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Via email to [andrea.langhauser@state.ma.us](mailto:andrea.langhauser@state.ma.us)  
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Ben Lynch  
Program Chief  
Waterways Regulation Program  
Department of Environmental Protection  
One Winter Street, 5th Floor  
Boston, MA 02108

Re: Supplemental Information and License Request for the Pier 4 Phase 3  
Waterways License Application

Dear Mr. Lynch,

On behalf of Boston Harbor Now, thank you for the opportunity to comment on the Chapter 91 supplemental information and license request application for the Pier 4 Phase 3 project submitted 140 Northern Avenue, LLC on April 28, 2016. Boston Harbor Now, a new non-profit civic organization formed from the merger of The Boston Harbor Association and the Boston Harbor Island Alliance, brings more than six decades of waterfront, open space and recreational experience together to maximize recreational, cultural and social opportunities in and around Boston Harbor; promote an integrated water transportation system and foster mixed economic development that will be a model for climate change resiliency. Our specific comments follow.

### **Project Description**

The phase 3 project represents the third and final phase of Pier 4 authorized under the Pier 4 Chapter 91 Consolidated Written Determination issued August 1, 2006. The phase 3 residential building includes a mixed use 9-story structure with ground floor retail, restaurant space, upper level residential units, and two levels of underground parking.

The structure is approximately 24,873 SF and 100 feet tall not including the roof-top mechanicals and non-habitable access structures.

The redesigned structure will increase the total amount of public open space (to the sky) by approximately 453 SF and further enhance the pedestrian-only open space. While it proposes to reduce the size of the ground floor, the redesigned building will increase net new shadow over the north side watershed by 376 SF. In exchange, the proponent will provide a number of offsets to mitigate for the net new shadow.

### **Public Benefits**

Prior plans for the site contemplated separate garages and entrances for the Phase 2 and Phase 3 buildings. In the new design, the combination of the Phase 2 and Phase 3 garage eliminates the need for a driveway and garage entrance on the Phase 3 site providing an additional 8,467 SF of public space underneath a structural awning and partially outdoors. Because this new seating was not included in the original open space calculations, the covered space does not affect the 2:1 standard required by the South Boston Municipal Harbor Plan. This hybrid covered-open space has the added benefit of enlarging the outdoor area for use by the public and creating a buffer from both the elements and the residential units directly above the ground-floor.

19,876 SF of space on the project site is dedicated to facilities of public accommodation including retail, restaurants, ground-floor public restrooms, a through-building public passage, and public lobby. The proposed ground level spaces facing the Waterfront Plaza, Sea Steps, HarborWalk, and Waterfront Park will integrate with the exterior patios and terrace seating to truly meld the landside public benefits with the Harbor to create an interactive waterfront.

This project has creatively included public access to the water sheet and the water's edge as an integral part of the transient public's experience of the overall project site. We applaud their efforts to provide programming and public amenities that encourage the public's use and enjoyment of the waterfront on a year-round basis. CAE, as the entity responsible for the implementation, management, maintenance, and control of the Public Realm will play an important role in ensuring the common areas of the project are a continued success. Part of this success includes maintaining adequate signage at appropriate locations to advise the public of its access rights and disclose access-related regulations.

### **Open Space and Public Realm Improvements**

The combined open space for the three phases of Pier 4 is 142,958 SF and includes a waterfront park, waterfront plaza, Sea Steps, plaza seating, and a HarborWalk. Again,

we appreciate that project proponents have exceeded their open space requirements, creating one of the larger waterfront parks in this portion of the Seaport.

A combination of open lawn, hardscape public seating, and gathering areas provide multi-use functionality of the area. The proposed vegetated windscreen along the eastern side of the park seeks to extend the use of the open space by the public to the late fall and early winter months.

The portions of the existing pier that sit on deteriorated piles will be reconstructed within the footprint of the existing pier. The redesign of the decking will include a viewing area of roughly 4,500 SF at the edge of the pier that will be open to the waters below. On the west side of the pier, the proposed “Sea Steps” will step-down to the high-tide elevation and give the public an opportunity to interact with the water and enjoy harbor views and additional seating. Both of these areas provide innovative ways for the public to connect with the waterfront and experience the watersheet.

### **Climate Change**

We were impressed that project proponents met in Washington, DC with the director of FEMA to understand the impact of the revised FIRM maps on their project. As a result, they modified the project design plan to move the seaward edge of the building out of the predicted velocity zone. We note, however, that the foundation and first floor of this building still needs to be engineered to withstand future wave action as sea levels rise.

The “Sea Steps” mentioned earlier are designed to dissipate wave energy and discourage wave run-up. This section of the pier uses salt-tolerant materials and a design that discourages flooding of the development site. To address flood risks, proponents expect to use temporary flood protection barriers, like the Aquafence used on Atlantic Wharf. We commend the applicant for their foresight.

The overall trend in relative sea level rise (SLR) in Boston between 1921 and 2015 has been about 0.11 inches per year, close to 1 inch per decade. Recent research commissioned by the City’s Climate Ready Boston initiative and led by scientists at U Mass Boston<sup>1</sup> has concluded that the rate of SLR will accelerate in the years ahead, and that relative SLR in Boston will likely exceed the global average, because of regional-scale processes such as ocean dynamics and changes in the gravitational forces of melting ice sheets. The scientists project that we are likely to see SLR in Boston Harbor of 4 to 8 inches by 2030 and 7.5 to 18 inches by 2050, relative to the level in 2000. These expected ranges of SLR are independent of any changes in global greenhouse gas

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<sup>1</sup> (<http://climateready.boston.gov/findings>)

emissions and will increase the frequency of flood events. Over the longer term, the research projects likely increases of 2.4 to 7.4 feet by 2100, subject to the trajectory of greenhouse gas emissions across the globe and other factors. Higher increases are possible, but less likely. Assuming the lifespan of this building falls within this time frame, it will be exposed to significant flood risks beyond those depicted on FEMA's 2016 flood maps. The final project design should anticipate the possibility of these risks and determine whether investments should be made during initial construction that will make further preparedness measures less costly in the future.

We believe that the proposed offsets for the construction of the Pier 4 Phase 3 project provide multiple, substantial public benefits in agreement with the intent and purpose of the Waterways Regulations. We look forward to the completion of the third and final phase of the Pier 4 project.

Sincerely,



Julie Wormser  
VP of Policy



Jill Valdes Horwood  
Waterfront Policy Analyst