

City of Boston BERDO Review Board  
Public Meeting Minutes  
Zoom Virtual Meeting  
October 28, 2024, at 4:30 pm  
[View recording here](#)

**Board Members in Attendance:** Rashida Boyd, Councilor Gabriela Coletta Zapata, Stephen Ellis, Hessann Farooqi, Gail Latimore, and Jack Nelson.

**Board Members not in Attendance:** Lovette Jacobs

**Staff Present:** Hannah Payne, Diana Vasquez, and Dr. Claudia Diezmartinez.

**Others:** Approximately fourteen (14) members of the public attended this meeting.

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**Motion to Nominate Acting Chair**

**4:34 pm:** Environment staff D. Vasquez led a vote for Acting Chair. Board Member S. Ellis made a motion to nominate Board Member H. Farooqi to serve as Acting Chair. Board Member J. Nelson seconded the motion. All Board Members in attendance (5) at the time were in favor. The motion carried at 4:35 pm.

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**Call Meeting to Order**

**4:35 pm:** A meeting of the Building Emissions Reduction and Disclosure Ordinance, hereafter referred to as (BERDO), within the Air Pollution Control Commission, was called to order on October 28 at 4:35 pm. This meeting was held virtually.

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**Roll Call**

**4:36 pm:** The following BERDO Review Board members were in attendance: Acting Chair Hessann Farooqi, Rashida Boyd, Stephen Ellis, Gail Latimore, and Jack Nelson.

The following Environment Department staff were in attendance: Hannah Payne, Diana Vasquez, and Dr. Claudia Diezmartinez.

**Others:** Approximately fourteen (14) members of the public attended this meeting.

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**First Agenda Item: Vote on Flexibility Measure Applications**

**4:37 pm:** D. Vasquez gave an update on the City of Boston's Building Portfolio application.

**4:39 pm:** D. Vasquez presented information and details about Emerson College's Building Portfolio application.

**4:40 pm:** Board Q&A Session

**4:42 pm:** Councilor Coletta Zapata joined the meeting

The Board had no questions.

**4:43 pm:** Board Member G. Latimore made a motion to approve Emerson College's Building Portfolio application with standard conditions. Board Member S. Ellis seconded the motion. All board members in attendance (6) voted in favor. The motion carried at 4:44 pm.

**4:44 pm:** D. Vasquez presented information and details about the Boston Center for the Arts Building Portfolio application.

**4:45 pm:** Board Q&A Session

- S. Ellis asked why the Boston Center for the Arts is seeking a Building Portfolio given that the calculated blended emissions standards are equal to the default emissions standards.
  - E. Floyd answered that the Building Portfolio will help with flexibility as the Boston Center for the Arts complies with BERDO.
- H. Farooqi asked if there are any additional challenges the Boston Center for the Arts sees in complying with BERDO
  - E. Floyd answered that she sees no challenges at this time with complying with BERDO.
- G. Latimore asked for clarification about the food sales & services part of the proposed Building Portfolio.
  - E. Floyd explained that the Boston Center for the Arts is leasing space for a restaurant.
- S. Ellis asked if the lessees are aware of BERDO and how the Boston Center for the Arts is working with lessees to comply with BERDO.
  - E. Floyd explained that the Boston Center for the Arts' emissions are below the emission standards and that they have been engaged with the lessees to discuss future plans to comply with BERDO.

**4:53 pm:** Councilor G. Coletta Zapata made a motion to approve the Boston Center for the Arts' Building Portfolio application with standard conditions. Board Member R. Boyd

seconded the motion. All board members in attendance (6) voted in favor. The motion carried at 4:54 pm.

**4:55 pm:** D. Vasquez presented information about Individual Compliance Schedules (ICS).

- S. Ellis asked for an example of a special condition for an ICS.
  - D. Vasquez provided the example that if an applicant has not completed reporting, the Review Board could set a special condition for approval that the applicant submit missing reporting data for the last year.
- G. Latimore asked for confirmation that a Building Portfolio could have an ICS.
  - D. Vasquez explained that an ICS would apply to all the buildings in an approved Building Portfolio.

**5:03 pm:** D. Vasquez presented information and details about Roxbury Highlands' ICS application.

**5:04 pm:** Board Q&A Session

- G. Latimore asked if the property is affordable housing and if the owner owns other BERDO buildings.
  - P. Lewis confirmed that the property is affordable housing.
  - W. Lippincott explained that there are three buildings on the site and Roxbury Highland is the only building subject to BERDO.
- H. Farooqi asked why Roxbury Highlands is seeking an ICS.
  - P. Lewis explained that there has been some upgrading of the building's heating and domestic hot water system but the building still needs an ICS to comply with BERDO.
  - W. Lippincott added that the ICS gives the building some time to come up with a plan to comply.
- H. Farooqi asked if Roxbury Highlands foresees any challenges in complying with BERDO.
  - W. Lippincott answered that the building is a brownstone with antiquated controls and it will need a deep energy retrofit to comply fully with BERDO.
- S. Ellis asked how long Roxbury Highlands has owned this property.

- P. Lewis answered that he does not know the exact year the property was bought, but his management company has managed the building since 2021.
- S. Ellis asked if any other baseline year was considered for the ICS.
  - W. Lippincott explained that 2021 was chosen because of historic data availability. The utility companies can only provide data from 3 years back and energy usage was higher in 2021.
- S. Ellis commented that there might be difficulty acquiring data and the City has taken into account how difficult it might be for owners to acquire historical data.
  - H. Payne acknowledged that there might be difficulties with getting historical data and the City is aware of that problem.
- H. Farooqi asked if any utilities are not controlled by tenants on the property.
  - W. Lippincott answered there is a house electric meter and all heating is paid for by the owner.
  - H. Farooqi asked a follow-up question if the owner has opted in to BCCE Green 100 Option for electricity.
  - P. Lewis answered that Roxbury Highlands uses another third-party supplier.
- G. Latimore commented that the tenants should be aware of the different resources available for electricity and decarbonization.
- S. Ellis asked if the City could ask the utility companies to keep 2021 historical use records.
  - H. Payne answered that the City has been in talks with the utility companies to do that but recognizes there are challenges due to their billing system.

**5:22 pm:** Board Member S. Ellis made a motion to approve Roxbury Highlands' ICS application with standard conditions. Board Member G. Latimore seconded the motion. All board members in attendance (6) voted in favor. The motion carried at 5:23 pm.

**5:23 pm:** D. Vasquez presented information and details about the Mass. Bay Brewing Co, Inc.'s ICS application.

**5:24 pm:** Board Q&A Session

- S. Ellis asked what is the relationship between Mass. Bay Brewing and the Economic Development and Industrial Corp of Boston.
  - J. Beery explained that Mass Bay Brewing is on a 50-year lease with the Economic Development and Industrial Corp of Boston.
- S. Ellis asked why Mass Bay Brewing chose 2019 as their baseline year.
  - J. Beery answered that 2019 reflects a normal production year since 2020, production has decreased due to COVID.
- S. Ellis asked what significant emissions reduction efforts had been taken.
  - J. Beery answered that Mass Bay Brewing has invested in looking into technology advancements to decrease the amount of energy being used in the brewing process.
- H. Farooqi asked if there are any challenges Mass Bay Brewing foresees with complying with BERDO.
  - J. Beery answered that not currently but they are studying the industry to see what advancements have been made.
- G. Latimore asked what other brewing companies are doing in terms of energy efficiency and emissions reductions.
  - J. Beery answered that the new heat exchanger system that was installed is a big step toward energy efficiency and came from what other companies are using.
- J. Nelson asked if Mass Bay Brewing has had a consultant develop a decarbonization plan.
  - J. Beery answered that they have engaged RPM but will need to get back to the Review Board with the details.
- S. Ellis asked how confident Mass Bay Brewing is that they will hit the emissions targets without a concrete decarbonization plan.
  - J. Beery explained that since he is a new employee he does not have the specific details but he will be more than happy to provide the details after talking with his supervisors.

**5:46 pm:** Board Member G. Latimore made a motion to continue Mas. Bay Brewing Co, Inc.'s ICS application to the next meeting to allow the applicant to gather responses to the questions asked by the Review Board and share at the following hearing. Councilor G.

Coletta Zapata seconded the motion. All board members in attendance (6) voted in favor. The motion carried at 5:47 pm.

**5:50 pm:** D. Vasquez presented information and details about The Community Builders' ICS application.

**5:51 pm:** Board Q&A Session

- G. Latimore asked if The Community Builders have other BERDO-eligible buildings.
  - W. Lippincott answered that 15 buildings are BERDO eligible and the majority of them will be included in a Building Portfolio.
- H. Farooqi asked how the utility accounts are structured for the building.
  - M. Hipson explained that The Community Builders pay for the water and heat of the building.
- H. Farooqi asked if The Community Builders have looked into renewable energy or BCCE.
  - M. Hipson answered that the building is in a power purchase agreement with solar on the roof of the building. There is also a bulk purchase agreement in place until 2026 to save on utility costs.
- H. Farooqi asked how the ICS would be beneficial to the building.
  - W. Lippincott answered that there has been a deep retrofit of the property but there is still a low Energy Star Portfolio Manager score. The ICS would allow for flexibility as they investigate why there is still such high energy use.
- H. Farooqi asked if there would be any additional challenges to comply with BERDO.
  - W. Lippincott explained that affordable housing always comes with the challenge of increasing the costs for tenants.
  - M. Hipson added that there is the challenge of cost when trying to buy the cleanest energy versus the cheapest energy.
- S. Ellis asked if the parking lot that was demoed was fully enclosed.
  - M. Hipson answered that he believes there was never a fully enclosed parking lot on site.

- S. Ellis asked why the demo certificate for the parking garage was included in the application.
  - W. Lippincott explained that the demo certificate was to explain the change in Gross Floor Area from 2019 to 2024 and to confirm it was less than a 10% reduction.

**6:07 pm:** Board Member J. Nelson made a motion to approve The Community Builders' ICS application with standard conditions. Board Member G. Latimore seconded the motion. All board members in attendance (6) voted in favor. The motion carried at 6:08 pm.

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### **Second Agenda Item: Approval of Meeting Minutes.**

**6:08 pm:** The Review Board voted on approving the [October 15 Meeting Minutes](#). Board Member J. Nelson made a motion to approve the meeting minutes. Board Member S. Ellis seconded the motion. All Board Members in attendance voted in favor. The motion carried at 6:09 pm.

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### **Third Agenda Item: Administrative Updates**

**6:09 pm:** D. Vasquez shared the number of building portfolios and ICS applications. The City has received two resubmissions from the long-term hardship compliance plan applicants. Jessica Boatright has been selected by the Mayor and her nomination will be referred to the City Council. The annual BERDO tenants' meeting will be on December 9.

The November 11 Review Board meeting was moved to November 12 due to Veteran's Day.

The next meeting is scheduled for November 12.

- G. Latimore asked if there are any materials the City has put together to share about the Tenants Meeting.
  - D. Vasquez answered the materials are in the works right now and will be shared soon.
- G. Latimore commented that she would like to discuss the agenda for the Tenants Meeting further.
  - D. Vasquez suggested adding an agenda item to the November 12 Review Board meeting to discuss the Tenants Meeting.

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## **Meeting Adjournment**

**6:21 pm:** Board Member G. Latimore made a motion to adjourn the meeting. Board Member J. Nelson seconded. All board members in attendance (6) voted in favor. The motion carried at 6:22 pm.