



January 15, 2017

The Honorable Martin J. Walsh
Mayor, City of Boston
1 City Hall Plaza, Suite 500
Boston, MA 02201

Dear Mayor Walsh,

We, the duly authorized representatives of our respective neighborhood associations to the Alliance of Downtown Civic Organizations (ADCO), oppose any amendment of the state shadow laws protecting the Boston Common and Public Garden that are aimed at securing approval for one specific project, or for a development on one specific site that is otherwise illegal.

Our reasons for taking this position are simple, robust, and fundamental. They are founded on our respect for durable principles of public policy, and a pragmatic appreciation of the long term deleterious consequences of deviating from these principles, leading to the following conclusions:

- **Amendment of the shadow laws on a site- and/or project-specific basis would set a precedent opening the floodgates to other developers to request comparable changes in laws to obtain approval for their projects.** Assurances that such an amendment would be a one-time exception cannot be binding on future administrations, and might be vulnerable to challenges on the grounds of discrimination, i.e. undue favoritism towards one company;
- **Amendment to long-standing laws that have not hindered substantial development in the city during their lifetime would harm and diminish the value of two iconic public spaces in Boston.** They are enjoyed by all residents of Boston as well as by millions of visitors every year from throughout the Commonwealth, the nation and the world. These visitors make significant contributions to the city's economy that would be impaired should these public spaces become less attractive. Moreover the perception that Boston considers that demands of developers linked to the construction of luxury residences should override preservation of the value of these spaces - our heritage - could reduce the willingness of private donors to help fund their upkeep. City funds would then have to be found to overcome any shortfall in the outlays needed to maintain and improve them;
- **The precedent of an amendment to the shadow laws would signal an ad hoc attitude towards development in Boston.** It would frustrate efforts to ensure the pursuit of a coherent and balanced vision for the future of the city in the interest of all its residents, businesses, and institutions as well as its economy and social climate;
- **Amendment of the shadow laws on behalf of one developer is bad public policy. It violates the principle behind the rule of law that everyone is subject to law, including lawmakers themselves, as**

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opposed to being subject to contingent or opportunistic decisions of individual government officials.
Millennium Partners expects the City to have state laws amended for one specific building it has proposed for the Winthrop Square Garage site so that it can achieve an attractive return on a perceived investment opportunity.

Thank you for your understanding and anticipated support.

Sincerely,

Alliance of Downtown Civic Organizations

Associations joining in this letter are Bay Village Neighborhood Association, the Beacon Hill Civic Association, the Boston Chinatown Residents' Association, the Neighborhood Association of the Back Bay, the North End/Waterfront Residents' Association, the South End Forum and the West End Civic Association.

cc: City Councilor Bill Linehan
City Councilor Frank Baker
City Councilor Mark Ciommo
City Councilor Michael Flaherty
City Councilor Tito Jackson
City Councilor Sal LaMattina
City Councilor Timothy McCarthy
City Councilor Stephen Murphy
City Councilor Matt O'Malley
City Councilor Ayanna Pressley
City Councilor Michelle Wu
City Councilor Andrea Campbell
City Councilor Josh Zakim

State Senator Joe Boncore
State Senator Sal DiDomenico
State Senator Sonia Chang-Diaz
State Senator Linda Dorcena Forry
State Senator William Brownsberger

State Representative Evandro Carvalho
State Representative Nick Collins
State Representative Gloria Fox
State Representative Adrian Madaro
State Representative Aaron Michlewitz
State Representative Byron Rushing
State Representative Dan Ryan
State Representative Jay Livingstone

Brian Golden, Executive Director, BPDA