



Are you on board?

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December 10, 2018

Via email to: [ben.lynch@state.ma.us](mailto:ben.lynch@state.ma.us)  
[frank.taormina@state.ma.us](mailto: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: 10 New Street Waterways Amended License Application, No. 14031

Dear Mr. Lynch,

Boston Harbor Now is pleased to submit comments for the 10 New Street Chapter 91 Waterways Amended License Application submitted by Fort Point Associates on behalf of Navy Yard Hospitality Group on November 8, 2018. A member of the Boston Harbor Now staff was also present during the November 14 public meeting. Our comments focus on two key issues: the addition of a new 850 SF fenced dog park and the proposed relocation of the DPA access route.

#### Project Description

Ten New Street, located on East Boston's waterfront is made up of two residential buildings, a 4,900 SF restaurant, a Harborwalk section, a lawn area, and a Designated Port Area (DPA) access route. The proposed amendment seeks to:

- Expand the Reelhouse restaurant building footprint by approximately 1,890 SF with the addition of a seasonal "canopy,"
- Fence in an 850 SF area for us as a "dog park," and
- Relocate portions of the existing DPA access route.

#### Seasonal Canopy

In the amended license application, Navy Yard Hospitality Group is proposing to expand the existing restaurant building with an approximately 1,893 SF seasonal canopy. The proposed addition is intended

for use during the early spring and late fall season. The design is described as a “canopy with moveable glass panels supported by steel columns.”

For Chapter 91 purposes, it would be helpful to clarify if the proposed “canopy” will be considered a temporary or a permanent addition to the existing restaurant. There are other parcels along the waterfront that include canopies, often small in size and made of canvas or other sturdy cloth material. As stated in the amended license application, we believe that the use of the term canopy inappropriately describes the proposed structure. We strongly suggest using a term that more closely reflects the permanent nature of the proposed structure.

#### Pet Relief Area

During the November 14 public hearing, a member of the Boston Harbor Now team inquired about the proposed dog park. At the time, there was some confusion about the use of the term “dog park” and a strong suggestion that the proponent reconsider the dog park designation. In response to public comments, the proponent was asked to share additional information regarding this portion of the amendment application.

On November 19, 2018, the proponent shared a supplement containing a one-page description and diagram further describing the proposed dog park. We thank the proponent for responding to the request for additional information. However, the supplement lacked detail about the nature of the intended use, hours of operation, proposed signage, or whether it will be open to the public.

The addition of a fence around the dog park poses an additional challenge. We strongly recommend incorporating signage that makes clear the dog park is open to the public and respectfully request that this be included as a term in the amended license.

#### DPA Access Route

The proposed seasonal canopy will extend over the current on-site DPA access route. To make room for the canopy, the proponent is proposing to re-route the DPA ingress/egress from the Sumner Street entrance to a 15-foot path between the existing residential buildings.

Although not within a DPA boundary, this parcel borders the East Boston DPA and has waterfront access. We support preserving the existing ingress/egress for potential future maritime industrial use on this section of the waterfront but continue to have concerns about the height and width limitations of the new route.

During the public hearing, there was confusion about the effect the low clearance would have on trucks traveling through the proposed reroute. It remains unclear if the new route limits the types of trucks that can use this ingress/egress--outdoor restaurant seating is unlikely to be compatible with truck access. We respectfully request that this information be included in the amended license in addition to signage along the route indicating the DPA designation as well as the size limitations.

It is our understanding that efforts to promote the availability of the DPA route were part of the original Chapter 91 license. We request that additional information be provided about the kind of effort made to

ensure the public and, specifically, the maritime industry is aware of the availability of the route and the waterfront access.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Valdes Horwood". The signature is written in a cursive style with a horizontal line extending to the left from the start of the first word.

Jill Valdes Horwood  
Director of Policy