



Are you on board?

15 State Street, Suite 1100
Boston, MA 02109
617.223.8671
bostonharbornow.org

July 20, 2018

*Via email to: Ben.Lynch@state.ma.us
Frank.Taormina@state.ma.us*

Ben Lynch
Director, Waterways Regulation Program
Attn: Frank Taormina
Massachusetts Department of Environmental Protection
One Winter Street, 5th Floor
Boston, MA 02108

Re: 135 Morrissey Waterways License Application

Dear Mr. Lynch,

Boston Harbor Now is pleased to submit comments for the 135 Morrissey Chapter 91 Waterways License Application noticed on June 20, 2018. We strongly support the proposed building renovation and public access enhancements and look forward to the completion of this renovation project.

Project Description

As proposed, the 135 Morrissey project is a comprehensive shell renovation project of the existing building and surrounding landscape. The entire site is approximately 16.6 acres, 125,171 SF of which sits on filled tidelands and includes part of the existing building, parking areas, and landscaping. The proposed project will be built-out in a single phase, include 695,000 SF of mixed-use space across three floors, a mezzanine level, 868 parking spaces, 209 covered bicycle storage spaces, and publicly accessible bike racks.

Approximately 2.87 acres of the 16.61-acre site sits on filled private tidelands and is within Chapter 91 jurisdiction. The site is more than 250 from the nearest flowed tidelands and therefore will not be required to maintain a water-dependent use zone.

In 2004, approximately 26,673 SF was added to the space above the loading docks. Although this addition sits on filled tidelands the change was considered a minor modification and therefore, under 310 CMR 9.05(3)(b), did not trigger the requirement to file a new or amended Chapter 91 license. Nevertheless, the proponent is including the "2004 Addition" as part of its current Chapter 91 filing.

The renovation is intended to attract office, technology, light manufacturing, warehouse, and life science tenants. For a site with only a small portion within Chapter 91 jurisdiction, this project will include new open space, pedestrian accessways, a 100-seat restaurant, a 10,000 SF fitness facility, and 8,000 SF of retail space for the enjoyment and benefit of the public during working hours. We are glad to see a proposal that goes beyond the minimum public benefit requirement.

Open Space & Public Access

Part of the project site borders the Patten's Cove park, a 9.6-acre park along a tidal creek, that is currently maintained by the Massachusetts Department of Conservation and Recreation (DCR). It includes lawns, shaded areas, and pathways that connect directly to the Savin Hill neighborhood at Davitt Street.

As proposed, the renovation will remove an existing security fence on the south side of the property. This will make possible the creation of a new green buffer and multi-use pathway to enhance the pedestrian and bike connections between Patten's Cove Park, the project site, the Savin Hill neighborhood, and the Morrissey Blvd. sidewalk. We applaud efforts to improve walkability to and across the site that provides better connectivity for the neighborhood and links residents and visitors with existing green spaces.

It is our understanding that the DCR and the project proponent have entered into a partnership for the maintenance and oversight of the park. The proponent plans to adopt the Pattern's Cove park adjacent to the site for a period of no less than ten years. We strongly support a partnership arrangement of this kind and suggest extending the adoption period to the full term of the final Chapter 91 license or 65 years.

Based on information provided at the June 28th public hearing, the final scope and duration of a proposed partnership agreement are yet to be determined. In addition to sharing a draft of the agreement with interested stakeholders, we ask that MassDEP include the terms of the partnership agreement in the final Chapter 91 license for the site.

We are excited that the north side of the building will include a landscaped courtyard and serve as both an outdoor amenity and a future connection to the MBTA JFK/UMass Red Line/South Shore Commuter Rail Station. We applaud the many efforts to incorporate accessibility improvements that support the use of sustainable transportation modes to and from the site, especially the orientation towards leveraging the site's proximity to a major transit station.

Climate Preparedness

The project site is located within the FEMA 100-year floodplain and at high risk for future flooding. In the near term, this site and nearby areas like the JFK/UMass Station will be exposed to major coastal flooding events. As early as 2050, all of Morrissey Blvd and sections of the I-93 will be at risk in major flooding events.

In addition to increasing the pervious areas, the project will raise the site to 20.5 ft BCB. Critical systems, electric, cable, and other utility services located below design flood elevation will be dry flood proofed or relocated above the base flood elevation. The proponent is considering temporary flood barriers at building openings and around below-grade spaces. As we experienced during the recent coastal flooding events, system like the Aquafence deployed

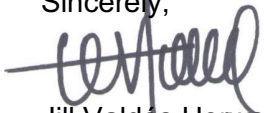
along Congress Street were crucial and effective in keeping floodwaters out and protecting the building's interior spaces. Due to the major coastal flooding anticipated for this area, we strongly recommend a combination of climate preparedness strategies that include, at minimum, raising the site elevation and equipping the building with temporary flood barriers.

The proponent is requesting an extended term license of 65 years. Resiliency strategies should, at the very least, protect the property from the effects of sea level rise and coastal flooding through the term of the waterways license to the year 2083. An extended license term should correlate with building designs that are prepared to withstand future climate change and sea level rise projections.

Beyond ramping up flood protection for the project site, we encourage the proponent to work with agencies like Boston Parks and Recreation, the Department of Conservation and Recreation, and UMass Boston all of whom are contributing to Dorchester's climate preparedness and working to increase neighborhood-wide resiliency beyond the parcel-by-parcel approach.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Valdés Horwood". The signature is written in a cursive style with a horizontal line crossing through the middle of the letters.

Jill Valdés Horwood
Director of Policy