

RICHARD (“R.J.”) LYMAN



R.J. Lyman is one of Massachusetts’ leading environmental, land-use, and real estate lawyers. He represents developers, investors, and other stakeholders in commercial and industrial, energy and infrastructure, and residential and eleemosynary projects. His expertise is deepest in complex permitting matters, building on his service as a senior policy-maker overseeing regulatory reform under two Massachusetts Governors.

R.J. brings an unusually broad set of professional experiences to his practice, including as an equity partner of Goodwin Procter LLP for over a decade, as President and COO of an energy project development company leading to its successful sale, as a lobbyist at Boston’s then-most prominent and successful firm, as a former senior government official, and as trusted advisor to several national, state, and local political candidates.

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Professional Activities and Honors

- Founding Chair & Senior Advisor to Governor Bill Weld, Weld 2020 Presidential Campaign Committee, Boston, MA and Manchester, NH (2019 – 2020)
- Chair, Massachusetts Environmental Trust (appointed by Baker Administration), Boston, MA (2018 – present)
- Director, Niskanen Center, Washington, D.C. (2017-present)
- Senior Advisor, ML Strategies, Boston, MA (2014 – 2019)
- Member, Baker/Polito Finance Committee, Boston, MA (2013-present)
- Director Woodwell Climate Research Center, Woods Hole, MA (2013-present)
- President & Chief Operating Officer, General Compression, Inc., Newton, MA, Ann Arbor, MI, and Hobbs, NM (2012 – 2014)
- General Counsel, General Compression, Inc., Newton, MA, Ann Arbor, MI, and Hobbs, NM (2011 – 2012)
- Board Chair & Director, New England Hydropower Company, Beverly, MA (2011 – 2015)
- Habitat for Humanity Greater Boston, Distinguished Service Award (2012)
- Advisor, Tisei for Congress, Wakefield, MA (2012-2014)

Education

Vermont Law School J.D. *magna cum laude*, 1993

Harvard College B.A. *cum laude* in History, 1986

Bar & Court Admissions

Mr. Lyman is admitted to practice in Massachusetts (1994).



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Professional Activities and Honors, cont.

- Advisor, Baker/Tisei Campaign, Boston, MA (2009 – 2010)
- National Association of Industrial & Office Properties, Massachusetts Chapter, Public Service Award (2002)
- Home Builders Association of Massachusetts, Annual Keynote Award (1998)
- Equity Partner, Goodwin Procter LLP (f/k/a Goodwin, Procter & Hoar), Boston, MA (1998 – 2011)
- Assistant Environmental Secretary & MEPA Director, Commonwealth of Massachusetts, Boston, MA (1995 – 1998)

Publications and Presentations

- Author, “MEPA Review,” *Massachusetts Environmental Law* (MCLE, 4th – 6th [present] eds.)
- Co-Editor & Author, *Massachusetts Environmental Law Handbook* (Government Institutes, 3rd ed.)

Representative Experience

- Represented owner-operator and developer of logistics facilities in project to be configured in one or three buildings depending on tenant demand in connection with rezoning, project permitting, and determining jurisdiction for state-level environmental review and highway access permitting.
- Represented developer of speculative, three-building, ca 900,000 sf logistics park on former quarry site, requiring additional, out-parcel acquisitions (and associated wetlands permitting) and Land Court de-registration of certain parcels before subdivision.
- Representing build-to-suit developer of 2.8 million square foot robotics sortation fulfillment center on a roadway corridor newly-prioritized for industrial and commercial development (including by rezoning to allow 100 building height) near two of the region’s major interstate highways, with significant environmental review, federal and state wetlands issues, electric utility service for on-site vehicle charging stations, rooftop solar PV generation, and conventional loads for a substantial warehousing facility.
- Represented fee-for-services developer of 150,000 square foot build-to-suit distribution center for a prominent, national, on-line retailer in connection with disputed jurisdiction for state-level environmental review and state highway layout access, with potentially precedential policy implications for scores of other, concurrent projects for that retailer.
- Advised independent transmission developer pursuing off-shore projects in securing land rights strategically proximate to essential interconnection locations, in seeking or responding to RFP opportunities with ISO-NE and Massachusetts’ Department of Energy Resources, and in negotiating joint venture undertakings with off-shore wind project developers.



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Representative Experience, cont.

- Representation for over 20 years of owner/operator of waterfront live entertainment pavilion in connection with its Chapter 91 licensing, MEPA review, and other authorizations in a marine industrial park, including through mediated determination of applicability, legislative extension, and other unprecedented means to allow its operation in an otherwise prohibited location.
- Represented a prominent downtown Boston cultural institution in pursuing its first comprehensive campus redevelopment master plan and in responding to proposed adjacent development posing an existential threat to the institution during the Municipal Harbor Plan, MEPA, Article 80, Chapter 91, and related processes, and in direct negotiations.
- Represented of commercial- and utility-scale solar developer in maximizing vested rights for projects in process in response to proposed remapping to preclude development in areas with rare species habitat or other ecological values; protected 95+% of client’s portfolio.
- Advised NY-based, national, private investor in historic, architecturally and experientially distinctive properties in connection with disputes about its master lease and property tax liabilities with its over-landlord, the City of Boston, for a three-building, 200,000 sf historic retail marketplace and office property.
- Represented public REIT in connection with emergency issuance of non-traditional work plan authorization for asbestos abatement and disposal determined necessary in the midst of demolition of a multi-story parking garage before redevelopment into a luxury residential condominium tower; the approved plan avoided over \$2 million in premium handling and disposal costs.
- Represented the world’s largest real estate private equity firm in comprehensive revision of an antiquated master lease of retail, office, and other non-transit-programmed of a major metropolitan railway, subway, and bus hub facility; in the subsequent asset disposition, there was an estimated \$50 million price premium principally attributable to the lease revision.
- Represented owner of commercial waterfront building in successful raising and disposition of a novel regulatory issue, related to reconstruction of, and expansion on, pile fields remaining in tidal and submerged waterways, with implications in multiple coastal port areas.
- Represented multiple stakeholders in first-ever (from 1978 to 2015) de-designation of a Designated Port Area, which was accompanied (perhaps even prompted) by economic development opportunities, which were soon thereafter realized.
- Advised the region’s largest natural gas transmission provider in multiple system expansion and extension projects, requiring comprehensive environmental review, a novel approach to capacity contracting, administrative review, appellate litigation, and potential legislation.
- Represented publicly-traded REIT in all aspects of the then-largest ever mixed-use development project in Massachusetts, including 45-acre site assembly (including by purchase, land swap, and designation after eminent domain), master planning for 5+ million square foot program, and multiple public/private partnerships for new transit station construction, waterfront parkland development, and other infrastructure improvements.



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Representative Experience, cont.

- Represented owner of 120-acre office campus in comprehensive redevelopment involving demolition of all but one building, extensive site work, negotiation of electric transmission line relocation, and Route 128 corridor planning study.
- Represented owner of prominent waterfront parcel in successfully completing (after two prior failed attempts) Boston’s Article 80 and MEPA review, and Municipal Harbor Plan approval and Chapter 91 licensing, for 2.9+million square foot, nine building mixed use development.
- Represented owner of all resort facilities and undeveloped residential properties in Massachusetts’ largest master planned community, in successfully challenging jurisdiction asserted by the Cape Cod Commission, which would have reduced developable residential units by over 90%, and restrictions sought by private water company.
- Represented owner of substantial properties on Boston’s waterfront in obtaining authorization for existing commercial uses not eligible for Chapter 91 licensing in Designated Port Area and not exempt under amnesty or other regulatory allowance.
- Represented Massachusetts’ largest private landowner in tritown master planning, state environmental review and other pre-permitting for mixed use development of 6,500 acres.
- Represented, in DEP enforcement action, owner of 12-story downtown building to which a 13th story was being added without Chapter 91 licensing or other relevant state authorization, resulting in \$10,000 fine for addition with multi-million dollar net present value.
- Represented bidder for development rights on downtown Boston historic building, including integration with subsurface Central Artery/Tunnel easement rights and resolution of litigation with abutting property owner over adjacent passageway.
- Represented owner of 30 acres of historically industrial properties in Boston’s Seaport in master planning, City of Boston pre-permitting, MEPA special review procedure certification, and Chapter 91 licensing for multi-million square foot office, residential, and retail redevelopment.
- Represented developer of build-to-suit office property on last undeveloped parcel in the original suburban industrial park, requiring extensive, coordinated work on local and regional roadways (including the abutting interstate highway), all with compressed development timetable.
- Represented cultural institution in campus master plan, including state and local permitting, acquisition after eminent domain of additional, adjacent properties, and extensive historic preservation efforts, including state and federal review, and third-party litigation.

