

BOSTON'S DOWNTOWN WATERFRONT PLAN DEBUTS

By Michael Parker on April 6, 2017



The Boston Planning and Development Agency recently released the Downtown Waterfront District Municipal Waterfront Plan (the “Waterfront Plan”). While virtually the entire Boston Harbor Waterfront is subject to Chapter 91 jurisdiction, municipalities are allowed to modify Chapter 91 regulations, as recently amended and promulgated by MassDEP, by enacting municipal harbor plans. In return for the regulatory flexibility, municipal harbor plans create a combination of baseline requirements, amplifications, substitute provisions and offsets of Chapter 91 regulations.

Put in simplistic terms, municipal harbor plans work by requiring that new nonwater dependent projects provide baseline public benefits found in the Chapter 91 regulations, such as pedestrian access (e. g., Harborwalk) and facilities of public accommodation (e.g., retail uses open to the general public). The baseline public benefits are “amplified” with improvements to the public realm, protection of water dependent uses and enhanced climate resiliency measures. Substitute provisions to Chapter 91 regulations are implemented for new projects that exceed Chapter 91 standards, such as building height and lot coverage. In return for substitute provisions to allow more height and density, new projects are required to provide offsets to ensure that waterfront access and public use is promoted with equal or greater effectiveness than what is required by Chapter 91.

Many years in the making, the Waterfront Plan encompasses the 42+ acres of flowed and filled tidelands located between the Rose Fitzgerald Kennedy Greenway and Boston Harbor, which is comprised of 26 properties (see the planning area at A1306760 pdf). Notably, the Waterfront Plan sets flexible development standards for two prominent waterfront parcels, the Boston Harbor Garage site and the Hook Wharf site. The more controversial parcel, the Boston Harbor Garage site, has been the subject of a very public stalemate between the developer, the City and neighbors, dating back to the Menino administration. That stalemate seems to be approaching its end, as the Waterfront Plan allows for a new structure up to 600 feet tall with a 50% open space requirement to replace the existing monolithic parking garage that occupies the entire lot.

The Hook Wharf site will be allowed to construct a 305-foot tall structure with a 30% open space requirement. In addition to those two parcels, another highly anticipated project within the Waterfront Plan area is the Old Northern Avenue Bridge Rehabilitation. The bridge is a key gateway between Boston's historic downtown and the rapidly growing South Boston Waterfront. The City hosted an ideas competition to solicit concepts for the rehabilitation or replacement of the bridge in 2015, and an RFP is expected to be released soon. The revitalization of the downtown waterfront should also greatly benefit the long-underutilized Rose Fitzgerald Kennedy Greenway – full activation of the Greenway is long overdue. BPDA is accepting comments on the Waterfront Plan until April 21st. Hopefully, battles over the Waterfront Plan will not be as intense, or prolonged, as the Boston Harbor Garage battle.

Copyright © 2017, Rackemann, Sawyer & Brewster, P.C. All Rights

Reserved.

Massachusetts Land Use Monitor Rackemann, Sawyer & Brewster, P.C.
<http://www.rackemann.com>

STRATEGY, DESIGN, MARKETING & SUPPORT BY

LEXBLOG