

COMMENTARY

What's wrong with Chiofaro/Prudential plan to redevelop the Harbor Garage

By Lee Kozol

Harbor Towers I and II and the 1,400-car Harbor Garage were built in the late 1960s as a single development at a time when the waterfront was walled off from the City by the Central Artery. This was a blighted area consisting of unused, dilapidated warehouses and was a dangerous neighborhood that had fallen into disrepair.

In their efforts to build a better Boston of the future, public officials in the late 1960s gave in to the developer and its architect, I.M. Pei, on certain height limitations and other recognized waterfront planning principles in order to enable the relatively tall Harbor Towers buildings to proceed. As we examine development on the waterfront today in 2015, none of the conditions that justified this compromise remains.

The Central Artery has been replaced with the beautiful Rose Kennedy Greenway, the wharves have been redeveloped, Rowes Wharf and the Aquarium have been added, and the waterfront and Seaport are thriving. Forty-five years later, the standards for waterfront development derive from regulations adopted in the early 1990s. Under Chapter 91 of the General Laws, there are existing laws and regulations designed to protect the public's access to and enjoyment of the waterfront.

Three decades ago, when Harbor Towers was converted to condominiums, the Harbor Garage was separated from the two residential buildings that make up Harbor Towers, and the garage is now owned by Prudential Real Estate Investments (an entity of Prudential Insurance Company) and The Chiofaro Company, whose redevelopment proposal is under consideration.

The Harbor Garage is an eyesore, and we at Harbor Towers support redevelopment of the Garage. We are abutters with legal rights who want a responsible redevelopment to occur. Properly redeveloped, the Garage property will be a blessing to all of the public, and improperly developed it will be a curse, to the waterfront, the City and the Commonwealth, for generations to come.

Although we at Harbor



Towers have certain rights (including a lease for parking that extends to 2022 and an easement for our heating and cooling equipment that extends to 2069), we have emphasized from the beginning that our desire is to promote the public interest. It is the utter lack of connection between the Chiofaro/Prudential proposal and the public interest that forms the basis of Harbor Towers' opposition to the current redevelopment proposal.

On this 1.3-acre block, Chiofaro/Prudential proposes to build two towers, over 600 and 500 feet in height respectively, containing 1.3 million square feet, for retail, office, hotel and residential uses. The existing Chapter 91 regulations seek to achieve the goal of responsible waterfront development by having buildings close to the water's edge that are "modest" in size, by promoting water dependent uses and access to the waterfront, and by requiring that each development lot contain at least 50 percent public open space.

The proposed buildings would tower over everything else on the waterfront. They would be among the tallest buildings in the City. Their volume would exceed that of the Prudential tower. The ratio of built floor area to the area of the site, the standard metric of density known as "floor area ratio," would be almost 23, as opposed to what exists along the rest of the waterfront, which range from 4 to 12.

None of the proposed uses by Chiofaro/Prudential is, by Chapter 91 definitions, water dependent. By settled measure-

ment principles, their proposal contains zero open space. None of this is in the public interest.

Harbor Towers has been reasonable in its public statements and its private conversations with City officials. We recognize that, since both the existing structure and the one proposed are unacceptable, there should be a third way. We at Harbor Towers believe that despite the existing height limitations -- 155 feet under current zoning, 150 feet under the Chapter 91 guideline, and 200 feet under the Greenway District Guidelines, adopted in 2010 after two years of intensive public participation -- greater height for a building on this site is possible as long as the principal objectives of the Chapter 91 regulations can be met.

Similarly, we have stated that we are willing to be reasonable on the shape of the building and the myriad other issues that any development of the site would entail. But the Chiofaro/Prudential position continues to be: Accept the concept of 1.3 million square feet in two buildings as proposed or there is nothing to discuss.

Most important, an issue not mentioned by proponents of the Chiofaro/Prudential proposal is the precedent it would set for future waterfront development. There are many development sites along the waterfront, and if the Chiofaro/Prudential proposal is permitted there would be no rational basis for denying similar oversized developments to others.

Professor George Thrush, Director of the Department of Architecture at Northeastern

University, has graphically shown that such developments would create a "wall of towers" and change the character of Boston forever. We engaged Professor Thrush to independently study the Chiofaro/Prudential plan and to offer alternatives that are in the public interest. Thankfully, his work has helped change the public conversation about this unacceptable proposal.

When the Chiofaro/Prudential team floated a similar but even larger proposal six years ago, the Commonwealth's Secretary of the Executive Office of Energy and Environmental Affairs noted that it "falls considerably short of meeting these critical planning and design standards" established "to pro-

tect the public's rights to use and enjoy the waterfront," concluding that the proposal "is at such a wide variance from the applicable state and local permitting requirements currently in force that it simply cannot be constructed as currently designed."

Those requirements have not changed.

We at Harbor Towers are confident that the new BRA, the current City administration under the leadership of Mayor Martin J. Walsh, and the Executive Office of Energy and Environmental Affairs under Secretary Matthew Beaton will review this proposal in the light of the public interest at stake and conclude that proposal is so at odds with the public interest that it cannot be rectified. And that Chiofaro/Prudential will submit a dramatically different proposal that then begins a conversation about the public's interest in the waterfront of the 21st century and not the waterfront of the 1960s.

Lee Kozol is a resident of Harbor Towers and is Chair of the Garage Committee, appointed by the Boards of Trustees of Towers 1 and 2 to insure that the Harbor Garage is redeveloped in a responsible fashion that will benefit the City of Boston, the neighborhood, the Commonwealth and the region now and in the

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