



Christian Science Plaza Revitalization Project
CAC Working Meeting #9
Wednesday, October 14, 2009
Location: Christian Science Publishing House Building

CAC Attendees:

Tom Aucella, Belvedere Condo Association
Mark Cataudella, Boston Symphony Orchestra (BSO)
Christian Coffin, Hilton Hotel Boston Back Bay
Marie Fukuda, Fenway Civic Association
Meg Mainzer-Cohen, Back Bay Association
Donald Margotta, Church Park Apartments
Joanne McKenna, Fenway Community Development Corporation (Fenway CDC)
Craig Nicholson, American Planning Association (APA) – Massachusetts Chapter
Lee Steele, St. Botolph Neighborhood Association
George Thrush, Boston Society of Architects (BSA)
Robert Wright, Symphony United Neighbors (SUN)

CAC Members Not in Attendance:

Kelly Brilliant, Fenway Alliance
Vanessa Calderon-Rosado, Inquilinos Boricuas en Acción (IBA)
Sybil CooperKing, Neighborhood Association of the Back Bay (NABB) – out sick
Eric Georgi, Resident of St. Germain Street
Ryan Higginson, Resident of the South End

Ex-Officio Attendees:

Massachusetts State Representative Byron Rushing
Elizabeth Corcoran-Hunt, Office of Massachusetts State Representative Byron Rushing
Michelle Snyder, Office of Boston City Council President Michael Ross

City of Boston Attendees:

Heather Campisano, BRA
David Carlson, BRA
Randi Lathrop, BRA
Inés Palmarin, BRA
Lauren Shurtleff, BRA

Church Team Attendees:

Ann Byer, Elkus-Manfredi Architects
Peter Brigham, Sasaki Associates
Barbara Burley, The First Church of Christ, Scientist
Jennifer Carr, The First Church of Christ, Scientist
Harley Gates, The First Church of Christ, Scientist
Bob Herlinger, The First Church of Christ, Scientist
Debbi Lawrence, The First Church of Christ, Scientist
Mahmood Malihi, Leggat McCall Properties
Bob Ryan, ML Strategies

Jim Van Sickle, Elkus-Manfredi Architects

Members of the Public:

Maura Burke, NABB
Don Carlson, NABB
Craig Elliott
Shirley Kressel, NABB
Marc Laderman
Cecile Lemley
Jonathan Smith, KV Associates
Geoff Stersiak, Epsilon Associates
Lucille Taitt
Jackie Yessian, NABB

Meeting Summary

On Wednesday, October 14, 2009, the ninth working session of the Christian Science Plaza Revitalization Project Citizens Advisory Committee (CAC) was called to order at approximately 8:00 a.m. in the Christian Science Publishing House Building by Inés Palmarin, BRA Senior Planner.

Inés began the meeting by bringing the group's attention to the timing of the CAC working sessions, since Co-Chair Sybil CooperKing, NABB, had raised the issue of morning meetings as potentially being inconvenient for many CAC members and the wider public. Inés explained that at the beginning of the CAC process it was determined by the CAC that they would generally alternate between morning and evening sessions, which is what the CAC has been doing, based on everyone's availability. At this time, the CAC agreed that continuing with a mix of morning and evening meetings would work.

Next, Inés stated that the BRA is still working on preparing the answers to the list of questions from the CAC. The BRA and Church Team will address them as outlined by the Co-Chairs. The questions and corresponding answers pertaining to urban renewal have been attached to the end of this document.

Inés also raised the issue of tax implications for the site. She stressed that we are only now in the planning stage of the process, and added that the Church Team will not be selecting a developer until after the guidelines from this process have been issued. Randi Lathrop, BRA Deputy Director for Community Planning, added that the tax implications will depend on whether the developer is non-profit or not. Because of the complexity of this issue, it was determined that the BRA will check with Ron Rakow, the City's assessor, and get back to the CAC.

Subsequent to the CAC meeting, the following Clarification of Tax Implications was distributed to the CAC:

- If the Church enters into a long-term ground lease (typically 99 years) with a developer for the development of the property, the developer is then considered the owner of the property and has to pay taxes to the City.
- If the developer enters into a lease with a non-profit tenant, then most likely, the non-profit tenant would also have to pay taxes, depending on the lease

structure. The non-profit would not be considered exempt because it would not meet the statutory requirements for exemption from real estate taxes. Massachusetts law requires the City assessing department to look at both 1) ownership and; 2) who is occupying the building for what purpose (is it for a charitable purpose?). Although the non-profit may meet the 2nd requirement, it does not own the property and therefore does not meet the first requirement, so the non-profit would not be entitled to a real estate tax exemption. In order for any non-profit entity to be exempt from real estate taxes, it must own AND occupy the property for its charitable purpose.

- If the Christian Science decides to own the property, that is not ground lease it out, then the City would again look at the occupancy and ownership. If Christian Science leases any space to a commercial entity then such space is taxable. If Christian Science leases the space to a non-profit, then most likely such space would receive a property tax exemption. If a non-profit owns space and rents to another non-profit who will lease the space for its charitable purpose, then such non-profit will receive a real estate tax exemption for that portion leased.

Keep in mind that any non-profit claiming a real estate tax exemption must fill out the required documentation with the city and state and must qualify (that is own and occupy) by a certain date. If the non-profit doesn't qualify by the specific date, it may not be considered exempt until the following year.

Next, the Church Team began their presentation with an urban design review. Bob Herlinger introduced Peter Brigham, of Sasaki Associates, the Church's urban design and sustainability consultant. Peter gave a PowerPoint Presentation (available on the BRA's project website: <http://www.tinyurl.com/ChristianScienceCAC>). Bob Herlinger stressed the importance of retaining the view corridors to the Church from various vantage points on the site and the impact this will have on the massing within the site. In addition, Jim Van Sickle, Elkus-Manfredi Architects revisited the massing options and design criteria for the Huntington Avenue site, at the request of the CAC at the previous meeting.

Questions and comments in response to the Church Team's presentation are summarized below:

- George Thrush, Co-Chair and Boston Society of Architects, commented that it is in the public interest to improve certain conditions that currently exist on the site today. For Huntington Avenue, this includes the sidewalk's vast expanse without any "doors," (*i.e.*, points of access) which, when coupled with the tour buses that line up, creates a harsh pedestrian environment. He added that he would like to see a list of performance criteria for Huntington Avenue, as well as a review of the issues related to civil engineering on-site, and an exploration of some architectural elements along Huntington Avenue that would shield pedestrians from strong wind currents.
- In response to a question from Lee Steele, St. Botolph Neighborhood Association, Bob Herlinger replied that the current condition and life expectancy of the bosque of trees along Huntington Avenue will be explored with the Church Team's arborist and landscape architect.
- In response to a question from Marie Fukuda, Fenway Civic Association, Peter replied that part of the problem with the tour buses lining up along Huntington

Avenue is that the street edge is not activated. Randi Lathrop added that the City is looking to address tour bus parking across the City.

- In response to a series of comments, Mahmood Malihi, Leggat McCall Properties, replied that ground floor retail along the Huntington Avenue side of the Church's property would be one-sided (as there is an underpass on Huntington Avenue restricting pedestrian access back and forth and there is very little retail on the other side of the street) and therefore not as successful. He cited Post Office Square as a good example of what the site could aspire to be, in that it offers a wide open space that serves as a refuge for pedestrians, and provides non-alcoholic beverages and food, but does not create a visual barrier.
- Joanne McKenna, Fenway CDC, stated that the Church's need for 950,000-SF of development is primarily motivated by finances. She added that while she understands why institutions, such as universities, need room to expand, she does not understand the Church's need. Mahmood explained that the Church Team looked at the amount of publicly-accessible open space within the City that is privately maintained and compared their site to those. They found that their site is far less dense. Barbara Burley added that it is the Church's goal that the real estate they own become self-sustaining. Currently, a significant portion of every dollar donated by Church members goes to the maintenance of its Plaza real estate. The Church is seeking to reduce this expense by developing a long-term plan that will fund the enhancements and maintenance of the Plaza for decades to come.
- Marie Fukuda, Fenway Civic Association, explained that it is hard as a resident to comprehend the amount of development required, especially in light of the fact that the Midtown Hotel is not included in this process. Barbara replied that the Midtown Hotel is not being included in this process for a number of reasons that have been shared previously, but noted that the Church's long-term financial projections have factored in some development on that site eventually.
- In a follow-up comment, Marie Fukuda stated that she would like to see the Sunday School Building pursued as a location for an addition. Bob Herlinger responded that from a historical perspective, the Sunday School Building is very significant, plays an important role in the composition of the site, and is designed to turn attention to the Church buildings, which are the focal point on the Plaza.
- Meg Mainzer-Cohen, Back Bay Association, noted that the economics of each building scheme varies and the CAC needs to keep that in mind. She also stated that massing studies often make it very difficult for most people to conceptualize what is being proposed. Most importantly, she added, is that whatever does get built here be sensitive to the surroundings. She also noted that it would be helpful to get rid of the Huntington Avenue underpass.
- In response to a question, Mahmood replied that upper floors of buildings are generally worth more than lower ones.
- Lee Steele stated that it was worth having the Church restate their goal of having the real estate within the site become self-sustaining. He also noted that this process is not about discussing what could be, but rather about identifying areas that are optional for development.
- George Thrush reiterated Marie Fukuda's comment about reexamining the Sunday School Building site.
- Mark Cataudella, BSO, stated that since most of the members of the CAC have different agendas it would be helpful to have a meeting where the only topic of

discussion would be for the CAC to discuss each other's goals and motivations. It was subsequently agreed that the CAC would have a meeting with this purpose within the next two weeks.

Next, Ann Byer, Elkus-Manfredi Architects, showed the computer-generated shadow study for the proposed site massing. As required by the BRA's Article 80 development review guidelines, the analysis illustrates anticipated net new shadow impacts at 9:00 a.m., 12:00 p.m., 3:00 p.m., and 6:00 p.m. on March 21st/September 21st (the vernal and autumnal equinoxes are the same), June 21st, and December 21st. Ann stated that while there is no public open space affected, the analysis identifies new shadows lasting over two hours on the Church Plaza.

The following question was raised in response to the shadow study:

- In response to a question from Joanne McKenna, Ann responded that the simulations start at 9:00 a.m., per the BRA's development review guidelines.

The meeting was then adjourned at 10:00 a.m.

Questions from Christian Science CAC

6) HISTORY

- a. Please paraphrase in laymen's terms the report by Kevin Morrison at the 8/4/09 CAC meeting, especially regarding the fact that the Urban Renewal Plan's extension to 2015 may or may not effect the Plaza development
 - i. What is the history with the Urban Renewal Plan and the two sites?
 1. There used to be a building on the parking lot: what is the history behind its removal?
 2. For the triangle parcel (Parcel 23), what were the specifics behind the rehabilitation agreement executed in 1982?
 3. Are there outstanding commitments from UR that have not been addressed? There was reference made to replacing housing lost during UR in the last meeting. Was there a plan for housing on Belvedere Street that may be related to its being zoned as a protected area?

RESPONSE TO QUESTIONS

"6)a.": The Fenway Urban Renewal Plan ("FURP") was extended and is in effect and applicable until April 30, 2015. Regarding the "plaza", any changes in the uses set forth in the FURP would require modifications to the plan.

"6)a.i.": By "two sites", reference is made to the "plaza" and Parcel 23 (including 53, 55, 57 and 59 Belvedere Street). Under the FURP, the uses for the "plaza" were "Institutional" and "Park & Open Space". For Parcel 23, a so-called "Disposition Parcel", the use is presently "Residential" under the FURP.

"6)a.1.": No information.

"6)a.2.": For Parcel 23, on January 7, 1982, a so-called "Rehabilitation Agreement" was authorized but never executed, with SWT Trust. The proposed project included rehabilitation of 4 structures then on the site for office space and 8 residential units.

"6)a.3.": Not aware of any "outstanding commitments" with regard to the FURP.