

# BANKER & TRADESMAN

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## OPINION

AN AMENITY FOR EVERYONE

### Say Hello To That Cleaner Water

Developers, Officials Must Continue Conversation About Harbor Waterfront Access

BY PAUL C. BAUER

SPECIAL TO BANKER & TRADESMAN

For decades, if you were to raise the topic of Boston Harbor waterfront access at a cocktail party you would be met by crickets. We have had little discussion in Boston about access to the water – and little access.



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One could have concluded that we just did not care about our waterfront. A visitor could barely find a restaurant with a harbor view, never mind with outdoor seating for a

drink or dinner. Over time, state and city workers toiled to increase access to the water, but this admirable work never attracted much attention. The park at Long Wharf is a beautiful access point to the harbor, but one you hear very little about. There are reasons for this historic indifference, which has put us behind other cities.

Long ago, Providence regained access to its waterfront with the successful development of Waterplace Park and River Walk. Similarly, Baltimore is a model for urban waterfront redevelopment with its Inner Harbor. Each of these communities had a robust discussion about what they wanted their waterfront to look like. And they have largely implemented that vision. Indeed, Providence is still expanding its

downtown waterfront with the recent relocation of the I-195/I-95 connection.

Here in Boston, we were challenged by the barriers of the Central Artery and severe water pollution resulting from delays in upgrading the Deer Island Sewage Treatment Plant. The Big Dig and the cleanup of Boston Harbor vastly improved the harbor and waterfront as an amenity. The development of the Seaport District has created the opportunity for new public spaces along our harbor. The public amenities at Fan Pier, planned over decades and now being dramatically constructed, add a new dimension to our city. Harborwalk, a project to create a continuous public walkway along Boston Harbor, provides a reconnection of the city to its waterfront. Thirty-eight miles of the 47-mile planned system have been constructed.

At the same time, the general impression is that outside the decision making process, there has been precious little discussion of the waterfront in the media or among the general populace. It appears the synergies of cleaner water, removal of the physical barrier of the Central Artery, increased nearby development, and the seeds of public access to the waterfront have finally awoken public interest in the potential of this great resource. We now see newspaper articles examining the political process for approving waterfront

projects in light of the public amenities to be derived from the projects.

#### Decisions Made, We Look To The Future

This dialogue on what we want our waterfront to be is welcome. Late, but welcome. A lot of the bigger decisions have already been made. For example, we could have had an Esplanade-like wide, multi-use public space. The decision was made for a more urban environment with walkways and a small park system. While some might like to debate that decision, it is better to look forward. And what is shaping up is already far, far better than we have ever had in Boston.

Massachusetts Chapter 91 is the Massachusetts Public Waterfront Act. The commonwealth uses this tool to ensure that uses of the waterfront serve a public purpose. It is the modern embodiment of the Public Trust Doctrine to provide that these critical waterfront lands are subject always to public use.

Chapter 91 has often been the primary lever available to the commonwealth to require public benefits from waterfront development projects. For nonwater dependent projects, like office buildings, Chapter 91 requires that developers build into the project accommodations for water-dependent uses and promote public use and enjoyment of these waterfront

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properties. This has been a generator of great public spaces. It has also, unfortunately, on occasion been a source of project delay and odd anomalies like public parks on the rooftops of waterfront buildings.

It is in the interest of the commonwealth and private developers that the public be motivated to access the waterfront in as many ways as possible. Our citizens are renewed by their connection to the water. Boston is presented as the world-class,

amenity-laden city that it prides itself as being. Condos are sold at record prices and major Fortune 500 companies decide to locate here. Restaurants are full and water tour companies succeed. Thankfully, the dialogue is not about *whether* we need public access, but about the *type* of access to the water. But we must also recognize that time is a precious commodity when it comes to major development projects.

Let the dialogue continue, let great public amenities be built and let great new de-

velopment projects rise from the ground. As we are in the midst of a historic development climate, the decision making should incorporate this dialogue, but also be crisp and build on the vision that is in place for the transformative reclaiming of the waterfront. ■

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