



Are you on board?

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December 9, 2016

Secretary Matthew A. Beaton
Office of Coastal Zone Management
251 Causeway Street, Ste 800
Boston, MA 02114

Via email to: lisa.engler@state.ma.us

Re: Notice of Supplemental Information for the South Boston Waterfront Municipal Harbor Plan Renewal and Amendment

Dear Secretary Beaton,

Thank you for the opportunity to comment on the Notice of Supplemental Information for the City of Boston's South Boston Waterfront District Municipal Harbor Plan Renewal and Amendment (MHP). Boston Harbor Now served as a member of the Advisory Committee, hosted the project team during our February 2016 monthly Harbor Use public forum discussion, and submitted comments on the MHP renewal on July 22, 2016. Our comments follow.

Revised Project Description

As described in the MHP amendment, the proposed project site was approximately 25,000SF (p. 19 SBMHP). During the consultation period, the Massachusetts Department of Environmental Protection (DEP) determined that the project shoreline proposed by the developer had been incorrectly delineated and the subsequent lot size calculations were incorrect.

DEP clarified that the project shoreline should have been measured as "the *existing* mean high water mark and pile supported structures, whichever is farther seaward." Page 2, 2016-11-15 SBMHP Renewal & Amendment Supplement. This interpretation does not include a section of the Harborwalk licensed 18 years ago but never constructed. Based on DEP's interpretation, the modified project site is 20,358SF.

As described on Page 1 of the SBMHP supplemental document, four parcels make up the project site:

- 10,515 SF owned by Cronin Holdings (Cronin parcel)
- 1,044 SF owned by 130 Northern Avenue LLC (Tishman parcel)
- 1,515 SF owned by Massport
- 7,285 SF City of Boston triangular area

It is our understanding from the June 2016 draft amendment that the project site actually contains two separate parcels owned by the City of Boston. (2016-June South Boston Waterfront District MHP Renewal & Amendment, p. 18). One parcel consists of 3,828 SF of existing public sidewalk. A second, triangular parcel is 3,803 SF. Together they add up to 7,631 SF, not 7,285. To ensure lot calculations remain consistent throughout, we request that the parcels listed on page 2 and Figure 1 of the supplemental document be reconciled and compared side-by-side with the parcel assemblage on page 19 of the June 2016 draft amendment.

Lot Coverage and Offset

The new project shoreline increases the project lot coverage from 70% to 75%. This means 4,821SF must be offset to make up for the 5% increase in lot coverage. Two unresolved questions may further affect the percentage lot coverage calculation:

1. The issue of including public sidewalk as part of the open space calculation for new developments. Like the proposed 25 Atlantic Residences project in the North End, this proposal includes pre-existing public sidewalk as part of the project site. DEP has yet to offer a final decision on whether that is an appropriate calculation or if it inappropriately double counts open space.
2. It is unclear if the second appraisal of the 3,803SF triangular parcel has been completed. If so, the assessment needs to be made public.

Given these outstanding issues, we feel it is premature to approve lot coverage calculations and finalize the value of proposed offsets.

The proposed offset for increasing lot coverage to 75% is a ground floor public interior space and water transportation waiting area. The supplement does not include details regarding interior dimensions, location and/or a management and activation plan. There are questions regarding the public benefit of a water transportation waiting area in a location so far removed from either a public ferry landing or the existing water taxi dock at Pier 4. A more effective public use might include a Seaport information and ticketing center with waiting and public restrooms, and with Seaport Boulevard frontage. Please provide additional details of the size, quality and programming of this space.

Boston Harbor Now strongly favors increasing water transportation opportunities in Boston Harbor. We want to ensure that any investments into new infrastructure actively draw users. The World Trade Center waiting area (shared space with the Dunkin Donuts) and the enclosed water transportation gazebo on Atlantic Wharf are examples of waiting areas that have historically been underused/poorly activated. The final design for this space should maximize the opportunity to support pedestrian-friendly, all-weather water transportation on the Seaport.

WDUZ Substitute Provision and Offset

A Chapter 91-compliant Water Dependent Use Zone (WDUZ) for this parcel would be 5,768SF. Due to the cantilevered balcony design, the site will have a 4,008SF WDUZ that is open to the sky and a 1,760SF WDUZ zone deficit. The supplemental document includes three potential scenarios to offset the unmet WDUZ zone:

- *Preferred*: proponent will construct a 12-foot wide, pile-supported wharf (“Massport Wharf”) along the existing Seaport Blvd sidewalk to improve pedestrian circulation around the existing ferry terminal.
- *Alternative*: proponent will extend Seaport Wharf 16 feet to the southeast from the project site.
- *Last resort*: in the event the first two options cannot be realized, the proponent will make a monetary contribution to off-site amenity of DEP’s choice.

We agree that the preferred scenario provides the best public benefits of the three options.

Amplification for Exterior Open Space

To promote further waterfront activation on site, the City is requesting an “amplification” in the form of a 5,000SF pile-supported walkway called *Seaport Wharf*. (310 CMR 9.53(2)(b). Figure 4 of the supplemental document indicates this amplification may extend up to 16 feet seaward from the project shoreline for a total pile supported walkway that is 26 feet wide.

Throughout the MHP amendment process, a number of community members expressed desire to enhance Harborwalk access at this location. We wholeheartedly agree that fully public waterfront spaces, like the Harborwalk, should be welcoming, well-programmed, and promote both active and passive public recreation. That said, the proponent is requesting an amplification of approximately 16 feet in width beyond the standard 10-12 foot Harborwalk. Granting an amplification without a clearly defined need beyond standard Harborwalk dimensions is confusing. To ensure consistency and predictability for waterfront parcels, the special circumstances for granting an amplification should be narrowly defined and a standard set of dimensions developed.

The main differences between the original project and the amended project are:

- The addition of a ten-foot setback on the project site as Chapter 91 requires and
- The recognition that proponents do not have the pre-existing right to build out Seaport Wharf.

We remain wary of allowing project proponents to build out over the harbor when it is not needed to create the Harborwalk. We assume that Seaport Wharf is being proposed in order to accommodate outdoor restaurant seating on what otherwise would be a relatively narrow Harborwalk. Previous plans appeared to show a portion of that proposed Harborwalk space to be used for such restaurant seating, which would not be a fully public use. We continue to believe that open space and public access should be created not over open watersheet but over land whenever possible and would have liked to see more of the project site itself converted to open space.

Sincerely,



Julie Wormser
VP of Policy



Jill Valdes Horwood
Director of Waterfront Policy