



LAWYERS' COMMITTEE
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November 13, 2017

Mr. Brian Golden
Director
Boston Planning & Development Agency
One City Hall Square
Boston, Massachusetts 02201

Ms. Teresa Polhemus
Records Access Officer
Boston Planning & Development Agency
One City Hall Square
Boston, Massachusetts 02201

RE: Public Records Request Regarding Youth-Focused Community Benefits From TD Garden Expansion And Other Boston Properties/Delaware North Companies Projects

Dear Mr. Golden and Ms. Polhemus:

On behalf of youth affiliated with the Hyde Square Task Force, we submit this request pursuant to the Public Records Act, G.L. c.66, § 10, for public records in the custody of the Boston Planning and Development Agency (BPDA). As used in this request, “public records” is defined as in the Public Records Act. “Community benefits” refer to factors that mitigate the impacts associated with proposed or existing development projects, including but not limited to physical improvements; linkage fees; or benefits agreed upon with the City or any other permit-granting authority. The “Hub on Causeway Project” refers to the redevelopment of the old Boston Garden and adjacent properties, including 80 Causeway Street, Boston, Massachusetts, which is currently controlled by Boston Properties, Inc., and Delaware North Companies, Inc.

1. All public records referencing, relating to, or reflecting proposed and/or approved community benefits from the Hub on Causeway Project, including but not limited to community benefits that focus specifically on youth.
2. All public records referencing, relating to, or reflecting outstanding permits and/or approval processes in connection with the Hub on Causeway Project, including opportunities for youth to voice their concerns.

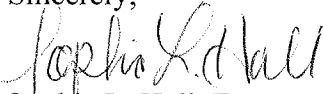
3. All public records referencing, relating to, or reflecting proposed and/or approved community benefits from any and all approved or pending projects submitted by Delaware North Boston Holdings, including but not limited to community benefits that focus specifically on youth.

As this request involves a matter of public concern, we ask that all fees associated with this request be waived pursuant to 950 C.M.R. 32.06(5). The purpose of this request is to gain information about the community engagement promises of proposed and actual development projects. In particular, it was recently discovered that the owner of TD Garden, Delaware North Companies, Inc., had failed for over 20 years to meet its legal obligations to help fund construction of recreational facilities, including those used by low-income and minority youth. *See Garden payment Settlement Comes Up Short*, BOSTON GLOBE, available at: <https://www.bostonglobe.com/opinion/editorials/2017/08/03/garden-payment-settlement-comes-short/OCf6p2tTj8THuWQTUItJMJ/story.html>. It is therefore a matter of significant public concern whether these companies have committed to providing other youth-focused community benefits, whether those obligations have been met, and whether it should be providing more youth-focused community benefits in connection with pending projects. The information will not be used for any commercial purpose. If the waiver is denied and you expect the fee to exceed \$10.00, please provide a detailed fee estimate.

The Public Records Law requires that you comply with this request within 10 business days following receipt. If your response to any portion of this request is that said request or portion of said request is not public, please set forth in writing the specific reasons for such denial, including which specific exemption you believe applies. To the extent that you determine that records need to be redacted in order to be produced, please do so rather than withholding them in their entirety.

If you have any questions about this request, please contact me by phone at (617) 984-0274, or by email at shall@lawyerscom.org. Thank you in advance for your prompt attention to this request.

Sincerely,



Sophia L. Hall, Esq.
Staff Attorney

cc: Amy Latimer, TD Garden President
Mayor Martin J. Walsh
Michele Wu, City Council President
Michael Flaherty, City Councilor
Annisssa Essaibi George, City Councilor
Ayanna Pressley, City Councilor
Salvatore Lamattina, City Councilor
Bill Linehan, City Councilor
Frank Baker, City Councilor

Andrea Campbell, City Councilor
Timothy McCarthy, City Councilor
Matt O'Malley, City Councilor
Tito Jackson, City Councilor
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