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March 12, 2025

Via email: [Christine.Hopps@mass.gov](mailto:Christine.Hopps@mass.gov)

Massachusetts Environmental Policy Act Office  
100 Cambridge Street, Suite 900  
Boston, MA 02114  
Attn: Christine Hopps

*Re: Commercial Wharf Chapter 91 License Application*

Dear Ms. Hopps,

Boston Harbor Now respectfully submits the following comments on the *Commercial Wharf Chapter 91 License Application* submitted by the Commercial Wharf East Condominium Association. Our organization has been closely following the evolution of this project and has most recently commented on the May 2024 Advisory Opinion and 2025 Commercial Wharf Licensing Action Expanded Environmental Notification Form.

Boston Harbor Now's mission is to ensure that Boston's Waterfront, Harbor, and Islands are accessible, inclusive, and adapted to the risks of climate change. We advocate for climate resiliency measures that contribute to district-scale flood protection and improve ecosystem services, as well as waterfront activation that welcomes everyone, especially those who have been historically excluded. We do this to realize our [Harborwalk 2.0](#) vision of a vibrant, welcoming, and resilient coastline along Boston's 47-mile waterfront.

*Harborwalk Design*

In conformance with Chapter 313 of the Acts of 2022, the proponent intends to "build, construct, and maintain in perpetuity a 10-foot-wide segment of Harborwalk along the south side of the Wharf, substantially following the plan entitled 'Commercial Wharf Harborwalk Commercial Wharf Boston, MA 02110.'" Site plans show that pedestrian access continues east along the road to connect the proposed Harborwalk at this site and the existing Harborwalk at Boston Yacht Haven Inn and Marina. Boston Harbor Now is appreciative of the creation of new segments of the Boston Harborwalk, especially in areas where none exist. However, we are concerned that the proposed Harborwalk does not meet the standards and best practices that we consistently advocate for throughout Boston's Waterfront and lacks adequate public access. We would prefer to see a continuous Harborwalk along both sides of the wharf to maintain a connected waterfront pathway between the Fort Point Channel and US Coast Guard Station. We recognize



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implementing this vision is beyond the scope of this project and property, and yet urge the project proponent and abutting property owners to collaborate and create meaningful public access all along this wharf, in accordance with standards and best practices.

Additionally, as outlined in the 2018 [\*Climate Resilient Design Standards & Guidelines for Protection Of Public Rights-Of-Way\*](#), published by the Boston Public Works Department, the Harborwalk is expected to be at a minimum of 12 feet wide. Although there are a few segments of the Harborwalk that are only 10 feet wide, it is not the norm or a best practice. We are aware that Chapter 313 of the Acts of 2022 specifies a 10-foot wide Harborwalk, and this site is constrained by deed restricted parking, however, we urge the proponent to consider creative design solutions, like cantilevering the Harborwalk to allow for the typical 12 foot width. The new Harborwalk should also be designed so it is clear that the public is allowed and welcomed to utilize it. The proponent should consider adding benches, trash receptacles, plantings, wayfinding and interpretive signage, and lighting to help create a more welcoming waterfront experience.

It is also critical to ensure that people with mobility challenges are able to access the Harborwalk and public walkways at this site. As the proposed Harborwalk terminates, pedestrian access continues east and transitions down from elevation 14.57 BCB to meet the grading of the road. The pedestrian access narrows significantly once it transitions down to the parking lot, thinning to only 4 feet wide at its narrowest. Although 4 feet is the bare minimum width for a pedestrian zone under the Americans with Disabilities Act (ADA), there are no barriers preventing parked cars from impinging upon this path. As proposed, the narrowest portion of the pedestrian access runs between street parking spaces and the plaza in front of 88-90 Commercial Wharf. This pedestrian access route, as noted, is at the same grade as the road, allowing cars to easily jut into an exceedingly narrow strip of pedestrian access, thereby reducing public access. The siting and lack of separation between pedestrians and cars could also lead to critical access and safety issues that could lead to accidents and conflicts. To prevent this, we recommend that the section of public access that is only 4 feet wide be elevated so it is flush with the existing curb. Creating a graded separation between pedestrians and cars creates a safer environment and has the bonus of creating a wider pedestrian access route that users can use safely. We recognize that only a portion of this 4-foot-wide section is owned by the proponents, but we are hopeful that improvements will be possible by coordinating with abutting property owners.



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### *Creating Connections*

Boston Harbor Now and our partners advocate for a connected, welcoming, and resilient Harborwalk along Boston's entire 47-mile coastline. For this vision to become a reality, adjacent property owners need to collaborate to ensure their portions of the Harborwalk connect and create continuous, safe access. The public access route that connects the proposed Harborwalk to the existing Harborwalk at Boston Yacht Haven Inn and Marina directs users to the east corner of the proponent's property, which today is surrounded by a chain link fence. We question whether the proposed public access route is the most efficient or safest and ask that alternative routes be considered. If the proponent still elects to use the route as shown in the proposed plans, we recommend they ensure the removal of the chain link fence which may require coordination with abutting property owners. Wayfinding and signage are necessary and vital to help people navigate to and from the disconnected segments of the Harborwalk running along Commercial Wharf and to the water-dependent uses and access points found there.

However, it is our understanding that 88-90 Commercial Wharf has recently come under new ownership and may be redeveloped in the future, and so we understand that new Harborwalk will be constructed in association with that redevelopment. As a part of our vision for a fully connected Harborwalk, we want to ensure that the Harborwalk built as a part of this project can connect to a potential new Harborwalk at 88-90 Commercial Wharf.

Additionally, though it is beyond the scope of this filing, we ask that the proponent consider improving public access on the north side of the wharf. It is unclear if this section is considered Harborwalk; however, widening and adding public access or Harborwalk signage would highly increase accessibility in this area. The proponent should consider using consistent striping (similar to what is proposed in the filing) to bring cohesion and visibility to this part of the wharf and Harborwalk.

### *Harborwalk Resilience*

As a part of the proposal for the boardwalk portion of the Harborwalk, the proponent will be slightly elevating their boardwalk above the existing grade to 14.57 BCB according to their MEPA EENF. We want to ensure the proponent has selected elevation of 14.57 BCB is above nuisance flooding for the design life of the structure. Elevating the Harborwalk to prevent nuisance flooding for the structure's design life, or until 2070, is a best practice that allows the Harborwalk to remain connected to the water while also keeping it largely protected from the impacts of flooding. On days where the Harborwalk is expected to flood because of storm surge or king



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tides, we ask that the proponent have a warning system in place to close the Harborwalk.

We also want to ensure that the Harborwalk can be further elevated in the future. Any maintenance repairs to the existing infrastructure to allow for further elevation in the future should be addressed and the Harborwalk should be constructed with materials capable of withstanding occasional coastal flooding.

We appreciate that ADA connections up to and down from the elevated boardwalk portion of the Harborwalk are being considered, as well as other grade changes that occur along the Harborwalk. Gentle grading slopes allow people of all abilities to utilize this wonderful public amenity.

#### *Site Resilience*

Like the Harborwalk, the retaining wall should address climate impacts for its useful life. According to their MEPA EENF, “the footing for the proposed retaining wall will be designed and installed to accommodate a future top of wall of elevation 20 BCB”. We commend the proponent for building flood infrastructure that can be further adapted for future flood impacts and are pleased to see that the future top of wall elevation is above the projected 2070 1% flood, according to the Boston Planning Department’s Base Flood Elevation estimate (19.5 BCB). We remain concerned about 2050 flooding. The EENF Certificate states “According to the Tool output report, under 100-year storm conditions in 2050, the projected water surface elevation will be 12.2 ft NAVD 88 and the wave action water elevation will be 14.2 ft NAVD 88. The boardwalk is proposed to be constructed at an elevation of 8.3 ft NAVD 88 with a 3.5-ft high (measured from ground level) retaining wall with a top elevation of approximately 10 ft NAVD 88 along the landward edge of the boardwalk” seemingly indicating that the seawall as proposed is not high enough to stop coastal flood waters during the 2050 1% Storm. To address this the proponent should consider making the retaining wall higher now, or they will need to make the future planned adaptations to the seawall earlier than 2050.

We recognize that without other flood infrastructure to connect to, flood waters will still manage to flank infrastructure, resulting in flooding at this site. However, multiple coastal resilience plans covering this geography have been created or are in the works, and therefore the retaining wall created during this process should be constructed so that it can readily tie into future flood infrastructure to create effective district-level protection. We appreciate that the designed flood infrastructure proposed for the site



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complies with *Coastal Resilience Solutions for Downtown and North End* plan and the North End Waterfront Climate Alliance (NEWCA) plan.

We have concerns about the designs put forth in the Notice of Intent submitted to the City of Boston Conservation Commission and the Northeast Regional Office of the Department of Environmental Protection. On page 2 and 3 of the *Commercial Wharf East Southside Boardwalk - Boston Wetlands Notice of Intent – Project Description*, diagrams show a seawall that blocks views of the waterfront. Even Option 2 and the use of glass to mitigate the visual impacts will still disconnect Harborwalk users from the water. Though the hypothetical sections shown are meant to be built by US Army Corps of Engineers, we hope it will be possible to locate this seawall landward of the Harborwalk to maximize views. If it is feasible, the proponents should ensure that their planned flood infrastructure does not preclude landward location of the seawall in the future.

*In conclusion*, the creation of a new Harborwalk is an exciting prospect, helping improve waterfront access in areas where there is none. However, the Harborwalk proposed in the filing is narrower than the requisite 12 feet width and the public access route shown in the proposed plan does not sufficiently connect with the existing Harborwalk at Boston Yacht Haven Inn and Marina, which gives us pause. Despite this, we believe the portions of the Harborwalk that are most concerning can be significantly improved with new design interventions. We appreciate the proponent's desire to build a flood-resilient asset that can help protect their site in the future and hope the elevations proposed match the design life of the new Harborwalk being created. Even though flooding will still occur at this site without additional infrastructure to create a continuous barrier, the proponent is taking steps to help make Commercial wharf more resilient to inevitable flooding

We are grateful for the opportunity to comment on this project and look forward to reviewing a management and signage plan for Commercial Wharf moving forward.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathy Abbott".

Kathy Abbott  
President and CEO  
Boston Harbor Now