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October 11, 2024

Via email: susan.you@mass.gov

MassDEP Waterways Regulation Program
Attention: Susan You, Regional Planner
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: 232 A Street Chapter 91 License Application

Dear Ms. You,

Boston Harbor Now respectfully submits the following comments on the 232 A Street Chapter 91 License Application. Our organization has been following this project since its inception and previously submitted written comments to the Boston Planning Department (BPD) and Massachusetts Environmental Policy Act (MEPA) office. We've also met with the proponent about the project and hosted them at a Harbor Use Public Forum, where they shared more about their project with the general public.

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 which include ensuring the waterfront is accessible and welcoming; preparing for the coastal impacts of climate change; and centering 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. 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.

Flood Infrastructure

232 A Street is one of several recent projects proposed along the eastern side of the Fort Point Channel, which is highly susceptible to flooding. To protect their site and contribute to district-scale flood infrastructure, the proponent will be creating "a continuous line of protection at 15.0 NAVD88 (21.5 BCB) behind the Harborwalk, which itself will range in elevation from 10.0 NAVD88 (16.5 BCB) to 12 NAVD88 (18.5 BCB)" according to their Chapter 91 filing. Simultaneously, the City of Boston and BPD have undertaken the Resilient Fort Point Channel Infrastructure Project (RFPCI project) to create a 2,090 linear feet mixed berm and floodwall structure that will help create district-wide protection for the area. The proponent stated, "The City has also recently confirmed that they plan to start construction on the RFPCI project in Q4 2025 across the length of the Fort Point Channel unless 244-284 A Street and 232 A Street projects commence or plan to commence ahead of the City...If the City proceeds with the RFPCI project, it will be at the expense of the City and will comprise an 'interim condition' until the Project were to commence construction (at the expense of the Proponent) and implement the proposed grading plan."



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Although the timing of the BPD's RFPCI project was clear, it was less obvious what the expected timeline of this project would be and if it were to precede the construction of the RFPCI. If it is possible to phase this project ahead of the RFPCI project's construction at this site, we strongly recommend that the proponent and BPD work together to do so. If possible, the BPD may want to begin RFPCI project construction in areas without flood infrastructure plans, like the plan to redesign the Gillette property, before the BPD starts their work in areas with flood infrastructure plans, like this site and Channelside. Should this project follow the RFPCI, we ask that the proponent work expeditiously to build their version of the flood infrastructure, as their proposed flood infrastructure design would provide an enhanced public realm.

According to the proponent, "because the proposed building is designed to have a structural life greater than 65 years; Project financing benefits from an extended license term; the Project is consistent with the SBWMHP; and the Project provides extraordinary public benefit," they are requesting a 99-year extended term license. While we are sympathetic to the challenges of financing projects, especially those providing coastal flood infrastructure, we have concerns about issuing a 99-year license. Though the proposed flood infrastructure elegantly blends its line of protection into the surrounding public realm, we do not know how long it is expected to be effective. Flood modeling at present is only reliable to a 50-year horizon, and it is challenging to predict the nature of sea level rise and the extent of coastal flooding beyond this timeframe. Though this project incorporates many of today's best practices, it is difficult to say if it will be sufficient 99 years into the future. We recommend that the license length better reflect our current understanding of flood infrastructure efficacy and, instead, be granted for 65 years, the license length given to its neighbor, 244-284 A Street. Even if this project is designing its flood infrastructure to be further elevated in the future (a best practice we typically recommend) a shorter license term can act as a good checkpoint for determining what additional protections are needed once we have improved flood modeling.

Future FPA Space

In addition to the 7,834 SF of Facility of Public Accommodation (FPA) space required under Chapter 91, the proponent will be contributing "an additional approximately 9,466 SF of FPA space within Private tidelands ... The entirety of the building footprint within Landlocked Tidelands (8,399 SF) will consist of publicly accessible areas", according to their filing. We appreciate that the proponent is offering over double the amount of FPA required by law, but we want to ensure that this promise is enshrined in the future. It is unclear to us if the Department of Environmental Protection (DEP) would be capable of enforcing the voluntarily provided FPA space and other publicly accessible areas in Private and Landlocked Tidelands should ownership or management of the building transfer. The additional FPA space is a tremendous benefit, and we would like further clarity on how DEP and the proponent will ensure that this promised benefit is maintained in the future. We also ask that the 8000 SF civic/cultural space be memorialized as well to ensure its preservation in the future.

Watersheet

To support watersheet activation, this project has demonstrated that it will comply with the 2002 Fort Point Channel Watersheet Activation Plan by preserving sightlines, providing waterfront vistas, building an accessible Harborwalk, and



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accommodating the South Bay Harbor Trail. The project will also provide supporting landside amenities like “on-site dragon boat storage, FPAs (which will be in excess of what is required by Chapter 91 and the SBMHP) that will attract people to the waterfront, wayfinding facilities, publicly accessible restrooms for use by boaters, cyclists and the transient public, a drinking fountain station, and spaces for public art.”

The Fort Point Channel Watersheet Activation Plan is outdated, and while it provides a solid foundation from which to work, we hope this development will go above and beyond the requirements outlined for its site. We appreciate the proponent’s efforts to create landside amenities that support usage of the watersheet and understand that the width of the site and the adjacent pumphouse likely makes a touch-the-water moment challenging. The proponent has stated that the park’s primary character centers on its proximity to the water. With this in mind, we encourage the proponent to work to activate the watersheet and create stronger ties between the site and the water, helping to anchor the site and give the project a distinct personality, as part of the larger trend of development along the southeastern end of the Fort Point Channel, it is important that this site contributes amenities that complement but are not duplicative of its neighbors. Boston Harbor Now encourages all the surrounding sites to work together to create a cohesive regional destination that invites visitors from all over to explore this part of the waterfront.

In conclusion, we appreciate many of the benefits this development is expected to help realize. Revitalization of a currently vacant parking lot, significant new open space, FPA space, and coastal resilience infrastructure will greatly improve the area. To maximize these benefits, however, the proponent must work to ensure they are guaranteed in the future. Coastal flood infrastructure should be adaptable so it can continue to be effective even into the future, and the promised publicly accessible space should be protected and guaranteed even if ownership of the building were to change. We’d also like to see additional activation of the watersheet, even if it is not on the proponent’s site, and we hope they will work with the other incoming developments along the Fort Point Channel to contribute to activation that makes the channel a regional destination.

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

Sincerely,

Kathy Abbott

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

President and CEO
Boston Harbor Now