



THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

OFFICE OF COASTAL ZONE MANAGEMENT

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Notice of Request to Review the East Boston Designated Port Area (DPA) Boundary

In accordance with applicable regulations at 301 CMR 25.00, public notice is hereby given of the request by the Boston Planning & Development Agency for the Massachusetts Office of Coastal Zone Management (CZM) to initiate a review of the East Boston DPA boundary. CZM will consider the boundary review request and respond within 45 days.

Copies of the state regulation under which a DPA Boundary review is conducted (301 CMR 25.00) can be obtained at the State Bookstore, State House, Room 116, Boston, MA 02133 or electronically at: <https://www.mass.gov/files/documents/2016/08/wl/301-cmr-25.pdf>.

Notification Date: February 10, 2020



January 30, 2020

Ms. Lisa Berry Engler, Director
Massachusetts Office of Coastal Zone Management
251 Causeway Street, Suite 800
Boston, MA 02114

Re: Request for East Boston Designated Port Area Boundary Review, East Boston, Boston, MA

Dear Director Engler:

Pursuant to 301 CMR 25.03, the Boston Planning and Development Agency ("BPDA") respectfully requests that Massachusetts Office of Coastal Zone Management ("CZM") initiate a boundary review for portions of the East Boston Designated Port Area ("East Boston DPA") as shown on Attachment A.

There are two DPAs in East Boston: the Chelsea Creek DPA, a continuous strip along the Chelsea Creek, and the East Boston DPA, which is made up of four disconnected parcels along the Boston Inner Harbor waterfront. The area for which we are seeking a boundary review falls within the boundaries of the East Boston Municipal Harbor Plan and comprises the land and watershed of four disconnected DPA parcels within the Boston Inner Harbor waterfront.

The City of Boston and the BPDA recognize the importance of DPAs for the city and the region. We support and promote DPAs and water-dependent industrial uses in general. We are asking CZM to review these areas because of 1) the lack of active water-dependent industrial activity in these areas, and 2) their flood vulnerability, which will likely require substantial investment to address.

As part of the BPDA's ongoing neighborhood-wide planning initiative, PLAN: East Boston, the Agency has solicited community input on visions and priorities for the area. Early feedback has focused on resilience and the need for open space, access to the waterfront, and more housing opportunities.

Characteristics of the area for review

The East Boston DPA is one of four DPAs in Boston Harbor and differs in its use, geography and marine industrial capacity characteristics. The parcels that constitute the South Boston, Mystic and Chelsea Creek DPAs are geographically contiguous and better integrated, providing for larger-scale water dependent industrial activities involving the bulk handling of cargo, fuel, large ship repair and large vessel berthing capacity. They also share robust transportation system access including dedicated truck routes, and are largely buffered from surrounding residential areas by adjacent commercial and industrial uses.

The East Boston DPA by contrast is comprised of smaller parcels that are more disconnected and function less in an integrated way for marine industrial activities. Three of the parcels are along Border

and New Streets, running north from LoPresti Park to Shore Plaza. The fourth parcel is on the southeastern corner of the MHP Boundary in the Jeffries Point neighborhood and consists primarily of the Jeffries Point Yacht Club and Porzio Park. Please refer to Attachment A for a map of the existing East Boston DPA boundary with the requested boundary review area highlighted. Per 301 CMR 25.03(1), also attached, as Attachment B, is the mailing addresses for all persons owning property in the areas to be reviewed, as shown on the most recent applicable assessors list. There are approximately 17 property owners within the boundary review area.

Several parcels are limited by shallow drafts and derelict waterside infrastructure that inhibits functional ship to shore connections (see Attachment C). Many properties are underutilized or largely comprised of non-water dependent uses. Current and past marine industrial uses relate more to shoreside tug and tow services, marine contracting and shipyard and ship repair service. With significant new development in East Boston and changing land uses, the DPA parcels have been surrounded by residential and mixed uses, and roadway networks that are less conducive for truck and hauling vehicles. These issues, and the high costs of infrastructure upgrades for the parcels, create significant challenges for the function and growth of marine industrial activities.

Background and Planning Context

The Boston Planning & Development Agency and the City of Boston believe it is appropriate to reexamine the boundaries of the DPA, given the passage of time since the original designation in 1978, and the shorter but more transformative period since the previous boundary reviews in 2002 and 2008.

East Boston Master Plan April (2000)

While maritime and industrial activities played an important role in the history and development of East Boston, the East Boston Master Plan ("Plan") picked up on the decline of traditional port uses including the ship to shore transfer of goods. The Plan notes an active market for lower intensity maritime users such as marine services, marine construction, boat repair, staging, storage and layover berthing. The Plan also highlights a significant amount of underutilized marine industrial properties. This is due in part to expensive waterside infrastructure needs and limited access from major highways. The Plan underscored the community's desire for other waterside uses for dormant industrial sites including residential uses and the strong preference for more waterfront open space and shoreline public access. The Plan recommended maintaining existing viable marine activities and regrouping compatible activities where feasible. The Plan also recommended marketing East Boston as a hub for port services for Boston Harbor.

East Boston Waterfront District Municipal Harbor Plan (2002)

The East Boston Municipal Harbor Plan ("EBMHP") was approved in 2002 and describes the boundary review area in the following detail:

The Traditional Working Waterfront – North and South Border Street

The north Border Street area extends south from Shore Plaza East to the northern boundary of Liberty Plaza commercial center. It includes the Umana/Barnes School and one of the DPA subareas. With the exception of the Umana/Barnes School, most of the buildings in the section of the waterfront are three

to four stories high. With the exception of the Umana/Barnes School, land uses in the DPA are primarily water-dependent industrial, including Boston Tow and Transportation and the Westerbeke Company. The adjacent neighborhood across Border Street, however, is primarily residential and abuts the Eagle Hill Historic District. Water depths at the seaward boundary of this area range from 13 to 27 feet.

The south Border Street area extends from the south end of Liberty Plaza to LoPresti Park, between Border and New Streets and the Harbor. This area is also part of the East Boston DPA. Approximately two-thirds of this planning sub-area is vacant land. Several buildings in this area are vacant, including one located adjacent to Liberty Plaza Shopping Center and several located on New Street. The remaining buildings are generally underutilized. The southern end of the area contains 19th century industrial buildings of varying heights. The Boston Tow and Transportation property is the only one that is currently in water-dependent use. The tallest building is nine stories. Across Border Street most of the buildings are two to three stories high and industrial in character. A large residential public housing project, Maverick Gardens, whose buildings are three stories high, is located across from the New Street waterfront properties. Water depths at the seaward boundary of this area range from 18 to 22 feet.

The Jeffries Point area, located at the southeastern corner of the study area, abuts Logan International Airport. It consists primarily of the Jeffries Point Yacht Club and Porzio Park. It is part of the same DPA sub-area as the Massport Ship Yard and Navy Fuel Piers.

The existing waterfront industries have had to adapt to constraints of existing conditions, including continuing residential development and transportation connection limitations imposed by existing street network and traffic conditions. Nevertheless, economic and cultural changes of East Boston's Harbor and related neighborhoods present many opportunities for a modern waterfront today. Current water-dependent industrial uses include tugboat operations, shipyard, layover for tugs, barges and water transportation vessels, fish gear distribution, lobster trap storage, pilot operations, and water transportation services.

At the time the Request for Notice to Proceed was filed, it was the BPDA's intention to include a DPA Master Plan (DPAMP) in the EBMHP. The BRA had done preliminary analysis of the DPA and presented the results to both the MHP Advisory Committee and the East Boston community. As a result of this work, it became evident that there were questions about the existing DPA boundary that needed to be addressed. In response to this need and a request for review filed by a property owner, CZM initiated a Boundary Review study in mid-December, 2001 that evaluated the current East Boston DPA boundary. Since this study was coordinated with and conducted in parallel with the BRA's on-going work, the City in consultation with CZM and the Municipal Harbor Plan Advisory Committee decided to submit the East Boston MHP and a later amendment.

East Boston Designated Port Area Designation Decision (2003) and Designated Port Area Boundary Reconfiguration

The EBMHP was approved in July 15, 2002. In his Decision on The City of Boston's East Boston Waterfront District Municipal Harbor Plan ("Decision"), the Secretary of Environmental Affairs stated that site-specific substitute provisions and amplifications for properties located along New and Border Streets would be addressed in an Amendment to the original EBMHP, pending completion of a Designated Port Area (DPA) boundary review by the Massachusetts Office of Coastal Zone Management. A Designation Decision for the East Boston Designated Port Area ("Designation Decision") was issued on

April 23, 2003, which excluded the land area of a parcel identified as 4-26 New Street and other areas from the DPA.

After the Designation Decision, the Boston East project site remained restricted by two DPA zones occupying the north and the south portions of the site. Subsequently, the City applied for a reconfiguration of the DPA to consolidate the area on the south portion of the site, adjacent to 80 Border Street. This reconfiguration was approved, allowing for a more efficient land use allocation of water-dependent maritime uses within the site. Special design provisions were required for nonwater-dependent uses in the DPA area to prevent conflicts with water-dependent uses include measures such as the use of double-glazed windows and the location of facilities of public accommodation as a “buffer” between the DPA and proposed residential units.

Amendment to the City of Boston’s East Boston Waterfront District Municipal Harbor Plan 2008

The East Boston Waterfront District Municipal Harbor Plan Amendment (“MHP Amendment”) addressed the proposed site-specific substitute provisions for two of the properties located in the area in which the boundary review was conducted: 6-26 New Street and 102-104 Border Street (Boston East). Both sites, The Eddy (258 apartments) on New Street and Boston East (200 apartments) on Border Street were planned and developed as residential use.

Redevelopment and Evolution of the East Boston Waterfront

Within the past five years, the East Boston waterfront has undergone a dramatic transformation. Currently 1,586 residential units have been constructed or are near completion. A significant portion of the East Boston waterfront is now open to public access via Harborwalk and is activated by new open space and public facilities.

With the ongoing building boom in East Boston, maritime industrial uses are dwindling and residential uses are growing. This has resulted in increased interest in the potential for appropriate development along the waterfront that might include public access and climate-resilient open space.

Recent and Ongoing Planning

Recent and ongoing planning initiatives, such as Climate Ready Boston (2016), Imagine Boston 2030 (2017), Coastal Resilience Solutions for East Boston and Charlestown (2017) and PLAN: East Boston (ongoing), have identified Boston East, Central Square, and Border Street sites within the DPA as key opportunities to increase public access to the waterfront and address coastal flooding.

Through the development of future flood mapping and the integrated vulnerability assessment component of Climate Ready Boston, the City has determined that the most consequential climate hazards we will be facing in the near and long term will be damage caused by coastal storm events and rising sea levels. The more focused Coastal Resilient Solutions analysis for East Boston provided a greater technical understanding of flood pathways and the design considerations to protect the community. Flood protective options developed through the study based on neighborhood feedback and levels of effectiveness concentrated on stopping flood waters at the shoreline through an integrated system of elevated Harborwalk, living shorelines and open space that provide the dual benefit of enhancing public access and use of the waterfront, along with community-wide flood protection.

Based upon the East Boston study the Border Street area at the DPA parcels are within current flood hazard zones and function as part of a broader flood pathway as soon as 2030 with 9-inches of sea level rise. Some of the DPA parcels have also lacked investment in upgrades to shoreline and landside infrastructure making them more vulnerable to flood damage. The DPA parcels and measures to ensure they are part of an integrated flood protection system are crucial to the protection of East Boston's homes and businesses, as well as significant transportation and utility infrastructure that serve the broader region. Establishing flood protective measures and an enhanced shoreline can also serve to protect DPA uses and potentially improve DPA access to the harbor. Without flood adaptive capacity built into the DPA parcels they will become subject to regular tidal flooding in the coming decades and no longer function to advance the interests of Chapter 91 or Designated Port Areas.

Fortunately, the East Boston DPA parcels are large enough to integrate enhanced site elevations to meet 2070 sea level rise target elevations and link into a comprehensive shoreline protection system along Border Street. Site elevation changes can also improve shoreline conditions and ship-to-shore connections, which were framed as resilient design priorities as part of the Climate Ready South Boston report and analysis of the Raymond Flynn Marine Park and South Boston DPA. Reinvestment in the DPA properties can facilitate more resilient DPA infrastructure consistent with the City's recent Coastal Resilient Design Guidelines which provide direction on measures such as base floor elevation, wet and dry flood proofing and critical system protection for industrial uses typically found in designated port areas.

Public input provided during the PLAN: East Boston planning process to date indicates the desire for better public access, open space, flood protection measures, mobility options, and housing and job opportunities within the Border Street corridor. This input is consistent with the themes generated during the Imagine Boston 2030 Waterfront Planning process. This boundary review request is timed to coordinate with the PLAN: East Boston process. In the spring of 2020, PLAN: East Boston will be considering future land use scenarios for various areas in East Boston. The Central Square area is one of the areas under study. The outcome of this boundary review process will inform those land use scenarios.

With the submission of this letter, we understand that the review will determine whether areas now included in the East Boston DPA are in substantial conformance with the criteria that govern suitability of the waters and the land to accommodate water-dependent industrial uses. We also understand that review will follow a public process as specified in the Designated Port Area Regulations at 301 CMR 25.03, and will include opportunities for the public to participate in the information gathering process and to provide comments on Coastal Zone Management's draft designation report.

We look forward to working with you and your staff in the review of this request, and look forward to working cooperatively with you to engage the community on this issue.

Very truly yours,



Richard E. McGuinness
Deputy Director of Climate Change and Environmental Planning

cc: Martin Suuberg, Commissioner, MA DEP
Daniel Padien, Waterways Program Chief, MA DEP
Erikk Hokenson, Boston Harbor Regional Coordinator, MA CZM
Brian Golden, Director BPDA
Lauren Shurtleff, Acting Director of Planning, BPDA

Enclosures:

- Attachment A – Boundary Review Plans (Assessing Maps of DPA Parcels)
- Attachment B - Parcel List – Property Owners Mailing Addresses
- Attachment C – Water depths and shoreline conditions

ATTACHMENT A



ATTACHMENT B

Parcel_Owning_within_EcoOPA

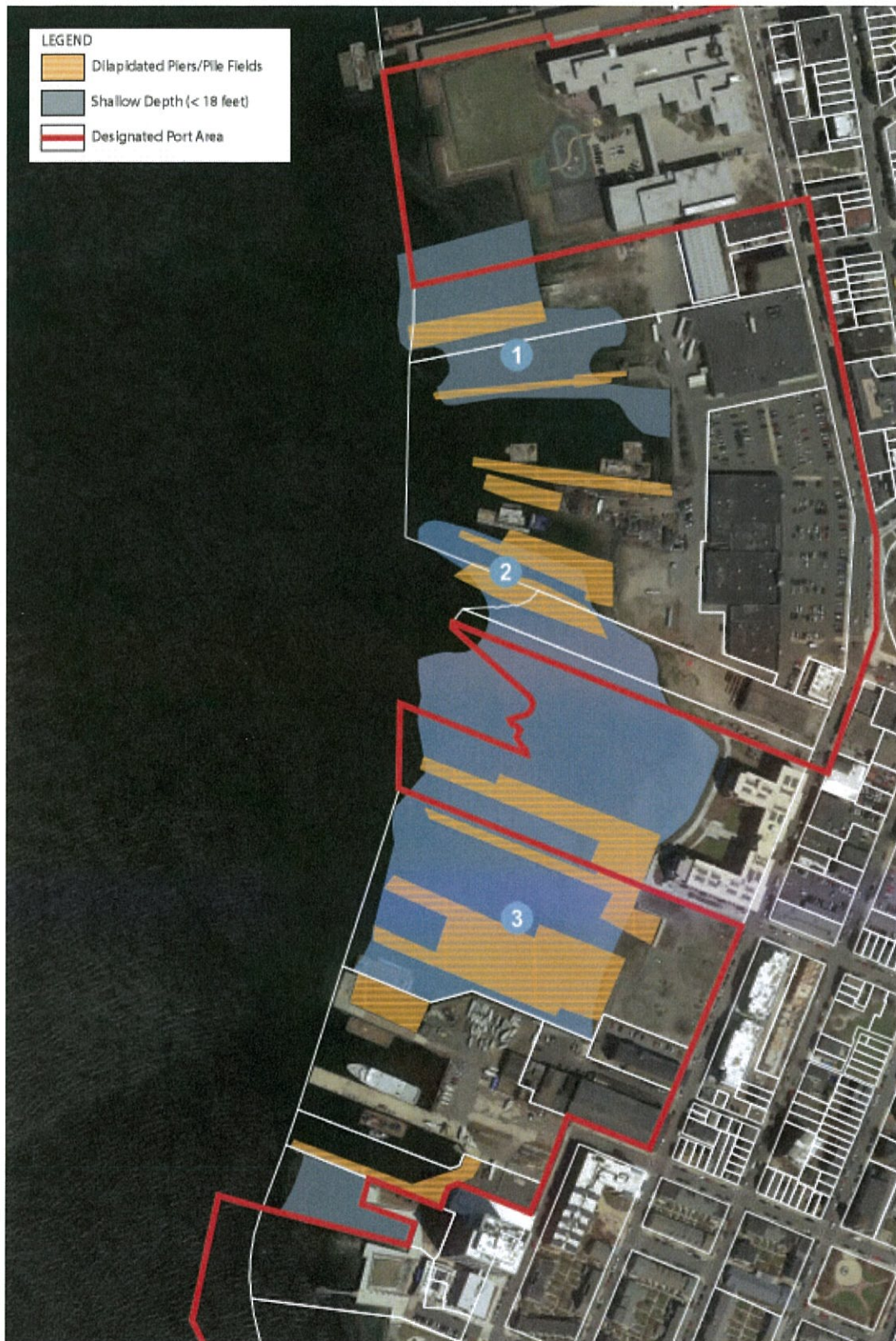
Property ID and Address			Owner's Name and Address			Street Address			City			Zip			Current Tenant			Use			Notes		
Parcel ID	Street No.	Street Name	Unit No.	Zip	Owner's Name	Street Address	City	Zip	Current Tenant	Use	Notes												
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0103657001	276	BORDER	ST	02128	MAGLEV CO	74A GARDENWOOD ST	BOSTON MA	01945															
0103657002	282	BORDER	ST	02128	TWO 62 BORDER ST LLC	280 BROADWAY	CHELSEA MA	02150	B D & Doris Store	Commercial													
0103657050	334-336	BORDER	ST	02128	FADULLA, A	410 SALM ST	WAKEFIELD MA	01880															
0103671000		BORDER	ST	02128	FOUR HUNDRED BORDER ST LP	1553 RICHMOND TE	STATEN ISLAND NY	10302	BITT Marine Construction														
0103672000	362-364A	BORDER	ST	02128	FOUR HUNDRED BORDER ST LP	1553 RICHMOND TE	STATEN ISLAND NY	10302	BITT Marine Construction														
0103674000	366	BORDER	ST	02128	FOUR HUNDRED BORDER ST LP	1553 RICHMOND TE	STATEN ISLAND NY	10302	BITT Marine Construction														
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0103677000	404	BORDER	ST	02128	RTC NEW STREET LLC	1553 RICHMOND TE	STATEN ISLAND NY	10302	BITT Marine Construction														
0104420000	565-567	SUMNER	ST	02128	JEFFRIES YACHT CLUB	565 SUMNER	EAST BOSTON MA	02128	Jeffries Yacht Club														
0104421000	551	SUMNER	ST	02128	PURVIS JESSIE	551 SUMNER ST	EAST BOSTON MA	02128		residential													
0104422000	539-549	SUMNER	ST	02128	539-549 SUMNER STREET REALTY	539-549 SUMNER ST	EAST BOSTON MA	02128		residential													
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0104436000	56	JEFFRIES	ST	02128	BRUNO ELENA	56 JEFFRIES ST	EAST BOSTON MA	02128		residential													
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0105408000		WYCKERS	ST	02128	1177 ANY EVERETT STREET LLC	1177 ANY EVERETT STREET	PORTLAND OR	97209	The Eddy (various tenants)	residential													
0105411000	34-36	NEW	ST	02128	RTC NEW STREET LLC	1553 RICHMOND TE	STATEN ISLAND NY	10302		residential													

ATTACHMENT B

Parcel_Ownership_within_ErosDPA

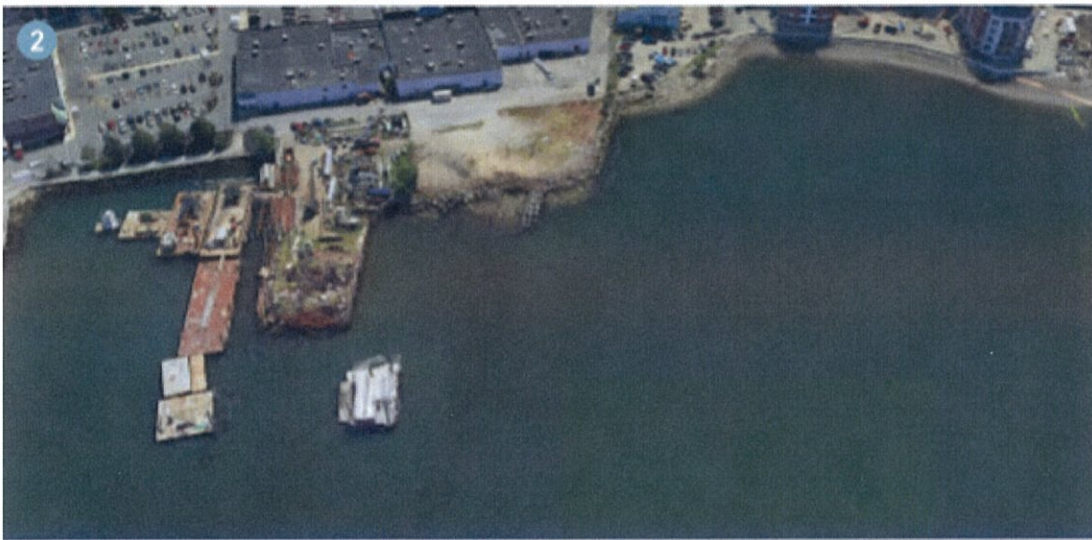
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0105410002	80	BORDER	ST	02128	EBCCC INC		72 MARGINAL ST	EAST BOSTON MA	02128	Various: Atlantic Gallery, artists studios		
0105410003	102-124	BORDER	ST	02128	EBCCC DPA LLC		72 MARGINAL ST	BOSTON MA	02128			
0105414001		BORDER	ST	02128	ONE 70 BORDER STREET LLC	C/O ONE 70 BORDER ST LLC	1222 BENNINGTON ST	EAST BOSTON MA	02128			
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0105525000	184-200	BORDER	ST	02128	LIBERTY PLAZA REALTY INC	C/O DENNIS LOMBARDO	6 BILLINGS ST	RANDOLPH MA	02368	Murple Teramite Expressions, Purple Teramite, Purple Teramite, Sprint, H&B, B&K, Polo Compas, Arizona		
0105526001	245-260	BORDER	ST	02128	LOMBARDO REALTY INC		6 BILLINGS ST	RANDOLPH MA	02368	Shank's, C White Marine	Commercial, Marine Industrial	

ATTACHMENT C



Note: Numbers correspond with photos on Figure 2.

ATTACHMENT C



Note: Numbers correspond with locations on Figure 1.