

OFFERED BY COUNCILOR SHARON DURKAN



CITY OF BOSTON IN CITY COUNCIL

IN THE YEAR TWO THOUSAND TWENTY FIVE
HOME RULE PETITION

An act authorizing the granting of highway easements to, or taking of highway easements by, the City of Boston acting by and through its Public Improvements Commission, which are currently owned by the City of Boston acting by and through its Parks and Recreation Department, for the purpose of the construction of a reconfigured Joslin Place, a City of Boston public right-of-way, to improve vehicular and pedestrian safety along Brookline Avenue in the Longwood Medical and Academic Area of the City of Boston, and to permit the temporary use of Joslin Park for construction of the reconfigured right-of-way, the reconfigured Joslin Park and the building at One Joslin Place.

WHEREAS, The reconfiguration of Joslin Place and the redesign of Joslin Park will improve pedestrian, bicycle, transit, and emergency vehicle circulation in the Longwood Medical and Academic Area by consolidating multiple misaligned intersections into a single, safer intersection aligned with Jimmy Fund Way, thereby advancing public safety and access for residents, patients, workers, and visitors; *and*

WHEREAS, The redesign of Joslin Park will result in an expanded and enhanced publicly accessible open space, increasing the size of the park by approximately 1,300 square feet and transforming the only publicly owned park in the Longwood Medical and Academic Area into a more functional and accessible public realm resource consistent with the historic intent of its dedication; *and*

WHEREAS, The authority of the General Court is required for the City of Boston to grant or obtain a highway easement for the reconfiguration of Joslin Place and the use of the existing Joslin Park for construction purposes pursuant to Article 97 of the Amendments to the Constitution of the Commonwealth; *and*

WHEREAS, Authorizing the City of Boston to grant a highway easement or permit the taking of a highway easement to the City of Boston of a portion of that certain parcel of land known as Joslin Park for the construction of a reconfigured Joslin Place and for temporary use of Joslin Park for construction purposes; *and*

WHEREAS, The proposed reconfiguration of Joslin Place and Joslin Park and the temporary construction use have been approved by a unanimous vote of the Boston Parks

and Recreation Commission and the layout of such highway easement and related discontinuances and other associated actions will be subject to review and approval of the Boston Public Improvement Commission; *and*

WHEREAS, The Boston City Council hereby delegates to the Mayor of the City of Boston any and all authority over the City property either included in this vote or otherwise necessary in order to advance the purpose of this vote, including but not limited the provision to the General Court and state agencies, if required, of all necessary plans required for the granting or taking of easements over said land. A two-thirds vote of the Boston City Council is required for the filing of such a petition for special legislation; ***NOW, THEREFORE BE IT***

ORDERED: That a petition to the General Court to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill unless the Mayor of the City of Boston approves amendments to the bill before enactment by the General Court. The Mayor is hereby authorized to approve amendments to this bill, all of which shall be within the scope of the general public objectives of this petition.

PETITION FOR AN ACT AUTHORIZING THE GRANT OF EASEMENTS IN OR TAKINGS OF CERTAIN PARCELS OF LAND TO THE CITY OF BOSTON

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The City of Boston, acting by and through its Parks and Recreation Commission may grant a highway easement to the City of Boston Department of Public Works for roadway purposes or permit the City of Boston Department of Public Works, acting by and through its Public Improvements Commission, the granting to or taking of a highway easement for roadway purposes, over a portion of that certain parcel designated as City of Boston Assessors' Parcel No. 0401966000, which is known commonly as Joslin Park (and which is bounded by Brookline Avenue, Joslin Place, Pilgrim Road and Deaconess Road), such portion measuring approximately 3,654 square feet, and which area is depicted as the "Highway Easement Area" on the certain plan of land entitled "1 Joslin Place, Brookline Avenue, Boston, Massachusetts Article 97 Change in Use Exhibit C-1", dated October 24, 2025, and prepared by VHB, Inc., which Plan is on file with the City of Boston Parks and Recreation Commission (hereinafter "Exhibit C-1"), to facilitate the construction of a new cancer hospital and associated site work and public benefits (including improvements to the adjacent Joslin Park), and, in connection therewith, authorize the temporary use of Joslin Park in connection with the construction of the roadway improvements contemplated by the granted highway easement, the construction of the reconfigured Joslin Park, and the construction of the new cancer hospital and related improvements on the abutting property at One Joslin Place, all of which is to be constructed by the owner of One Joslin Place and its air rights leasehold tenant.

SECTION 2. As a condition of and consideration for said transfer or taking, and to ensure no net loss of land subject to Article 97 of the Amendments to the Constitution of the

Commonwealth, the City intends to (a) acting by and through its Public Improvements Commission, abandon its easement rights in and to that portion of Deaconess Road, a City of Boston public street, measuring approximately 1,516 square feet, which parcel of land is designated as “City Area to Park Area = 1,516 SF” on said Plan, (b) on behalf of its Public Improvements Commission, abandon its easement rights in and to that portion of Joslin Place, a

City of Boston public street, measuring approximately 2,378 square feet, which parcel of land is designated as “City Area to Park Area = 2,378 SF” on said Plan, (c) on behalf of its Public Improvements Commission abandon its easement rights in and to two (2) portions of Joslin Place, City of Boston public street, measuring approximately 189 square feet in the aggregate, which parcels of land are designated as “Joslin Place Area to Park Area (Typ) – From Owner of Joslin Place” on said Plan, (d) on behalf of its Public Improvements Commission, abandon its easement rights in and to that portion of Joslin Place, a City of Boston public street, measuring approximately 920 square feet, which parcel of land is designated as “Shared Path Subject to Pedestrian and Maintenance Long-Term License or Other Legally Enforceable Means Area 920 SF” on said Plan, and (e) following the City’s abandonment of the aforementioned portions of Joslin Place, accept a deed from Joslin Diabetes Center, Inc., or the then owner of that certain parcel designated as City of Boston Assessors’ Parcel No. 0401988001, which is known commonly as 415-435 Brookline Avenue, of those certain portions of the former Joslin Place, comprised of the areas referenced in clause (c) and the portion of the area in clause (d) owned by the owner of such parcel, and which conveyance shall (i) be to a depth of no less than 12 inches below the designed finished surface grade, including those changes contemplated in the “Article 97 Change in Use Plan,” prepared by VHB, Inc., dated October 24, 2025 ; and (ii) subject to customary license approval by the Parks Department, shall provide that the owner of the 415-435 Brookline Avenue shall have the right, directly or through third party utility providers, to maintain, repair, replace, and reasonably relocate utilities, in the subsurface areas retained by such owner and such owner shall have the right, directly or through third party utility providers, to disturb the surface of the park land to maintain, repair and replace such utilities, from time to time, provided that the owner, and provided that the owner, or such third party utility provider, restore the surface above the utilities, including all paths, plantings and other park infrastructure disturbed by the installation; all of which land conveyed pursuant to clauses (a), (b), (c) and (d) shall be held by the City of Boston under the care, custody, and control of the Parks and Recreation Commission, for public park and recreational purposes subject to said Article 97.

SECTION 3. No document or instrument conveying or taking a highway easement in the approximately 3,654 square feet authorized in Section 1 shall be valid unless and until (i) the City of Boston Public Improvements Commission delivers an instrument abandoning the easement rights in and to the “City Area to Park Area = 1,516 SF”, consisting of approximately 1,516 square feet, the “City Area to Park Area = 2,378 SF”, consisting of approximately 2,378 square feet, and the “Shared Path Subject to Pedestrian and Maintenance Long-Term License or Other Legally Enforceable Means Area 920 SF”, consisting of approximately 920 square feet; and (ii) Joslin Diabetes Center, Inc., or the then owner of that certain parcel designated as City of Boston Assessors’ Parcel No. 0401988001, which is known commonly as 415-435 Brookline Avenue, has delivered a deed to the City conveying the two (2) areas depicted on the Plan as “Joslin Place Area to Park Area (Typ) – from Joslin Place Owner”, consisting of 189 square feet in the aggregate, and the portion of the area depicted as “Shared Path Subject to Pedestrian and Maintenance Long-Term License or Other Legally Enforceable Means Area 920 SF” owned by

said owner of 415-435 Brookline Avenue, which deed shall be to a depth of no less than 12 inches below the designed finished surface grade immediately following the completion of construction of the initial park improvements on such real estate, the fee ownership of such subsurface area shall be retained by the owner of the parcel identified as 415-435 Brookline Avenue above; all of which shall, upon abandonment of the existing roadways easements by the City of Boston, acting on behalf of its Public Improvements Commission, and upon transfer to the City of Boston by Joslin or the then owner, such parcels shall be held and maintained by the Parks and Recreation Commission solely for public park and recreational purposes, consistent with the provisions of Article 97 of the Amendments to the Constitution of the Commonwealth.

SECTION 4. The square footages contained in Sections 1, 2 and 3 above, and reflected in Exhibit C-1 are approximate and are subject to final changes that may occur during permitting, approvals and actions by the City of Boston, including the Public Improvement Commission, with regard to the roadway reconfiguration and layout and the construction of the reconfigured roadway and reconfigured Joslin Park, and such revisions to the areas identified in Sections 1, 2 and 3 above, and reflected in Exhibit C-1, shall be authorized by this Act, provided, that, in no event shall the aggregate square footage of the land to be conveyed to the City of Boston Parks and Recreation Department for Article 97 identified in Section 2 and 3 above, and reflected in Exhibit C-1, be less than the square footage of the Highway Easement Area identified in Section 1, as the same may be modified pursuant to this Section 4.

SECTION 5. This act shall take effect upon passage.

Filed on: November 17, 2025