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*Via email to: [Rich.mcguinness@boston.gov](mailto:Rich.mcguinness@boston.gov)*

Rich McGuinness  
Director Boston Planning and Development Agency  
Boston City Hall  
One City Hall Square, 9th Floor  
Boston, MA 02201

Re: Raymond L. Flynn Marine Park Master Plan Update

Dear Mr. McGuinness,

Thank you for the opportunity to comment on the Raymond L. Flynn Marine Park Master Plan Update. Boston Harbor Now policy staff attended the April office hours hosted by the Boston Planning & Development Agency (BPDA) and the April 26, 2017 public hearing held at the Innovation and Design Building. On January 26th of this year, The BPDA team presented the Master Plan Update to our Harbor Use Forum.

Boston Harbor Now (as our former entity The Boston Harbor Association) commented extensively on the 1999 Boston Marine Industrial Park Master Plan (BMIP), and the 2005 BMIP Chapter 91 Master License. Over the years, we have strongly supported City and State efforts to create and maintain a robust working port that continues its role as a major contributor to the region's economy.

We support the BPDA's decision to review the current state of the Ray Flynn Marine Park. Although Boston's maritime industrial sector and support services have changed over time, they remain a critical component of the region's socioeconomic well being. Such periodic assessments help policymakers understand the current condition of Boston's Designated Port Areas and provide opportunities to increase their innovation and profitability.

**Project Description**

The Raymond L. Flynn Marine Park Master Plan Update (the Plan) is the result of three years of data gathering, surveying, and economic analysis conducted by consultants for the BPDA. The study evaluates the role of the RFMP within the Port of Boston and provides an economic analysis of existing and potential industrial and marine industrial uses within the Park. The BPDA will use the Master Plan Update as a guide to incorporate new innovation economy and flex-industrial spaces within the Park while protecting well-paying blue-collar jobs and future maritime industrial uses.

A major conclusion of the study is that a robust industrial district needs significant and continuous investments to maintain existing infrastructure including roadway and waterside improvements (RFMP Master Plan p.22). As a result, much of the Plan focuses on planning and land use scenarios that envision a mixed industrial-commercial use that takes advantage of the real estate value of land within the RFMP. To implement its vision, the BPDA is proposing the following regulatory changes:

- Increase the Chapter 91-allowed Supporting Uses allowed from 33% to 49% while reducing the Marine-Industrial Uses requirement from 67% to 51%.
- Allow supporting uses on pile-supported piers.
- Only count ground floor uses toward the total allowed percentage of non-water dependent industrial uses.
- Allow construction of upper floor commercial/supporting industrial space without penalty.
- Increase the cap on allowable commercial uses.
- Include commercial trans-shipments from Logan Airport as a water-dependent industrial use and eliminate the ship-to-shore requirement.
- Tighten the definition of research and development to maintain industrial capabilities & infrastructure, and
- Consider revising the South Boston DPA boundary.

During the April 26th public hearing, the BPDA framed the Master Plan Update as an initial “visionary” document to promote public engagement and input. According to BPDA staff, the menu of suggested changes to state regulations and the RFMP master license presented on page 67 are not all expected to be approved.

We will provide more detailed comments on the proposed Master Plan Update as it moves forward through the licensing process. Our initial comments focus on the overall benefits of the Designated Port Areas with a specific interest in:

- Ensuring that best available data from a variety of sources are used before policymakers commit to specific regulatory changes,
- Understanding and optimizing larger regional implications of any local changes requested by the BPDA, and
- Ensuring marine industrial uses are maintained as the highest priority for the RFMP, with conflicts between working port and other supporting uses minimized.

### **Recognizing the importance of the working port**

The Port of Boston is a fully-functioning international port and the largest port in New England. Although Boston lacks the size and full intermodal transportation systems of Long Beach and Newark, recent growth in areas such as fish processing, cargo and cruise ships prove its continued ability to be regionally important and profitable.

The value of Boston's working port is not as visible to the general public and decision makers as other components of our regional economy. Much of its infrastructure is not visible from the land. We note that working port constituents are rarely at the same meetings as commercial developers and other civic leaders. We believe that as a consequence, Boston's working port and Designated Port Areas tend to be poorly understood and undervalued. Coupled with an historic building boom along Boston's waterfront, these areas are under tremendous pressure to be converted to commercial and residential uses.

For example, one of the key reasons cited for pursuing the Master Plan update is the lack of demand for maritime industrial space. Although this may be true for some uses, Massport reports that there is more demand for processing space at Fish Pier than it is able to provide and Eastern Salt recently expanded its operations from Chelsea Creek to the Quincy Shipyard. These reports suggest increased growth and demand in at least a portion of Boston's working port, while other sectors are clearly declining.

Done right, Master Plan updates for the Ray Flynn Marine Park has the potential to increase the profitability and viability of water-dependent industry by subsidizing infrastructure investments that would otherwise be unaffordable. At the same time, increasing the amount of commercial and supporting uses in the RFMP could accelerate a downward spiral for maritime industrial uses by increasing NIMBYism and pressure for services such as parking, retail and restaurants to serve a larger non-maritime workforce.

### **Potential statewide implications of local changes**

Boston's four Inner Harbor Designated Port Areas are situated within very different contexts than the other six DPAs along Massachusetts' coastline. Statewide regulatory changes should be cautious in approving modifications that may work in one locale but cause damage in another. As this proposal moves through licensing, we will work to engage those most affected by these changes to participate in a robust and detailed discussion of the array of options the BPDA has put forth.

Before considering significant changes to the current regulations or amending definitions that would apply across all of Massachusetts' waterfront, the BPDA, Office of Coastal Zone Management, and interested stakeholders should ensure that all existing demands for industrial sites are met, up-to-date data is used, and alternate ways to finance, protect, and increase profitability of the working port are considered (e.g. an RFP for ideas, short-term pilot programs, and workshops on financing solutions). Boston Harbor Now is working to identify the current condition of Boston's Inner Harbor DPAs, compare Boston to coastal cities that have reinvested in their ports, and highlight opportunities to increase the level of innovation and profitability of our DPAs. We will complete our study in the coming weeks and are happy to share what we have learned.

### **Prioritizing marine industrial uses**

There are three types of uses allowed within a DPA: 1) water-dependent industrial uses 2) supporting uses and 3) temporary uses. Supporting uses can be industrial or commercial and must provide direct economic or operational support to water-dependent industrial businesses in DPAs. 310 CMR 9.02. The regulations considers supporting uses compatible with DPAs unless they conflict with port operations or call for excessive consumption of valuable land. One of the BPDA's proposed changes is to increase supporting uses in the RFMP from 33% to 49% and reduce marine-industrial uses from 67% to 51%.

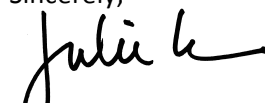
As longtime advocates of the working port, Boston Harbor Now recognizes the importance of continued investment in working port infrastructure. We also understand that maritime industrial businesses often lack the capital to invest in and improve existing infrastructure and that allowing upper floor non-maritime industrial tenants could subsidize floor-level maritime uses. An inherent challenge with this strategy is to manage conflicts between potentially less-profitable maritime industrial tenants and economically dominant non-water-dependent tenants.

Currently, Parcel Y is the only dedicated parking structure in the entire RFMP. Parking is a major concern for many of the current tenants, visitors, and seasonal cruisers. Page 61 of the Plan acknowledges that parking is the biggest limitation to future development in the Park. The BPDA understands that increasing the amount of development and tenants will put additional stress on an already maxed out parking system. Before the BPDA promotes new mixed-use development and adds new tenants as a means of increasing rental revenue, it should implement a transportation and parking plan that is able to handle the current and projected density.

We believe that the concept of differential zoning within DPAs has merit. A system that supports heavier industrial uses along the waterfront parcels and lighter industry inland (pp. 33-34) could help allow for compatible uses while minimizing public health and safety concerns. Implementation questions include the following: Who decides the kinds of businesses that qualify as light industrial? How long must the BPDA attempt to market a parcel to a heavier use versus a light use? What happens to existing uses with current long-term licenses?

The highest and best use for the Ray Flynn Marine Park, as noted in its Master License, is for marine industrial uses. We support proposed changes that serve to enhance critical infrastructure and increased viability of the working port. We are concerned about those that potentially undermine its long-term viability. We would like to see a broader range of compatible activities such as marine tech and maritime and marine science education emphasized before expanding uses to non-water dependent industry and commercial uses. We look forward to contributing to the public dialogue.

Sincerely,



Julie Wormser  
VP Policy & Planning



Jill Valdes Horwood  
Director of Policy