

Opening Up the Boston Redevelopment Authority

With the adoption of three new policies, the BRA is hoping a new level of transparency will appease its critics.

The Boston Redevelopment Authority (BRA) has been exploring ways to improve transparency at the agency, and its Board of Directors voted last week to approve several new guidelines to further this goal. The new policies they adopted are related to land takings and transfers, disclosures of potential conflicts of interest, and Planned Development Areas. Dry stuff, perhaps, but they're pretty significant steps in making the powerful agency more accountable to the public.

Last week's monthly meeting gave the BRA Board its first opportunity to respond to **the findings of a KPMG audit**, which outlined major deficiencies at the agency. The audit was quite damning in its criticism, saying its structure and operations are in "dire need" of reform. Boston Mayor Marty Walsh has called for changes to improve accountability at the BRA.

The first policy implemented addresses how and when the community can comment when the BRA sells land it owns or transfers to private developers or other public agencies.

BRA spokesman Nicholas Martin says the three new policies weren't proposed as the result of any one specific event but in this case, it's obviously in response to the controversy that erupted after the BRA Board approved an agreement with the Boston Red Sox, last September. The BRA gave the baseball team the right in perpetuity to close Yawkey Way on game days and on concert dates in return for a \$7.34 million payment over 10 years. Previous BRA Director Peter Meade negotiated the agreement in private. The BRA did not put out a request for bids, meaning the true market value of the lucrative rights has never been established.

The goal of the new policy is to keep a Yawkey Way-type situation from occurring without public comment, before taking any action on this sort of transaction.

Developers requesting public land takings and transfers will now be required to provide the BRA with a map and description of the proposed project and their strategy for redevelopment. This information will be made public on the BRA's website and a public meeting will be held, followed by a public comment period.

Regarding the disclosure policy, there was an existing one but the new policy reasserts its intentions and adds some teeth to it. A loophole in the previous policy made it possible for a project to large project approval without the BRA knowing all the names and relationships of its investors or potential conflicts of interest. The new disclosure statements mandate that anyone with a beneficial interest in significant development projects must identify the extent of their interests at the outset.

The BRA Board also approved a policy to improve the integrity of special zoning overlay districts known as Planned Development Areas (PDAs). A PDA is designed to accommodate large-scale, complex developments that do not necessarily conform in uses or scale with existing zoning. The use of PDAs has allowed developers to avoid having to go before the city's Zoning Board of Appeals-basically, skipping another level of scrutiny and public review. The BRA's new policy will help preserve the original intent of PDAs.

Between 1964 and 1996, only 44 PDAs were created in the city. Since then, there has been 53 new ones approved-an increase of 114 percent, per year. The exponential rise in the creation of PDAs during the 20-year reign of previous-mayor Thomas Menino raises the question: was the ability to create new PDAs "over-used" by City Hall? According to Nick Martin, that's "a pretty fair classification."

"Prior to this new policy being passed there was probably a perception by developers that if your project was an acre or more, you'd get a PDA," Martin said. "We're saying that a lot of projects are worthy of PDAs but want to make sure they are the right kind in complexity and range of uses, and provide the proper mitigation."

Finally, the BRA Board approved a request from Acting Director Golden to engage an outside consultant to complete an end-to-end audit of the BRA Planning Department's activities, processes, and procedures, as recommended by KPMG.

With the Board's approval to proceed, BRA staff will now develop a scope of work to help guide the independent consultant and begin to evaluate potential firms to complete the project.