTED: that in connection with Petition No. Z-148 brought by Lorenzo J. Lauria, 420 Commercial Street, in the North End, seeking a variance to increase a non-confirming use by constructing a new gas station on an enlarged lot, the Boston Redevelopment Authority recommends approval since in its opinion the suggested use is in accord with the immediate uses fronting on Commercial Street, which serve as buffer uses between a residential area in the rear and manufacturing zone on the opposite side of Commercial Street. Recommend the following proviso - that the driveways be located as far from the corners as feasible.

Petition No. Z-153:

VOTED: that in connection with Petition No. Z-153 brought by Scmerset Hotel, Inc. of Boston, seeking a conditional permit to allow parking garage and variance to allow offices ancillary to the hotel and garage use, the Boston Redevelopment Authority recommends approval with the proviso that a front yard of ten feet be provided so as to conform with the average alignment of other buildings in the block on Newbury Street,

Petition No. Z-154:

VOTED: that in connection with Petition No. Z-154 brought by Tommy's Car Wash by Thomas Fleming, 1791-1795 River Street, Hyde Park, for a conditional use permit and a variance to allow an addition to present car wash building, the Boston Redevelopment Authority recommends the conditional use permit and variance be granted. The addition will lessen congestion and noise in the area and will improve the appearance of the area.

Petition No. Z-156:

VOTED: that in connection with Petition No. Z-156 brought by Texaco, Inc., 4139 Washington Street, Roslindale, for a conditional use permit to allow construction of a modern gasoline service station in a local business zone which will replace an existing service station, the Boston Redevelopment Authority recommends approval since all other zoning requirements have been met and the use has been located on the premises for about 30 years.

Petition No. Z-149:

VOTED: that in connection with Petition No. Z-149 brought by the Little Sisters of the Assumption, 45 Magnolia Street, Dorchester, the Boston Redevelopment Authority recommends that the variance be granted. A variance of only five feet is requested and under normal circumstances this would be considered a side yard rather than a front yard and no variance would be required.

Petition No. Z-150:

VOTED: that in connection with Petition No. Z-150 brought by Retina Foundation, 20 Staniford Street, Boston, the Redevelopment Authority recommends granting of the variance to allow relief from off-street parking requirement since construction of new floor will not significantly add to parking needs of premises. There is off-street parking elsewhere within the project area to accommodate the needs of this facility and construction is in accord with the Urban Renewal Project Plan.

Petition No. Z-152:

VOTED: that in connection with Petition No. Z-152 by Franklin Foundation concerning property at 439-441 Tremont Street in the South End

Petition No. Z-152 (cont'd)

Project, for zoning variance to obtain relief from parking requirement, the Boston Redevelopment Authority recommends the granting of the permit since it is of the opinion that a hardship exists and that for reasons of practical difficulty the variance is necessary for reasonable use of an existing structure and will not be detrimental to the public welfare.

Petition No. Z-146:

VOTED: that no action be taken.

Petition No. 2-151:

VOTED: that no report is required.

Petition No. 2-155:

VOTED: that no report is required.

Special Order Application No. 3:

VOTED: that in connection with Special Order Application No. 3 brought by the Trustees of the Public Library of the City of Boston to allow construction of new Fields Corner branch library in Dorchester, the Boston Redevelopment Authority recommends approval since replacement of the existing antiquated structure has been programmed for the past several years.

Petition No. 2-161:

VOTED; that in connection with Petition, -No. Z-161 brought by Allen F. Law seeking a conditional use permit for nursery school at 461 LaGrance St. , West Roxbury, the Boston Redevelopment Authority opposes the granting of the petition since it can adversely affect a single family neighborhood and could create a nuisance for next door neighbors.

Petition No. Z-162:

VOTED: that in connection with Petition No. Z-162 brought by V & L Realty Co. , 316 Marginal Street, East Boston, for a conditional use permit to allow construction of a garage in an existing contractor's yard located in a waterfront district, the Boston Redevelopment Authority recommends that the permit be granted since the site is in an appropriate location for such use and the neighborhood will be affected favorably.

Petitions No. Z-157, 158 and 159:

VOTED: that no action be taken.

Petition No. Z-160:

VOTED: that no action be taken.

On motion by Mr. Condakes, seconded by Mr. Colbert, it was unanimously

VOTED: that the Secretary or Assistant Secretary be authorized to transmit to the appropriate Department heads certified copies of the actions taken by the Authority on zoning matters.

The Development Administrator was requested to submit a report on the matter of payment for travel and other expenses to Barton Aschman Associates.

On motion duly made and seconded, it was unanimously

VOTED: to authorize payment of moving expenses in the amount of \$125. 00 for Barbara J. Brody.

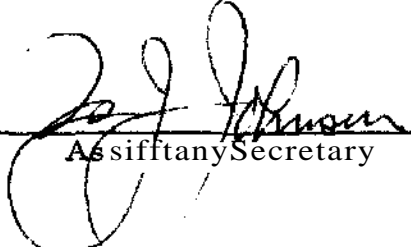
On motion by Mr. Condakes, seconded by Mr. Colbert, it was unanimously

VOTED: that after James Gildea, Special Assistant to the Administrator, completes the study of the State Auditor's Report, the Authority hold an executive session to review the matter.

On motion duly made and seconded, it was unanimously

VOTED: to adjourn.

The meeting adjourned at 4:15 p. m.


As siffitany Secretary