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March 28, 2024

Via email: alexander.strysky@mass.gov

MEPA Office

Attn: Alexander Strysky
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: Commonwealth Pier Revitalization NPC

Dear Mr. Strysky,

Boston Harbor Now respectfully submits the following comments on the *Commonwealth Pier Revitalization Notice of Project Change* submitted by Commonwealth Pier Trust II on behalf of Pembroke Real Estate LLC. Our organization has been following this project since its inception and most recently attended a site tour hosted by the proponent.

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.

A Reduction in Facility of Public Accommodation (FPA) Space

The proponent has stated that there has been an increase in the amount of available ballroom space in the neighborhood and a concurrent decrease in demand. Due to these changing market conditions, the proponent has elected to “repurpose approximately 56,400 SF of event/ballroom space and support spaces as (i) general FPA as defined in 310 CMR 9.02, and (ii) office space amenities that will enhance the Project’s private office space.” Though not clearly stated in the filing, the proposed changes are expected to generate a net loss of 39,082 SF of FPA space. As a result, this project will create 143,751 SF of FPA space in total, which is 39,082 SF below the 182,833 SF required as a condition of the current Chapter 91 License. Despite the decrease in FPA space from their prior Chapter 91 License, which was issued in October 2020, the proponent would still be providing well above the 97,129 SF of FPA space required under the Waterways Regulations.



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Although Boston Harbor Now has in the past advocated for payment in lieu of a reduction in FPA space or called for additional marketing of FPA facilities before resorting to Facilities of Limited Accommodation (FLAs) or Facilities of Private Tenancy (FPTs) conversion, we believe different evaluation standards should apply to this project. Unlike other projects we've reviewed petitioning for a reduction in FPA space, this project significantly improves the site from its prior conditions, will still provide more FPA space than required, and will not reduce the amount of currently existing FPA on site.

We appreciate that the proponent initially attempted to provide 182,833 SF of FPA space and understand that activating such a large and awkwardly situated space in this market would be challenging. The space proposed for conversion is located on the second floor, and while the viaduct functionally provides street access from World Trade Center Ave, the space is recessed deeper into the building, making it less visible and more challenging to find a tenant. Even with the proposed reduction of FPA space, the proponent will still provide 12% above the requisite amount of space. While the loss of potential FPA space is disappointing, we are pleased to see this proponent still offering more FPA than required.

Activating the Remaining FPA Space and Public Amenities

We appreciate that this project will meaningfully improve the Harborwalk at this site. By providing plaza space and niches for members of the public to enjoy views of the water and reducing the amount of the Harborwalk currently used by trucks and service vehicles, thereby improving pedestrian safety, the proponent will create a much improved public realm experience for visitors of this site. However, with the proposed reduction in FPA space, it is even more important that these new amenities and improved Harborwalk remain open and welcoming to all.

Boston Harbor Now is excited about the new amenities along the roughly quarter-mile-long Harborwalk, and we are especially impressed by the public niches that provide sheltered space for members of the public to enjoy views of the water. New swings at the end of the pier will encourage visitors to explore the site, and the plaza by Seaport Boulevard will provide the pier with some much-needed greenery. These amenities have the potential to activate the Harborwalk, but the site must be well-signed and outfitted to support the use of these spaces. This site is expansive; therefore, wayfinding signage will be necessary to direct people to the amenities provided on-site and encourage people to further explore the Harborwalk. Signage should also emphasize the public nature of these spaces so visitors feel welcome to use them. Similarly, a variety of seating options should be available to encourage visitors to stay and enjoy the views of the water. We recommend providing public programming to further promote site visitation.



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When the time comes, we hope the proponent will select a diverse set of vendors capable of providing services with various price points and appealing to a broad audience. Retail and restaurants should offer low-cost options for patrons to reduce barriers that may lead to the exclusion of some members of the public. To go above and beyond, vendors should actively appeal to audiences who have typically felt unwelcome in the Seaport and Boston waterfront.

A Note on Future Filings

Only after reaching out to the proponent was Boston Harbor Now able to determine the amount of FPA space proposed for FPT conversion, the total amount of FPA space provided by the project, and the amount of FPA space required by Waterways Regulations. Moving forward, the proponent should include this information in future filings so the public can fully understand the scope of the proposed changes.

In conclusion, Commonwealth Pier will provide the community with a tremendous new Harborwalk and unique amenities. While the potential loss of FPA space is disappointing, this site still provides substantially more FPA space than required, and the proposed change will not result in any already built FPA space being lost. The amenities this project will provide are unlike others we've seen around the Boston waterfront, and we expect they will be in high demand. It will be important that the improved Harborwalk and its associated amenities remain available to the public and open for all to use. Privatization of the niches, Harborwalk, or plaza space will functionally result in further loss of FPA space.

We are grateful for the opportunity to comment on this project and will continue to follow its progress toward implementation. We would be happy to speak with you or the proponent if you have additional questions.

Sincerely,
Kathy Abbott

A handwritten signature in black ink that reads "Kathy Abbott".

President and CEO
Boston Harbor Now