

MINUTES OF THE REGULAR MEETING
OF THE BOSTON REDEVELOPMENT AUTHORITY

OCTOBER 26, 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 October 26, 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
Joseph J. Walsh
Clarence J. Jones
Michael F. Donlan

Absent

James K. Flaherty

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 October 13, 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 Simonjan
Title Secretary

October 20, 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 October 20, 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 thirteenth day of October, 1988.

Kane Simonian
Secretary

Messrs. Coyle and Simonian attended the meeting.

The Minutes of the Meeting of October 13, 1988, were read by the Secretary.

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

The Chairman recognized District Councillor Thomas Menino who appeared in favor of the tentative designation of proposed developers of Parcel SWC-6, Cleary Square, Hyde Park.

On motion by Mr. Jones > seconded by Mr. Walsh, it was unanimously

VOTED: To take out of order Agenda Item #9, Tentative Designation of Lagana Construction, Inc., and "We're Staying," as redevelopers of Parcel SWC-6, Southwest Corridor, Cleary Square, Hyde Park.

This matter had been tabled on September 29, 1988.

Copies of a memorandum dated October 26, 1988, were distributed re: Southwest Corridor Parcel SWC-6, Cleary Square, Hyde Park, attached to which were copies of a map indicating the location of the parcel; February 26, 1988, letter to Mr. Joseph Lagana from The Boston Five; letters of March 4, 1988 and March 10, 1988, from the Hyde Park Cooperative Bank; March 7, 1988, letter from Richmar Construction Corporation to the Authority; map of River and Business Streets, and a proposed Resolution.

Mr. Philip Zeigler of staff addressed the Board and answered the Members' questions.

Mr. Frank O'Brien of the Mayor's Office appeared in favor of the designation. He informed the Board that there were 70 meetings held in the community since December, 1987, the most recent one held on October 8, 1988,

A Resolution entitled, "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: TENTATIVE DESIGNATION OF LAGANA CONSTRUCTION, INC. OF 25 BUSINESS STREET, HYDE PARK, AND "WE'RE STAYING," OF 139 DANA AVENUE and 14 BRAEWOOD STREET, HYDE PARK, DISPOSITION PARCELS SWC-6a, SWC-6b and SWC-6c IN THE HYDE PARK SECTION OF THE CITY OF BOSTON," 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, together with attachments, is filed in the Document Book of the Authority as Document No. 5105.

Copies of a memorandum dated October 26, 1988, were distributed re: Grant to The Boston Preservation Alliance and The Boston Center for the Arts for an Exhibit on Historic Preservation in Boston, which included a proposed vote.

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

VOTED: That the Director is hereby authorized to enter into a contract with the Boston Preservation Alliance and the Boston Center for the Arts in an amount not to exceed \$15,000 from Historic Monument Area proceeds and to extend for six (6) months; and that he is also authorized to approve a detailed contractual agreement itemizing the expenditure of these funds for the purposes of providing seed money for REMAKING BOSTON, an exhibit on historic preservation in Boston.

Copies of a memorandum dated October 26, 1988, were distributed re: Parcel-to-Parcel Linkage Project One, Permission to Enter Into Contracts with the Chinatown/South Cove Neighborhood Council and the Parcel 18+ Task Force, which included three proposed votes.

Mr. Anthony Williams of staff addressed the Board and answered the Members' questions.

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

VOTED: That the Director be, and hereby is, authorized on behalf of the Authority to enter into a contract with the Chinatown/South Cove Neighborhood Council and the Parcel 18+ Task Force for \$25,000 each, two contracts totalling \$50,000, for a one-year period with an option for renewal the following year to hire project coordinators, conduct research and planning activities and to obtain technical support services as needed; and further

VOTED: That the \$30,000 license fee paid by Northeastern University for parking on Authority Parcels 14, 14A and 15 be used to finance a portion of the contracts; and further

VOTED: That the Chinatown Neighborhood Council is authorized to expend a portion of the grant for planning and review activities related to the Chinatown Master Plan.

Copies of a memorandum dated October 26, 1988, were distributed re: Proclaimer of Minor Modification of Urban Renewal Plan, Washington Park Project, Mass. R-24, attached to which were copies of an October 11, 1988, letter from Attorney Kevin Morrison of staff to Cornerstone

Development Co.; Pages 1, 11, 12 and 13 of the Boston Redevelopment Authority March 1, 1984, Meeting Minutes; Decision of 21 Mass. App. Ct. 777 Boston Redevelopment Authority v Charles River Park "C," Co. , April 2, 1986; Relief from Judgment, June 15, 1988, BRA vs. Charles River Park "C" Company and Others, and a proposed Resolution.

A Resolution entitled, "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: MODIFICATION OF THE URBAN RENEWAL PLAN OF THE WASHINGTON PARK URBAN RENEWAL AREA, PROJECT NO. MASS. R-24, AND AUTHORIZATION TO PROCLAIM BY CERTIFICATE THIS MINOR MODIFICATION," Was introduced, read and considered.

On motion duly made and seconded, it was unanimously VOTED: To adopt the Resolution as read and considered.

The above-mentioned Resolution, together with attachments, is filed in the Document Book of the Authority ^{as} Document No. 5106.

Copies of a memorandum dated October 26, 1988, were distributed re: Authorization to Enter Into a Temporary License Agreement With The Roxbury Children's Service For The Purpose of Occupying The Second Floor of 2406 Washington Street, attached to which were copies of a License Agreement By and Between the Boston Redevelopment Authority and Roxbury Children's Service, which included Special Conditions, and a proposed vote.

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

VOTED: That the Director be, and is, hereby authorized to execute and deliver a License Agreement to Roxbury Children's Service for temporary use of the Authority-owned premises located at 2406 Washington Street, effective November 1, 1988, for a period of not more than one year, and further that the consideration for said license shall be no more than \$1 per year. Said license

is to contain the express opinion that no obligation on the part of the Authority, direct or indirect, is to be construed beyond the temporary tenancy. The Licensee shall obtain liability insurance in the amounts indicated in the License Agreement and naming the Authority as additional insured on the policy, and shall agree to indemnify the Authority from any liability resulting from use of the premises. The license shall contain the Authority's usual requirements and such other terms and conditions as the Director deems proper and in the best interests of the Authority.

Copies of a memorandum dated October 26, 1988, were distributed re: Parcel RE-7B, Langham Court Bounded by Shawmut Avenue, West Springfield and Worcester Streets, South End Project, Mass. R-56, Board of Appeal Application Z-12282 and 12283, attached to which were copies of a map indicating the location of the area, and a proposed vote.

Mr. Anthony Williams of staff addressed the Board and answered the Members' questions.

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

VOTED: In reference to Petition Z-12282 and Z-12283, Four Corners Development Corporation, appellant be granted sixteen zoning variances and two conditional use permits in an H-2 zoning district. Sixteen variances are

being sought from the following sections of the Boston Zoning Code: one for Section 10-2 (a) , accessory office employing non-residents; one for Section 15-1, floor area is excessive; one for Section 17-1, usable open space is insufficient; two for Section 18-1, front yard is insufficient; two for Section 18-3, traffic visibility across corner is insufficient; one for Section 18-4, front yard (other street) is insufficient; two for Section 19-1, side yard is insufficient; one for Section 20-1, rear yard is insufficient; two for Section 21-1, setback of parapet is insufficient; two for Section 23-1, off-street parking facilities are insufficient; and one for Section 30-3, barrier-free access. Two conditional use permits are also being sought from Section 23-8, a common parking facility. The Boston Redevelopment Authority recommends approval.

Copies of a memorandum dated October 26, 1988, were distributed re: Final Designation of Redeveloper, Reuse Parcel 41-E, Rear of 839 Albany Street, South End Urban Renewal Area, Mass. R-56, attached to which were copies of a map indicating the location of the area; Corporate Cash Manager Statement (Boston Bodyworks, Inc.); Grant of Easement, and a proposed Resolution.

A Resolution entitled, "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: FINAL DESIGNATION OF REDEVELOPER, APPROVAL OF FINAL WORKING DRAWINGS AND SPECIFICATIONS, AND PROPOSED DISPOSITION OF PARCEL 41-E, SOUTH END URBAN RENEWAL AREA, MASS. R-56," was introduced, read and considered.

On motion duly made and seconded, it was unanimously VOTED: To adopt the Resolution as read and considered.

The above-mentioned Resolution, together with attachments, is filed in the Document Book of the Authority as Document No. 5107.

Copies of a memorandum dated October 26, 1988, were distributed re: Proclaimer of Minor Modification of Parcel 41-D, Pike and Fellows Streets, South End Urban Renewal Area, Mass. R-56, attached to which were copies of two maps indicating the location of the area, and a proposed Resolution.

Mr, Anthony Williams of staff addressed the Board and answered the Members' questions.

A Resolution entitled, "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: MODIFICATION OF THE URBAN RENEWAL PLAN OF THE SOUTH END URBAN RENEWAL AREA, PROJECT NO. MASS. R-56, AND AUTHORIZATION TO PROCLAIM BY CERTIFICATE THIS MINOR MODIFICATION," was introduced, read and considered.

On motion duly made and seconded, it was unanimously VOTED: To adopt the Resolution as read and considered.

The above-mentioned Resolution, together with attachments, is filed in the Document Book of the Authority as Document No, 5108.

Copies of a memorandum dated October 26, 1988, were distributed re: Grant Award for the Boston Indian Council, attached to which were copies of two site locations, and a proposed vote.

Mr. Anthony Williams of staff introduced Mr. Robert Rush, Senior Project Manager, who addressed the Board and answered the Members' questions.

Mr. Donald Gillis, Director of the Mayor's Office of Neighborhood Services, informed the Board that the City has been working with the Boston Indian Council for five years. Mr. Gillis read letter from His Honor, Mayor Flynn, in support of the \$200,000 Grant which will enable the Council to continue providing the social services for the Native Americans it has in the past.

Much discussion followed regarding the Council's tax problems.

Mr. Jimmy Sam, Director of the Boston Indian Council, was recognized and told the Authority that federal cutbacks were responsible for many of the Council's financial problems.

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

VOTED: To amend the proposed vote by the addition of:

"Said Agreement is to be in a recordable form, and to incorporate a restriction in the title to insure that this property will continue to be utilized, for a term of not less than ten years, for affordable housing for individuals served by the Boston Indian Council" so as to read as follows:

That a grant in the amount of \$200,000 to the Boston Indian Council contingent upon the continuance of affordable housing at the Single-Room Occupancy facility at 107 Fisher Avenue in Mission Hill, Jamaica Plain, City of Boston, is hereby approved, to be paid from Developers' Voluntary Contributions, and further that the Director is hereby authorized to execute a Grant Agreement and any other agreements or instruments in connection with the grant deemed by him to be in the best interests of the Authority. Said Agreement is to be in recordable form, and to incorporate a restriction in the title to insure that this property will continue to be utilized, for a term of not less than ten years, for affordable housing for individuals served by the Boston Indian Council.

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

VOTED: To approve the proposed vote as amended above.

Copies of a memorandum dated October 26, 1988, were distributed re: Chinatown Survey and Related Planning Activities, attached to which were copies of a map indicating the location of the area, and a proposed vote.

Mr. Gregory Perkins of staff addressed the Board and answered the Members' questions.

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

VOTED: That the Director is authorized to advertise for bids for the design, organization and completion of a Community Service Needs Assessment Study and a Feasibility Study for a community facility on Parcel C in Chinatown in an amount not to exceed \$10,000.

Copies of a memorandum dated October 26, 1988, were distributed re: Authorization to Advertise and Issue Developers' Kits for Housing Parcels R-33 and P-16-F, Charlestown Urban Renewal Area, Mass. R-55, attached to which were copies of a map indicating the location of the parcels; proposed Developers' Kits for Parcels R-33 and P-16-F, and a proposed vote.

This matter had been tabled by Mr. Flaherty at the meeting of October 13, 1988. Mr. Flaherty requested the Chairman to take it from the table for action.

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

VOTED: That the Director be authorized to advertise and issue Developers' Kits in substantially the form attached for the development of Parcels R-33 and P-16-F within the Charlestown Urban Renewal Area as two-family dwelling units.

Copies of a memorandum dated October 26, 1988, x/ere distributed re: Final Designation of Redeveloper, Parcel R-59-C (50 Old Rutherford Avenue), Charlestown Urban Renewal Area, Mass. R-55, attached to which were copies of two maps; August 19, 1988, letter from Newworld Bank to Mr. James J. Cushman, and a proposed Resolution.

A Resolution entitled, "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: FINAL DESIGNATION OF REDEVELOPER, JAMES J. CUSHMAN, PARCEL R-59-C (50 OLD RUTHERFORD AVENUE, CHARLESTOWN), CHARLESTOWN URBAN RENEWAL AREA, MASS. R-55,"¹¹ was introduced, read and considered.

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

VOTED: To adopt the Resolution as read and considered.

The above-mentioned Resolution, together with attachments, is filed in the Document Book of the Authority as Document No. 5109.

Copies of a memorandum dated October 26, 1988, were distributed re: Tentative Designations of Redevelopers of Parcel R-12-B-1 (326 Medford Street); Parcel R-12-B-2 (326 Medford Street); three maps, and two proposed Resolutions.

A Resolution entitled, "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: TENTATIVE DESIGNATION OF JAMES AND MARGARET WICKER, PARCEL R-12-B-1 (326 MEDFORD STREET), CHARLESTOWN URBAN RENEWAL AREA, MASS. R-55," was introduced, read and considered.

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

VOTED: To adopt the above-mentioned Resolution as read and considered.

The above-mentioned Resolution, together with attachments, is filed in the Document Book of the Authority as Document No. 5110.

A Resolution entitled, "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: TENTATIVE DESIGNATION OF GILBERT AND JOANNE EATHERTON, PARCEL R-12-B-2 (326 MEDFORD STREET), CHARLESTOWN URBAN RENEWAL AREA, MASS. R-55," was introduced, read and considered.

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

VOTED: To adopt the Resolution as read and considered.

The above-mentioned Resolution, together with attachments, is filed in the Document Book of the Authority as Document No. 5111.

Copies of a memorandum dated October 26, 1988, were distributed re: Final Designation of Redeveloper of Disposition Parcel R-96, 136-142 High Street, Charlestown Urban Renewal Area, Mass. R-55, attached to which were copies of two maps indicating the location of the parcel; October 7, 1988, letter from First Trade Union Savings Bank to Stahley Corporation, and a proposed Resolution.

On motion duly made and seconded, it was unanimously

VOTED: To continue this matter on the table.

Copies of a memorandum dated October 26, 1988, were distributed re: Reverend Monsignor Francis J. Lally Park, Design and Engineering Services Contract, attached to which were copies of two maps indicating the location of the parcel, and a proposed vote.

Mr. Paul Reavis, Assistant Director, addressed the Board and answered the Members' questions--one of which was why it was taking so long for the park to become a reality. Mr. Reavis replied that the Authority had been seeking funds and had applied for capital improvement funds totaling \$325,000--that the project including the design phase--will approximate \$400,000. He said that the Boston Water and Sewer Commission was working on Union Park Street, and that damage could have occurred to the park if it had been built. Mr. Reavis hopes to have bids ready in the Spring, with proposed construction scheduled for the Summer of 1989.

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

VOTED: That the Director is authorized to execute a contract between Moriece & Gary and the Authority for Design and Engineering Services related to the construction of Monsignor Lally Park in an amount not to exceed \$26,000 with a contract time of twelve months.

Copies of a memorandum dated October 26, 1988, were distributed re: Permission to Award Contract, Site Preparation "G," Street Improvements, Fountain Hill Area, Washington Park Project, Mass, R-24, attached to which were copies of a Tabulation of Bids, and a proposed vote.

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

VOTED: That Site Preparation Contract "G," for the layout and construction of Regent Street (Circuit Street to Alpine Street) and Herman Street (Circuit Street to Regent Street) all in the Washington Park Area, is awarded to the lowest eligible and responsible bidder, Mario Susi & Son, Inc., in the amount of \$569,607.50, based upon the estimated quantities and the unit prices bid. The Executive Director is hereby authorized to execute this contract on behalf of the Authority.

Copies of a memorandum dated October 26, 1988, were distributed re: Engineering Services Contract No. 21, Fay, Spofford & Thorndike, Inc., Amendment No. 12, Washington Park Project, Mass. R-24, attached to which were copies of Budget Breakdown for Proposed Amendment No. 12, and a proposed vote.

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

VOTED: That the Director be authorized to execute Amendment No. 12 to the engineering services contract No. 21, dated September 7, 1979, with Fay, Spofford & Thorndike, Inc. in the Washington Park Project, Mass. R-24, extending the contract time to September 30, 1989, and increasing the contract amount by \$20,000 to \$485,700 be approved.

Copies of a memorandum dated October 26, 1988, were distributed re: CERTIFICATE OF COMPLETION FOR SOUTH COVE URBAN RENEWAL AREA, PROJECT NO. MASS. R-92, DELIVERY PARCEL R-7, TREMONT VILLAGE PROJECT, attached to which were copies of a memorandum from Kenneth V. Keohane, Supervisor of Construction, Boston Redevelopment Authority to Anthony Williams of staff, recommending issuance of a Certificate of Completion for this project; also included was an Inspection Form of the premises; a Certificate of Substantial Completion signed by Tso Associates, Inc., John B. Cruz Construction Co., Inc., and Chinese Consolidated Benevolent Association; a letter signed by John Mason, Vice President of J, B.Cruz Construction Co., Inc. to Mr. Siew Wong Tso of Tso Associates, dated October 7, 1988, regarding remaining items to be completed on this project; a Certificate of Use and Occupancy from the City of Boston Inspectional Services Department for building located at 327-351 Tremont Street; a photograph entitled "Tremont Village," and a Settlement Agreement dated April 22, 1988, by and between the City of Boston acting by and through the Bay Village Historic District Commission, Leslie J. Colburn, John G, Giangregorio, Ann Maguire, Alyce M. Leverone, James D, Stevens, Bruce W. Steeves, Roger Lyonnais, Reginald Boardman, Robert Lovinger and Edgar M. Bingham, Jr. ... "Plaintiffs"; and Robert L. Farrell, Joseph J. Walsh, James K. Flaherty, Clarence J. Jones, and Michael F. Donlan, as they are members of the Boston Redevelopment Authority; Amy S. Anthony,...Secretary of the Executive Office of Communities and Development, Commonwealth of Massachusetts; the Massachusetts Housing Finance Agency, and the Chinese Consolidated Benevolent Association of New England, Inc. ... Defendants"; and a proposed vote.

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

VOTED: That the Director be and hereby is authorized to issue a Certificate of Completion of the Tremont Village Project on Parcel R-7 in the South Cove Urban Renewal Area.

On motion duly made and seconded, it was unanimously

VOTED: That the Director is hereby authorized to retain the Certificate of Completion until Consultation Meeting takes place in accordance with the Settlement Agreement dated April 22, 1988, which was executed in connection with the Bay Village Historic Commission, et al v. Farrell, et al, Suffolk Superior Court, C.A. No. 84318.

Copies of several memoranda dated October 26, 1988, were distributed re: Board of Appeal Referrals, attached to which were copies of 34 zoning petitions prepared by the Authority staff for transmittal.

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

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

VOTED: To give the Director leave to withdraw Petition Z-12071-12074, 222 Huntington Realty Trust.

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

VOTED: To approve the following staff recommendations: Z-11548, Z-11638, Z-11815, Z-12002, Z-12008, Z-12011, Z-12019, Z-12025, Z-12026-12027, Z-12034, Z-12040, Z-12041, Z-12042, Z-12043, Z-12044, Z-12047, Z-12048, Z-12067, Z-12069, Z-12075, Z-12076, Z-12077, Z-12082, Z-12085, Z-12086, Z-12087, Z-12091, Z-12092, Z-12107, Z-12152, Z-12164, Z-12203 and Z-12245.

The aforementioned Board of Appeal Referrals, together with attachments, are incorporated in the Minutes, and filed in the Document Book of the Authority as Document No. 5112.

Copies of a memorandum dated October 26, 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:

Historic Boston Incorporated	\$42,728.50
Paul McGowan	4,000.00

On motion duly made and seconded, it was unanimously

VOTED: To table the following bills until the next meeting because they were not submitted on time:

John McCourt Company
John Mahoney Construction Co., Inc.
David Dixon & Associates
Northeast Security, Inc.
Hertz Penske Truck Leasing, Inc.
Saul Schapiro, Esq.

Copies of several memoranda dated October 26, 1988, were distributed re: Personnel Actions.

PERSONNEL MEMORANDUM #1

On motion duly made and seconded, it was unanimously

VOTED: To accept the following resignations, with effective dates:

Kimberly King-----October 11, 1988

James English-----October 29, 1988

Constance A. Hunt-----November 11, 1988

PERSONNEL MEMORANDUM #2

On motion duly made and seconded, it was unanimously

VOTED: To approve the retirement of Rose E. Devine, effective November 4, 1988.

On motion duly made and seconded, it was unanimously

VOTED: That the next meeting of the Authority will be held on November 10, 1988 at 2:00 P.M.

On motion duly made and seconded, it was unanimously

VOTED: To adjourn.

The meeting adjourned at 4:05 P.M.


Secretary