Lawsuit contends White Stadium deal illegal

Richard Heath
Staff Reporter

The Emerald Necklace Conservancy (ENC) on Feb. 20 sued the trustees of the George Robert White Fund for apparently violating its own bylaws for allowing a partial lease of White Stadium – that it paid for 75 years ago – to a private group.

The ENC suit also alleges the city violated Mass General Law Article 97 (1972) which prevents the reuse of conservation land without legislative approval.

At a hastily called virtual press conference on Wednesday, Feb. 21 the ENC released what it called a ‘citizens lawsuit’ with 15 plaintiffs, four from Jamaica Plain and three from Roxbury, against the alleged privatization of White Stadium.

Since July 2023 The Bulletin has reported at length about the plans and public process of the renovation and the city’s lease of half the stadium to the women’s soccer league Boston Unity Soccer Partners for 10 years with an option for 10 more.

Since July, concern, frustration and opposition have been bubbling in Jamaica Plain, arguably the most impacted neighborhood, for what the ENC said in its press release was the “unconstitutional privatization of public land.”

What has not been explained during the half-dozen stadium public meetings is that 14 acres of the Franklin Park Playstead was transferred on Nov. 14, 1947, by deed worth $20,000 to the George Robert White Fund (established in 1922).

The White Fund then underwrote $1.24 million to the Boston School Department to build the 10,000-seat stadium for which the Fund required an agreement proposal.

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The initiative’s zoning component has been the focus of concern. In December, a 118 page draft amendment proposing five new districts to be added to the zoning code was released for public review and comment, which lasted two months. During that time, a sixth district was added to the draft, which was reduced to 101 pages in mid-February.

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On Sunday morning, Feb. 25, the Boston Planning & Development Agency officially launched its Squares + Streets small area planning period for Hyde Park’s Cleary Square.

As advertised by the BPDA, the goal of the S+S planning and zoning initiative is to add, support, and improve housing, public space, small businesses, and arts and culture in selected transit-accessible neighborhood centers and main streets throughout the city.

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S+S kicks off in HP

Zoning still an issue

Matthew MacDonald
Staff Reporter

The state announced last week that Steward did not meet its deadline for turning over financial documents on Feb. 23, and now it looks like the company’s status here in Massachusetts, is in limbo.

Massachusetts Gov. Maura Healey confirmed on Friday it only received financial records from Steward up until 2021, when the office had demanded financials from 2018 to 2023. Healey’s office did not mince words about what the governor thinks should happen next.

“The financial information that Steward provided this week continues to be incomplete and insufficient. What Steward must do from this point forward is clear – complete an orderly transition out of Massachusetts,” said Healey administration spokesperson Karissa Hand.

Healey stated they want the information to see how Steward has been allocating its resources across the country and in Massachusetts and decide whether Steward chose to maximize

Steward
Continued on page 8

St. Elizabeth’s in Brighton has reported fatal shortages of supplies in recent months, ostensibly due to Steward’s current financial situation.

S+5 kicks off in HP

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Your voice, your power, your community

The Hyde Park to Dorchester Supply Initiative aims to engage the Greater Boston community through robust conversations, guiding decisions for an essential additional substation with upgraded transmission capacity.

Eversource seeks to meet the city’s energy needs during its transition to electrification and decarbonization. Together, we aspire to create a resilient, efficient, and sustainable energy future that benefits all our customers equitably.

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agree in the lawsuit it quotes one of the White Fund guidelines: "no part of said income shall be applied to joint undertakings."

"The Project," states the lawsuit, "violates the White Fund trust because it converts the Project site to private uses." - "The Trustees of the White Fund cannot legally transfer any possession to use the project site to BUP and its affiliates." - "The Project, if permitted to go forward, would illegally transfer the public trust lands to a private party... a professional sports team ensuring extensive, exclusive use." - "Although the White Fund Stadium has fallen into disrepair and needs substantial renovation the city has failed to consider any alternative."

The alternative preferred by the ENC, as explained by ENC President Karen Mauney-Brodeck at the press conference, is to use the $50 million dedicated for the School Department buildings to renovate the entire stadium.

"White Stadium absolutely needs work," she said. "There's $50 million set aside by the mayor. Rather than turn over White Stadium to a private group of investors we should focus on improving the stadium with $50 million in public funds the city already has."

The ENC plaintiffs — two of which are on the BPDA-appointed Impact Advisory Group (IAG) — also maintain the city is in violation of MGL Article 97 (1972). This states that any conservation land cannot be used for any other purpose unless approved by 2/3's of the legislature.

One of the plaintiffs is Stacey Renee Welch who lives in Egleston Square. "You're giving out the park to the highest bidder," she said at the press event, "without public input."

"We no longer have a voice in what's happening in our community. No one cares about our voices. It saddens me to think out city is cutting up the park to the highest bidder."

Caliga is another plaintiff from Jamaica Plain. "It's our people coming in," she said. "It infuriates me. It's our park and you're shutting us out. This is wrong."

Plaintiff Derrick Evans lives on Dale Street, opposite Malcolm X (Washington) Park. He said he's seen the same thing happen there where, "a million dollars is spent to improve the playground and then outside groups use it, displacing local baseball teams."

"I moved to the city 40 years ago and Franklin Park was a neglected and invisible part of the city when it was predominately Black and Brown communities," he said. "This is urban renewal 2.0. It's racist, classist and anti-children. Black and Brown. Nothing is sacred."

Ben Taylor is the ENC board chairman. "This is public land," he said. "The ENC filed this very reluctantly. It's something we don't take lightly. The park has suffered for decades in an environmental justice community."

The pace of the process has increasingly bothered people in Jamaica Plain.

The lawsuit states: "[This alarming speed has failed so far to amend the terms of the White Fund Trust or] any Article 80 review of the city's half of the Project... the city has already issued a request for qualification to award a $46 million contract to demolish and construct its half of the project."

The suit suggests that BUP has aided this timeframe. "The BUSP intends to pay a non-refundable $53 million to the national league this spring to secure the right to field a professional sports team at the Project site... team games to start in the new stadium in spring 2026... If allowed to continue without intervention by the court the unlawful project would cause irreparable harm to Franklin Park [and the White Fund Trust]."

Seemingly absent from the law suit and press conference was the Franklin Park Coalition (FPC) which has been an on-again-off-again park advocate though largely focused on summer park concerts.

Reporters caught up with Mayor Wu at the Boston Common Winterfest shortly before the ENC press conference.

"To say this would prioritize White Stadium is either a misunderstanding or misrepresentation," Wu told The Herald. "It's true that if this were any other park we couldn't just build a stadium without the process." Wu told a reporter saying she just got the documents, "but this is an existing stadium. It will continue to be used by Boston public school athletes so the legal claims are without merit."

The lawsuit wants the Superior Court to make four judgments: Judgment that the Project violates the White Fund Trust. Judgment that the city and the Trustees of the White Fund cannot legally transfer any possession to use the Project site to the BUSP. Judgment that the Project is subject to the requirements of Article 97 including submission of alternatives and an injunction barring the city and Trustees from transferring any portion of the Project site to any private entity including the BUSP.

The BPDA cancelled the scheduled Feb. 26 White Stadium IAG meeting at 1 pm Thursday, Feb. 22.
The Bulletin

This past weekend marked the beginning of the 6-9 month planning periods for Cleary Square and Roslindale Square — the first two neighborhood centers selected for the Squares + Streets initiative — and the BPDA held open house events in both communities. The Cleary Square open house was held in the gym of the Hyde Park YMCA, and was set up as several interactive stations that the 75 attendees could visit, and where they could speak with BPDA and BTD staff regarding their lives, experiences, and memories within the planning area — a circle with a one-third mile radius centering at the intersection of River Street, Harvard Avenue, and Maple Street — as well as their wants and needs for it.

During the two and a half hour event, a handful of attendees shared their opinions on the initiative. While all were still trying to get a better grasp of what it is, most spoke in favor of thoughtful mixed-use development in Cleary and Logan squares.

“I’m all for development, and increasing housing, but I want it to be in a way that makes sense for that particular community,” Uka Agbai — who lives close to the center point of the Cleary Square planning area with his wife Quiana and their two children — said. “Hyde Park is not the same as Jamaica Plain or Roslindale, so I want to make sure that the growth of the community is in a way that there’s input from the community.”

Agbai continued by noting his desire for more small and mid-sized retail options in the area to better keep residents and money in the area. “It creates more jobs, it creates more opportunities for growth, and it will help people — they won’t end up wanting to move out of town, but stay in Hyde Park and, of course, raise their families here.”

The open house was informative and attendees naturally spread out across the gym, and conversations between them and the BPDA staff conducting the event were separate and quiet, with the murmurings of conversations indistinct unless participating or nearby.

This point was raised during the BPDA’s opening presentation, which gave an overview of Squares + Streets and a half-minute synopsis of the proposed zoning changes.

An ongoing concern has been the speed at which the zoning amendment went through the community review process, and the fact that the six proposed zoning districts would allow for residential and mixed-use housing to be built at an increased density level (four, five, seven, and more than seven stories) in those selected neighborhood centers.

On March 14, the BPDA Board will vote on whether to petition the Zoning Commission to adopt the amendment. If approved, on April 10 the Zoning Commission will hold a hearing and vote on whether to adopt it as part of the city’s base code.

As hands were raised by a portion of the approximately 30 attendees who had gathered, and a question was put forward, it was announced that there would be no Q&A.

“But there are people that all want to hear the same question,” said someone in the group, which led to more comments. “If you break us all up, then the rest of us are going to miss what those other questions are, or other comments are,” said another.

“What we’re intending to do is, after every session... take what we’ve heard and repeat it back to you: have everybody understand what those issues are to be able to actually get to a consensus at some point at the end of this process,” BPDA Deputy Director of Comprehensive Planning Caitlin Coppingter responded, which led to zoning exchanges between the group and Director of Planning Aimee Chambers, who had stepped in to field questions while trying to disperse the group to the different stations.

Afterwards, Roslindale resident Marie Oser commented on the way the S+S zoning amendment has unfolded. “The thing is, it’s been done very quietly, with very little specifics.” She noted that she had become aware of what was happening about a month ago, and added that “most of my neighbors didn’t even know what was going on.”

Starting this week, there will be S+S office hours at the Hyde Park Library (35 Harvard Ave.) from 9 a.m. until 1 p.m. every Friday. For more information, including a schedule of upcoming meetings, workshops, and events, visit http://tinyurl.com/29cxfnys

Joe Galeota

My Kind of Town/

pathetic judge in housing court. Eventually the uncoop- erative tenant moved out but left most of his belongings in the apartment.

Meanwhile, my retired friend was unable to collect any rental money because the judicial system was still drag- ging its feet and did not autho- rize him or a sheriff to change locks or to move out the pre- vious occupant’s belongings. Consequently, to use an agricul- tural word, the apartment has lain fallow for much more than a year now.

Moral of the sad story: don’t rent out an apartment in our Bay State unless there is a law- yer in the family: large rental corporations know this and have a lawyer on retainer when the tenant turns out to be a scofflaw.

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February 29, 2024

The housing shortage
and a local senior

With high costs for land ac- quisition, union wages for the trades people, and police de- tails, it is no wonder there is an affordable housing shortage here in Massachusetts. An- other reason might be that it takes too long to evict an un- pleasant—how’s that for an un- derstatement—tenant, all of which is a result of our kind state legislature and a judicial system, the latter of which has to follow mandates from on high on Beacon Hill.

Consider the plight of a friend, an aging but spry 79- year-old and his wife, who bought a two-family house in the western part of the State, both as a residence for his son and an investment in his now current old age. Allowing his son to live in one of the apart- ments has two benefits: it guar- antees that one apartment will be well kept, and is also con- ducive to having a live-in man- ager who can oversee what needs to be done to the house as a whole and to the other apartment.

An unmarried, single ten- ant, with a fairly good job, moved into the other apart- ment. At first there were no red flags—no drug usage, no loud- ness, etc. But as the months went on, he refused to pay the rent. When eventually taken to court, the uncooperative tenant, who had no complaints about the living conditions, was given reprieve after reprieve af- ter reprieve by an oh-so-sym- 

Research Volunteers Needed

To find out more, call or leave a message on: (617) 724-8343

*Payment will be provided for participation
Letters to the Editor

MHC DISCUSSES $4K RENTS

To the Editor:

As co-chairs of the Mount Hope Canterbury Neighborhood Association, we always appreciate the coverage our neighborhood receives from The Bulletin. In last week’s Bulletin, reporter Jeff Sullivan included summaries of the discussions from our February meeting. One was an update on the recently completed 106-unit rental apartment building at 289 Walk Hill Ave., Roslindale.

Due to continuous neighborhood engagement during the BPDA process on 289 Walk Hill, the original development proposal was improved in its physical presence and its impact on the surrounding area including Canterbury Brook, pedestrian safety, traffic safety and the greater neighborhood. It is now an attractive, landscaped building.

Unfortunately, its recently published market rate rent structure is not attractive. It is unaffordable to most of those now living in the neighborhoods along American Legion Hwy. It is soon to be a force of gentrification including the creation of upward pressure on existing nearby residential rentals. Here is a summary of the recently listed monthly rent structure for 289 Walk Hill St: Studio Apartment $2600; One Bedroom Apartment $2800 - $3200; Two Bedroom Apartment $3800; Three Bedroom Apartment $4400.

If this is an example of the ‘New Boston’, many of us from the old Boston may find it hard to continue living here.

Rick Yoder, Lisa Beattman
Mount Hope Canterbury Neighborhood Association

CENTRE STREET FOUR MONTHS LATER

To the Editor:

Congratulations to The Bulletin for locating the four people in West Roxbury who think the reconfiguration of Centre Street is a good idea. $50 says none of them drive.

M. T. Knife
West Roxbury

Novena to St. Clare

Ask St. Clare for three favours, 1 business, 2 impossible. Say nine Hail Marys for nine days, with lighted candle. Pray whether you believe or not. Publish on the ninth day. Powerful novena. Say “May the Sacred Heart of Jesus be praised, adored, glorified, and forever, throughout the whole world, Amen.” Your request will be granted, no matter how impossible it may seem.

Huan Ming Mills, MD
Board Certified Ophthalmologist
579 Centre Street Suite 2
West Roxbury MA 02132
918 Central St. Norwood MA 02062

MIRACLE PRAYER

Dear Heart of Jesus, in the past I have asked You for many favours. This time I ask you this very special one (mention favour). Take it, dear Heart of Jesus, and place it within Your own broken heart where Your Father sees it. Then, in His merciful eyes, it will become Your favour, not mine. Amen.

—V.C.

Dish Wireless proposes to install new wireless communications antennas at a centrefield height of 72 feet on the roof of a building on an overall height of 86.5 feet at the approx. vicinity of 30-40 Rockingham Ave, West Roxbury, Suffolk Court, MA 02132, Lot: [42-15-53.38], Long: [-71-09-22.79]. Public comments regarding potential effects from this site on historic properties may be submitted within 30 days from the date of this publication to: Trilcel Corp, Elisa, chome@trilcel.com, 8668 Luskdale Road, Suite 301, Torson, MA 21286,410-833-7218.

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Green Line closures detailed Chambers looking to update

Jeff Sullivan
Staff Reporter

The Allston Civic Association (ACA) met on Feb. 21 in a virtual format and discussed several issues.

State Rep Michael Moran representative Ben Tocchi discussed the upcoming MBTA Green Line closures and what the neighborhood can expect.

Currently, the B Branch between Copley and Babcock Street, the C Branch between Copley and Cleveland Circle, and the D Branch between Copley and Brookline Hills are suspended until March 8.

Tocchi said the shutdowns are targeted.

“They might seem at first super random but they’re really not,” he said. “The current shutdown is allowing the MBTA to continue to do track replacement, switches and ballast replacement.”

Tocchi said all this work is happening in the tunnels at Copley. Upcoming shutdowns are scheduled for the B from July 31 through Aug. 9.

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The Bulletin

Notice of Petition for Termination
Of Parental Rights G.L. c. 210 § 3

In the matter of: Aurora Riley

Worcester Probate and Family Court
225 Main Street
Worcester MA 01610
(508) 832-2200

To: William Shabace of Dorchester, MA and any unknown or unknown father(s) of the above-named child.

A putative father will not have standing as a party to this case without a voluntary acknowledgment of paternity or final determination of paternity.

A petition has been presented to said court by Bright Futures Adoptions Center, Acton, MA 01720 (representing that the parent(s) of the child(ren) lack(es) current ability, capacity or readiness to assume parental responsibility for the child, that the petitioner’s plan for the child will serve the child’s best interests, and, requesting that this Honorable Court enter a decree under the provisions of the General Laws of Massachusetts, Chapter 210, Section 5, that shall have the effect of terminating the rights of the petitioner and the child(ren) of the caretaker notice of or to consent to any legal proceeding affecting the custody, guardianship, adoption or other disposition of the child named herein.

IF YOU DESIRE TO OBJECT THERETO, YOU OR YOUR ATTORNEY MUST FILE A WRITTEN APPEAL IN SAID COURT AT: WORCESTER ON OR BEFORE TEN O’CLOCK IN THE MORNING (10:00 AM) ON: 5/4/2024

YOU ARE ENTITLED TO THE APPOINTMENT OF AN ATTORNEY IF YOU ARE AN INNOCENT PERSON. An indigent person is defined by 92C RULE 3-10. The definition includes but is not limited to persons receiving AFDC, EAJEC, poverty related veteran’s benefits, food stamps, refugee resettlement benefits, medical, and SSI. The Court will determine if you are indigent. Contact an Assistant Indigent Case Manager/Administration Clerk of the Court on or before the date listed above to obtain necessary forms.

WITNESS, Hon. Lalah A. Kanny, First Justice of this Court

Date: February 9, 2024

Christopher K. Patruno, Register of Probate

Boston Globe

February 29, 2024

The Bulletin

Steward continued from page 1

control of a failing but needed hospital, or health center, or running home or other needed facility,” he said. “Hospitals have to be recognized, other caregivers have to be recognized, as essential sources of protection for our health and as essential community resources. Not as chips in a poker game.”

Sager said the state “already has enough money.”

“Spending on Massachusetts hospitals this year will around $45 billion,” he said. “Total spending on healthcare in the Commonwealth? About $125 billion. That’s almost $80,000 per citizen of the Commonwealth. We only have to mobilize a tiny share of that money to protect all needed hospitals and caregivers.”

The legislature needs to enact a law establishing a new hospital stabilization trust fund. It should be financed by the hospitals themselves by a one-quarter-of-one-percent assessment on all hospitals’ patient revenue, plus one percent assessment on interest, dividends, capital gains or other unearned income. That will raise $100 million from money already being spent, kind of an insurance pool.”

Sager said Maryland has already enacted similar legislation and funding mechanisms decades ago and it has been working well with at least that comes to hospitals shutting down. And he pointed out there is current legislation in the state of Massachusetts to include a system, which can be found at https://tinyurl.com/3yjkw7v7

Steward announced on Friday as well that it has a stabilization plan (http://tinyurl.com/3yjkw7v7). It includes an agreement with lenders that includes a $150 million cash infusion, and it is planning on selling its plans to Cerberus, which, according to The Boston Globe, has been used to go to vacation spots in the Caribbean and Mediterranean (http://tinyurl.com/4yuvdpkw).

Steward’s plan includes the initiation of “referral fees” to current staff of up to $40,000 per hired employee. The plan also included retaining Alix Partners to “advise on restructuring of Steward to better support their hospitals and continue to deliver high-quality care in community settings.”

Alix Partners, at least according to Wikipedia, is a consulting firm best known for its work in the “turnaround space.”

The firm’s list of clients includes some of the largest Chapter 11 organizations, including General Motors, Kmart and Enron.

Congress people Liz Warren, Ed Markey, and other members of the Massachusetts Congressional Delegation sent a similar demand to Cerberus, Steward’s owner about its sale of the company for $800 million about three years ago.

“We are particularly concerned about the extent to which Cerberus and its affiliates literally stripped out and sold the property from under underneath these hospitals, creating hundreds of millions of dollars in profits for private equity ex-ecutives, while leaving the state’s facilities with long-term liabilities that are magnifying – if not creating – the current crisis,” he said in a statement.

Rumors have been circulating since at least the fall that Steward’s owner has sold or is looking to sell their MA hospitals, but nothing had been confirmed until last week, when Steward stated in a Boston Globe article that it has been looking to transfer ownership of its Massachusetts hospitals.

Congressman Stephen F. Lynch recently toured the hospital construction site in New Bedford and said a normal work stoppage that took place last fall started when Steward stopped paying vendors in the summer of 2023. He pointed out that Steward has received more than $150 million in federal funding for its Massachusetts operations.

In Boston and Brockton, Steward’s financial difficulties have already led to a merger and in two deaths, one at each facility, due to supply shortages and wait times respectively. Healey’s Office said if and when Steward does shut down the state, it will have to be an orderly transition with no lapse in care as the loss of any hospital it operates would be catastrophic.
Hockey game. There will be time to address it.”

The ACA also discussed the BPDAs’s new project for 113 N. Beacon St., which is now coming before the Zoning Board of Appeals (ZBA).

Development attorney John Pulgini, of Pulgini & Norton, said the plan is for 76 units of condominium housing with 45 garage parking spaces, 76 residential bicycle parking spaces and about 2,890 square feet of ground floor space.

The project has already gone under BPDA public process, and has had several meetings before the BPDA approved the project in December.

Pulgini said they went to the ACA to garner more support for the project.

While ACA members agreed the homeowner-starved neighborhoods of Allston (12 percent homeownership rate in 2019) and Brighton (22 percent) could use more condo units, some were reticent on the design and layout.

“I really like the first floor treatment, what it looks like and the landscaping efforts, but I have to say, after the first floor there is really nothing appealing from the visual aspects of the project,” said member Thomas Lally. “I’m not a fan of the use of colors, the wall treatment – I don’t know the terminology I’m not a designer – but I’m kind of disappointed. It’s borderline ugly if you want my opinion. I would hope you do something.”

Pulgini said the Article 80 Process has the BPDA dictating what its designers would like to see in textures and outer layers of the building. “The color of the building will more than likely change as the BPDA Design Review process continues after approvals at ZBA,” he said. “That will be worked out and I tend to agree with you in some respects Tom.”

Member Thomas Leonard asked about leaving space for food pick ups and drop offs, package drop offs and rideshare parking.

“In this general area of Guest Street, we’ve had some issues with no parking spots for delivery drivers,” he said. “I’m thinking Mainly Burgers, Cumbi Cookies; both highly successful establishments but there is no place for the delivery drivers to park. We constantly hear of double parking on Guest Street all the time and that’s why. It just wasn’t thought of.”

For more information on the ACA and to see full meetings, go to http://www.allscontroscopyassociation.org

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Belgrade Ave., continued from page 3

And most notably, the 126,000-square-foot, 123-unit building at 361 Belgrade Ave. was approved last March. That location has a long history of opposition. In fact, as far as this newspaper knows, GBANA has not officially met since the school for 131 N. Beacon St., which is soon coming before the Zoning Board of Appeals (ZBA).

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