



South Boston Waterfront District Municipal Harbor Planning
Advisory Committee Meeting No. 4
Wednesday, March 16, 2016
Piemonte Room, 5th Floor, City Hall, Boston, MA

Attendees

Advisory Committee (“Committee”): Bruce Berman, Austin Blackmon, Marianne Connolly, Sara McCammond, Greg Vasil, Julie Wormser

City of Boston (“City”): Chris Busch, Boston Redevelopment Authority (“BRA”); Erik Hokenson, BRA; Casey Hines, BRA

Government Representatives: David Biele, Office of Rep. Nick Collins

Proponent Representatives: Jon Cronin, Cronin Holdings; Michael Kineavy, Cronin Holdings; John Pulgini, Cronin Holdings; Rob Halter, Elkus Manfredi Architects; Rebecca Leclerc, Elkus Manfredi Architects; Tom Skinner, Durand & Anastas

Members of the Public: Rami El Samahy, Laura Hadley, Todd Isherwood, Thomas Nally, Tom Palmer, Bud Ris

Meeting Summary

Mr. Chris Busch, BRA, opened the meeting at 6:05PM by introducing BRA staff in attendance and representatives from the 150 Seaport Boulevard development team, Cronin Holdings. He stated that the focus of the evening’s meeting would be further discussion of the offsets mitigating the substitute provisions for 150 Seaport Boulevard. He listed the offset priorities identified in the previous Committee meeting: Martin Richard Park (the “Park”), which the City of Boston Parks and Recreation Department is still designing with the goal of presenting the design in mid- to late-April; the Northern Avenue Bridge gateway, whose bridge is the subject of a recently-announced Ideas Competition beginning March 21; additional activation of the Pier 4 Water Commons; public realm improvements, including uniform and improved signage; an enhanced Harborwalk; and water transportation. Support of civic and cultural space and watersheet programming were also identified as priorities. Mr. Busch solicited initial comments from the Committee.

Ms. Marianne Connolly, Municipal Harbor Plan Advisory Committee (“MHPAC”) Member, contended that having recently visited Children’s Wharf Park, Martin Richard Park would be a worthwhile investment. She asked if there was a limit to the number of recipients of mitigation funding. Mr. Busch clarified that there is not, but that the Commonwealth prefers an order of priorities during the review of a draft municipal harbor plan (MHP). Ms. Connolly indicated that Martin Richard Park would be her strongly preferred choice.

Mr. Julie Wormser, MHPAC Member, posited that the Committee had not been provided with the amount of offsetting funds, thus making it difficult to prioritize the list in an effective manner. She also expressed her apprehension about the many outstanding hurdles to development, including land assembly. Mr. Busch replied that the mitigation corresponds to the square feet of net-new-shadow and lot coverage above 50% and that Cronin Holdings would address her land assembly concerns during their presentation. He noted that the absence of a dollar figure should not preclude the prioritization of the public benefits.

Mr. Bruce Berman, MHPAC Member, indicated that he was recently encouraged by a multi-stakeholder meeting to discuss transportation options for the approximately four thousand employees who commute from North Station to the South Boston Waterfront, which presents an opportunity to solidify demand for water transportation with more frequent service. He continued that his priorities are similar to Ms. Connolly's and that the goal of the Committee should be to ensure a democratic waterfront. He suggested that offsets that enhance the site's and neighborhood's resilience to the impacts of climate change should be considered, as well. Ms. Wormser countered that such measures should be baseline, as opposed to offsets. She postulated that Chapter 91 should evolve to include flood protection, with which Mr. Berman disagreed. Ms. Wormser continued that she is attempting to balance the requirements of the regulations with what would make an excellent project in this instance; for example, Chapter 91 requires on-site or geographically proximate benefits, which is difficult for 150 Seaport Boulevard as a result of the parcel size. She expressed concern with the possibility of setting precedent. Mr. Busch explained that there is already precedent for open space offset offsite and the Secretary's Decision for the South Boston Waterfront Municipal Harbor Plan referenced aggregation of open space offering greater benefit than individual pocket parks. Ms. Wormser speculated that deviations from Chapter 91 would eventually make the statute worthless and stressed the need to approve a project that sets as minimal of a precedent under Chapter 91 as possible. Mr. Berman claimed that the MHP provision of Chapter 91 allows for deviations, but Chapter 91 remains the guiding document for determining offsets, including how to appropriately weigh these deviations. He added that various public benefits can be contiguous to a site, such as programming, civic and cultural spaces, and infrastructure, but that the overarching goal is to increase and enhance access to and enjoyment of the waterfront. He opined that Martin Richard Park would certainly attract urban youth to the waterfront and closed by recommending that additional weight be given to public benefits that last for the duration of the Chapter 91 license.

Ms. Sara McCammond, MHPAC, concurred with Ms. Wormer's suggestion that the lack of a dollar amount made it difficult to develop priorities. She inquired if there would be civic and cultural space in 150 Seaport Boulevard. Mr. Busch answered that it can certainly be considered, but up to this point has not been discussed by the Committee. He pointed to the space for the Society of Arts & Crafts adjacent to the project site and another 30,000 SF at Fan Pier and 240,000 at Seaport Square to be built-out at nearby parcels. Ms. McCammond

lamented the lack of civic and cultural space in the South Boston Waterfront despite community groups' persistent need for it.

Mr. Austin Blackmon, MHPAC Member, admitted that he is a strong proponent of Martin Richard Park, shares his fellow Committee members' frustrations over evaluating the public benefits without an understanding of the dollar amounts. He agreed with Mr. Berman's suggestion of strongly considering financial sustainability. Therefore, Mr. Blackmon would not prioritize water transportation subsidies over the alternatives. He suggested that it would be useful to present some initial designs for the Park to the Committee. Mr. Busch responded that an invitation to the appropriate City department had been extended in order to do so, but not yet accepted in deference to a formal presentation to the public as a whole.

As a follow up to Ms. McCammond's comments, Mr. Berman informed the Committee that 100 Pier 4 has free public meeting space that recently opened. It's directly adjacent to the project site and overlooks the water from the second floor of the building.

Ms. Wormser indicated her strong preference for tangible projects over contributions to a fund for projects. She noted that there is a transportation hub planned for the Seaport by Massport, which may offer the opportunity to create a "water transportation hub" in lieu of water transportation subsidies. She continued that an accessible Martin Richard Park and an improved Northern Avenue Bridge gateway completes a list of three things that are tangible, proximate, and add value to the neighborhood.

Mr. Blackmon stated his support in order of preference for an enhanced Harborwalk, Martin Richard Park, and then the other public benefits.

With no immediate questions or comments from the Committee, Mr. Busch solicited comments and questions from the public.

Mr. Bud Ris, North End resident (and Downtown Waterfront MHPAC Member), inquired if there is any demographic information that could inform the planning of the area moving forward to ensure appropriate live, work, and play spaces. Mr. Busch replied that there are a number of sources for that information and that there has been a stated demand for active recreation areas. Mr. Berman added that traditional uses, such as fish processing, have leases at Fish Pier through 2029 that should not be forgotten. Mr. Ris, referencing previous plans for a children's aquarium on the South Boston Waterfront, argued that it is difficult to justify such an expense for a non-profit in a high-rent area. Mr. Berman commented that the site does not constitute a special public destination facility ("SPDF"). Mr. Ris concluded that the amendment should adhere to the priorities outlined in the original South Boston Waterfront District MHP.

With no further comments or questions, Mr. Busch invited Mr. Tom Skinner, Durand & Anastas, and Mr. Rob Halter, Elkus Manfredi, to present the proponent's project. Mr. Skinner stated that

the purpose of his presentation is to answer questions posed by the Committee. He initiated the presentation with an explanation of the project's site assembly. Referring to the site diagram, Mr. Skinner explained that there is the existing "restaurant parcels" owned by Cronin Holdings, a triangular parcel currently licensed to Cronin Holdings, easements from both neighboring Tishman Speyer and Massport, and the sidewalk. Ms. Wormser asked if Cronin Holdings owned all of the parcels. Mr. Skinner explained that they currently do not because certain purchases are dependent upon the issuance of a Chapter 91 license. Mr. John Pulgini, representing Cronin Holdings, clarified that Cronin Holdings and the BRA are co-petitioners to the Public Improvement Commission (PIC) to take the triangular parcel resulting from the discontinued Northern Avenue, which requires various municipal agency approvals and an appraisal. Ms. Wormser questioned the probability of the taking. Mr. Pulgini answered that Cronin Holdings is confident in acquiring the property given the City's explicit desire to straighten Seaport Boulevard and Northern Avenue. Ms. Wormser sought an explanation on the inclusion of sidewalks in the project site. Mr. Skinner clarified that the sidewalk is included to permit the cantilever, which would otherwise be precluded by Chapter 91 dimensional regulations. Ms. Wormser inquired about the inclusion of the cantilever in the overall design. Mr. Skinner replied that the cantilever allows for a smaller building footprint and without it the project would be financially unfeasible.

In response to its question on construction staging, Mr. Skinner informed the Committee construction will likely include the use of a barge and landside construction would be along Seaport Boulevard. The goal is to ensure a timely construction period with a protected walkway. Ms. Wormser returned to the land assembly. Mr. Skinner contended that there are no guarantees in permitting, especially under Chapter 91, but that the process must begin somewhere. A Chapter 91 license requires care and control of the licensed property for the duration of the license, but care and control cannot be proven prior to the Article 80 Development Review process, which is concurrent with this MHP amendment process. Mr. Skinner continued that the existing licenses for the site are not all consistent, especially in regard to the seaward line of the water-dependent use zone ("WDUZ"), and are complicated by legal actions of the previous owner. Depending upon the conclusions of the Department of Environmental Protection ("DEP"), the Harborwalk around the site will measure either twenty or twenty-six feet wide, the latter of which would better match the Harborwalk along Pier 4. Preempting concerns that a larger Harborwalk would constitute less lot coverage (and therefore require less mitigation), Mr. Skinner stated that the cost of a larger Harborwalk exceeds any savings from a lower lot coverage. Mr. Berman expressed his hope for an expanded and enhanced Harborwalk. Ms. Connolly agreed with Mr. Berman and opined that guidance from DEP would be beneficial.

Mr. Ris inquired if a table comparing the existing, Chapter 91-compliant, and proposed buildings has been presented. Mr. Skinner confirmed that the table has and is available online in previous presented and that a schematic comparison would be presented shortly by Mr. Halter.

Ms. Laura Hadley, member of the public, posed the question of incorporating protection against sea level rise into the design of the building. Mr. Skinner replied that it has, noting that the piles being replaced will be higher and the ground floor is capable of being raised without the loss of use. He added that this has been expounded on in previous meetings and referred Ms. Hadley to presentations from them.

Mr. Tom Palmer, member of the public, asked how the contradicting licenses are resolved. Mr. Skinner replied that DEP does, but that the design presented is based upon a conservative site survey by Feldman Land Surveyors, a firm with extensive Chapter 91 experience.

Mr. Rami El Samahy, Principal of Over, Under, inquired about the white quadrilateral area adjacent to the Harborwalk in the southeast corner of the project site. Mr. Skinner replied that it is planned to be a water feature that Mr. Halter would present momentarily.

Mr. Todd Isherwood, resident of the South Boston Waterfront, quizzed Mr. Halter on pedestrian amenities on the Harborwalk, such as seating. Mr. Halter stated that such amenities are planned and would also be presented momentarily.

Ms. Wormser raised the issue of DEP issuing an unfavorable response regarding the inconsistent boundaries determined in the Chapter 91 licenses. Mr. Skinner explained that the design of the development works for either interpretation of the project site in the licenses.

Mr. Ris asked if Massport is comfortable with the infringement of the project on the designated port area ("DPA") fairway. Mr. Skinner replied that Massport has not raised any issues and, given that the water immediately adjacent to the piles is quite shallow, he does not expect there to be.

Mr. Halter responded to questions from previous Committee meetings regarding comparative building heights between existing, compliant, and proposed structures and neighboring ones using aerial and cross-sectional schematics. With no immediate questions from the Committee, Mr. Halter moved on to describe the site's landscape plan, which includes pedestrian seating, a water feature, and feature poles for artful lighting. He highlighted the space between Pier 4 and 150 Seaport Boulevard as a space requiring activation and currently calls for added lighting, community art installations, and plantings. Mr. Blackmon ask for a clarification of which direction this particular wall faces. Mr. Halter replied that it faces the west. Mr. Ris asked for the width of the space between the buildings. Mr. Halter informed him that it ranges from twenty to twenty-two feet. Mr. El Samahy speculated that there would not be enough sunlight to sustain any plant growth. Mr. Halter responded that it's not a climbing green wall of ivy, but will feature a selection of specifically-chosen plants to add texture to the wall, not cover it. He added that they are in discussions with the Society of Arts of Crafts, located adjacent to the project site, regarding the public art and programming the space. Mr. Berman remarked that

nothing activates an area like activity, whether it is attracted by meeting spaces, public art, or restaurants.

Mr. Ris inquired if the original South Boston Waterfront MHP intended to keep the project site at a lower height to step the buildings down to the waterfront. Mr. Busch explained that the South Boston Waterfront MHP had not considered any substitutions for the “restaurant parcels” due to a lack of the owner’s interest. The graded height authorized in the South Boston Waterfront MHP allowed increasing heights from a low at the outer edge of Fan Pier and Pier 4 to the FAA-allowed 250-foot maximums at Seaport Boulevard and southward. Mr. Ris cautioned that the Downtown Waterfront possesses many narrow alleyways between buildings that discourage the public’s access to the water, which this parcel should avoid. Mr. Halter replied that they would not want that and have proposed a design to ensure that the space is actually a feature that attracts activity.

On the topic of wind, Mr. Halter informed the Committee that the wind analysis found that all 101 locations tested met the BRA’s criteria on an annual basis and actually improved or did not change the wind at 97% of the locations compared to the existing conditions. He added that mitigating measures such as canopies, wind screens, and landscaping will be installed to alleviate wind gusts in the three exacerbated locations during the spring, fall, and winter.

Mr. Palmer quizzed Mr. Halter on the distance offsetting the southwest corner of the project site and the southeast corner of the adjacent Pier 4 site. Mr. Halter did not know exactly, but surmised that it was a number of feet. Mr. Palmer pressed if sunlight could be expected to penetrate the space. Mr. Halter said it would.

Ms. Wormser returned the conversation to the determination of the baseline for offsetting purposes, specifically the inclusion of the sidewalk in the project site. She expressed disquiet over the substitute provisions allowing a different building design if the proposed project became unviable due to a failure to close the purchase of the required land. Mr. Skinner replied that the MHP is only the initial step in the regulatory process, including Article 80 Development Review and MEPA, which provides further specification to the development. MHPs are designed to be general parameters, not specific building proposals, in order to be flexible to various uncertainties, such as market conditions, building materials, etc. Ms. Wormser claimed that the proposed project is a significant deviation from Chapter 91. Mr. Skinner parried that the purpose of the MHP is to allow for deviations from Chapter 91 and that the proposed project is not a deviation from the project’s context. Mr. Ris inquired if the extension of the deck onto the watersheet is being used to justify a larger building and if that sets a precedent. Mr. Skinner stated that it is not; excluding the expanded deck would only increase the lot coverage from approximately 62% to 65% or about 250 square feet of mitigation. Mr. Palmer asked what the lot coverage would be if the cantilevered portion were excluded from the project site. Mr. Skinner replied that it would be another small percentage increase of about two percent. Mr. Busch reminded the Committee that the extent of the

Harborwalk is pre-existing i.e. a license already exists for it. The size of it requires further clarification from DEP, but it is not subject to mitigation.

With no further questions or comments, Mr. Busch informed the Committee that BRA staff will prepare a draft of the South Boston Waterfront MHP amendment to be reviewed. The next Committee meeting will be scheduled based upon completion of the draft.

Meeting adjourned at 7:50 PM.