

*The Commonwealth of Massachusetts*  
*Executive Office of Energy and Environmental Affairs*  
*100 Cambridge Street, Suite 900*  
*Boston, MA 02114*

Charles D. Baker  
GOVERNOR

Karyn E. Polito  
LIEUTENANT GOVERNOR

Matthew A. Beaton  
SECRETARY

Tel: (617) 626-1000  
Fax: (617) 626-1081  
<http://www.mass.gov/envir>

December 21, 2016

Brian P. Golden, Director  
Boston Planning and Development Agency  
1 City Hall Square  
Boston, MA 02201

Dear Mr. Golden:

The Executive Office of Energy and Environmental Affairs has received the Boston Planning and Development Agency's (BPDA) request for clarification on the Water-Dependent Use Zone substitution granted under the 2009 Secretary's Decision on the South Boston Waterfront District Municipal Harbor Plan Amendment ("MHP Amendment"). The request was noticed in the *Environmental Monitor* on November 23, 2016 for a public comment period that ended on December 9, 2016.

The Secretary's Decision on the 2000 South Boston Waterfront District Municipal Harbor Plan required additional master planning for the Fort Point Industrial District to ensure that any new development would protect truck access to water-dependent uses, provide public access to high-quality waterfront open space along the Fort Point Channel and ensure compatibility of new development with the existing historic character of the built environment. In 2007, the City completed the 100 Acres Master Plan that addressed all of the requirements of the Secretary's 2000 Decision. In 2009, the City submitted and the Secretary approved an MHP Amendment, based on the 100 Acres Master Plan, that included substitutions for Water-Dependent Use Zone (WDUZ), Utilization of Shoreline for Water-Dependent Purposes and Building Height. The approved WDUZ substitution provided a 110 foot setback for the majority of the planning area except at a small portion of the waterfront adjacent to 60 Necco Court, where the setback was 18 feet.

As indicated in your request, the proposed layout of the General Electric Headquarters project in this area requires a clarification of the WDUZ substitution approved in 2009. The BPDA has proposed a modification for the WDUZ substitution that would provide an alternative WDUZ

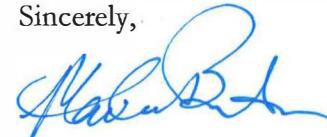
with a more consistent setback distance along the length of the project shoreline. The modified WDUZ setback would vary from a minimum of 60 feet to a maximum of 110 feet, instead of ranging from 18 to 110 feet as described in the MHP Amendment, with a total area of approximately 28,432 square feet.

I received two letters during the public comment period for this clarification which expressed strong support for the proposed change stating that it would provide better pedestrian access, consistent site lines, and promotion of more active and usable public space along the Fort Point Channel.

After my review of the BPDA request, the MHP Amendment, and the Decision, I concur that the modified WDUZ configuration will result in an improvement over the approved WDUZ substitution as it will provide a slightly larger and more consistent area for public access along the Fort Point Channel. Please note this clarification authorizes a change in the location of WDUZ setback area only, and all other conditions of the 2009 Decision shall remain in effect.

This clarification will be noticed in the next *Environmental Monitor*. If you have any questions please contact Lisa Berry Engler, Boston Harbor Regional Coordinator in my Office of Coastal Zone Management, at 617-626-1230.

Sincerely,



Matthew A. Beaton  
Secretary

Cc: Ned Bartlett, Undersecretary, EEA  
Bruce Carlisle, Director, CZM  
Brad Washburn, Assistant Director, CZM  
Lisa Berry Engler, Boston Harbor Regional Coordinator, CZM  
Gary Moran, Deputy Commissioner, MassDEP  
Ben Lynch, Chief, Waterways Regulation Program, MassDEP  
Richard McGuinness, Deputy Director for Waterfront Planning, BPDA