

DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT

Minutes

Public Facilities Commission
Department of Neighborhood Development
26 Court Street, 1st Floor, Winter Chambers
Boston, MA 02108

July 17, 2019

ATTENDING:

Katherine P. Craven, Chair (Not Present)
Lawrence D. Mammoli, Commissioner
Dion S. Irish, Commissioner
Angela D. Atchue, Legal Advisor PFC/PFD, Law Department
Colleen M. Daley, PFC Secretary
Catherine P. Pendleton, Articled Clerk PFC/PFD, Law Department (Not Present)
Henry C. Luthin, First Assistant Corporation Counsel, Law Department, (Not Present)
Sean Chen, Assistant Corporation Counsel, Law Department, (Not Present)
Kellie Duffy, Intern PFC/PFD, Law Department
Sheila A. Dillon, Chief and Director, DND (Not Present)
Marcy Ostberg, Director of Operations, DND (Not Present)
James McDonough, Senior Staff Attorney, DND
Rick Wilson, Deputy Director of Finance, DND
Philip Sweeney, Operations Manager, Administration and Finance, DND
Alexander Sturke, Director of Communications, Marketing, DND
William Epperson, Assistant Director, Real Estate Management and Sales, DND
Jessica Boatright, Deputy Director, Neighborhood Housing Development Division, DND
John Feuerbach, Senior Development Officer, Neighborhood Housing Development Division, DND
Donald Wright, Deputy Director, Real Estate Management and Sales, DND
Joseph Backer, Housing Development Officer, Neighborhood Housing Development Division, DND
Kadie Martin, Intern, Law Department

Commissioner Mammoli called the meeting to order.

The minutes from the meeting of June 12, 2019 were presented to and approved by the Commissioners Mammoli and Irish.

VOTE 1: Donald Wright, Deputy Director, Real Estate Management and Sales

Transfer of the care, custody, management and control from the Department of Neighborhood Development (DND) to the Boston Public Library (BPL): A portion of land with building located at 135 Dudley Street, Roxbury.

Property Transfer

Ward: 12

Portion of Undivided Parcel Number: 01180000

Undivided Parcel Square Feet: 201,765

Undivided Parcel Assessed Value Fiscal Year 2019: \$16,114,000

Future Subdivided Parcel Number: 01180020

Future Subdivided Parcel Square Feet: 44,977

Future Subdivided Parcel Address: 65 Warren Street

DND Program: Land Disposition

Subject to the approval of the Mayor under the provisions of St. 1909, c. 486, § 31A (as appearing in St. 1966, c. 642, § 12), a portion of land with building located at 135 Dudley Street (Ward: 12, Parcel: 01180000) containing approximately 44,977 square feet, in the Roxbury district of the City of Boston, be and the same hereby is, transferred from the care, custody, management and control of the Department of Neighborhood Development to the care, custody, management and control of the Boston Public Library.

NOTE: Donald Wright addressed the Commission and provided an overview of the project.

NOTE: Commissioner Irish asked, "Is this property already being used by the Boston Public Library?"

NOTE: Donald Wright replied, "Yes."

NOTE: Commissioner Mammoli also expressed his understanding that this is a standard housing keeping matter.

NOTE: On a motion duly made and seconded, the vote was unanimously approved by Commissioners Mammoli and Irish.

Exhibits: July 2, 2019, project background memorandum with enclosures and PowerPoint presentation.

VOTE 2: Joseph Backer, Housing Development Officer, Neighborhood Housing Development Division

Tentative Developer Designation and Intent to Sell to Madison Park Development Corporation: Vacant land located at 75-81 Dudley Street, Roxbury, Massachusetts.

Purchase Price: \$100

Ward: 09

Parcel Number: 03215010

Square Feet: 6,170
Future Use: Mixed-use
Estimated Total Development Cost: \$9,920,100
Assessed Value Fiscal Year 2019: \$55,600
Appraised Value June 20, 2019: \$295,000
DND Program: Neighborhood Housing
RFP Issuance Date: July 16, 2018

That, having duly advertised a Request for Proposals to develop said property, Madison Park Development Corporation, a Massachusetts non-profit corporation, with an address of 184 Dudley Street, Suite 102, Roxbury, MA 02119, be tentatively designated as developer of the vacant land located at 75-81 Dudley Street (Ward: 09, Parcel: 03215010) in the Roxbury District of the City of Boston containing approximately 6,170 square feet of land, for the period of 24 months from the date of the vote subject to such terms, conditions and restrictions as the Director deems appropriate for proper development of this property; and

FURTHER VOTED: Subject to the approval of the Mayor under St. 1909, c.486, § 31B (as appearing in St. 1966, c.642, § 12) that it is the intent of this Commission to sell the aforementioned property to Madison Park Development Corporation;

AND, FURTHER, VOTED: That the Director be, and hereby is, authorized to advertise the intent of this Commission to sell the above described property in accordance with the provisions of Chapter 642 of the Acts of 1966 and the applicable statutory terms of M.G.L. c.30B, section 16.

NOTE: Joseph Backer addressed the Commission and provided an overview of the project.

NOTE: Commissioner Mammoli expressed praise for the project.

NOTE: Angela Atchue noted for the record Commissioner Irish is the Commissioner of the Inspectional Services Department; he is also, a member of the Public Facilities Commission. Commissioner Irish is a board member of the Madison Park Development Corporation (MPDC) and volunteers his personal time in an uncompensated position. He does not have any involvement with the MPDC and its interactions with the City of Boston. In addition, no one at the MPDC or elsewhere has discussed or requested his opinion on the matter presented by DND to the PFC concerning vote 2. Furthermore, he has no individual, financial, or other interests in any recommendation made by DND to the PFC. He has no conflicts of interest by participating in the PFC hearing, nor the discussion, review or vote on the matters publicly posted on DND's agenda. This information is accurate, true and complete to the best of his knowledge and belief. Due to the fact there is a need for a quorum of Commissioners, which is two members as required under the PFC enabling Act, known as Chapter 642 of the Acts of 1966, Commissioner Irish is present to vote with Commissioner Mammoli as Chair Craven is unable to attend today's meeting. Angela Atchue then asked, "Commissioner Irish is there anything else you would like seek to add to the record?" **See the Disclosure Notice, dated July 15, 2019, from Commissioner Irish attached hereto.**

NOTE: Commissioner Irish expressed his preference for recusal notwithstanding the rule of necessity, but was agreeable to partake in the vote. Commissioner Irish further expressed his intention to recuse himself from a future conveyance vote request to the PFC.

NOTE: Angela Atchue stated, “This has been noted by the PFC Secretary that you will recuse yourself for a conveyance vote. A conveyance vote will not be presented on this matter without the presence of Chair Craven and Commissioner Mammoli.”

NOTE: On a motion duly made and seconded, the vote was unanimously approved by Commissioners Mammoli and Irish.

Exhibits: July 3, 2019, project background memorandum and PowerPoint presentation.

VOTE 3: Joseph Backer, Housing Development Officer, Neighborhood Housing Development Division

Tentative Developer Designation and Intent to Lease to Cruz Development Corporation: Portions of vacant land located at 135 Dudley Street, 2430 Washington Street and 2406 Washington Street, Roxbury, Massachusetts.

Lease Hold Interest: \$100

Annual Base Rent: \$10

Lease Term: Fifty-nine (59) year lease term with an option to renew for an additional forty (40) years up to a ninety-nine (99) year total lease term.

Ward: 12

Portions of Undivided Parcel Numbers: 01180000, 01261000, and 01263000

Undivided Parcels Square Feet: 314,034 (total)

Undivided Parcels Assessed Value Fiscal Year 2019: \$33,237,000 (total)

Future Subdivided Parcel Number: 01180030

Future Subdivided Parcel Square Feet: 69,835

Future Subdivided Parcel Address: 135 Dudley Street

Future Use: Mixed-use

Estimated Total Development Cost: \$82,159,546

Assessed Value Fiscal Year 2019: \$16,114,000

Appraised Value June 10, 2019: \$28,700,000

DND Program: Neighborhood Housing

RFP Issuance Date: July 16, 2018

That, having duly advertised a Request for Proposals to develop said properties, Cruz Development Corporation, a Massachusetts corporation, with an address of One John Eliot Square, Boston, MA 02119, as lessee for a fifty-nine (59) year lease term with an option to

renew for an additional forty (40) years up to a ninety-nine (99) year total lease term, the portions of vacant land located at:

135 Dudley Street, Ward: 12, Parcel: 01180000, Square Feet: 201,765

2430 Washington Street, Ward: 12, Parcel: 01261000, Square Feet: 102,533

2406 Washington Street, Ward: 12, Parcel: 01263000, Square Feet: 9,736

in the Roxbury District of the City of Boston containing approximately 69,835 square feet of land, for the period of 24 months from the date of the vote subject to such terms, conditions and restrictions as the Director deems appropriate for proper development of these properties; and

FURTHER VOTED: Subject to the approval of the Mayor under St. 1909, c.486, § 31B (as appearing in St. 1966, c.642, § 12) that it is the intent of this Commission to lease the aforementioned properties to Cruz Development Corporation;

AND, FURTHER, VOTED: That the Director be, and hereby is, authorized to advertise the intent of this Commission to lease the above described properties in accordance with the provisions of Chapter 642 of the Acts of 1966 and the applicable statutory terms of M.G.L. c.30B, section 16.

NOTE: Joseph Backer addressed the Commission and provided an overview of the project.

NOTE: Commissioners Irish stated, “This is definitely Dudley Square day.”

NOTE: Commissioner Mammoli stated, “I couldn’t agree more.”

NOTE: On a motion duly made and seconded, the vote was unanimously approved by Commissioners Mammoli and Irish.

Exhibits: July 17, 2019, project background memorandum and PowerPoint presentation.

VOTE 4: Joseph Backer, Housing Development Officer, Neighborhood Housing Development Division

Tentative Developer Designation and Intent to Sell to a nominee comprised of principals of New Atlantic Development LLC and DREAM Development LLC: Vacant land located at discontinued unnumbered Ballinger Place (former private way), 2147-2149 Washington Street and 2159-2163 Washington Street, Roxbury, Massachusetts.

Purchase Price: \$300

Ward: 09

Parcel Numbers: 02431000 and 02432000

Square Feet: 19,884 (total)

Future Use: Mixed-use
Estimated Total Development Cost: \$32,865,069
Assessed Value Fiscal Year 2019: \$338,700 (total)
Appraised Value June 10, 2019: \$1,552,000 (total)
DND Program: Neighborhood Housing
RFP Issuance Date: July 16, 2018

That, having duly advertised a Request for Proposals to develop said properties, a nominee comprised of principals¹ of New Atlantic Development LLC, a Massachusetts limited liability company, with an address of 236 Huntington Avenue, Suite 314, Boston, MA 02115, and DREAM Development LLC, a Massachusetts limited liability company, with an address of 236 Huntington Avenue, Suite 303, Boston, MA 02115, be tentatively designated as developer of the vacant land located at:

Discontinued Unnumbered Ballinger Place (former private way)², Ward: 09, Parcel: n/a, Square Feet: 489

2147-2149 Washington Street, Ward: 09, Parcel: 02431000, Square Feet: 8,067³

2159-2163 Washington Street, Ward: 09, Parcel: 02432000, Square Feet: 11,328

in the Roxbury District of the City of Boston containing approximately 19,884 total square feet of land, for the period of 24 months from the date of the vote subject to such terms, conditions and restrictions as the Director deems appropriate for proper development of the properties; and

FURTHER VOTED: Subject to the approval of the Mayor under St. 1909, c.486, § 31B (as appearing in St. 1966, c.642, § 12) that it is the intent of this Commission to sell the aforementioned properties to a nominee comprised of principals of New Atlantic Development LLC and DREAM Development LLC;

AND, FURTHER, VOTED: That the Director be, and hereby is, authorized to advertise the intent of this Commission to sell the above described properties in accordance with the provisions of Chapter 642 of the Acts of 1966 and the applicable statutory terms of M.G.L. c.30B, section 16.

NOTE: Joseph Backer addressed the Commission and provided an overview of the project.

¹ The nominee is to be a newly formed Massachusetts entity. DND shall not bring a future vote for conveyance of the property before the PFC without evidence of the nominee being registered and in good standing with the Massachusetts Secretary of State and, also, providing a complete and current property affidavit (i.e. LOOPS form) for the nominee.

² February 20, 2014 the City of Boston Public Improvements Commission passed an Order discontinuing a former private way located at an unnumbered Ballinger Place.

³ The City of Boston Assessing department includes the square footage of both unnumbered Ballinger Place and 2147-2149 Washington Street, a total of 8,556 square feet, because unnumbered Ballinger Place does not have an assigned Parcel Number.

NOTE: Commissioner Irish expressed praise and compliments for the work done by DND on the project.

NOTE: On a motion duly made and seconded, the vote was unanimously approved by Commissioners Mammoli and Irish.

Exhibits: July 17, 2019, project background memorandum and PowerPoint presentation.

NOTE: The July 17, 2019 Public Facilities Commission Meeting is available at the web address of https://www.cityofboston.gov/cable/video_library.asp?id=30234.

A True Record.

The meeting commenced at 9:34 a.m. and adjourned at 9:53 a.m.



Colleen Daley, PFC Secretary