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July 29, 2024

Via email: frank.taormina@mass.gov

Frank Taormina, Regional Planner
MassDEP Waterways Regulation Program
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: Commonwealth Pier Revitalization Chapter 91 License Amendment Application

Dear Mr. Taormina,

Boston Harbor Now respectfully submits the following comments on the *Commonwealth Pier Revitalization Chapter 91 License Amendment Application* submitted by Commonwealth Pier Trust II on behalf of Pembroke Real Estate LLC. Our organization has been following this project since its inception and submitted previous comments to MassDEP dated March 22, 2019, and November 18, 2019.

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. [Visualizing Harborwalk 2.0](#) captures the aspirations of this work to ensure the waterfront continues to be 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 residents and visitors alike. A resilient waterfront incorporates 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, multilingual signage, full ADA accommodations, and features that help users to feel welcome and have a sense of belonging.

A Reduction in Facility of Public Accommodation (FPA) Space

Pembroke Real Estate LLC (proponent) has stated that there has been an increase in the amount of available ballroom space in the neighborhood surrounding Commonwealth Pier and a concurrent decrease in demand. Due to these changing market conditions, the proponent has elected to repurpose 35,466 square feet (SF) of FPA event space on the Viaduct Level and an additional 7,314 SF of interior public lobby space to Facilities of Private Tenancy (FPT). Although the proponent will be adding a total of 3,698 SF of FPA space to the second and fourth floors, the result is a net reduction of 39,082 SF of publicly accessible space. Despite the decrease in FPA space from their prior Chapter 91 License, which was issued in October 2020, the proponent would still be providing 143,751 SF of FPA space, which is significantly more than the 97,129 SF of FPA space required by their Waterfront Development Plan, which is 12% above the requisite amount of space.



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Boston Harbor Now usually advocates for payment in lieu of a reduction in FPA space or calls for additional marketing of FPA facilities before resorting to Facilities of Limited Accommodation (FLAs) or FPT's conversion. However, in this case, we believe that argument does not apply—first and foremost because the project still represents an increase in FPA square footage over existing conditions. Moreover, the space proposed for conversion is located on the second floor, and while the viaduct functionally provides street access from World Trade Center Avenue, the space is recessed deeper into the building, making it less visible and possibly more challenging to find a tenant. However, unlike other waterfront projects we've reviewed petitioning for a reduction in FPA space, this project significantly improves the site from its existing conditions and will still provide more FPA space than required. 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.

Activating the Remaining FPA Space and Public Amenities

Boston Harbor Now appreciates that this project will meaningfully improve the Harborwalk at this site. By providing plaza space, niches, and new amenities for members of the public to enjoy views of the water and reducing the impact of the trucks and service vehicles on the Harborwalk, this project will improve pedestrian safety and create an improved experience for residents and visitors. 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.

Given that this new site will be Fidelity's World Headquarters and the company has chosen the location because of Boston Harbor, we hope they will set a new standard for public engagement with the amenities they have created. We know from experience that simply building spaces will not make people come. Accessible information and signage in different forms and languages, affordable price points, and, most importantly, public programming that attracts a diverse audience to this incredibly exciting Harborwalk are all needed to fulfill our vision of a welcoming waterfront. For example, while the swings are an exciting new addition, allowing users to take advantage of waterfront views, they are not visible from the street. Adding multilingual wayfinding signage and public art will invite visitors to keep exploring the site and help them discover the swings, niches, and other available amenities; signage should make clear such amenities are open to the public. The niches, for example, provide valuable shade and protection from the elements and will likely be popular with both the public and tenants of the building. To ensure that the public knows that the niches are not just reserved for building tenants, we also hope to see expanded public programming to encourage the increased use of the space. We recommend providing a wide variety of seating options to encourage visitors to stay and enjoy the views of the harbor.



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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 to appeal 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 historically felt unwelcome in the Seaport and Boston waterfront and work to create a sense of belonging for everyone.

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 or would like to explore creative options to improve access and create an increased sense of inclusivity and belonging along the Harborwalk.

Sincerely,

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

Kathy Abbott
President & CEO