

# DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT

## Minutes

Public Facilities Commission  
Department of Neighborhood Development  
Virtually via Zoom  
Boston, MA 02201

October 14, 2020

### **ATTENDING:**

Katherine P. Craven, Chair

Lawrence D. Mammoli, Commissioner

Dion S. Irish, Commissioner

ThyThy Le, Legal Advisor PFC/PFD, Law Department

Colleen M. Daley, PFC Secretary, Law Department

Catherine P. Pendleton, Articled Clerk PFC/PFD, Law Department

Shamus J. Hyland, Assistant Corporation Counsel PFD, Law Department

Sheila A. Dillon, Chief and Director, DND

James McDonough, Senior Staff Attorney, DND

Rick Wilson, Deputy Director for Administration and Finance, DND (Not Present)

Donald Wright, Deputy Director, Real Estate Management & Sales Division, DND (Not Present)

Jessica Boatright, Deputy Director, Neighborhood Housing Development Division, DND

John Feuerbach, Senior Development Officer, Neighborhood Housing Development Division, DND

James Smith, Sr. Environmental Compliance Manager, Real Estate Management & Sales Division, DND

Julio Pilier, Housing Development Officer, Neighborhood Housing Development Division, DND

Chair Craven called the meeting to order.

The minutes from the meeting of September 16, 2020, for the Department of Neighborhood Development, were presented to and approved by the Commissioners.

**NOTE:** ThyThy Le noted for the record, the meeting is being recorded and broadcast live. She then noted that Colleen Daley, the Public Facilities Commission Secretary, would take a roll call of the meeting participants.

**NOTE:** Colleen Daley performed the roll call and confirmed the individuals in attendance.

**NOTE:** ThyThy Le noted for the record, draft meeting minutes from the meeting of September 16, 2020 for the Department of Neighborhood Development. She then asked for a motion to approve.

**NOTE:** On a motion duly made and seconded, the September 16, 2020 meeting minutes for the Department of Neighborhood Development were unanimously approved.

**VOTE 1: James Smith, Senior Environmental Compliance Manager, Real Estate Management & Sales Division**

**Conveyance to Fresh Start Program LLC:** Land with building thereon located at 83 Emerson Street, South Boston.

**Purchase Price: \$39,000**

Ward: 06  
Parcel Number: 03198001  
Square Feet: 646  
Future Use: Rehabilitation – Housing  
Estimated Total Development Cost: \$464,802  
Assessed Value Fiscal Year 2020: \$400,200  
Appraised Value June 20, 2019: \$500,000  
DND Program: Neighborhood Housing  
RFP Issuance Date: November 12, 2019

That, having duly advertised its intent to sell to James W. O’Donoghue, an individual, with an address of 35 H Street, South Boston, MA 02127, the land with building thereon located at 83 Emerson Street (Ward: 06, Parcel: 03198001) in the South Boston District of the City of Boston containing approximately 646 square feet of land, for two consecutive weeks (March 30, 2020 and April 6, 2020) in accordance with the provisions of St. 1909, c.486, § 31B (as appearing in St. 1966, c.642, § 12), the Public Facilities Commission, pursuant to its vote of March 11, 2020 and subsequent approval by the Mayor, does hereby vote to sell the aforementioned property to Fresh Start Program LLC<sup>1</sup>, a Massachusetts limited liability company, with an address of 35 H Street, South Boston, MA 02127; and

FURTHER VOTED: the Director be, and hereby is, authorized to deliver an instrument conveying said property to Fresh Start Program LLC, in consideration of Thirty-Nine Thousand Dollars (\$39,000).

**NOTE:** James Smith addressed the Commission and provided an overview of the project.

**NOTE:** Chair Craven thanked James for his presentation. She then asked Commissioners Mammoli and Irish if they had any questions. No questions were raised.

**NOTE:** Commissioners Mammoli and Irish expressed praise for the work undertaken by DND on the project.

**NOTE:** On a motion duly made and seconded, the vote was unanimously approved.

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<sup>1</sup> Fresh Start Program LLC is a Massachusetts limited liability company, formed on September 4, 2020, pursuant to M.G. L. Chapter 156C Section 12, to manage affordable housing projects and engage in lawful business. Fresh Start Program LLC provided a current certificate of good standing from the Massachusetts Secretary of State to DND. Additionally, Fresh Start Program LLC completed a property affidavit (i.e. LOOPS form) and provided such to DND.

**Exhibits:** September 14, 2020, project background memorandum with enclosure and PowerPoint presentation.

**VOTE 2: Julio Pilier, Development Officer, Neighborhood Housing Development Division**

**Amendment to the vote of June 12, 2019 to reduce the purchase price from \$205,000 to \$200 and to extend the Tentative Designation and Intent to Sell period from 12 to 18 months to Norfolk Design & Construction LLC:** Land with building thereon located at an unnumbered parcel on Rosebery Road and 25 Rosebery Road, Hyde Park.

**Amended Purchase Price: \$200**

**Time Extension**

- 1) TD – 06/12/19 through 06/12/20 = 12 months
- 2) TD extension for an additional six (6) months 06/12/20 through 12/12/20 = 18 months  
TD total time is 18 months

Ward: 18

Parcel Numbers: 03718000 and 03719000

Square Feet: 9,200 (total)

Future Use: New Construction – Housing

Estimated Total Development Cost: \$883,339

Assessed Value Fiscal Year 2020: \$132,200 (total)

Appraised Value July 16, 2018: \$202,000 (total)

DND Program: REMS – Building Sales

RFP Issuance Date: January 28, 2019

That the vote of this Commission at its meeting of June 12, 2019, regarding the tentative designation and intent to sell the land with building thereon located at:

Unnumbered parcel on Rosebery Road, Ward: 18, Parcel: 03718000, Square feet: 4,600

25 Rosebery Road, Ward: 18, Parcel: 03719000, Square feet: 4,600

in the Hyde Park District of the City of Boston containing approximately 9,200 total square feet, to Norfolk Design & Construction LLC, a Massachusetts limited liability company, with an address of 1600 Boston-Providence Highway, Suite 287, Walpole, MA 02081;

be, and hereby is amended as follows:

By deleting the figure and word: “12 months” and substituting in place thereof the following figure and word: “18 months” wherever such may appear.

**NOTE:** Julio Pilier addressed the Commission and provided an overview of the project.

**NOTE:** Chair Craven Julio for his presentation. She then stated, “I have one question that I brought up to Counsel yesterday, I just want to make it for the record.” She then asked, “Given the change in the amount being paid by the developer, I just want to make sure that for the record we discuss what happens in that [why] this doesn't have to go back to another RFP due to that change.”

**NOTE:** Jim McDonnough replied, “Good morning Commissioners, this is Jim McDonnough Legal Counsel for DND. We reviewed this issue very carefully with the price reduction. The price reduction is mandated because we are putting in funds, which the federal government does not allow us to put in funds on one hand and take a purchase price out on the other. [DND] is reducing the purchase price to \$200, because the RFP allows [DND] enough flexibility in this matter so that it does not have to go out again. In addition to my review, I ran this by First Assistant Corporation Counsel Henry Luthin who also agreed that M.G.L. c. 30B section 16 is not impacted here, and the Commission is alright to go ahead with this vote.”

**NOTE:** Chair Craven stated, “Thank you, very much, Jim. I just wanted to clarify that for the record.” She then asked, “Any other comments from the commissioners?”

**NOTE:** Commissioner Mammoli stated, “The reason you're reducing this price is because you're going from market rate units to affordable units so in theory subsidizing some of that through this trough.” He then asked, “I noticed one of the parcels already had a building foundation on it that appears relatively new, was that existing on site when the City took over the parcel, or was someone starting construction without having final approval?”

**NOTE:** Julio Pilier replied, “I would have to get back to you about that, but I believe it was there when we took over the parcels, but I can get clarification.”

**NOTE:** Sheila Dillon replied, “I absolutely know that when the city took it for back taxes that there was a foundation on that site.”

**NOTE:** Commissioner Mammoli stated, “It looks like a relatively new foundation.”

**NOTE:** Sheila Dillon replied, “It does, it's not though, Commissioner, we'll get back to you, I think it's well over 10-plus-years-old, but we can get back to you the exact date.”

**NOTE:** Julio Pilier replied, “It's also going to have to be removed, as well. As part of the construction they are going to take it out.”

**NOTE:** Commissioner Irish stated, “Another great project. Kudos to you, DND team, and Chief Dillon.”

**NOTE:** On a motion duly made and seconded, the vote was unanimously approved.

**NOTE:** Julio Pilier provided the information requested by Commissioner Mammoli in a supplemental memorandum, dated October 20, 2020. Said memorandum was provided individually to the PFC members, and such is enclosed with the meeting minutes as an exhibit.

**Exhibits:** October 13, 2020, project background memorandum with enclosures and PowerPoint presentation.

**NOTE:** On a motion duly made and seconded, the meeting was adjourned.

**NOTE:** A recording of this October 14, 2020 Public Facilities Commission Meeting is available at the web address of [https://www.cityofboston.gov/cable/video\\_library.asp?id=34651](https://www.cityofboston.gov/cable/video_library.asp?id=34651).

A True Record.

The meeting commenced at 10:36 a.m. and adjourned at 10:51 a.m.

  
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Colleen Daley, PFC Secretary