

DRAFT—N.B. THE FOLLOWING MINUTES HAVE NOT BEEN APPROVED BY THE COMMISSION

MINUTES FROM PUBLIC MARKET COMMISSION MEETING

Wednesday, August 17, 2011 1:00pm

State House, Room B1, Boston, MA

Commission Members in Attendance:

Scott Soares, Commissioner of the Massachusetts Department of Agricultural Resources, Chair; Nancy Caruso, resident of Boston, recommended by Mayor Thomas M. Menino; Carole Cornelison, Commissioner of the Massachusetts Department of Capital Asset Management, designee of Secretary Jay Gonzalez, Massachusetts Executive Office for Administration and Environmental Affairs; Jacquelyn Indrisano, representing state Senator Petrucelli; Mary Griffin, Commissioner of the Massachusetts Department of Fish and Game, designee of Secretary Richard K. Sullivan, Jr., Massachusetts Executive Office of Energy and Environmental Affairs; Lisa Schifilliti, representing State Representative Gailanne Cariddi; and Lauren Shurtleff, Planner, designee of the Executive Director of the Boston Redevelopment Authority.

Commission members absent from the meeting:

Nancy Brennan, Executive Director of the Rose Kennedy Greenway Conservancy; and Bill Tuttle, Deputy Director for Real Estate and Asset Development, designee of Secretary Jeffrey B. Mullan, Massachusetts Department of Transportation.

At 1:09pm, Chairman Soares convened the meeting.

A. Approval of Minutes

Commissioner Soares introduced himself and welcomed members and guests. On a motion duly made and seconded, it was:

VOTED that the minutes from a meeting on August 9, 2011 be approved.

The vote was unanimous.

B. Administrative Matters of the Commission

Chairman Soares asked for members who would be willing to go to a public meeting for the subcommittee on farms. Mr. Soares, Ms. Cornelison and Mr. Tuttle (who had indicated his desire to attend prior to the meeting) confirmed they would attend.

**C. Review of sections pertaining to the Haymarket in the Project for Public Spaces’
“Implementation Plan for a Public Market in Boston”**

Mark Lilienthal, staff member to the Commission, presented a slide show of relevant excerpts from the Implementation Plan. (The slide show is available at www.mass.gov/publicmarket)

Mr. Emilio Favorito asked if slide 4 means that Haymarket gets the outdoor space on the plaza in front of Parcel 7 on Fridays and Saturdays.

Mr. Soares replied that that is one interpretation.

D. Discussion with membership of the Haymarket Pushcart Association regarding the new public market to be located at Parcel 7, 136 Blackstone Street, Boston, MA

Mr. Soares introduced himself and other members of the Commission in attendance.

Mr. Otto Galloto of the Haymarket Pushcart Association (HPA) asked that Mr. Soares clarify his previous comment regarding the plaza.

Mr. Soares explained that the slide in question was open to interpretation and remarked that the Implementation Plan is a series of recommendations to the Commonwealth, none of which are binding. In the case of slide 4, there is no official stance of the Commission.

Mr. Eddie Porreca of Attleboro Farmers Market asked why farmers in western Massachusetts would want to sell at this public market.

Mr. Soares responded that farmers from west of Boston already sell at numerous markets around the city. The Commission will talk to farmers to understand how the public market could work for them, and use that input to define an RFP for an operator.

Mr. Porreca asked how small farmers were going to be able to staff and provide at a year-round market.

Mr. Soares replied that answering that question was one of the purposes of these meetings. He also remarked that the average farm size is 70 acres in Massachusetts. There is an expansion of winter markets and demand and availability are on the rise.

Mr. Porreca commented that some farmers have expanded the growing season.

Mr. Gus Serra of Emmanuel G. Serra Consulting gave a comprehensive history of his family’s involvement at the Haymarket and some history of the Parcel 7 project, including an RFP that did not yield any satisfactory responses. He commented that parcel 7 has come up again for a public market. Mr. Serra commented that his concern is the Haymarket. He said that lots of people have been approaching the HPA saying that Parcel 7 was going to be a farmers market. If someone wants to pay \$5 for blueberries, that is fine, it doesn’t impact the HPA. Mr. Serra’s first concern is that no farms operate for 12 months a year in Massachusetts. So a new market could end up being Commonwealth-subsidized competition for Haymarket. Mr. Serra indicated that he has no desire to be obstructionist, but that the HPA needs commitments before they can support the public market. In winter, Mr. Serra contended, farmers will go to the Chelsea Produce Market when their product runs out, and they’ll be inside with heat competing with Haymarket. Mr. Serra commented that he had problems if there is direct competition without contractual commitments. He also pointed out that the HPA has sacrificed over the years, including during the

construction of the Central Artery Tunnel. He asked the question, is it a farmers market or a whole new market? Mr. Serra then indicated that the Governor wants the new market, the Mayor of Boston wants it, and claimed that it is already known who is going in there. Mr. Serra then pointed out that the HPA has rights to storage in Parcel 7. What about parking, Mr. Serra wondered. Where is the proposed RMV parking going? Mr. Serra summarized four points for the Commission:

1. Is it going to be a farmers market not competing with the HPA? We need to see a contractual obligation.
2. The HPA wants to go back on the plaza in front of Parcel 7. It's in the statute. Do we get it?
3. Does the HPA get storage in Parcel 7?
4. What about parking? Are we going to lose it? What you say versus what you do are different without a written contract.

Mr. Serra concluded by saying that, while everyone says they want a market, he does not buy a public market on that site and indicated he will fight it with everything he's got.

Mr. Soares clarified that a public market would support local/Massachusetts products first. Additional meetings are about discovering what the agriculture and fishing communities do to make the market work for them. It is important for the Commission to get feedback from the HPA, but the bottom line is that both the public market and Haymarket need to work. Mr. Soares also indicated that the Commission or governmental agencies would need to study the statutes and regulations and come back with an interpretation.

Mr. Favorito submitted a letter for the Commission, which Mr. Soares asked Mr. Lilienthal to circulate to the Commission.

Mr. Philip DeNormandie of DeNormandie Companies commented that the Commission should realize that this is an opportunity for a market district, not just parcel 7, parcel 9, Haymarket plans by themselves. There is no reason why this shouldn't be a success for farms, the HPA, and the City. However, he pointed out that the Commission will need to write an RFP for an operator keeping in mind that the garage on Parcel 7 has 62 spaces for North End residents for next to nothing. They won't be able to have that anymore. About 35 people get heavily discounted 24 hour access to the garage. Garage is almost 100% occupied. But there might be 135 spaces for office tenants in parcel 7. The Parcel 9 Committee wants to build 100 apartments who will get parking in Parcel 7 garage (the garage). Additionally, you have validation programs in the garage. There is validation abuse in the garage, Mr. DeNormandie commented, and it needs to be controlled. He continued that he believes that HPA has storage space in parcel 7, but that is unrealistic. He offered an idea to build a new storage and dumpster facility at Hanover and Blackstone Streets for the HPA. Above that could be Greenway office space. As a Commission, Mr. DeNormandie urged the group to look at the broad plaza and solve the dumpster and storage issues. He indicated that HPA has a right to go on the plaza on Fridays and Saturdays. How are all these variables going to work at the public market? It is a great opportunity, but will require

imagination. He also urged the Commission to keep parcel 9 in mind and urged them to push back on office use. He offered his belief that the upper floors of a proposed development on parcel 9 be residential because it uses less parking than office.

Mr. Budge Upton of Upton Partners rose to reiterate his support for these ideas. He said the proposed relocation of the RMV to Parcel 7 is retail and, despite the claims of increased foot traffic, he believes that people will drive and park if they can. He asked about prospective retail on parcel 9 and how much parking there would be. He urged the Commission to reconsider office use at parcel 9 as a fait accompli.

Mr. Fred Salvucci gave a history of his involvement with the Big Dig during his time in state service, including a discussion of what it meant for the Haymarket and North End businesses during and after CA/T construction. Mr. Salvucci also discussed the origins of the Parcel 7 garage and the validation program for HPA that corresponded to the number of spots the HPA was utilizing under the old artery. He said that the agreement between the Commonwealth and the HPA was permanent. Mr. Salvucci said that federal funds were used to support various market activities, and during construction those agreements were honored.

Mr. Salvucci also discussed that the HPA had endured a long ten years of construction during the CA/T project. He also indicated that he believed that incumbent merchants should have their agreements grandfathered in to whatever new activity takes place in Parcel 7. He said that the market people know what was promised to them.

At this point, two Haymarket vendors introduced themselves to the audience.

Mr. Salvucci continued that the footprint for Parcel 9 is a good footprint. But business needs to be able to survive construction of Parcel 9. The only space for the HPA to expand is on the plaza in front of Parcel 7. Mr. Salvucci concluded by saying that priority should be given to prior commitments and that there was a legal and moral obligation to honor those deals.

Ms. Caruso asked if Mr. Salvucci was aware of the special 62 parking spaces Mr. DeNormandie had alluded to.

Mr. Salvucci said no.

Mr. John Romano of MassDOT indicated that there is an arrangement for monthly spaces for North End residents through an agreement with the city.

Ms. Caruso asked if that was available in writing.

Mr. Romano answered in the affirmative.

Ms. Caruso asked Mr. Romano and MassDOT to provide all relevant deals and agreements in writing to the Commission.

Ms. Shurtleff indicated that the BRA could provide land disposition agreements.

Mr. Peter Gori of the BRA said that the BRA can provide all BRA/Landmarks Commission specifics around the streets in question and a memo about other city ordinances the Commission and the public should have.

Mr. Favorito said his sense was there was existing funny business around the valet agreements in the Parcel 7 garage.

Mr. Romano indicated that MassDOT would have follow up discussions with the garage operator.

Mr. Claudio Kraus of the North End and a member of the Parcel 7/9 Advisory Committee said that he thought it was not helpful to discuss Parcels 7 and 9 and a market district as separate entities. He was surprised to learn that 7 had been designated a public market. He also said that the HPA needs answers regarding the plaza and the parking situation. He believes that 7 and 9 should be coordinated and urged the relevant parties to reconsider the current process. He said that it is his impression that the HPA members are being treated as “children of a lesser god.” He said that HPA has been in their current location or nearby forever.

Mr. Sal (last name inaudible), an HPA vendor, asked about the spots on the left side of the parcel 7 garage upon entry.

Mr. Romano indicated they were used by MassRide.

Mr. Serra asked about whether parking agreements had changed over time.

Mr. Gori said that a full report would be forthcoming.

Mr. Upton took a moment to point out that Parcel 7 will be a construction site when it is being outfitted for market and office uses.

Mr. David Roderick of the North End asked about pedestrians. There has been a lot of talk about cars and trucks. Will circulation be changed? Does the MBTA use garage spaces? He encouraged the Commission to think of parcels 7 and 9 like a spider’s web, where one touches one spot, the whole thing moves. You cannot design in a vacuum.

Mr. Gori said that the BRA and Boston Transportation Departments want to minimize the effect of any construction in the area on HPA and other neighbors.

Mr. David Chilinski of **Prellwitz Chilinski Associates** pointed out that **there are other garages in the surrounding area, including Dock Square and Government Center. Is it**

possible to get a comprehensive overview of neighborhood parking and what arrangements might be possible?

Mr. Upton said that as a private developer, he would explore those options. As far as HPA goes, Mr. Upton urged that there not be any disruption to the habits people currently have.

Mr. DeNormandie indicated that he thought the Commission should meet with the 7 and 9 Advisory group.

Ms. Shurtleff said that, as had been discussed at previous meetings, there is sufficient overlap in membership to render a formal meeting unnecessary.

Mr. Soares indicated that a larger public community meeting might be a good time to do a presentation from the 7 and 9 group.

Ms. Linda (last name inaudible) of the Boston Public Market Association inquired if Trader Joe's was still part of a discussion around Parcel 9.

Mr. Soares said no and Ms. Shurtleff indicated that Trader Joe's was used as an example in discussions as a way to differentiate between different models of markets.

E. On a motion duly made and seconded, it was:

VOTED that the Public Market Commission adjourn.

The vote was unanimous.

The meeting concluded at approximately 2:43pm.

Respectfully submitted,

Mark M. Lilienthal
Project Manager and Staff to the Commission