

PARCEL 7 & 9 ADVISORY COMMITTEE

*Convened by the Massachusetts Department of Transportation
In Consultation with the Boston Redevelopment Authority*

December 4, 2012

William Tuttle, Director
Office of Real Estate Development
Massachusetts Department of Transportation
State Transportation Building at Ten Park Plaza
Boston, MA 02116

RE: Parcel 7 & 9 Advisory Committee Members Recommendation on the
Relevant Selection Criteria for the Final Parcel 9 Developer Designation

Dear Bill,

Following-up on the most recent and possibly final official meeting of the Parcel 7 & 9 Advisory Committee, we take this opportunity to reiterate what we believe should be the relevant criteria for the final phase of the developer designation process for CAT Parcel 9. In this regard, we are fulfilling the mission for which we were first convened by MassDOT more than two years ago: to offer our advice from a community perspective on the important issues and opportunities of the development and occupancy of CAT Parcels 7 & 9 as part of the Boston Market District. We do so now, at this critical final phase of decision-making on Parcel 9 development designation, precisely because we disagree with the assessment of MassDOT as to the criteria that should be considered relevant to that process.

To be specific, you suggested in our recent meeting that in the selection of the two Parcel 9 finalists from among the four initial submissions, financial considerations, to which we were and are appropriately not privy, played an equal role in the MassDOT decision-making process with the community planning and development priorities and preferences that were the primary and continuing focus of the Advisory Committee. That seemed an equitable and expected balancing of relevant criteria. You then suggested that community considerations would have virtually no role in the selection between the two finalists because both submissions were considered to be adequate and acceptable in terms of community criteria and, therefore, financial considerations would be the decisive criterion in the final analysis.

*Victor Brogna: North End/Waterfront Residents Association Otto Gallotto: Haymarket Pushcart Association
Ryan Kenny: North End Neighborhood Council Claudio Kraus: Faneuil Hall Marketplace Daniel Nuzzo: North
End Resident Robert O'Brien: Downtown North Association Tad Stahl: Beacon Hill Civic Association
George Thrush: Northeastern University School of Architecture Kathryn West: Partners HealthCare*

As was made clear in our meeting, and as we reiterate here, that approach does not represent an equitable and expected balance of relevant criteria in our view – quite the contrary. While we would not disagree that both of the finalists may be adequate and acceptable in terms of their relative strengths and weaknesses as identified in the Advisory Committee letter of June 1st – in which we were requested by MassDOT not to express any collective preference for one or the other of the submissions – we do not believe that acceptability or adequacy should be the standards by which good urban design and development are decided.

That is especially so in this case because community values and perspectives have been such a fundamental component of the Parcel 7 & 9 planning process from the outset. Former DOT Real Estate Director Peter O'Connor, who convened and coordinated the Advisory Committee, made it abundantly and explicitly clear early on that achieving the best development outcome for Parcel 9 was the primary objective; and he also emphasized that while MassDOT financial considerations were certainly relevant and important, they were secondary to that primary goal. Indeed, those words of encouragement at the outset provided the sense of purpose that has motivated the countless hours of Advisory Committee and community participation over the ensuing two years of positive and productive collaborative effort. It simply makes no sense to change the rules of the game as we approach the finish line -- least of all then.

To be clear, the MassDOT conclusion that both of these final two Parcel 9 development proposals – the Blackstone Market proposal of the Cresset/DeNormandie team and the Haymarket Hotel proposal of Normandy Partners – are acceptable to the community does not imply that one is not preferable, even far preferable, to the other. While our collective opinion on this matter has not been solicited by MassDOT, many Advisory Committee members have already individually expressed their strong preference for the Blackstone Market proposal, notably including but not limited to Otto Gallotto of the Haymarket Pushcart Association. And we would argue strongly that these and other community preferences should still be considered relevant -- in our view, more relevant than ever – in this critical final phase of the MassDOT decision-making process.

The MassDOT perspective seems to be that the final two proposals are both adequate and acceptable, so financial considerations should now be decisive. Our view is different: if the financial elements of the two proposals are comparable, then community criteria should be decisive. We do not know the details of the finalist's respective financial submissions; but it seems reasonable to conclude that they are both adequate and acceptable to MassDOT or they would not be among the finalists – financial and community considerations having been more or less equally weighted in their selection.

But if not, the financial differences between them would have to be very substantial indeed to offset the weight of a contrary community preference – and most certainly to render such preferences virtually irrelevant at this critical stage.

In conclusion, as members of the Advisory Committee, we offer to MassDOT our likely final piece of advice: that community priorities and preferences be given at least as much weight in the final Parcel 9 developer selection process as it was reportedly given in the selection of the finalists themselves. In so doing, we acknowledge, as always, that the final decision-making prerogative and responsibility belongs to DOT. With all due respect, we also understand that the community will live with the consequences of that important decision far longer than will DOT. That is presumably why we were convened and continued as an Advisory Committee; and we take seriously to the end our prerogatives and responsibilities to MassDOT and to the community in that regard.

Sincerely,

The Members of the Parcel 7 & 9 Advisory Committee

cc: DOT Secretary Richard Davey
Massachusetts Governor Deval Patrick
Boston Redevelopment Authority Director Peter Meade
Boston Mayor Thomas Menino
Dana Levenson, John Romano and Roy Avellaneda of MassDOT
Kairos Shen, Lauren Shurtleff and Jonathan Greeley of the BRA
Senator Anthony Petrucci and Representative Aaron Michlewitz
City Councilor Salvatore LaMattina
Members of the Parcel 7 & 9 Advisory Committee
Other Interested Parties