

Ned Abelson

Director

nabelson@goulstonstorrs.com

Boston: +1 617 574 4082



Ned Abelson is a nationally recognized environmental lawyer who is known for his expertise in Brownfields redevelopment, transactional work, and environmental insurance. He has received praise from clients for his strong business sense, and his extensive knowledge with respect to environmental issues that affect real estate projects. Ned helps developers, investors, tenants and lenders maximize the value of and successfully manage potential risks associated with contaminated properties.

Ned was named "Lawyer of the Year" in Environmental Law by Best Lawyers® for 2020. He is recognized by *Chambers USA* as "an expert in his field.... According to peers, 'he is the Mr. Brownfields attorney of Massachusetts,' while clients describe him as 'a client-oriented lawyer with superlative communication skills.'"

As Co-Chair of NAIOP's Brownfields Redevelopment Subcommittee, Ned frequently works with the Massachusetts Department of Environmental Protection (MADEP) to shape its environmental policies so that they are protective while maximizing the ability of private sector parties to redevelop contaminated property successfully. Ned also has considerable involvement with vapor intrusion matters, in part based on his representation of the commercial real estate industry as a member of the MADEP's Superfund Advisory Committee and its Indoor Air Workgroup. Ned has frequently presented to industry leaders and environmental agency personnel at programs sponsored by organizations such as NAIOP, the ICSC, the USEPA, and the Greater Boston Real Estate Board.

Accolades

- *Lawyer of the Year, Best Lawyers in America*® (2012, 2020): Environmental Law
- "America's Leading Business Lawyers," Environment, Massachusetts, Chambers USA, 2003-2019 (Band 1 since 2006)
- *Best Lawyers in America*® (2006 - 2020): Environmental Law
- National Leading Environmental Lawyer 2019: Who's Who Legal
- Massachusetts Super Lawyers, 2004 - 2019

- Martindale Hubbell Peer-Review Rated AV Preeminent™
- International Who's Who Legal: Environment, 2012-2019
- Expert Guides | The World's Leading Lawyers | Environment, 2017-2018
- NAIOP Massachusetts, Government Affairs Award, 2011
- Invited to the White House to attend the announcement of Vice President Gore's Brownfields Action Agenda, 1997
- Interviewed by the Wall Street Journal, Boston Globe and National Public Radio concerning Brownfields and environmental insurance issues.

Affiliations

- Co-Chair, Brownfields Redevelopment Subcommittee, NAIOP Massachusetts Chapter
- NAIOP Representative, Massachusetts Department of Environmental Protection (MADEP) Superfund Advisory Committee
- Member, MADEP Indoor Air Workgroup
- Former Member, ULI Redevelopment & Reuse Council
- Founding Member and Former Policy Committee Co-Chair, Massachusetts Chapter, National Brownfields Association
- Former Chair, International Council of Shopping Centers (ICSC) Subcommittee on Environmental Issues
- Pro Bono work for the Lakeview Manor Tenant Association, Inc. from 1983 through 2012
- Former Chairman and Member, Board of Directors, New Ecology, Inc.

Admissions

- Massachusetts

Education

- University of Pennsylvania Law School (J.D., 1983)
- Brown University (B.A., *magna cum laude*, 1978)
 - Phi Beta Kappa

Representative Matters

Major Educational Institution - Environmental Matters in Connection with 14-Acre Parcel of Land in Kendall Square

Representation of a major educational institution regarding environmental matters in connection with its accepted bid of \$750M and its execution of an Exchange Agreement concerning its future acquisition of part of a valuable 14-acre parcel of land located in the Kendall Square area of Cambridge. The land is currently owned and used by the federal government. The educational institution is to construct a significant replacement facility, which will be turned over to the federal government after its completion, then allowing the institution to acquire and redevelop the remaining portion of the 14-acre parcel as a major mixed use project.

Sale of Contaminated Property Located Upgradient of Reservoir

Representation of the seller in the \$24M full price sale of a significantly contaminated commercial property that is located upgradient of a major reservoir.

Environmental Counsel in \$1.725B Sale of Malls to Simon Property Group Joint Venture

Counsel in environmental matters to one of the premier real estate development and management companies in New England concerning its development, financing and subsequent \$1.725B portfolio sale of 14 regional malls to a Simon Property Group joint venture.

Brownfields Developer Representation

Representation of a regional Brownfields developer, including contractual risk allocation, environmental insurance and regulatory guidance work.

Placement of the First Massachusetts Brownfields Pollution Legal Liability Environmental Insurance Policy

Representation of the seller/named insured in connection with the placement of the first Massachusetts Brownfields Redevelopment Access to Capital Program pollution legal liability environmental insurance policy.

Analysis of Impact and Benefits of Enacted Massachusetts Brownfields Bill

Worked closely with leading state legislators to analyze impacts and benefits of the then proposed and now enacted Massachusetts Brownfields bill.

Redevelopment of Kendall Square Properties

Ongoing representation of significant educational institution in connection with its redevelopment of an assemblage of property located in Kendall Square in Cambridge, MA. The firm assisted in successfully gaining the City's approval for the planned unit development to revitalize this formerly commercial and industrial land. Ned's environmental work focuses on Massachusetts Contingency Plan matters, contaminated soil management, structuring issues associated with minimizing environmental risk, and planning for a possible Massachusetts Brownfields tax credit application.

Client Testimonials

"I've worked with Ned for 16 years on all environmental matters at our firm. Ned has a keen ability to highlight the risks but advise with a business sense in getting to a feasible solution with the

appropriate level of risk mitigation. Ned raises issues and concerns with a 'get to yes' approach."
Leslie Cohen, Samuels & Associates

"I have worked with Ned Abelson throughout the 20 years I have worked for my company. His input and advice have been invaluable with respect to all of our environmental matters. I can't speak highly enough... he is not only extremely responsive, but the responses are substantive, on point, and unerring." Kathy Doukas, New England Development

"Ned brings a rare combination of technical savvy, practical wisdom, and human approachability to his work. In my decade's long experience, he quickly comprehends complex situations and is frequently the first to articulate the best solutions for resolving difficult challenges. Ned has been a strong positive contributor on all of our joint projects." Jim Okun, O'Reilly, Talbot & Okun Associates, Inc.

Client Service Distinctions

Ned's clients appreciate his ability to translate complex legal issues and environmental matters into understandable and relevant business information that helps them make solid decisions.

Publications

September 13, 2018

Viewpoint: 20 years later, Brownfields Act remains a pioneering policy

Boston Business Journal

July 9, 2018

Get Your Mass. Brownfields Tax Credits For 5 More Years

Law360

June 19, 2018

Are You Getting All of Your Brownfields Tax Credits?

February 12, 2018

Statute of Limitations for Massachusetts Hazardous Waste Property Damages Claims Clarified (And, Possibly, Extended)

May 1, 2017

The Massachusetts and New York State Brownfields Tax Credit Programs: What Works and What Doesn't

News

August 26, 2019

Allison C. Prince, Ned Abelson, and Phil T. Feola Named "Lawyer of the Year" by Best Lawyers® for 2020

May 17, 2019

26 Goulston & Storrs Attorneys Receive Top Chambers USA 2019 Rankings

August 15, 2018

Phil T. Feola, Matthew J. Kiefer, and Richard M. Zielinski Named "Lawyer of the Year" by Best Lawyers® for 2019

September 15, 2017

UPDATE: 2017 Chambers Guides Recognize 11 Market-Leading Goulston & Storrs Practices and 33 Leading Individual Lawyers

August 15, 2017

41 Goulston & Storrs Lawyers Recognized by Best Lawyer for 2018

Events

August 15, 2018

Panelist, "Killer Queen Contracts (Real Estate & Environmental Committee)," Surplus Property Roundtable

Cleveland, Ohio

December 2016

Speaker, "New MCP Guidance & Its Impact on Development," NAIOP Hot Off the Hill: Government Affairs Roundup

April 2016

Speaker, "EBC Site Remediation & Redevelopment Program: Critical Importance of Risk Communication," Environmental Business Council New England, Inc.