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March 13, 2023

Via email: frank.taormina@mass.gov

MassDEP Waterways Regulation Program,
c/o Frank Taormina,
100 Cambridge Street, 9th Floor
Boston, MA 02114

Re: 605 Chelsea Street License Application

Dear Mr. Taormina,

Boston Harbor Now respectfully submits the following comments on the *605 Chelsea Street Chapter 91 Waterways License Application* submitted by 605 Chelsea Street LLC. Our organization has followed this project and previously submitted comments on the MEPA Notice of Project Change (NPC). Most recently, we attended the Chapter 91 public hearing on February 2, 2023.

As longtime stewards of the Boston Harborwalk, Boston Harbor Now is committed to ensuring that the waterfront we build today is designed for a more resilient and inclusive future. We use the term “Harborwalk 2.0” to capture the aspirations of this work to ensure the waterfront is accessible and welcoming, is prepared for the coastal impacts of climate change, and centers equity and inclusion in the development of its design, construction, and programming. An accessible waterfront should have both linear and lateral connections between the city and the water, as well as numerous activation strategies to serve all Bostonians. A resilient waterfront includes a variety of climate adaptation strategies to protect and serve Boston at a district scale. To center equity in waterfront design is to focus on strategies that make the waterfront feel safe and inclusive through lighting, signage (preferably multi-lingual), full ADA accommodations, and the elimination of features that make users feel unwelcome or excluded.

Although not a marine industrial use, this project offers an industrial use that could bring unique and highly needed amenities to the area. The proposed development would help revitalize the East Boston Sewerage Pump Station, an architecturally distinct building from 1894 that sits on the Chelsea Creek in East Boston waterfront. The project would create a new Harborwalk in an area that presently lacks waterfront access. These benefits, however, come with tradeoffs. As proposed, the project would require variances from two provisions of the Chapter 91 regulations. The project does not comply with restrictions on Facilities of Private Tenancy (FPTs) as well as fill and structures in Designated Port Areas (DPAs) for non-water dependent uses.



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MassDEP must determine whether rehabilitating a building eligible for status on the National and State Registers of Historic Places and reconstructing the historic wharf for public access and flood protection constitute an overriding municipal, regional, and state interest. Chapter 91 variances are, and should be, rare occurrences; in this case, the public benefits that would be created—and the practical impossibility of doing so without relief from the two provisions in question—appear to meet the standard. Should this project receive a Chapter 91 license, we suggest that it be conditional upon the creation of some FPA space for the public’s use.

FPT Variance

By restoring a historic building along the Chelsea Creek, the proponent is preserving a legacy building that has fallen into disrepair and captures a period that has otherwise been erased from the architectural fabric along most of Boston’s waterfront. Meeting the requirements of the historic preservation standards while introducing a contemporary industrial use necessitates two Chapter 91 variances, including relief from the prohibition on FPTs within 100 feet of the project shoreline. Although BHN is sympathetic to the proponent’s requested variances, as this project will provide community benefits through historic preservation and public access, we are concerned by the lack of *any* FPA space on-site. While we understand the concerns of bringing members of the public to an active industrial site, we believe there may be creative ways to incorporate an FPA space to minimize these conflicts. FPA space could be located near an entrance to the building adjacent to either the first floor office space or mezzanine storage space. At a minimum, restrooms could be made available to the public who would use the Harborwalk.

The New Harborwalk

We find the requested variance for fill and structures necessary to provide the resilience and Harborwalk access benefits that are presently lacking in this area. The restored wharf, which would occupy the approximate footprint of the original timber pile-supported wharf, provides a public benefit by creating public open space on the waterfront. The replacement wharf would also establish future Harborwalk connections for adjacent properties, which were recently removed from the DPA.

As this site’s Harborwalk will set the tone for future Harborwalk to come, we would like to see it well-signed and easy to navigate to make it feel inclusive and welcoming to all. As noted in our previous comments, we hope the future Harborwalk signage provides the public with historic interpretation and multilingual information about their rights to use the space, including any



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additional FPA space provided. Proper activation and signage of the Harborwalk are essential since the site is located in an industrial area that will likely remain industrial and where pedestrians may traditionally feel unwelcome.

Climate Change and Coastal Resilience

Although this development is not located in a major flood pathway, it will still be vulnerable to recurring coastal flooding caused by sea level rise and is adjacent to other areas vulnerable to coastal storm flooding. In their MEPA NPC, the proponent only outlined their plans to protect the building from coastal storm flooding with wetproofing. We appreciate that the proponent has elaborated on their flood protection plans and has elected to elevate their Harborwalk to 10.54' NAVD88, keeping it out of the range of nuisance flooding for the projected 40 inches of sea level rise expected by 2070.

As stated above, we support the proponent's efforts to stabilize the existing seawall with fill despite the required variance needed. Stabilization of the existing seawall, which is part of the site's resilience strategy, is also necessary to ensure the pump house's stability. We still hope to see the repaired seawall and replacement wharf designed in such a way that they are able to tie into future flood resilience measures that will be needed to protect other properties adjacent to this site, some of which are also controlled by the proponent.

We appreciate the opportunity to comment and will continue to remain engaged in this and other projects along this corridor. We would be happy to speak with you further if there are additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathy Abbott", with a long, sweeping underline.

Katherine F. Abbott
President and CEO
Boston Harbor Now