



## **Downtown Waterfront Municipal Harbor Planning Advisory Committee Meeting**

Wednesday, June 25, 2014

Atlantic Wharf, 290 Congress Street

### **Attendees**

#### **Advisory Group:**

Janeen Hansen, Phil Griffiths, Vivien Li, Bruce Berman, Lois Siegelman, Greg Vasil, Susanne Lavoie, Jacob Glickel, Lorraine Downey, Marianne Connolly, Bob Venuti, Joanne Hayes-Rines, Tom Wooters, Bud Ris, Linda Jonash

#### **City of Boston:**

Richard McGuinness, BRA; Lauren Shurtleff, BRA; Chris Busch, BRA; Michael Sinatra, Councilor LaMattina's Office; Maria Puopolo, Senator Petruccellis' Office; Matthew Lyons, Representative Michlewitz's Office;

#### **Consultant Team:**

Tom Skinner, Durand & Anastas; Steve Mague, Durand & Anastas; Matthew Littell, Utile; Meera Deean, Utile

#### **Government Representatives:**

Valerie Gingrich, CZM; Ronald Killian, MassDOT

#### **Members of the Public:**

Dian Rubin, Bill Zielinski, Chris Fincham, Steve Mitchell, Ann Lagasse, Victor Brogna, Rob Cardad, Don Chiofaro, Sy Mintz, Carolyn Spicer, M. Holland, Jim Duffey, Marcelle Willock, Yanni Tsipis, Michael Kineavy, Victor Aragona, Fred Kramer, Trent Tesch, Kanan Alhassani, Jay Spence, Bob Yelton, Peg Richardson, Robert Gordon, Shann Kerner, John DeChioro, Corinne Mariano, Sheree Dunwell, John Benoit, John Fowler, Laura Rood, Janet Sung, Hugh Shaffer, Pamela Bardhi, Elizabeth Nola, Matthew Southard, Nicole Blanchard, Kevin Ahearn, Tamara Roy, Linda Gottlieb, Valerie Burns, Julia Jones, Jason Purdy, Gary Robinson, Lee Kozol, Kim & Kay Bath, Gisele Gagnon, Joe Gibbons, Beth Rubenstein, Robert Brandon, Karen Taylor, Donna Magee, Rita Advanci, Julie Hatfield Leland, Marilyn & Joe Benoit, Lloyd Selbst, Tom Walsh, Dorothy & Richard Willey, Martin Katz, Bob Paone, Barbara Mann, Billy Spitzer, Conrad Gagnon, Wes Stimpson, Margery Piercey, Peggy Briggs, Duayne Bertrand, Al Raine, Susan Gram, Judith Sugarman, Dave Lightfoot, Amy Lightfoot, Meghan Marchie, Mary Jones, Dan Johnes, Maddy Cammarata, Chris Chiofaro, Nike Alleyne, Thomas Nally, Phil O'Brien, Alessandra Caruso, Chris Miller, Toby Bernstein, Jodi Gorton, Caroline Johns, Sam Aquillano, Alison Nolan, Martha Mazzone, Bill Dillon, Krista Sullivan, Sara Wilstein, Matt Ossen, Mike Horn, John Keith, Larry Post, Charles Norris, Caroline Ligotti, Sheron Lavin, Ed Gleichrof, Collin Thomas, Cynthia Marsh, Daniel O'leary, Jane Kinsel, Michael Sitcovslcy, Robert Daver, Georgia Murray, Paul Sullilvan, Rick Moore, James Lane, Terry McLaughlin, Karen Marcarelli, Gabriel Sherman, Gian Antioco Chiavari, Jim Cravens, Stephen Homer, Paul Magnin

### **Meeting Summary**

Richard McGuinness, BRA, opened the meeting with an introduction of the Harbor Garage site and announced Vivien Li as the acting chair for the day. Rich noted as part of the planning process, all of the property owners have been invited to present to the Committee and review their sites, development

plans and how they plan to activate the ground plane and improve existing conditions. He added the Chiofaro team presented on public realm enhancements last September and is back today to present on a more formal development program for the property. Rich then introduced Tom Skinner, Durand & Anastas, to review the Chapter 91 and Municipal Harbor Planning standards as they relate to the property.

Tom Skinner, discussed the municipal harbor planning framework as a lens to review any project proposal on a site and the regulatory standards that need to be addressed. He noted the framework does not endorse or reject any specific project but allows for evaluation within the MHP context. He reviewed the relevant substitute provisions for the parcel, the relevant MHP policies and precedents, and provided a framework for determining substitute provisions and offsets on this parcel (open space and height). Tom noted the Harbor Garage site is primarily on private tidelands and is therefore not required to have a significant area of ground floor facilities of public accommodation. The site is currently 57,346 SF with only 322 SF open space; Chapter 91 would require 50% open space (28,673 SF). The structure is currently 70' tall, Chapter 91 height limitations would be 55' on the shoreline, stepping up to 150' along Atlantic Avenue. Tom provided a graphic representation of what a Chapter 91 compliant building would look like on the property. He then reviewed general aspects of substitute provisions noting that the regulations require some level of analysis of impacts but formulas are not required for the MHP, however they are helpful tools. Tom presented a phased formula for determining offsets such as the greater the percentage of lot coverage, the larger the required offset. The MHP must specify alternative site coverage ratios and other requirements. He provided a suggested hierarchy for building footprint offsets including, identifying areas for new open space; identifying improvements to existing open space; followed by identifying other waterfront areas for acquisition or improvement or contributing to a fund for waterfront improvement. With regard to building height, he noted we need to quantify impacts related to height including net new shadow, where the standard has been new shadow of a least one hour in duration on October 23rd. For shadow offsets the suggested offset hierarchy is to have a graded scale of increased benefits with increased shadow; higher offsets based on location such as public open space; and, finally avoidance of any shadow on premium public areas. Tom noted the offsets vary more than for public space benefits, and include water transportation specific uses, measures to address climate change, and special public destination facilities.

*Questions on framework from the Advisory Committee:*

Joanne Hayes, MHPAC Member, asked to define open space as ground floor or if there are options beyond ground floor. Tom Skinner answered that it is very difficult to include non-ground level open space as the required open space in the MHP.

Bruce Berman, MHPAC Member, asked if the archway at Rowes Wharf is open space. Tom answered that it is not because it is not open to the sky. He indicated it could be an offset but it would not be an open space offset.

*Harbor Garage Proposal:*

Don Chiofaro, The Chiofaro Company, began by referencing the three options previously mentioned for the future of Harbor Garage in order to achieve the Chapter 91 objectives of increasing public accessibility to the waterfront: leave the garage as is, build on top of it, or re-imagine the site by tearing down the garage and building a new project. He noted the public gave feedback after the presentation

in September and nobody wants to see the garage stay. He indicated today's proposal reflects the vision for creating connectivity and permeability to produce a destination within the city along with the MHP objectives. He stated that this is an economically viable program that will unlock the site's potential and function to activate the waterfront. He noted any scenario that incorporates the cost of \$180M to demolish the garage and rebuild it below-grade, must be significant in scope with opportunities as well as trade-offs. The guiding principles referenced were to build a slender, elegant core that will maximize open space and view corridors with optimal floor plates. He indicated the building program will make the most of the location with world-class architecture. He further noted substitutions will be necessary but the project will create an unmatched public space and clarified that today's presentation is concept-only from the ground floor not a concrete proposal.

Fred Kramer, Chiofaro Team-ADD Inc., first summarized the broad MHP Objectives and the District-Wide Vision. He noted the new project will be significant in scope: the tallest part of project will be 600', which is the FAA height cap, and the height is needed to advance a project at the site. He further stated the site will require significant density, with 1.3M SF of gross floor area to be viable. Fred then provided some context for the site, referencing the urban renewal effort from the mid-century and the High Spine concept in Boston. The site is about as transit-oriented as it can get in Boston, between both north and south rail terminals, the MBTA, I-93, the waterfront and the airport. He then compared other properties over 600' in Boston and how it could fit into the skyline including the adjacent Harbor Tower and the surrounding area. Fred then reviewed the FAR of Fan Pier and Atlantic Wharf compared to Harbor Garage to demonstrate that the site can handle high density without overly-densifying the neighborhood.

Trent Tesh, Chiofaro Team-KPF, started with a discussion of the creative team's charge of establishing visibility from the city to the harbor-front, creation of a dramatic and transformative place, and activation of the public realm. He then reviewed the mixed use development program including: 7,000 SF office, 250-350 key hotel, 120 residential apartments, 3 levels retail, and the replacement of 1,400 parking spaces. Regarding the massing of two towers he noted two basic design strategies were initially reviewed: first, "bricks," which lacks visual porosity (podiums); second, "stilts," which lifts the project into the air but is cold and doesn't engage the city. Trent then reviewed several renderings which illustrated how the site could be transformed to create an opening to the water and cut corners in the massing to expose waterfront amenities and visual corridors. The resulting space is Harbor Square, a seasonal open space to be used year-round, 27,000 SF of space, with a canopy will slide out of the towers during the colder months. He stated the space could accommodate the skating rink of Rockefeller Center, more space than the arch at Rowes Wharf, or a similar area to the pedestrian space at Faneuil Hall, and noted the ground floor would be activated on all edges and bring awareness to the Harbor. Trent then presented the current conditions and views of the garage.

Fred Kramer, then reviewed potential offset and public benefits and first referenced the Public Realm and Watersheet Activation Plan. He noted the project creates a range of open spaces with benefits that include: world-class on and off-site open spaces including BRA land on harbor-side, true year-round activation, increased diversity of uses, visual and physical connectivity to the waterfront, activation of underutilized parcels – the conversion of Long Wharf parcel, and on and off-site sea-level rise preparedness and resilience. Fred indicated some of the offsets may include: significant additional FPA's beyond those required, Aquarium Plaza/ Central Wharf Park improvements, other neighborhood contributions (Greenway and Columbus Park), support for water transportation, city-wide benefits such as tax revenue, new jobs, and funding for affordable housing.

Don Chiofaro, concluded that this is an exciting time for the waterfront and the Chiofaro Company has rededicated itself to help transform the community to create the 21<sup>st</sup> century waterfront. He referenced the Public Realm Plan as an example for the world and the Harbor Garage redevelopment project as a driving force for implementing the plan and that to convert the Public Realm Plan to a reality, significant development needs to occur and it will only occur if it is economically feasible, operationally feasible, and financeable. He said they have embraced the principles of the MHP and rethought how the project addresses the public realm making this the smallest project that is still feasible. He said that ultimately, it is a value judgment of tradeoffs between impacts and benefits. The committee and state has to decide if they have created an environment that is conducive to access to Downtown Boston and the waterfront.

Questions from MHPAC:

Jim Klocke, asked about programming for the open space on the corners of the site besides just the middle. Trent noted that it is first intended as open space to get to the waterfront, they are open to suggestions.

Susanne Lavoie, asked for information about where garage entrances will be. Don answered that there will be an office lobby and a hotel/residence lobby, however, they cannot go into detail because it is not designed yet but they are aware of the issues of locating the entrances and they know residents are concerned and they will get into it with the Article 80 process.

Marianne Connolley, asked if there was any thought of incorporating the Aquarium's IMAX Theater into the development or moving it. Don answered that they didn't get into it but they consider Aquarium Plaza, Harbor Towers, the Greenway and Christopher Columbus Park as neighbors and are willing to participate in conversation.

Joanne Hayes, asked to confirm that there will be no additional parking. Don confirmed that there is no additional parking directly on the site, and they would be replacing the 1,400 spaces.

Bud Ris, wanted to elaborate on the concept of the High Rise Spine in Boston and the history of the area. Fred answered that most cities are grappling with growth and historic assets. Development and historical buildings and view corridors aren't necessarily mutually incompatible. Need to respond and relate to the existing conditions and historic assets.

Bruce Berman, asked if the permit was issued, how long construction would take; he also asked about investment. Ted Oatis, Chiofaro Team, noted the total project cost will be \$1 billion, with about \$330 million below ground and in land value itself. The construction period will be about 3 years.

Rick Dimino, asked about the open space and the retractable roof and the intent of the space as well as the technology of it. Don answered that it is open to the sky to meet regulation, and think that this space is much more usable and desirable than purely open space, it will be a purely public space. Trent- the telescoping panels use gables that use interstitial space to retract and stack neatly in the building footprint. They have it conceptually figured out.

Greg Vasil, how would a project of this magnitude affect housing and the housing shortfall in the city? Ted, indicated the sum of the contributions it would make towards housing would be over \$10 million. Don, noted the other element not part of the MHP would be a base tax of \$18 million as well as new jobs.

Questions from Audience:

Jim Bath, Harbor Towers Resident, asked since garage has no open space, where is the additional open space coming from? Ted, clarified the 27,000 SF is on the Harbor Garage site only.

Steven Comen, Harbor Towers Resident, referenced the big red ribbon on the garage signifying open space from the last time around and asked what the difference is between present proposal and the two buildings the last time? Don, answered that there has been a number of changes, noting the garage is 278' long, 7 stories high, and it's a wall, and referenced the new proposed space is higher, it has a roof that can close, it now has a wider opening- 167' wide along Atlantic Avenue. He further noted the new building is very different, and is more porous.

Joe Benoit, Harbor Towers Resident, asked about parking and whether Harbor Towers will have parking spaces or discounts. Don, they have a conceptual proposal for long-term parking for the residents market rates, with option to buy condo spots within the garage.

Harbor Towers Resident, asked about parking during 3 year construction period. Don, noted they know they have an obligation to provide parking in the interim and have thought about options.

Yanni Tsipis, Harbor Towers Resident, asked if the 27,000 SF is open to the sky? Also in reference to shadow impacts, is there a diagram of the shadow impact on October 23 based on the massing so far? Don, noted the design isn't complete so don't have a shadow impact yet but they will. Regarding open space the at the corners is similar to the open space at Rowes Wharf, and the Harbor Square area is what's left in the middle by a strict definition, and if they have to keep the roof open by definition then they will.

Harbor Towers Resident, asked how far down will they dig for underground parking and can it be done? Ted, noted this was one of the first things they studied back in 2005. They will have to go down about 70' to get the parking- it will be expensive but doable.

Marcel Willock, Harbor Towers Resident, asked for an estimate of increased density in terms of number of additional people that will be using the site. Don, noted they haven't done the math, but will not be increasing the number of people that will go there by car as there are no more spaces. People who will come to the hotel will come by mass-transit or bus or taxi. There will be increased pedestrian activity and density which they want and is one of the objectives of the MHP.

Marilyn Beniot, Harbor Towers Resident, asked about the impact on current residents of such a large project? Vivien, noted that those issues and that level of detail is handled during the Article 80 and environmental review process and is not part of the MHP.

Tom Palmer, Harbor Towers, asked if the proposed height and density and related impacts will be acceptable under the state's regulations. He further noted he appreciates the transparency but asked

the BRA if this will set a precedent in future waterfront development. Rich McGuinness responded that as part of the planning process, they have invited property owners to present their plans and the BRA has a vision to improve the waterfront and wants to know what the projects are looking for. He further noted that the standard for new development is an equal or better standard: they have to look at every performance standard not just shadow. The goal is to come up with a design and massing that can get rid of the garage but also meets criteria to activate the waterfront, promote water dependent uses and open space, and with guidance from the framework, the Committee and the public they will create guidelines for the massing for the site that protects and promotes the water's edge.

#### MHPAC Comments:

Lois Siegelman, stated the proposal is nicer than the garage, but wants to ensure that parking and service vehicles are accommodated and not blocking view corridors and open space.

Rick Dimino, referenced the planning the Greenway and the edges, the urban character and form, and the opportunity to create something iconic on the waterfront and a destination. He sees no problem with the architectural opening and creative approach to open space. He is happy to see four-season space which is missing and the opportunity to get to water's edge. He also noted that in reference to activation, the space is already active with people and 1,400 vehicles every day; need to know that space will compliment activity that is already there.

Tom Wooters, stated he has lived at Harbor Towers for 20 years and is not adverse to height. The project has potential to benefit the neighborhood and the Harbor Towers residents. He applauds the imaginative way the architects have addressed Chapter 91 and view corridors and open space, but how does the committee quantitatively measure the tradeoffs and substitutions? He indicted the proposal is twice the mass on a third of the land of Harbor Towers, which deserves consideration of issues of massing, proportion and scale. Is there a plan or is there a process that the BRA and its consultants will put forth its views after which the public and put forth its views?

Lorraine Downey, state she is impressed with the design and the view corridors and the uniqueness of the proposal and loves the 24-hour 12-month, public access. She also seconded Marianne's idea to consider the relocation of the IMAX.

Linda Jonash, noted there are details to be worked out but the process is being driven by the public realm design which is commendable. She further noted the proposal is a tremendous opportunity to take down an eyesore understanding there are a million details and concerns to be worked out. One question is the issue of carbon footprint and what are the goals for LEED certification, rainwater harvesting and use of better building technologies moving forward with the design.

Joanne Hayes-Rines, commended the out of the box thinking, however referenced concerns with more buildings, and at what point are we at saturation point for both traffic and pedestrians.

Bud Ris, referenced the retractable roof and the vertical glass on east/west end and asked if it retracts or is it permanent? If it is permanent then does it really provide physical and visual access to the water that is intended? How will the system work in 50 years in a climate that is warming? Trent, responded that it is not specifically designed yet but intent that the lower ground floor- 20'- is open to pass through but the wall itself wouldn't come down

Suzanne Lavoie, commended the project and also reinforced Joanne's comments, and indicated a major concern from the neighborhood council is traffic impacts. Asked that this be a major consideration for any project in the area.

Marianne Connolly, noted that Don made it clear that this is just the beginning; looking forward to continuing to work together. Bob Venuti, noted the project has come a long way, happy it's still going, have questions, but keep up the good work. Jim Klocke, endorsed what Lorraine said about view corridors and pedestrian corridors in multiple directions between the Greenway and the water. John Gambino indicated he is comfortable with what was presented. Greg Vasil, stated, the proposal was thoughtful and creative program. Bruce Berman, seconded what everyone at the table said and they have some complicated numeric and value-driven decisions to make. At the end of the day, this is about equal or better and this is clearly better.

Public Comment:

North End Resident, applaud the vision for trying to improve the "hole in the donut" right now. It could be a great addition to what has already been done in the downtown area.

David Kubiak, Waterfront Residents Association, noted he agreed with everything said so far. At same time, this will move the density of the financial district onto the waterfront.

Chris Miller, North End Resident, noted he likes the project but precedent worries him. The amount of people that end up in a historic district can change the nature of it forever.

Harbor Towers Resident, referenced concern with the location of the entrance to the garage and where deliveries will be made.

Mary Holland, Harbor Towers Resident, asked how the conclusions of the Greenway Study will fit into the MHP?

Chris Fincham, Harbor Towers Resident, referred to the FAR of about 20-25 which is a financial district density. Waterfront is usually 8-12 and that the proposal represents a large increase in density.

Sy Mintz, Broad Street Resident, noted at the time of the first proposals for the garage, there were concerns over the history of the area. Option to save the garage would not provide the iconic architecture or quality of space that you see here. This is a special site and deserves the type of project proposed. He noted Don does a lot for the neighborhood and he has confidence that what is presented will happen on the ground, which makes the project worth supporting.

Harbor Towers Resident, noted that there is already many restaurant, cafes, and commercial spaces and she doesn't want to see any more commercialization of open space. Also no mention of the HVAC for Harbor Towers resides in Garage.

Marcel Wollock, Harbor Towers Resident, echoed Tom Wooter's comment and also, mentioned we have not discussed how we view the project from the water and from other buildings in the Financial District and any impedance it might have.

Diane, Rubin Harbor Towers Counsel, mentioned looking at the location of open spaces on the parcel and that there is no expansion of the open space along the waterfront which is already very busy. She further noted the space is internal in a retail arcade, the notch is mid-block and a mid-block crossing is problematic, and need to look at expanding the open space down Milk Street, East India Row, and waterfront.

Harbor Towers Resident, referenced concerns about the traffic and that someone needs to think about this problem.

Julie Hatfield Leeland, Harbor Towers Resident, noted she likes the garage and has concerns about views from Harbor Towers.

Harbor Towers Resident, mentioned the High Spine axes questioned how will a 500' and 600' tower fit into the high spine axis idea.

Harbor Towers Resident, noted density does affect quality of life and referred to New York where the south side of Central Park is now predicted to be blocked by high rise construction.

The audience was informed that additional comments can be sent to Rich or Chris by the next meeting on July 23, 2014, 2:30. Rich closed by announcing that the Committee Chair has stepped down and they are looking for a new chairperson.

Meeting adjourned at 5:15 p.m.