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Via email to: Matthew.Beaton@state.ma.us
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The Honorable Matthew A. Beaton
Executive Office of Energy and Environmental Affairs (EEA)
100 Cambridge Street, Ste 900
Boston, MA 02114

Attention: Bruce Carlisle, Brad Washburn, Lisa Berry Engler

Re: Downtown Waterfront District Municipal Harbor Plan

Thank you for the opportunity to comment on the Downtown Waterfront District Municipal Harbor Plan (MHP). Boston Harbor Now served on the Downtown Municipal Harbor Plan Citizen Advisory Committee both in our merged configuration and as The Boston Harbor Association and the Boston Harbor Island Alliance since its inception in 2013.

We want to acknowledge the Boston Planning and Development Agency (BPDA) and City's commitment to preserving the historical and water-dependent history of the Downtown Waterfront. We support the principles laid out in the public realm plan and agree that a central intent of the MHP must be to prioritize waterfront benefits.

The final State-approved MHP must do more to create a vibrant, dynamic, detailed blueprint that makes the most of Boston's harbor gateway. To do so, we are asking for the final plan to include the following:

- A comprehensive approach to inner harbor water transportation that includes a Long Wharf all-weather, passenger-friendly central transportation hub,

- Improved district-wide pedestrian connectivity with a special focus on completing the Harborwalk connections from the US General Service Administration Captain John F. Williams Coast Guard Building (Coast Guard Building), through the Hook Wharf site and to Independence Wharf, and
- Inclusion of the Aquarium’s Blueway vision vital to the improvement of the waterfront experience such as expanding visual corridors, providing opportunities to interact with the water and improving public open space and pedestrian connections from the Greenway to the Harbor.

A thriving, inclusive waterfront provides economic opportunities for Bostonians at a variety of income and skill levels. An active waterfront should promote and incorporate a variety of open spaces, robust arts and cultural resources, and year-round programming that connects Bostonians and visitors with the natural, cultural, and the economic history of our waterfront. We look forward to continuing to work with the BPDA and other partners to expand pedestrian-friendly access to a waterfront that is economically- and culturally-vibrant, climate-prepared and welcoming to all. Our comments on the MHP follow.

The MHP’s current parcel-by-parcel analysis is insufficient for creating the connectivity and pedestrian experience to and along the stretch of the waterfront that serves as the City’s gateway to Boston Harbor. The exemptions and public realm benefits for the Downtown MHP can, and need to, do much more to optimize area-wide benefits. As the Citizen Advisory Committee previously noted, there is virtually universal support for something more cohesive and transformative for the Downtown Waterfront MHP.

Offsets

In its 2013 Request for a Notice to Proceed, the City articulated six goals for the Downtown Waterfront – the second of these was to promote access to Boston Harbor, the Harbor Islands, and water transportation (MHP p. 33). We agree with the BPDA’s characterization of the Long Wharf area as the gateway for water transportation and its potential as an “exemplary twenty-first-century waterfront” (Public realm plan p.24). The Long and Central Wharf areas already include intermodal connections to the MBTA Blue Line, Hubway bicycle system, Zipcar, and other transportation options.

With the removal of the Long Wharf Marriott’s proposed offsets, the MHP no longer includes plans for an all-season ferry terminal. Given Boston’s challenges with both road and public transit capacities, use of ferries and enhanced water transportation opportunities are only expected to increase. The final MHP needs to prioritize water transportation and related offsets to help meet the needs and opportunities of this section of the waterfront as a significant current and future harbor ferry terminus. Our recommendations follow.

Improving Long Wharf’s Ferry Infrastructure and Passenger Experience

Today, the pedestrian experience at Long and Central Wharf does little to draw in and orient visitors preparing to board Boston Harbor ferries, water taxis and other excursion boats. Passengers are largely

left to their own devices to find the correct boarding area, shelter from the elements, and safely navigate through a maze of tourist buses, trolleys, cars, and delivery trucks.

The City's draft *Imagine Boston 2030* plan envisions creating a waterfront city that better connects Bostonians to the harbor. Part of this vision should include a "grand staircase" leading from City Hall, through the Faneuil Hall Visitor Center, the Boston Harbor Islands Pavilion on the Greenway, to the Harbor and Harbor Islands. Beyond wayfinding signage and marketing, the largest missing piece of this vision is a destination ferry terminal at Long Wharf.

Beyond Long and Central Wharves, we need a more comprehensive approach to inner harbor water transportation. As a planning document, the MHP should include updated calculations of ridership numbers; passenger support needs based on those numbers (including ADA accessible docks); vessel berthing, and the ticket/backhouse space required to adequately support current and projected ferry operations.

In 2015, approximately 1,640,000 ferry passengers came through Long Wharf North and South¹. With future ferry lines from Everett and elsewhere, Long Wharf needs an all-weather, passenger-friendly transportation hub. The recently completed, \$7 million Hingham ferry terminal at Hewitt's Cove includes inside passenger waiting areas, multi-modal connections, ferry offices, and nearby retail commerce.² As a central hub, a Long Wharf ferry building and terminal should include no less.

The Downtown Waterfront MHP is in essence a gateway plan to Boston Harbor. We agree, "a permanent Harbor Islands gateway on Long Wharf would enhance the visitor experience to the Harbor Islands and facilitate growth of the Harbor Islands ferry service" (Public Realm Plan p. 27).

As the legislatively appointed non-profit partner of the National Park Service and the Department of Conservation and Recreation, Boston Harbor Now is in a unique position to help advance a comprehensive ferry terminal vision and plan. We welcome the opportunity to partner with the BPDA to examine the possibility of using the current Chart House parking lot to accommodate an all-season ferry terminal building for commuter and recreational passengers using Long and Central Wharves.

Harbor Garage

Our concerns regarding the Harbor Garage include:

- The need to create additional offsets based on potential new land acquisition and additional substitutions,³

¹ Based on the 2015 Boston Harbor Cruises ferry user survey

² <http://www.patriotledger.com/news/20161227/hinghams-new-7-million-ferry-terminal-to-open-next-month>

³ For example, reducing the project lot coverage from 70% to 50% meant a loss of \$8 million in offsets. Using the same numeric standard, increasing coverage to 60% adds \$4 million of the original dollars back into the current offsets.

- The need to more clearly define public benefits received in exchange for allowing increased development,
- The need to define a hard limit for any and all additional lot coverage above 50 percent. Lot coverage calculations should include canopies, awnings, and other covers.

Land acquisition and additional offsets

The proposed substitutions for the redevelopment of the Harbor Garage would allow a structure not taller than 600 feet, 900,000SF total massing, with maximum lot coverage of 50% not including an additional and unspecified square footage for canopies, awnings, and covers.

In exchange for the proposed substitutions, the MHP proposes the following offsets totaling at least \$10.3 million:

- A contribution of not less than \$300,000 to fund the City’s design and use standards
- \$5 million to convert the Chart House parking lot to public open space
- \$5 million to advance the Aquarium’s Blueway vision or other open space improvements

The BPDA Board-approved plan mentions a possible Memorandum of Understanding between the Aquarium and Chiofaro. The terms of the agreement could affect lot coverage, harbor sightlines, offset contributions, and pedestrian access. The Aquarium is a water dependent use and the primary SPDF in the Downtown MHP, therefore deserving special protections that will guarantee its ongoing viability during and after construction on the Harbor Garage site. State approval of the MHP should ensure that commitments are put in place to provide the necessary mitigation.

The plan also includes new language regarding the potential acquisition of additional land area to increase the Harbor Garage’s current footprint:

If the Harbor Garage site is increased by the proponent acquiring additional land area on which an existing structure is presently located, the footprint of the Harbor Garage project may be increased correspondingly if that existing structure is removed so the additional land area becomes publicly accessible open space. (MHP p. 52)

As written, the plan suggests that the acquisition of *any* land with an existing structure, whether in the Downtown district or not, would allow increased lot coverage on the Garage site (MHP p. 52). We understand that this is not the intended outcome of discussions between the Aquarium, the BPDA, and Chiofaro. Before the Secretary’s approval, the plan must substitute more precise language that limits additional land acquisition to the “IMAX theatre parcel”, “immediately abutting parcels” or “land within the Downtown Waterfront district.”

Need to better define public benefits

The current MHP does not define offset contributions for additional land and increased lot coverage. In order to discuss appropriate additional offsets, the total square footage of the proposed exchange must be clear. Will the exchange provide greater or equal benefits than the existing 50% lot coverage proposal and is the additional contribution enough to complete mitigation projects elsewhere in the district?

Awnings, covers and canopies should not count as open space in calculating lot coverage

As weather patterns shift and we experience increased precipitation as well as days above 90 degrees, some awnings and canopies can “create a more comfortable environment for the public” as suggested by the BPDA (MHP p. 48). However, the Garage’s unspecified additional square footage allowed for canopies, awnings, and covers is problematic. Similar to the substitute provisions for Hook Wharf, the plan needs to put a clear limit on the amount of coverage allowed for canopies, awnings, covers, and all other not-open-to-the-sky structures. If this limit is higher than 50%, additional offsets are needed for this loss of open space.

In sum, we agree with the BPDA that the goal of the MHP should be to build a well planned, inviting, and truly great pedestrian waterfront (MHP p. 41). A development of this height, magnitude, and impact to the area must do proportionately more to ensure the Downtown Waterfront fulfills its promise as Boston’s gateway to the Harbor and Islands; we believe that the tradeoff is not yet sufficient. Appropriate offsets might include paying for a more substantial portion of the Blueway vision and for all of an all-season ferry terminal at least as robust as was built in Hingham.

Hook Wharf

Our concerns regarding the Hook Wharf proposal include:

- The inclusion of Facilities of Private Tenancy over flowed tidelands,
- Designating Hook Lobster as a Special Public Destination Facility,
- Insufficiently defined Harborwalk connections at the Coast Guard Building, Northern Avenue and Moakley Bridge.

Hook Wharf, the Coast Guard Building, and the Northern Avenue Bridge sit on the outer edge of the Downtown Waterfront and serve as the gateway to the Innovation District. Due to the Wharf’s key location, any future development on the site should be flexible in its design to accommodate future renovations to the Northern Avenue Bridge and maintain critical North-South links to the Innovation district and East-West connections to the Financial District.

Given the proposed size of the building, the encroachment on flowed tidelands, and poor Harborwalk connections, the Hook Lobster site is the Downtown Waterfront District’s most challenging development. As proposed, the project includes a 305-foot tall building and 55% lot coverage with the option of adding a 55 foot-tall building podium and an additional 15% lot coverage. In total, this lot coverage substitution would allow up to 70% lot coverage including canopies, awnings, building

overhangs, and cantilevers. The proposal also includes Facilities of Private Tenancy (FPT) over flowed tidelands.

The current offsets proposed for the Hook Wharf site include:

- A contribution of not less than \$100,000 to fund the City's design and use standards,
- Creation of an interior and exterior Special Public Destination Facility (SPDF),
- Expansion of the deck south to connect with Moakley Bridge,
- Promote enjoyment of the harbor by prioritizing the following projects:
 - An over-the-water connection between Hook Wharf and 470/500 Atlantic Avenue
 - Implementation of Channel Walk West
 - Activation of the Fort Point Channel watershed and the future of Northern Avenue Bridge

Facilities of Private Tenancy over flowed tidelands

Chapter 91 defines Facilities of Private Tenancy (FPTs) as offering benefits and uses to a specific group of individuals and limiting public access (e.g., condominiums, private clubs, private parking; 310 CMR 9.02). Chapter 91 standards specify that nonwater-dependent FPTs cannot be constructed on pile-supported structures over flowed tidelands or on the ground level of filled tidelands within 100 feet of a project shoreline (310 CMR 9.51(3)(b)). As proposed in the MHP, the Hook Wharf redevelopment plans to include upper level FPTs over flowed tidelands in exchange for the offsets listed above. We do not believe the final MHP should allow Hook Wharf to include either FPTs over flowed tidelands or the SPDF designation (see below).

Special Public Destination Facility designation

The term SPDF is used throughout the MHP to refer to a facility that contributes to the year-round activation of the waterfront. Boston's waterfront hosts at least ten destination cultural institutions and dozens of year-round restaurants that are not considered SPDFs. These include the ICA/Boston, Edward Kennedy Institute, JFK Library, Massachusetts State Archives, Tea Party Ships and Museum, Moakley Courthouse, Boston Children's Museum, Charlestown Navy Yard, USS Constitution Museum, Legal Harborside, Rowes Wharf, and others. We do not believe that the Hook Wharf restaurant proposal should qualify as a SPDF any more than redeveloped commercial landmarks such as Legal Harborside and Pier 4 in the Seaport.

Our reading of the plan suggests that the primary reason to designate Hook Lobster as a SPDF would be to allow proponents to use their waterfront setback for restaurant seating instead of being required to construct their portion of the Harborwalk on dry land. We could imagine a site as large and historic as the South Boston Fish Pier one day being transformed into a SPDF akin to Seattle's Pike Place Market or San Francisco's Fishermen's Wharf. The Hook Wharf site is not being redeveloped as such a significant anchor cultural institution. We do not support using the SPDF designation for this purpose.

Harborwalk Connections

Hook Wharf plays a vital role in connecting the Downtown Waterfront to Fort Point Channel and the Seaport--a key focus of the public realm plan. We commend the BPDA for acknowledging the "crossroads" character of this location in the public realm plan (Public realm plan p.20). Despite this recognition, the MHP does not include potential designs and cost estimates, including how the Harborwalk would cross existing structures such as the Northern Avenue and Moakley Bridges.

On the Seaport side of Fort Point Channel, the proposed Harborwalk may run under the Moakley Bridge between the Boston Children's Museum and the Barking Crab. This section already chronically floods during extra high tides and moderate storm surges (as does the North End Harborwalk section running under the North Washington Street Bridge). Given Boston's vulnerability to sea level rise, a different solution should be sought that acknowledges the constraints imposed by sea level rise but fully completes the Harborwalk from the Coast Guard Building, through the Hook Wharf site and to Independence Wharf.

We believe that the Harborwalk between Rowes Wharf and the Seaport should include the following:

- An ADA-accessible ramp replacing the stairs at the Coast Guard Building that separate the Northern Avenue Bridge and Rowes Wharf,
- An enhanced pedestrian experience across a reconstructed Northern Avenue Bridge,
- An on-land section of the Harborwalk on Hook Wharf that crosses over Moakley Bridge at the stoplight (for safety reasons) and connects with the Harborwalk on Independence Wharf.

Additional Offsets

Blueway and Harbor Sightlines

In response to a call for "transformative" ideas, the New England Aquarium (NEAq) and the Wharf District Council (WDC) shared plans of their respective visions for the Downtown Waterfront. Both plans received widespread support from the community. The MHP does not yet meaningfully incorporate these concepts, including the Blueway, harbor sightline connections, a comprehensive ferry terminal, and improved pedestrian connectivity. We suggest including the following:

- Public realm landscaping and wayfinding that encourages residents and visitors from inland neighborhoods to visit and enjoy the waterfront. This includes reinforcing lateral connections across the Greenway and the Aquarium's proposed Blueway concept.
- Elements of the Aquarium's plan vital to the improvement of the waterfront experience such as expanding visual corridors, providing opportunities to interact with the water and improving public open space and pedestrian connections from the Greenway to the Harbor.
- We agree with the WDC that navigation to the waterfront begins beyond the Downtown Municipal Harbor Plan jurisdictional lines. The plan identifies key views and pedestrian access points across the Greenway and further inland through key corridors like Central, Milk, India, and Broad Streets. Increasing the width of visual corridors and promoting signage beyond the Greenway will help draw residents, visitors and programming to the waterfront.

Northern Avenue Bridge

The Downtown Waterfront public realm vision includes clearly defined connections among well-organized, high quality, and walkable pedestrian links. We agree with the BPDA that the Northern Avenue Bridge is an important contributing element to the downtown waterfront and a key North/South and East/West connection along Fort Point Channel and between Downtown Boston and the Seaport District. The plan for reconstructing the Old Northern Avenue Bridge should coordinate with and prioritize Hook Wharf Harborwalk connections.

District-wide improvements

We support the use of MHP offset dollars to create a cohesive landscape design throughout the entire Downtown Waterfront from Christopher Columbus Park to Fort Point Channel. The final MHP needs to include a prioritized list and timeline for ensuring that promised offsets are adequately funded and completed. Because this section of the waterfront is densely populated and largely built-out, we suggest incorporating the following design features to activate ground floors to further enliven key sections and direct pedestrians towards the waterfront:

- Orient main building entrances toward the waterfront,
- Provide double building frontages that internally connect inland and waterfront walkways,
- Reduce the visual impact of parking and service areas, restricting them to designated out-of-sight locations or screen them through plantings, artwork, or other devices,
- Include recesses and articulation along long building frontages to create a more engaging building wall. Avoid blank walls, and
- When considering a cluster of buildings such as proposed for Central Wharf, site them to create cohesive waterfront outdoor focal points.

Preparing for Climate Change

Because of their low site elevations and exposure to coastal storms, structures in the Downtown Waterfront area are especially vulnerable to projected sea-level rise and coastal flooding and require responsible planning and preparedness measures. We support BPDA's robust climate preparedness section that describes existing city requirements, current planning processes, district vulnerabilities, existing district-wide conditions, and best practices.

We also support the City's designation of the Downtown Waterfront as its first Flood Resiliency District, consistent with Climate Ready Boston recommendations. We look forward to supporting BPDA's efforts to institutionalize climate change preparedness and planning as an integral part of development and a key measure of success for the Downtown Waterfront. We hope to see lessons learned from this and other efforts become city-wide zoning and building codes that apply to structures within present and future flood zones.

The MHP acknowledges that climate impacts like sea level rise will have a detrimental effect on public open space, continuous public access, and future development. As a result, the plan proposes

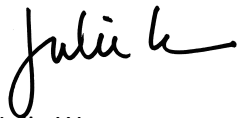
amplifications that will require open space improvements to elevate outside areas to ensure continued use by the public during periods of inundation (Downtown MHP p.70).

Boston Harbor Now documented King Tide flooding on Long, Central and India Wharves during October and November 2016 with sunny skies and no wind. To manage chronic flooding in this area, landowners should consider elevating their portions of the downtown Harborwalk to equal its height at Rowes Wharf and Hook Lobster.

Phase II of Climate Ready Boston includes development of a neighborhood resiliency plan for the downtown waterfront. The MHP should include language that automatically links the plan to CRB Phase II results and future climate projection updates.

We look forward to continuing to work with the BPDA and the State to achieve a pedestrian-friendly waterfront that is economically- and culturally-vibrant, climate-prepared and welcoming to all.

Sincerely,



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