

# UPTON + PARTNERS

November 13, 2012

Mr. William Tuttle, Deputy Director  
Massachusetts Department of Transportation  
Office of Real Estate and Asset Development  
State Transportation Building  
10 Park Plaza, Suite 4160  
Boston, Massachusetts 02116

Dear Bill:

After more than two years of effort to secure the developer designation for Parcel 9 in downtown Boston, Upton + Partners has been notified by you as a representative of the Massachusetts Department of Transportation that we will not be invited to participate in the "best and final" round of bidding for the designation. We are disappointed with this decision, particularly in light of the substantial public support expressed for our proposal over the past months. Nonetheless, we feel that we have been treated fairly and, as such, feel compelled to offer our observations as a result of having been involved in the public and community planning process conducted over the two-year period.

We are prepared to support the Cresset/DeNormandie proposal for the following reasons:

- We have confidence in Cresset/DeNormandie's ability to agree to and finance a competitive financial offering to MDOT, a key consideration of the designation.
- The Cresset/DeNormandie proposal is more consistent in program and scale with the objectives and proposed historic authenticity of a new Market District as proposed by the BRA pursuant to the recommended strategies by Project for Public Places, a consultant to the BRA. The Cresset/DeNormandie proponent better understands and is committed to the concept of the larger Market District of which Parcel 9 is an essential component.
- The Cresset/DeNormandie proposal is also consistent with the current zoning designation reflected in Article 49 of the Boston Zoning Code which resulted from neighborhood support of the *Boston 2000 Plan* negotiated during the era of the implementation of the Central Artery/Tunnel project. Residential zoning was established at that time for reasons that remain crucial to the local neighborhood constituencies.
- We believe that the Cresset/DeNormandie proposal is viewed more favorably with public commentary from a variety of constituencies during the post-submission period than the remaining competitive proposal.
- We believe – and have from the start - that a mixed-use development concept for the site which combines food-related and residential development is appropriate. Support for a particular combination of residential and retail development has been publicly supported by the Parcel 7

