



NEW BEDFORD WATERFRONT REDEVELOPMENT PLAN: FOCUS AREA SOUTH

Draft January 2021



Prepared for the New Bedford Port Authority and the New Bedford Redevelopment Authority

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I. Executive Summary

The New Bedford Waterfront is a complex area of significant economic value to the City of New Bedford, the Greater New Bedford region, the Commonwealth of Massachusetts, and, as the largest commercial fishing port in the country, to the nation as a whole.

In addition to the state and federal agencies that govern ports and port development, four local organizations have responsibilities for the continued economic strength of this vibrant working waterfront. Primary responsibility falls to the New Bedford Port Authority (NBPA), formerly known as the Harbor Development Commission. The NBPA works closely with the New Bedford Economic Development Council (NBEDC), and the City of New Bedford to fulfill its mission, which has two charges: the management of the port itself and developing strategies for economic growth. In addition to its management of port operations and resources of the New Bedford portion of the watershed, the NBPA owns and leases land to local businesses throughout the waterfront.

The NBEDC sponsored an earlier planning process that created a framework for understanding how the waterfront functioned as an economic engine and what the future of the waterfront could be as the City sought to protect the fishing industry while allowing for economic diversification to meet the challenge of new industries, such as off-shore wind. The New Bedford Waterfront Framework Plan recognized that within the Waterfront there were two areas in particular that did not share in the economic vibrancy of the rest of the waterfront. To address these two under-performing areas, the Framework Plan recommended that a fourth organization join the NBPA, NBEDC, and the City. The New Bedford Redevelopment Authority (NBRA) has specific tools, available under Chapter 121B of the Massachusetts General Laws (M.G.L.), that allow it to address the conditions that prevented these two areas from fully contributing to the general economic success of the rest of the Waterfront. This second stage of the planning for the waterfront has produced two plans, one for each area (Focus Area North and Focus Area South). The solutions for each area, as proposed in their respective plans, are different; the overall goal is to integrate both areas into the overall waterfront to create a complete, economically diverse waterfront from I-195 to Cove Street.

The NBPA, with the full cooperation of the other three organizations, obtained a grant to create two redevelopment plans under Chapter 121B that would unlock the NBRA's ability to address conditions of physical and economic

blight. These conditions include the presence of environmental contaminants on certain key parcels and substandard public infrastructure relative to the City's goals of public access for the working waterfront and redevelopment of parcels that have remained underutilized relative to the rest of the Waterfront for significant periods of time.

This Redevelopment Plan provides a description of the current conditions, the vision for future uses, and the tools needed to accomplish this vision for Focus Area South (the redevelopment area). In response to market conditions over time, the redevelopment area will be dedicated to marine industrial uses appropriate for its location within a Designated Port Area (DPA). A public gateway will create an attractive mixed-use corridor for safe access to the water, providing a public vantage point adjacent to the southern edge of Leonard's Wharf (owned by the NBPA) that is tied back to the downtown by improvements to pedestrian and bicycle infrastructure. Other supporting uses will be consistent with the needs of the growing Blue Economy¹ and Blue Urbanism², two concepts that promote building a more sustainable, inter-connected relationship with the ocean.

The NBPA will use a combination of public actions, including acquisition of land as necessary to support the vision and design guidelines to control the public streetscape, access, and safety within the working waterfront.

As the Framework Plan was the first stage in this planning process, an update to the current New Bedford-Fairhaven Municipal Harbor Plan is anticipated to be the next stage in the process. A state-approved Municipal Harbor Plan allows the municipality to define amplification, substitutions, and/or offsets as modifications to certain requirements of Chapter 91, including public access, open space, and dimensional standards. The Municipal Harbor Plan thus allows greater local control to ensure that waterfront development is consistent with local goals and preferences. As part of the update, the NBPA will request the reinstatement of the Supporting DPA Use Eligibility Credit Program (ECP), established in the 2002 Municipal Harbor Plan. This program allows the transfer of development rights within a Designated Port Area (DPA) and was originally set up to allow public access to the waterfront within well-defined sections of the DPA, which requires water-dependent industrial uses.

¹ Gunter Pauli, *The Blue Economy*, 2010

² Timothy Beatley, *Blue Urbanism: Exploring Connections Between Cities & Oceans*, 2014

The remainder of this *Executive Summary* provides a more detailed introduction to this Redevelopment Plan. Sections 2 through 16 are consistent with the requirements of 760 CMR 12.00 and define the intended actions and surrounding context for this redevelopment area and the expected interventions by the NBRA.

Introduction to the Plan

The *New Bedford Waterfront Redevelopment Plan: Focus Area South* (the “Redevelopment Plan”) authorizes the NBRA to take certain actions related to the redevelopment of land within the plan boundary (*Figure 1-1*).

This Plan is the second phase in a three-part process. In April 2014, the NBEDC, a 501(c)(3) non-profit organization, received \$200,000 in Economic Adjustment assistance for the development of a strategy and redevelopment plan for New Bedford’s working waterfront from the United States Economic Development Administration; the City of New Bedford matched this grant with an additional \$133,000. The purpose of the grant was to focus on advanced port development and redevelopment that will attract diversification of manufacturing and other industries within the Greater New Bedford region and encourage job creation in wind power, commercial fishing, and tourism industries. This first phase was led by Sasaki Associates and completed in 2016.

The report from this phase is the *New Bedford Waterfront Framework Plan* (the “Framework Plan”). The Framework Plan had two accompanying documents, the *New Bedford Waterfront Draft Redevelopment Plan* (the “Draft Redevelopment Plan”) and the *New Bedford Waterfront Draft Technical Appendix* (the “Draft Appendix”). The Draft Redevelopment Plan identified the areas of focus for the second phase of the process.

This current phase has studied two areas that were not thriving: the Hicks-Logan-Sawyer (HLS) area to the north and the Sprague/Eversource parcels just south of City Pier. These two areas are referred to in the study as Focus Area North and Focus Area South, respectively. This Redevelopment Plan provides a strategy for the Focus Area South (the redevelopment area).



FIGURE I-1: BOUNDARY OF FOCUS AREA SOUTH (THE REDEVELOPMENT AREA)

The third phase in the process will be an update to the *New Bedford-Fairhaven Municipal Harbor Plan* (2010) (the “Municipal Harbor Plan”). The Municipal Harbor Plan will need to be updated to be consistent with the recommendations of this Redevelopment Plan, including the reinstatement of the Eligibility Credit Program. The actions defined within this Redevelopment Plan are consistent with the location of the plan boundary within the Designated Port Area (DPA).

The NBPA sponsored this study process and the final Redevelopment Plan. Funding was provided in part by a grant from the Seaport Economic Council. Harriman led the consultant team, which included Sasaki Associates, FXM Associates, APEX, and Howard Stein Hudson.

Public participation in this phase included four meetings with the Steering Committee and two public meetings, in February and December 2017. The first phase – the Framework – was a 14-month planning process that included five steering committee meetings and two public meetings. The Steering Committee from this phase has most of the members from that first phase, so there has been a continuity in the planning processes.

This Redevelopment Plan will define a vision for the area, the goals that will support that vision, and the actions that the NBPA can undertake to support that vision. The actions of the NBPA are enabled by M.G.L. Chapter 121B and this Plan is prepared under the requirements of that chapter.

Purpose of this Plan

The *New Bedford Waterfront Redevelopment Plan: Focus Area South* (the Redevelopment Plan) is an urban renewal plan as defined and enabled by M.G.L. Chapter 121B and has been prepared in accordance with 760 CMR 12.00 as required by the Department of Housing and Community Development (DHCD). The general purpose of this Redevelopment Plan is to undertake certain public actions to support private investment in an area that contains blighted physical and economic conditions that have made it difficult for the private market to act. This Plan identifies current conditions that have been obstacles to private investment, determines the needs of the waterfront and

the goals for its redevelopment, and defines those actions that will create incentives for the private market, over time, to address the existing conditions.

In an otherwise thriving waterfront, there are two areas that are not economically vibrant. This redevelopment area, the subject of this Redevelopment Plan, is one of those two areas. Within this redevelopment area, the majority of the land is underutilized given the vitality of the adjacent water-dependent uses. Existing infrastructure related to gas supply and the transmission of electricity must remain in place, limiting surrounding development. The Cannon Street Power Station is a large, vacant power plant that contains hazardous materials; two Area Use Limitations (AUL) also exist within the area, as shown in *Section 3. Plan Eligibility*. Finally, several tanks of significant size would need to be decommissioned and removed to allow addition redevelopment.

This area has shown evidence of vitality. The surrounding businesses are vibrant elements of New Bedford's working waterfront. The economic analysis shows demand for additional land for the expansion of existing businesses and for new business opportunities.

However, significant barriers to redevelopment remain. The Cannon Street Power Station is a large building that may be difficult to rehabilitate for the needs of water-dependent businesses. The parcels owned by Eversource and Sprague are large and may be difficult for a single entity to purchase and redevelop. The assessed value of these parcels per square foot is higher than that of the waterfront as a whole; the valuations may not be an accurate reflection of the value of the land given the potential cost of environmental mitigation. A full appraisal of these sites may provide a different picture of their value.

This Plan identifies those actions the NBRA will undertake to improve these conditions, working in partnership with other agencies and City departments and with private developers to encourage the private market to, over time, invest in the empty lots and underutilized buildings in this area.

Vision and Goals

VISION

This redevelopment area, centered on the Sprague/Eversource parcels, will support the existing water-dependent commercial and industrial businesses that form the backbone of New Bedford's waterfront economy. These businesses include traditional business, such as fishing, cargo handling, and boat repair, as well as emerging industries, such as off-shore wind.

In addition to providing room for existing businesses to expand and new businesses to establish themselves, this redevelopment area will provide a critical connection between New Bedford's historic downtown and the vibrant working waterfront. Members of the public will have a designated way to access to the working waterfront on municipal piers, including a new public walkway adjacent to the southern edge of Leonard's Wharf. Public access to the waterfront will allow members of the public to appreciate the fishing industry that defines the New Bedford waterfront, while experiencing the new industries, such as off-shore wind and marine sciences, that coexist with the traditional water-dependent uses. A new seafood offloading facility or other active use will act as a draw to visitors, providing additional services to the fishing industry while supporting New Bedford's tourism industry.

An area contiguous with the Fairfield Inn and Suites will be designed as a gateway area to continue the transition from New Bedford's downtown to the waterfront. Restaurants, retail, parking, and other services will provide amenities for those working in the area and support additional tourism opportunities in specific locations within the area.

GOALS

1. Support water-dependent, industrial uses within the DPA boundary, integrating them with the existing waterfront economy.

2. Identify and support activities that draw people to experience and support the waterfront, such as the seafood off-loading facility and restaurants that serve locally caught seafood.
3. Create public access to the waterfront to promote greater understanding of the traditional working waterfront and the new marine-related industries.
4. Establish a gateway area outside of the DPA that provides a transition to the downtown and parking for both waterfront businesses and the public.
5. Establish design guidelines for new construction to reinforce the public access to the waterfront and create a clear identity for those public areas in contrast to the industrial areas.

ACTIONS OF THE NBRA

The NBRA is a public body, politic and corporate, duly created pursuant to M.G.L. Chapter 121B, Section 4, by the City of New Bedford, MA on October 11, 1960. The NBRA, as a redevelopment authority, is authorized to undertake certain actions, including the acquisition and disposition of land, the redevelopment of land, the issuance of bonds, the establishment of certain controls on land developed by others, and the acquisition of land by eminent domain for the public purposes established by this Redevelopment Plan.

To support this vision and its goals, the focus of this Redevelopment Plan is on two types of actions:

- Acquisition and subsequent disposition of land by the NBRA for redevelopment activities consistent with the vision for the area. See *Section 5. Acquisitions* and *Section 9. Dispositions* for additional detail.
- Regulatory controls that include prohibiting and allowing uses specific to the redevelopment area, which is within the Waterfront Industrial (WI) Zoning District, and the establishment of design guidelines for all projects within the redevelopment area under the control of the NBRA and the City or requiring site plan approval and/or the approval of a special permit.

Design Guidelines

The design guidelines in this Plan will be applicable to all projects in the redevelopment area that are required to undergo site plan review or apply for a special permit. See *Section 4.3 Design Guidelines* for additional information.

Public Infrastructure

This Redevelopment Plan anticipates three types of public infrastructure improvements:

- Pedestrian connections adjacent to the southern edge of Leonard's Wharf that connect the waterfront to the Walnut Street and Union Street intersections. These connections would terminate at a vantage point for visitors to view the working waterfront safely, without impacting the operations of the water-dependent businesses.
- Parking to support existing and future businesses in the redevelopment area. The parking is likely to be surface parking in the short-term and could transition to structured parking over time, in response to demand from increased economic activity.
- Road extension to support the reparcelization of larger parcels. Should market demand over the life of the plan indicate a need to extend Cape Street and Pine Street, the NBRA would undertake the extension of the roadway to allow for the subdivision of the larger parcels into smaller parcels that can be more easily developed.

Other Actions

Through the process of creating this Plan, additional strategies that support the overall goal have been identified. The actions to support these strategies require coordination with other City agencies, including the Office of the Mayor, the City Council, the Planning Board, the NBPA, and others. These actions have been included in the implementation plan to identify the need to cross-coordinate activities in order to fulfill the goals of this Plan.

The NBRA can work with the City and the Commonwealth to make the regulatory changes necessary to support the redevelopment goals. This would include any necessary changes to the City's zoning ordinance.

Specific actions and acquisitions are identified in *Section 4. Plan Objectives*. This section also described the redevelopment options examined for this area in greater detail.

PHASING

This Plan assumes that once the proposed regulatory controls are in place, the anticipated changes to the redevelopment area will take place over time. The illustrative design scenarios for the redevelopment area includes the three different rail alignment approaches for the South Terminal Rail Expansion, consistent with state plans for rail expansion into the Marine Commerce Terminal. The final rail alignment will have implications for how the parcels may be subdivided, disposed of, and redeveloped. The following illustrations convey two scenarios (which could be two sequential stages) that demonstrate approaches to the proposed future land uses for this redevelopment area that would take shape over the twenty-year life of the Plan.

The following conceptual plans were developed during the process, taking into account research into existing conditions and the likely implications for future options and public input received throughout the plan. The concepts were presented to the Waterfront Steering Committee and the public as an illustration of potential build-out over the life of this Redevelopment Plan. Feedback throughout the public process, including reactions to these illustrative concepts helped solidify the proposed goals, strategies, and actions in this Redevelopment Plan.

While these concepts are consistent with the required maps presented in the Implementation Plan in this Executive Summary, Section 2, and the goals, objectives, and actions in Sections 4-6, 8, and 9, they do not represent specific development proposals.

SCENARIO I

Plans for this alternative reinforce opportunities for the expansion of water-dependent and supporting uses to strengthen New Bedford's unique working waterfront. The waterfront edge of the redevelopment area is reserved for expansion of water-dependent uses. The southern portions of the redevelopment area could be related to the fishing cluster in South Terminal or could include large-scale boat repair, a shipyard, or other related industrial uses.

Along the northern edge of the redevelopment area, the alternative identifies a mixture of public uses and includes clear public access for safely viewing industrial activities. Although Leonard's Wharf (outside the redevelopment area) is already accessible to the public, the lack of delineation between commercial activity and public access, and the limited visibility through the fishing boats deter visitors from venturing out to the edge of the pier. The alternative suggests sensitive changes to striping and wayfinding to add clarity, and proposes aligning opportunities for fish offloading proximate to the wharf, encouraging the public to better understand the operations of the waterfront from a safe distance.

In the northwest area of this redevelopment area, most parcels alongside Route 18/JFK Memorial Highway have been identified for development or reuse to complement the hotel and surrounding commercial uses. Those uses may include an expansion of the conference center currently provided by the hotel or an academic research and education center to support future marine industrial uses.

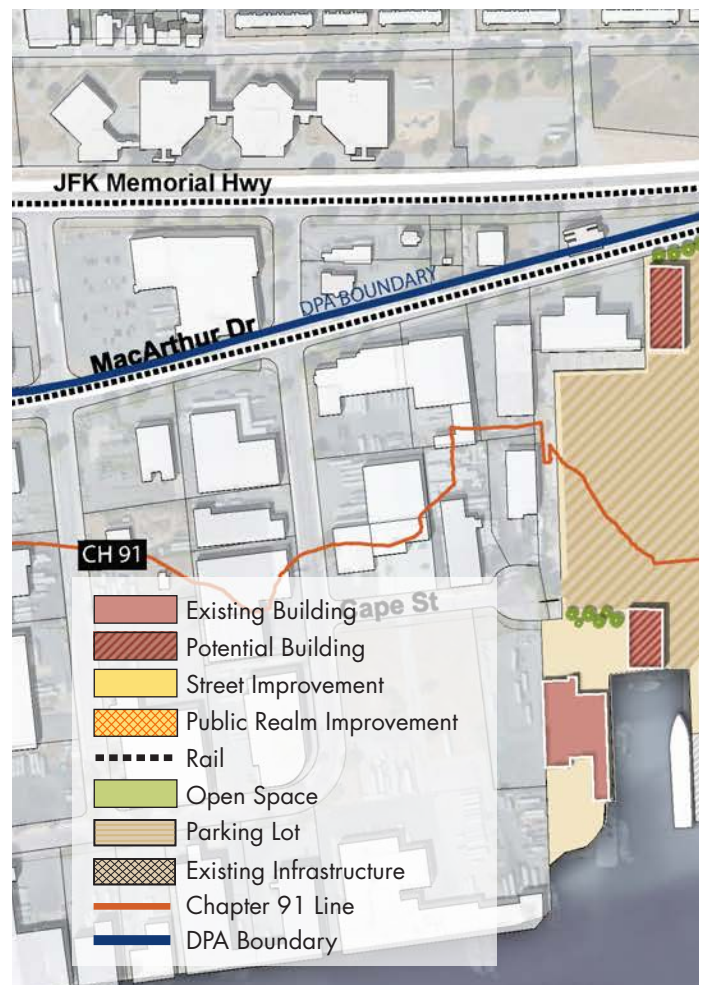
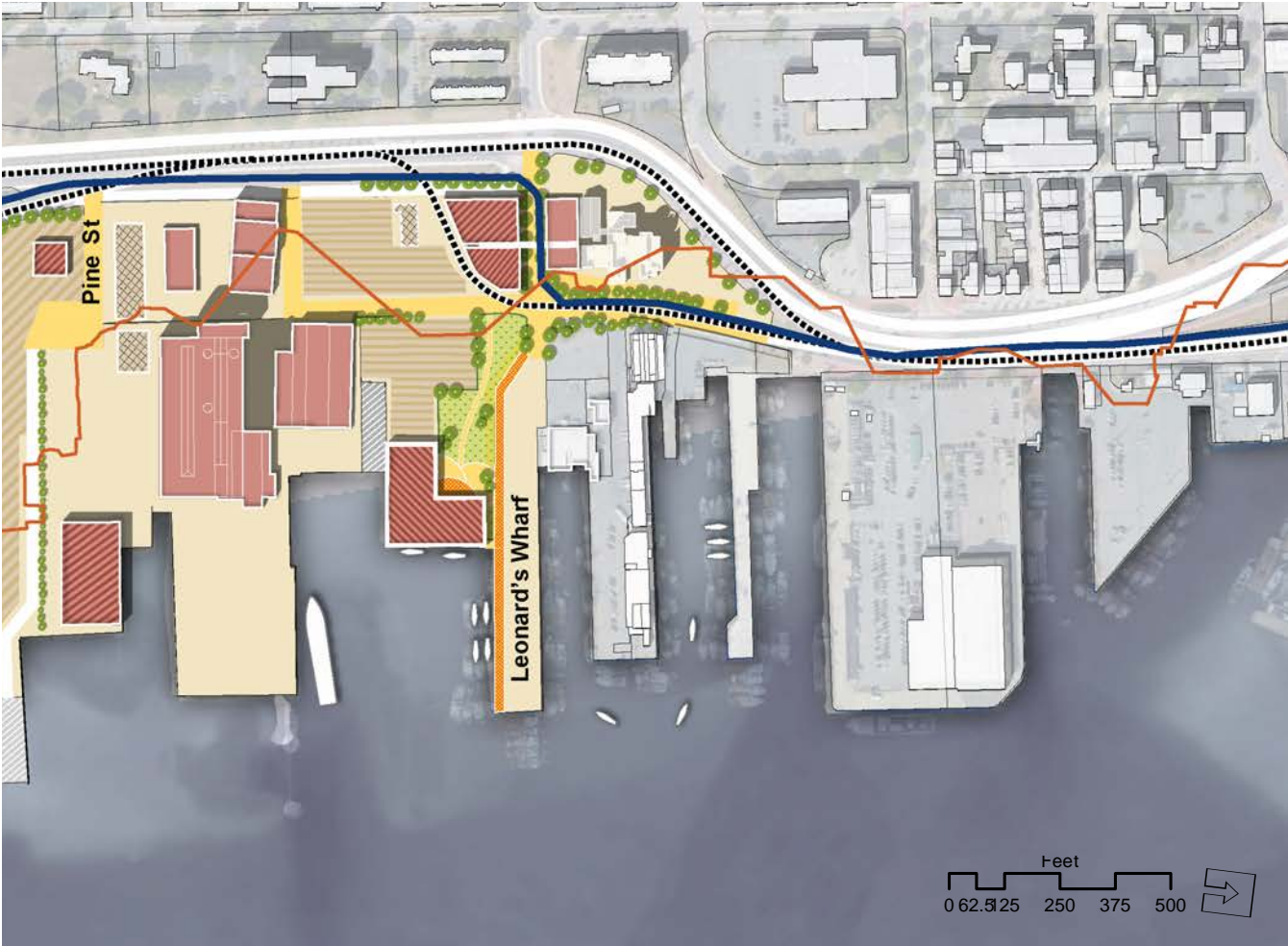


FIGURE I-2: CONCEPTUAL ILLUSTRATIVE PLAN: SCENARIO I
Source: Sasaki Associates



SCENARIO II

In this scenario, the remaining land zoned as “retail/commercial/office” north and west of the Eversource Remediation Future AUL zone may be developed to support additional parking needs for conferencing activities, or may include other public facing uses that encourage public access to the waterfront.

There are multiple buildings in this redevelopment area with historic significance, including the Cannon Street Power Plant building on the Eversource site. Opportunities to preserve and adaptively reuse the power plant building and other buildings with historic significance should be considered as part of the redevelopment process. If opportunities to preserve buildings are prohibitive to the proposed uses on the site, the buildings should be properly cataloged for archival purposes.

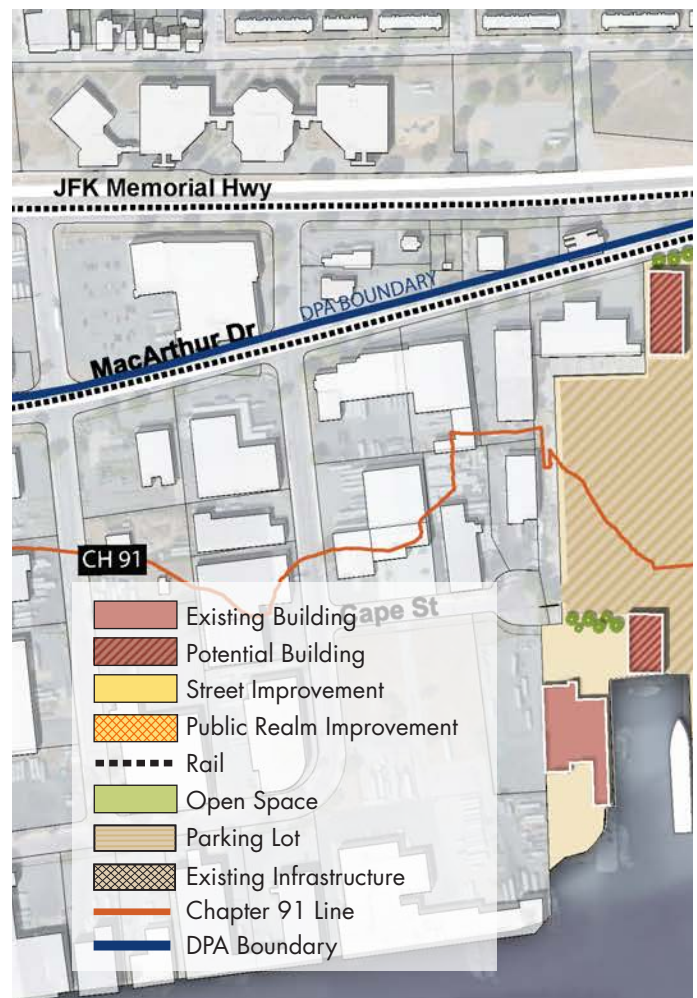
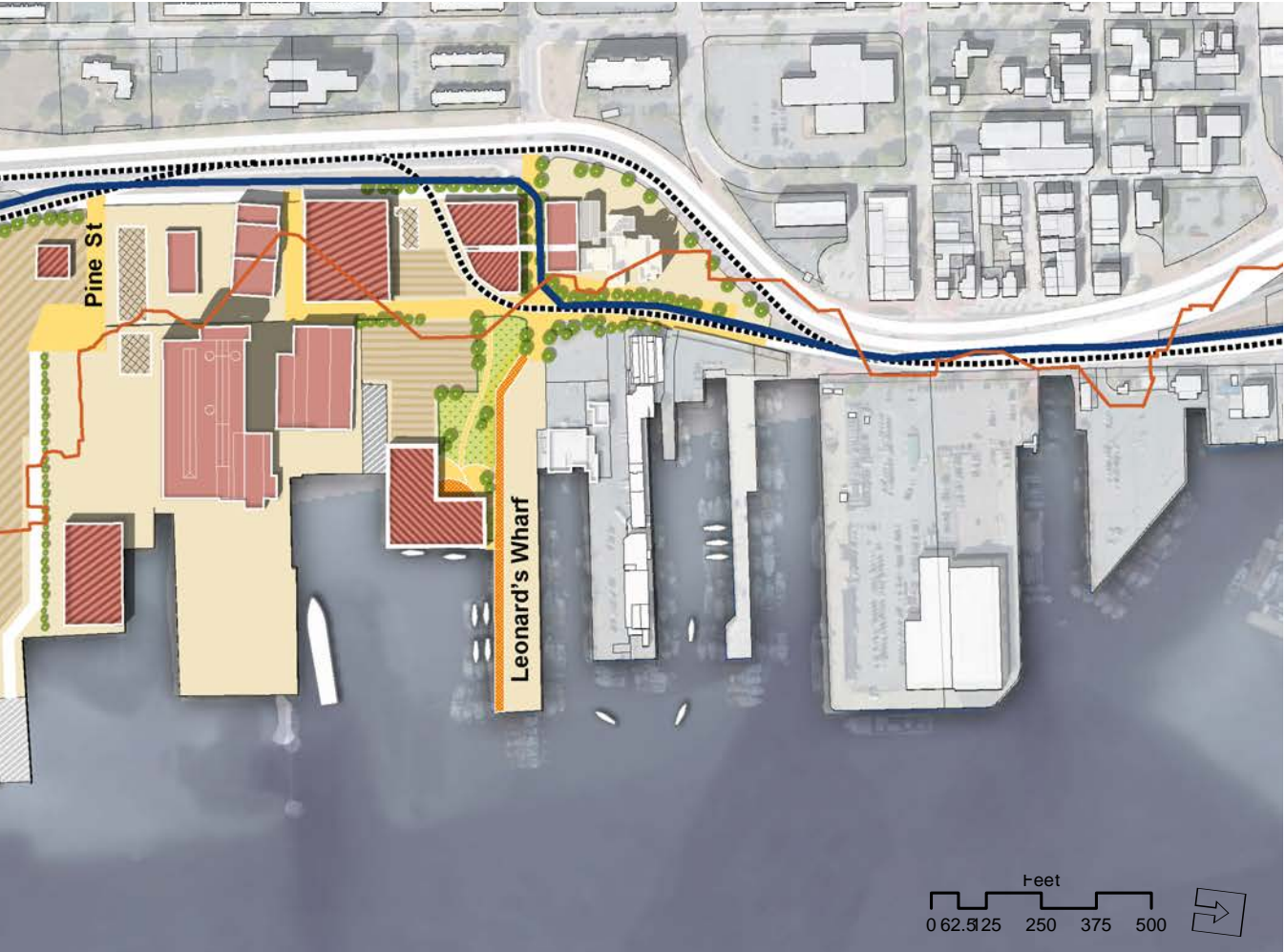


FIGURE I-3: CONCEPTUAL ILLUSTRATIVE PLAN: SCENARIO II
Source: Sasaki Associates



Existing Conditions: Market Summary

The following are uses that have been identified within the study process as potential uses, driven by market demand, within the redevelopment area. A full market report is provided in *Appendix A*.

This redevelopment area, including the Eversource (formerly NStar) site, has been targeted for water-dependent marine industrial uses, to the extent practicable. This market orientation is not only consistent with regulatory restrictions within a DPA but is likely to offer the best prospects creating jobs with good wages that can also be responsive to the current and prospective occupational skills of New Bedford residents.

Many of the potential water-dependent marine industrial uses are highly specific and contextual (such as emerging offshore wind deployment, operations, and maintenance opportunities) requiring detailed market assessments beyond the scope of this report. Among the industrial uses able to be examined with the aid of historical trend data, seafood processing is expected to continue to offer expansion potential that could be accommodated within this redevelopment area. These uses represent an ongoing and historically significant cluster in New Bedford. New Bedford's historical share of seafood processing is less now, due to firms relocating elsewhere or not expanding in the city (see *Table 1-1*). The fact that seafood processing provides good paying jobs to local residents with limited formal education needs to be considered if and when opportunities arise for further development within this redevelopment area. Seafood processing and related industrial uses could also be accommodated within Focus Area North.

Another historical cluster within New Bedford/Fairhaven Harbor is boat and ship building and repair. While there has been a loss of jobs in this industry statewide, much of this loss has been due to relocations out of state rather than a decline in market demand. Indeed, a local business has put forward plans – based on its assessment of market demand – to purchase a significant portion of the former Eversource site (over six acres) for new buildings and lay-down space for boat building and repair. The business also plans to construct waterside facilities, including a new pier to accommodate vessels before and after hauling them landside. Details are confidential at the writing of this

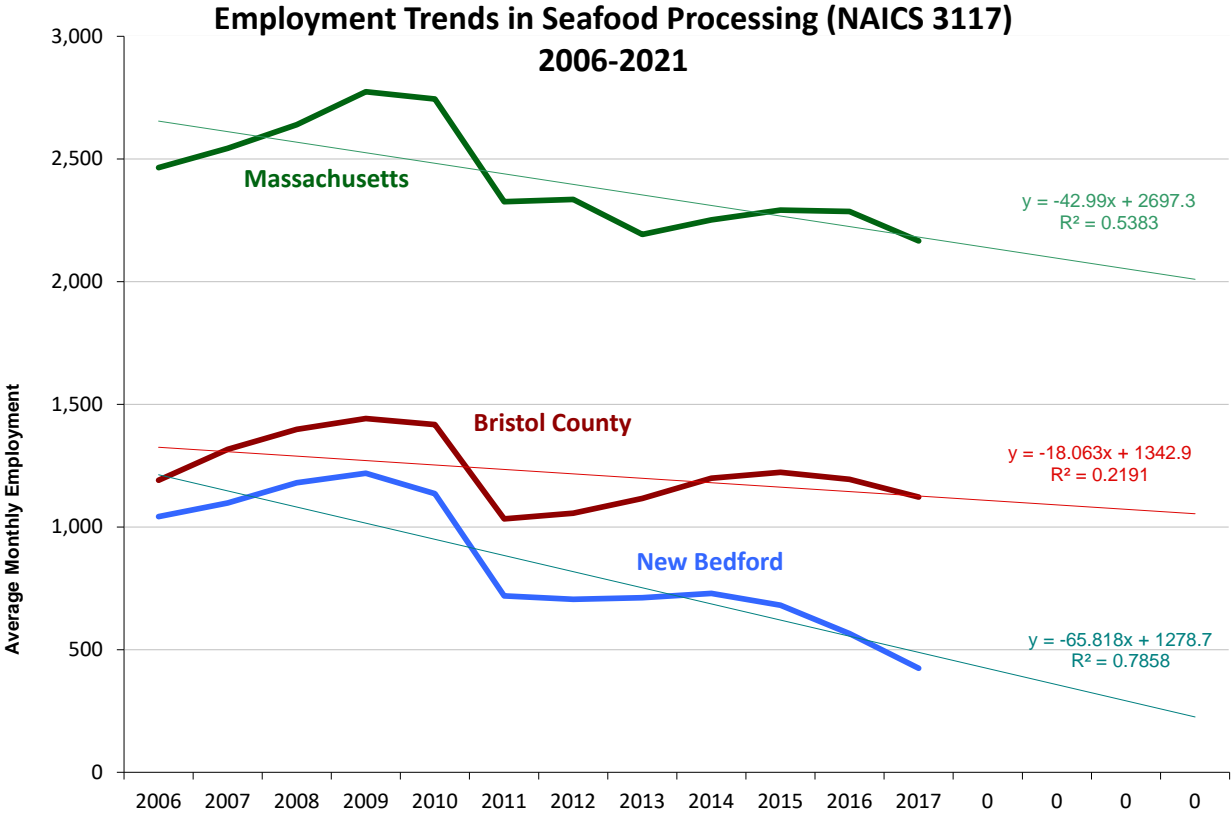


TABLE I-I: EMPLOYMENT TRENDS IN SEAFOOD PROCESSING 2006-2021

Sources: Massachusetts Department of Labor and Workforce Training, ES202 series and fXM Associates

report, but if successful, the expanded business is expected to provide 150 jobs. This new development opportunity is well advanced by a private entity reporting adequate financing without public support or subsidy. It should be considered the highest priority project within this redevelopment area, based on information available at the writing of this report. If warranted, the City, NBRA, and NBPA should assist this business owner in obtaining the land and permits required for implementation.

Interest in offshore wind operations and maintenance facilities has gained considerable traction with the recent expansion and price increases for offshore leases, as well as other initiatives. Commitments have been made by the three major offshore wind developers to utilize New Bedford's Marine Commerce terminal. In 2017, Massachusetts Clean Energy Center (MassCEC) concluded a study which sought to identify and characterize prospective sites for offshore wind related production and research facilities. (See *Appendix A*.) Most recently, a study by the New Bedford Wind Energy Center, Bristol Community College, and UMass Dartmouth Center for Public Policy has begun to project occupational needs for offshore wind related enterprises and recommend vocational training efforts needed for local residents to gain access to these potential job opportunities. While no precise estimates of space requirements are yet available, this redevelopment area could offer space for offshore wind operations and maintenance and training, potentially a long term source of job creation in maritime, mechanical, and hydraulic skills similar to those needed by commercial fishing and boat repair.

According to multiple interviewees, as a result of confidential interviews conducted by FXM, New Bedford's waterfront offers potential for expanded marine technology and research, particularly in the international market. This redevelopment area could accommodate a marine tech incubator of 9,000 to 30,000 square feet, offering good access to Interstate 195 (I-195), downtown commercial services, and related potential marine services and expertise within the harbor area. According to one interviewee, there are three marine tech/research companies affiliated with MIT that now have no water access and/or are using port facilities out of state. Dock space within this redevelopment area would be needed to support the vessels associated with these companies. There is potential for expansion in data gathering by autonomous underwater vehicles, such as the *Henry B. Bigelow*, a research vessel operated by the National Oceanic and Atmospheric Administration (NOAA) and assigned to the Northeast Fisheries Science Center (NEFSC), part of the National Ma-

rine Fisheries Service; servicing these would require a mobile crane to offload them from research vessels.

There is a general concern among several interviewees that the labor market has skill gaps in machinists, electricians, and welders, and that there is a need for better understanding of these and other gaps. While many maritime companies are willing to train on the job – and there is considerable overlap in the skill requirements related to commercial fishing, boat building and repair, and other maritime industries – to better realize potential development opportunities such as those cited above for the North Focus Area, vocational training needs to be expanded and targeted to emerging market demands.

There is renewed interest in a freight ferry service to Martha's Vineyard, prompted by continuing pressure on the The Steamship Authority (SSA) by residents and businesses in Falmouth/Woods Hole to remove truck traffic.¹ The SSA has engaged a consultant (who ran the pilot program 15 years ago) to reexamine market, engineering, vessel, and other issues bearing on the feasibility of such a service. If the original roll-on/roll-off facility on State Pier is deemed not suitable at this time, then this redevelopment area may offer an opportunity to accommodate freight ferry service to Martha's Vineyard and ultimately Nantucket – both of which were established as technically and financially feasible in independent studies conducted for the state and NBPA and which would produce positive job creation and other economic benefits to New Bedford and both islands.

This redevelopment area may also offer an opportunity to host charter/excursion commercial recreational vessels that could provide residents and visitors opportunities for sightseeing, dinner, party, business conference and other functions within and beyond the harbor area. Prior studies, such as the *Ports of Massachusetts Strategic Plan* (2013) for Massachusetts Department of Transportation (MassDOT), have shown that New Bedford has an under-served resident and visitor base and lacks such services compared to Boston, Gloucester, Salem, Plymouth, Onset, Point Judith, and other port locations that host commercial recreational vessels (not just excursions for whale watching).

¹ *Final Report on the Possibility of a Freight Ferry Service Between Martha's Vineyard and New Bedford*. Flagship Management for the Woods Hole, Martha's Vineyard, and Nantucket Steamship Authority, August 25, 2017.

Implementation Plan

The following tables identify the specific actions, responsibilities, and timeline necessary to implement this Plan. The majority of the responsibility rests on the shoulders of the NBRA; however, some of these actions will require that the NBRA partner with other agencies, departments, and boards of the City, including the NBPA.

Phase I assumes that actions will take place in two to five years; Phase II applies to actions undertaken in five to ten years, and Phase III covers actions of ten years or more. This Plan will have a life of twenty years from the date of its approval by the DHCD.

This implementation plan will require additional resources beyond the membership of the NBRA. The New Bedford Office of City Planning will provide staffing services for the NBRA to assist in the actions detailed below.

TABLE I-2: IMPLEMENTATION PLAN

OPERATIONAL

ACTION	RESPONSIBILITY	PHASE		
		I 1-5 YEARS	II 5-10 YEARS	III 10+ YEARS
Bring NBRA to full membership and address staffing needs	Mayor of New Bedford, Governor, City Council	Immediately		
Review plan activities to date; reevaluate actions, acquisitions and next steps	NBRA, New Bedford Office of City Planning	Annually		

ACQUISITION

ACTION	RESPONSIBILITY	PHASE		
		I 1-5 YEARS	II 5-10 YEARS	III 10+ YEARS
Acquire easements to ensure implementation of streetscape improvements and public access connections.	NBRA	●		
Acquire land owned by Sprague	NBRA, NBPA	●	●	
Acquire land owned by Eversource	NBRA, NBPA	●	●	

PUBLIC INFRASTRUCTURE

ACTION	RESPONSIBILITY	PHASE		
		I 1-5 YEARS	II 5-10 YEARS	III 10+ YEARS
Work with City to install defined public access adjacent to the southern edge of Leonard's Wharf with pedestrian and bicycle connections to MacArthur Drive and the Seaport Cultural District/downtown	NBRA, City Council, Department of Public Infrastructure	●		
Work with City to install landscape buffer along the southern edge of MacArthur Drive to separate the public sidewalk from the parking field	NBRA, City Council, Department of Public Infrastructure	●		
Extend Cape Street and/or Pine Street to facilitate reparcelization and redevelopment	NBRA, City Council, Department of Public Infrastructure	●	●	

DISPOSITION

ACTION	RESPONSIBILITY	PHASE		
		I 1-5 YEARS	II 5-10 YEARS	III 10+ YEARS
Reparcelize and dispose of the land acquired from Sprague and/or Eversource	NBRA	●	●	

DEVELOPMENT

ACTION	RESPONSIBILITY	PHASE		
		I 1-5 YEARS	II 5-10 YEARS	III 10+ YEARS
Redevelop land as temporary or permanent parking to support additional businesses within the subarea. Income from the parking (either surface or structure) should be used to fund the operations of the NBRA	NBRA	●	●	●

REGULATORY

ACTION	RESPONSIBILITY	PHASE		
		I 1-5 YEARS	II 5-10 YEARS	III 10+ YEARS
Integrate redevelopment area design guidelines in Section 4.3 into the Planning Board's approval process for site plan review and special permit	NBRA, Planning Board, CZM, Planning Department, Environmental Stewardship Department	●	●	●
Update the <i>New Bedford-Fairhaven Municipal Harbor Plan</i> , including the reinstatement of the Eligibility Credit Program	NBPA, City of New Bedford, Town of Fairhaven	●		

surface structured

Consistency with the Commonwealth's Sustainable Development Principles

DHCD requests that communities undertaking a Redevelopment Plan consider the Commonwealth's Sustainable Development Principles. The chart on the following page identifies these principles and the strategies within the Plan that support those principles.

TABLE I-3 COMMONWEALTH SUSTAINABILITY PRINCIPLES

SUSTAINABILITY PRINCIPLES	NEW BEDFORD WATERFRONT STRATEGIES	CONSISTENT?
1. Concentrate Development and Mix Uses	New buildings and infrastructure within this redevelopment area will occur on previously developed land. The proposal for this redevelopment area includes a specific mix of uses that supports existing businesses and jobs.	Y
2. Advance Equity	New Bedford is an economic justice community; implementation of the Redevelopment Plan would support existing and new waterfront-related industries, providing valuable jobs for the City's residents.	Y
3. Make Efficient Decisions	Design guidelines included in this Redevelopment Plan will create a consistent basis for plan review and approval.	Y
4. Protect Land and Ecosystems	Concentrating development in previously-developed areas keeps buildings from encroaching on undeveloped areas. This Plan also anticipates that environmental cleanup will be required for sites polluted with industrial waste. Finally, the plan evaluates the need to consider impacts from flooding and sea level rise on local businesses and residents and plan for the mitigation of such impacts.	Y
5. Use Natural Resources Wisely		
6. Expand Housing Opportunities	The redevelopment area does not have housing at present; this Plan does not propose introducing housing as it would be inconsistent with the requirements of the DPA.	Y
7. Provide Transportation Choice	Proposed streetscape improvements would provide pedestrian and bicycle links to connect the proposed rail station to existing neighborhoods whose residents commute to the waterfront and future residential neighborhoods in the northern part of the waterfront.	Y
8. Increase Job and Business Opportunities	The implementation of this Plan would support existing water-dependent industries and future opportunities, including the proposed expansion of the cargo-handling and off-shore wind industries.	Y
9. Promote Clean Energy	The off-shore wind industry is a critical component of New Bedford's economic strategy. Future development in this area anticipates space for supporting uses to that industry.	Y
10. Plan Regionally	Supporting New Bedford's status as the number one fishing port in the nation and promoting a diversification of industries, including the off-shore wind and related industries, is of regional and state importance.	Y

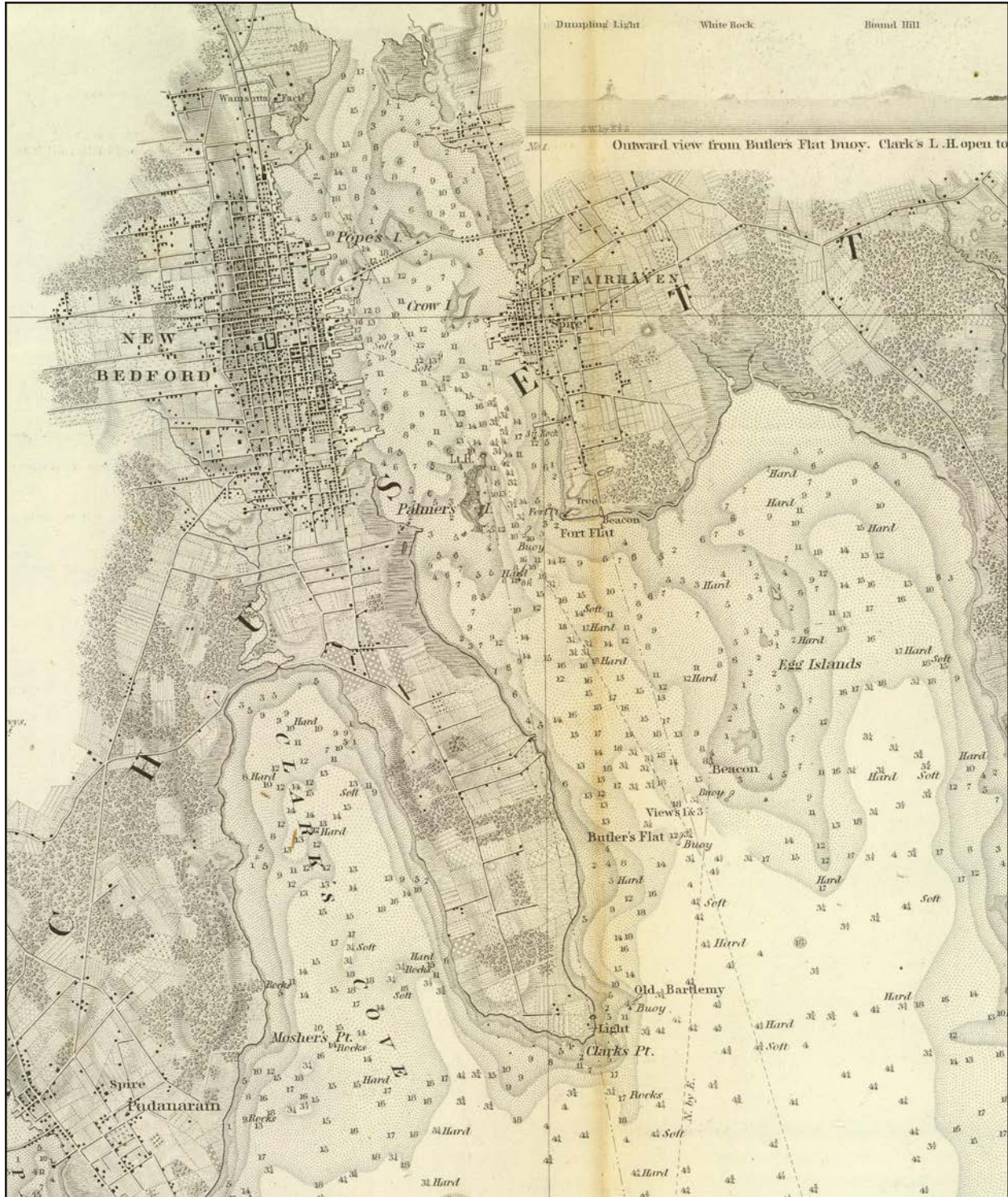


FIGURE 2-1: NEW BEDFORD, 1846
Source: Cf. Guthorn, p. 50; PMaps, p. 463 (1848 ed.)

2. Characteristics

2.1 Description of the Plan Area

TABLE 2-1: FOCUS AREA SOUTH SNAPSHOT

	FOCUS AREA SOUTH	WATERFRONT*	CITY OF NEW BEDFORD	FOCUS AREA SOUTH AS PERCENTAGE OF	
				WATERFRONT	CITY
Total Number of Properties	13	356	26,940	3.7%	0.1%
Total Acres (not including public road or rights-of-way or water)	33	391	10,565	8.4%	0.3%
Total Valuation (\$000s)	\$15,028	\$209,212	\$7,016,124	7.2%	0.2%

Source: City of New Bedford Office of the Assessor (2017)

*Area defined in the *New Bedford Waterfront Framework Plan*

DEVELOPMENT HISTORY

New Bedford's early economy centered on farming and fishing. Gradually, its port grew, and by the early 1800s, New Bedford had secured status as a major freight trade port and as the centerpiece of the whaling industry. Its domination of the whaling industry propelled its development forward and the town rapidly gained population, growing to 7,592 by 1830¹, to 12,087 by 1840, to 16,443 by 1850, and to 22,300 by 1860.² With population came infrastructure: a toll bridge between New Bedford and Fairhaven in 1796 and railroad tracks in 1840.³ An 1846 map of the area (*Figure 2-1*) shows a well-established street grid, dotted with houses and a few larger factory buildings, bound by farmland and forest to the west, and piers and the Acushnet River to the east.

Though New Bedford is best known for whaling (credit, in part, is owed to Herman Melville's *Moby-Dick*), it was also the home of a robust textile industry. This industry filled the void created when the whaling industry halted due to a rapid decline in whale population and the 1859 discovery of petroleum.⁴ At the textile industry's height in New Bedford in 1920, 70 mills employed

1. "Population of the 90 Urban Places: 1830." Census.gov. Accessed July 26, 2017. <https://www.census.gov/population/www/documentation/twps0027/tab06.txt>.

2. Pease, Zeph W. History of New Bedford. New York: Lewis Historical Pub. Co., 1918. Accessed July 26, 2017.

3. "History of New Bedford." Port of New Bedford. Accessed July 26, 2017. <http://www.portofnewbedford.org/cruise/about-the-harbor/history.php>.

4. Pease, Zeph W. History of New Bedford. New York: Lewis Historical Pub. Co., 1918. Accessed July 26, 2017.

41,380 individuals, just over a third of its population.⁵ Production declined shortly afterwards, owing to the Great Depression and competition from new mills in the South that offered lower production costs.

In the decades since, the largest transformative force in the city has been infrastructure development. Key projects are the 1926 construction of Route 6, which follows the path of the 1796 toll bridge and connects New Bedford to Rhode Island and Cape Cod; the 1933 construction of Route 18, a four-lane freeway which connects New Bedford to Boston; the 1940 construction of a regional airport; the 1960s construction of a 3.5-mile hurricane barrier; and the 1970s construction of Interstate 195 (I-195), which connects New Bedford to Rhode Island and to Interstate 495 (I-495) in Wareham. New Bedford's rail tracks have changed hands numerous times over this period, first to the New York, New Haven, and Hartford Railroad (1893), then to Penn Central (1961), to Conrail (1976), and to CSX (1998).

Meanwhile, New Bedford's fishing industry has endured. Today, New Bedford's is the most productive fishing port in the United States, a distinction it has retained for 17 years. In total, the commercial fishing industry generates around \$1 billion for the local economy.⁶ Manufacturing is also a critical part of the local economy today, as is healthcare.

Tourism, too, is growing. In 1996, Congress designated 34 acres in the City's downtown as the New Bedford Whaling National Historical Park. In addition to whaling, the park describes the city's role in the Underground Railroad and its working waterfront. The New Bedford Whaling Museum, one of its components, recently underwent a \$10 million expansion.⁷

Despite its proud history and vibrant fishing industry, present-day New Bedford is not without challenges. Many parcels in the area have significant environmental contamination. Infrastructure like the New Bedford-Fairhaven bridge, which has a horizontal clearance of 94 feet, restrict potential use of the port. Age of this infrastructure is also a concern. Routes 6 and 18, and I-195, while providing excellent connections regionally, inhibit movement

5. Writer, Peggi Medeiros Contributing. "The fabric of a community: How textiles built New Bedford." Southcoasttoday.com. February 28, 2017. Accessed July 26, 2017. <http://www.southcoasttoday.com/entertainmentlife/20170302/fabric-of-community-how-textiles-built-new-bedford>.

6. "History of New Bedford." Port of New Bedford. Accessed July 26, 2017. <http://www.portofnewbedford.org/cruise/about-the-harbor/history.php>.

7. "New Bedford Whaling National Historical Park (U.S. National Park Service)." National Parks Service. Accessed May 28, 2018. <https://www.nps.gov/nebe/index.htm>.

locally. Downtown New Bedford is becoming better linked to its waterfront but additional direct public access is part of this Redevelopment Plan. In 2007, the city was identified as a Gateway City, a designation which acknowledges that the city faces persistent social and economic challenges. In New Bedford, these challenges include a median household income and a rate of educational attainment that are much lower than the US, Massachusetts, and even other Gateway Cities.⁸

History of Focus Area South

The parcels in this redevelopment area have a history of particularly heavy industrial use. These past uses include: “manufactured gas plant (MGP), petroleum terminal, electric power generation and related infrastructure (e.g. transformer substation), former coal tar receiving processing operation, and vehicle maintenance and fueling.”⁹ These uses have left the site’s buildings, soil, and groundwater contaminated with a variety of hazardous materials. These materials are detailed fully in *Section 3. Plan Eligibility*.

Today, the majority of the 33 acres within the redevelopment area is occupied by Eversource Energy (18 acres) and the Sprague Oil Facility (11 acres). The Cannon Street Power Plant ceased operations in 1992. The power plant was “deemed inefficient and no longer necessary.”¹⁰ Sprague purchased the property in 2005 from the Commonwealth Electric Company (later NSTAR, later Eversource).

Eversource has since used the remainder of its land for the storage of liquid petroleum and more recently as its regional hub. The company announced its intention to sell its land in 2017; the company later announced in early 2018 that an initial \$5 million, three-month clean up of the property would occur prior to putting it on the market.¹¹

Sprague uses its land, including the power station, for a bulk petroleum terminal. Full environmental mitigation of the property, including the Cannon Street Power Plant, for the casino development proposed by KG Urban was

8. "About the Gateway Cities." MassINC. Accessed July 26, 2017. <https://massinc.org/our-work/policy-center/gateway-cities/about-the-gateway-cities/>.

9. http://files.masscec.com/Eversource%20Report_Final.pdf.

10. National Register of Historic Places Registration Form for the New Bedford Gas & Edison Light Complex, April 26, 2002

11. <http://www.southcoasttoday.com/news/20180208/eversource-cleanup-on-new-bedford-waterfront-to-start-next-week>.

estimated to cost around \$50 million. However, mitigation for continued industrial use of the site is likely to cost less. Note also that the Cannon Street Power Station is part of the New Bedford Gas and Edison Light Complex, listed on the National Register of Historic Places as a National Register District in 2002 (See Figure 2-18.). The New Bedford Foundry and Machine Shop (NBE.604) and the Cannon Street Power Stations (NBE.2263) along with some smaller buildings, are listed on the Massachusetts Cultural Resource Information System (MACRIS).

Past efforts to identify potential uses for this site, including an aquarium and the proposed casino, have been unsuccessful. The clear message from both the *Framework Plan* and this Redevelopment Plan is that the economic focus for this area should be to foster water-dependent industrial uses, consistent with the requirements for a Designated Port Area (DPA) and the provisions of the *New Bedford-Fairhaven Municipal Harbor Plan*.

LOCATION AND ACCESS

This redevelopment area is located along a quarter-mile stretch of the Acushnet River. This water body defines the redevelopment area's eastern edge. The redevelopment area's southern edge lies just below the Eversource site, and just above the terminus of Cape Street. The redevelopment area's western edge is defined by MacArthur Drive. MacArthur turns eastward as it continues north; the redevelopment area's northern edge lies one building depth above this eastward portion of MacArthur, and is then defined by Leonard's Wharf when MacArthur turns northward again.

From a standpoint of regional, vehicular access, this redevelopment area is well-connected:

- I-195 provides connection northeast to Wareham and a junction with I-495 and northwest through Fall River to Providence, RI
- Route 18 commences in New Bedford and runs north through Brockton to Weymouth, MA
- Route 6 runs east to Provincetown and west through Fall River to Providence, RI

Access within New Bedford is also strong. MacArthur Drive, the roadway that partially defines the site's northern edge, is one of the few streets that

intersect Route 18. This connection allows easy access to the rest of New Bedford. MacArthur Drive also provides connection to other sites within the waterfront.

The Southeastern Regional Transit Authority (SRTA) maintains 10 bus routes in New Bedford. Of these, just Route 5, which begins at the SRTA Terminal in downtown New Bedford and runs south to UMass SMASST, passes through the redevelopment area. Route 5 operates at 45-minute intervals weekdays from 6:20am to 5:50pm and approximately hourly Saturdays from 9:00am to 4:30pm. The SRTA does not operate on Sundays. According to Google Maps, the SRTA Terminal is approximately a three- to five-minute drive, and a twelve-minute walk from this redevelopment area. Taking a bus directly to



FIGURE 2-2: CONCEPTUAL SOUTH TERMINAL RAIL EXTENSION:ALTERNATIVE I
Source: APEX

the terminal from this redevelopment area requires walking out of the area first.

Dattco, a private bus company, also operates a route in New Bedford. This route begins at UMass Dartmouth and ends at Logan Airport. Buses leave about every half-hour on weekdays and about every two hours on weekends. Tickets cost \$15 one-way and \$28 round-trip.

Truck Access

Inbound trucks can enter the redevelopment area by way of Route 18 and MacArthur Drive, while outbound trucks can exit along MacArthur Drive to Hillman Street and on to Route 18. Access to the site is also possible through Pine Street off of MacArthur Drive. A truck turning area and gated entrance are located at this point. Although there currently is no gate for the Eversource site entrance, the site also abuts Cape Street which is accessible via MacArthur Drive and Conway Street.

Rail Access

The redevelopment area is not currently serviced by rail, but rail spurs exist immediately north of the site. Rail service to the New Bedford waterfront area was temporarily disconnected due to construction intended to improve the rail overpass at Route 18. A conceptual rendering of one possible route for improved rail access through the New Bedford waterfront area to South Terminal can be seen in *Figure 2-2*; alternative routes are shown in *Figure 2-11*. The estimated cost of this extension is \$12 million, but further study is recommended before moving this from a Tier 2 to a Tier 1 project.¹² Delays in implementing this project could render certain alternatives moot if the required land is developed. For this reason, *Figure 2-11* shows all alternatives and assumes the possibility that the alternatives that cut through the redevelopment area may be preferred over the ones that border the boundary along MacArthur Drive.

¹² *Massachusetts State Rail Plan*, Massachusetts Department of Transportation (HDR, AECOM, Fitzgerald & Halliday, HMMH), May 2018, page 13.

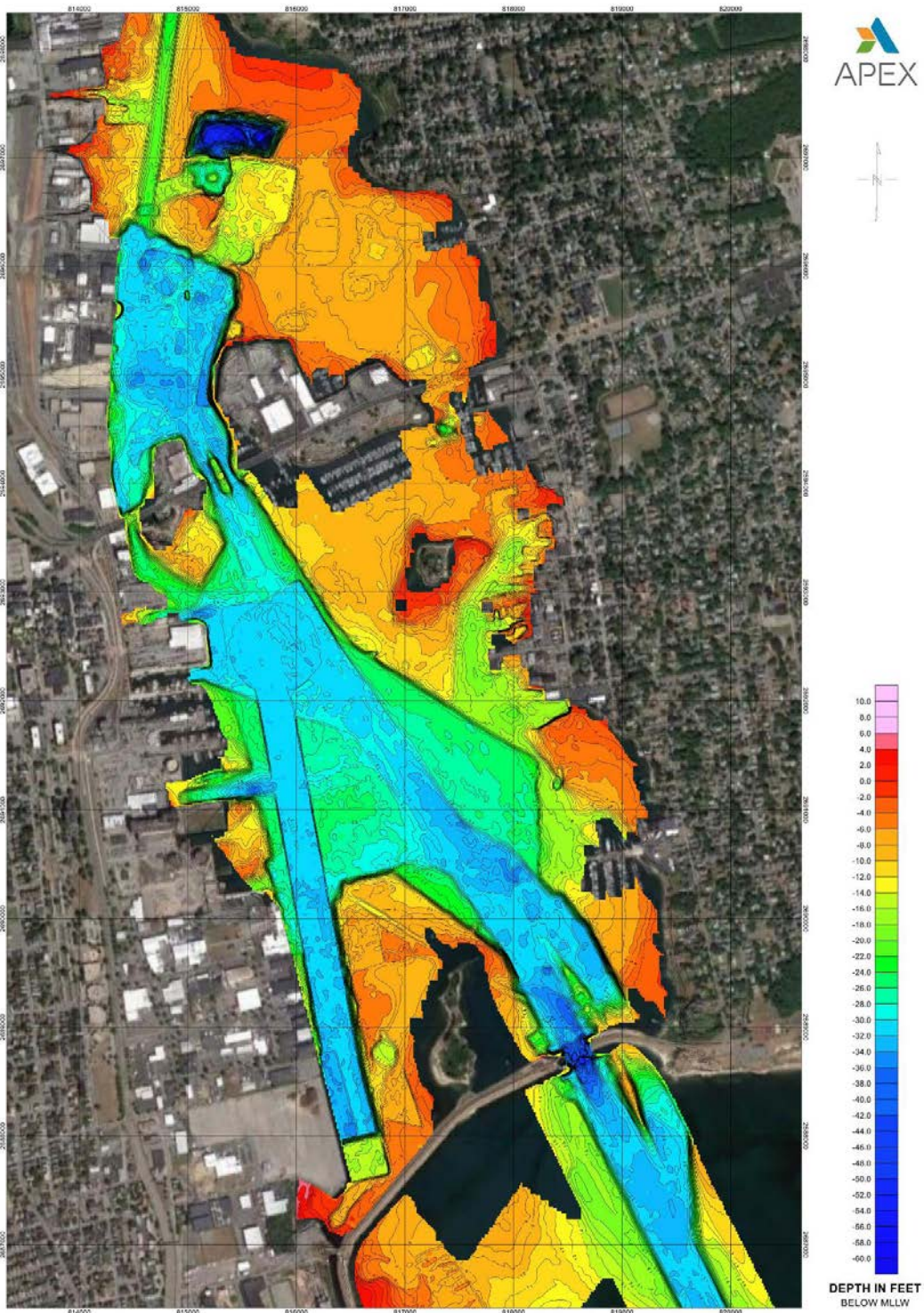


FIGURE 2-3: HYDROGRAPHIC SURVEYED DEPTHS OF NEW BEDFORD HARBOR

Water Access

Waterside access to the redevelopment area is accomplished through New Bedford's Federal Channel, which has a controlling depth of 28.9 feet (8.8 meters). Access to the site is also limited by the New Bedford-Fairhaven Hurricane Barrier, which has a horizontal clearance of 150 feet (46 meters). Sprague fueling pier, located within this redevelopment area, has the deepest draft berth in New Bedford, with portions as deep as 36 feet (11 meters), with shallower depths at its western end.

Because the berth along Sprague fueling pier is so deep, dredging is not likely to be necessary. The east faces of the property, however, do have dredging potential. (This dredging would need to avoid the Activity and Use Limitations (AUL) area, see *Figure 3-5*.) Any dredging done for the redevelopment of this property could take advantage of the State Enhanced Remedy (SER) process.

Due to the degree of contamination in the Harbor, and the complicated permitting and expensive disposal requirements of conventional dredging projects, it is unrealistic to expect individual property owners to consistently take on the responsibility of dredging to maintain water access to their waterfront properties. The SER process provides a streamlined permitting methodology and allows for property owners to take advantage of economies of scale associated with a group phased approach to dredging projects. Furthermore, dredge material disposal costs are dramatically reduced by adding the use of Confined Aquatic Disposal (CAD) cells, which allow for nearby, in-water disposal in a manageable consolidated area. The historical evidence from the first four phases of navigational dredge and CAD cell disposal show that the parties interested in participating in the next round of navigational dredging could save a significant amount of money and time when operating under the SER process versus a conventional dredge process with upland disposal.

For this purpose any waterside infrastructure or dredging required as part of a property's redevelopment is actually a more straight forward process than working in other Harbor's when using the SER process.

ENVIRONMENTAL, NATURAL AND CULTURAL RESOURCES, REGULATED AREAS

Topography

The redevelopment area sits just above the harbor. The area is flat, with grades beginning to rise gradually beyond it, just west of Route 18 (See *Figure 2-5*).

Surface Water Resources

The Acushnet River is the largest river (8.6 miles) that flows into Buzzards Bay in Massachusetts. New Bedford is located on the western side of the Acushnet River, and Fairhaven is located on the eastern side of the river. Between 1940 and 1970, this river was subject to contamination, primarily due to discharges of heavy metals and PCBs from industrial facilities.

New Bedford Inner Harbor, segment MA95-42 from Coggeshall Street Bridge to the New Bedford-Fairhaven Hurricane Barrier, is listed as impaired according to the Massachusetts Integrated List of Waters, also referred to as the 303(d) list. The causes of impairment are debris, floatables, and trash; fecal coliform; total nitrogen; oil and grease; oxygen; polychlorinated biphenyls (PCBs); dissolved PCB in fish tissue; taste and odor; and other.

In 1998, the US Environmental Protection Agency (EPA) signed the Record of Decision (ROD) for the New Bedford Harbor Superfund Site, which prescribed that the remedy for the Harbor would be focused on the removal of contaminated sediments with PCB concentrations in excess of cleanup standards set for various locations within the Harbor. The cleanup standards varied depending upon the location of the contamination: 50 parts per million (ppm or milligram per kilogram, mg/kg) was designated for deeper water areas, where direct contact was not likely; 1 ppm was designated for mudflat and shallow water areas accessible at low tide; 25 ppm was designated for beach combing shoreline areas; and 1 ppm was designated for residential shoreline areas.

The EPA is currently removing contaminated sediments with PCB concentrations greater than their designated cleanup levels from the Acushnet River

through hydraulic dredging and filtration. The EPA expects a cleanup timeline of five to seven years.

The ROD included the SER provision [see 40 CFR 300.515(f)], which allowed for certain maintenance dredging to fall within the Superfund process. The Massachusetts Department of Environmental Protection (MassDEP) requested that the SER be included in the ROD; a step that was endorsed by the City of New Bedford, Massachusetts Executive Office of Energy and Environmental Affairs (EEA) and by local State representatives. The SER provision allowed for maintenance dredging to occur without obtaining the multiple permits required for maintenance dredge projects and without the extensive analytical testing that would be necessary for an upland disposal option. Under the SER provision, the normal permitting process is replaced by the Superfund process with the MassDEP as the lead agency. This allowed the navigational dredging to fall under the Superfund regulations which allows for on-site disposal and regulatory oversight without on-site permits. Through the streamlined SER process, regulatory agencies work cooperatively with the EPA and MassDEP to ensure that projects are adequately regulated and meet the requirements of local and federal laws while also ensuring that the remediation of the harbor is not unduly delayed by the normal permit application and approval process.

Priority Habitats

No Priority Habitats are located landside within this redevelopment area. Priority Habitat 238 (PH 238) exists within New Bedford Harbor for the waterside area between Route 6 and the Hurricane Barrier. Massachusetts' BioMap II identifies the Harbor as Core Habitat and Critical Natural Landscape. The Harbor and the shoreline are identified as Tern Foraging areas.

Wetlands

Portions of the land that abut the Acushnet River are listed as "Rocky Intertidal Shoreline" and "Coastal Bank Bluff or Sea Cliff." From the review of the Wetlands Protection Act as amended by the Riverfront Protection Act, the only resource area consistently landward of the facility waterside is Riverfront Area. Riverfront Area for New Bedford is limited to 25 feet from the river's high watermark (per 10.58(3)a) and that Riverfront Area does not have a



FIGURE 2-4: LOCATIONS OF PRIORITY HABITATS IN NEW BEDFORD HARBOR

buffer, per 10.02(2)(b), which references 10.02(1)b-f. However, salt marsh habitat is found intermittently along the Acushnet River and is of value as a wetland habitat. The salt marsh, intertidal rocky shoreline and coastal bank or bluff all have 100' Buffer Zones under the Wetlands Protection Act; these buffer zones extend onto the adjacent upland under consideration for redevelopment. Any work within these Buffer Zones require approval from the New Bedford Conservation Commission.

Flood Zones

Portions of the properties in this redevelopment area exist within FEMA's AE zone (1% annual chance of flooding) and X zone (0.2% annual chance of flooding). Both zones are shown to be protected by a levee system (New Bedford Fairhaven Hurricane Barrier) against potential flooding. FEMA also notes that the levee systems have the potential for overtopping or failure. See *Figure 2-5* and *Section 3. Plan Eligibility, Climate Change and Rising Sea Levels* for additional information about flooding in the redevelopment area.

Marine Infrastructure

The redevelopment area is located in New Bedford Harbor, with waterside access just south of the Federal Navigational channel, turning basin and maneuvering area, and just west of the state maintained channel to South Terminal. Vessels accessing the site must enter New Bedford Harbor through the Hurricane Barrier at the mouth of the harbor. The hurricane barrier has a horizontal clearance of 150 feet; however, there are no vertical restrictions on vessel access to the redevelopment area. Access to the redevelopment area is via a dredged federal channel that has a navigable depth restriction of 28.9

feet mean lower low water (MLLW) into the Harbor and then turning at a Federal Turning basin and heading less than 0.5 miles south down a State maintained channel to the redevelopment area.

The deeper water berth that is currently served by the liquid petroleum vessels is deeper than 34 feet MLLW and is currently the deepest berth in New Bedford Harbor. The deep draft berth is served by a pier structure that contains two concrete filled cofferdams intended for additional structural support for berthing vessels. Beyond the pier structure heading landward, the berth shoals slightly to about -26 MLLW, but the berth is a steel sheet pile bulkhead and earthen fill structure.

The site has over 3,000 linear feet of “frontage” onto the watershed. The most useful of that frontage is the approximate 700 feet long deep draft berth area in the middle of the site which has a 2.5 acre filled bulkhead and 350 foot pier with two concrete cofferdams that extends into New Bedford Harbor.

In 2011, the “inner slip” area was capped in place and a new sheet pile closure wall was installed to retain that cap. Material from the “outer slip” was also dredged to remove impacted sediment and capped in place. The majority of the north area of the site contains sheetpile bulkheads, gravity block walls and placed rip rap.

Utility Infrastructure

Focus Area South has access to municipal water and sewer from the City of New Bedford, and natural gas and electricity from Eversource. Wastewater and stormwater management in this area is part of the City of New Bedford’s system, which is covered under the EPA’s National Pollutant Discharge Elimination System (NPDES) program as an MS4. As such, for industrial uses, the City of New Bedford has an industrial pre-treatment program with limitation and restrictions of discharges that are specific to each use.

The redevelopment area includes infrastructure related to the transmission of electricity and gas supply lines on sites identified for acquisition. Eversource owns this infrastructure; any acquisition would need to incorporate easements to allow future access for maintenance and repair. See Figures 2-9, 2-13, and 2-14. The oil tanks owned by Sprague are not public infrastructure.

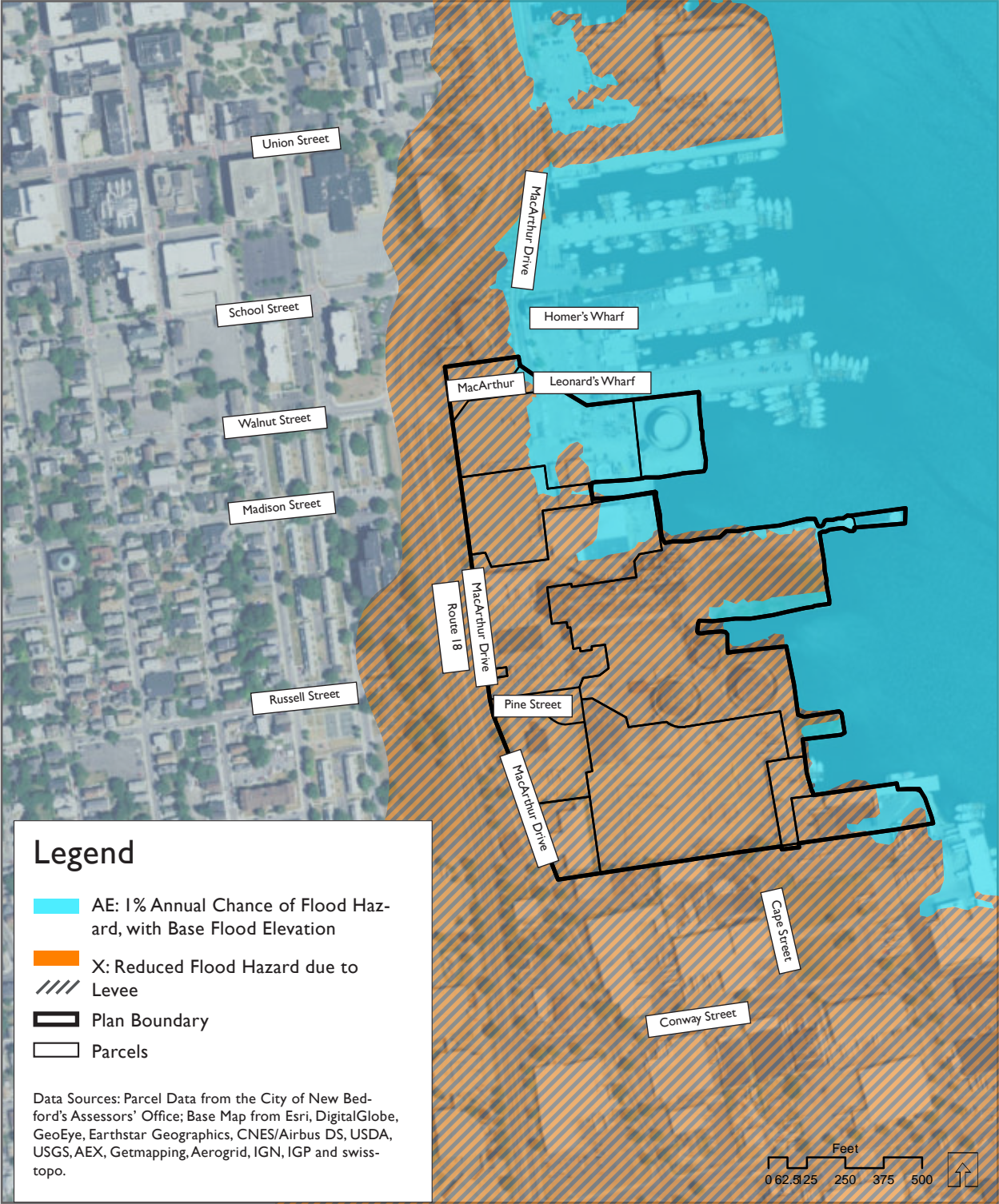


FIGURE 2-5: FLOOD ZONES

BUSINESS CHARACTERISTICS AND TRENDS

This section is a summary of the full economic and market analysis report found in *Appendix A*. The business characteristics and trends were evaluated for the waterfront area as a whole (as defined in the *New Bedford Waterfront Framework Plan*).

Data in *Table 2-2* show the business profile of the entire waterfront area, including Focus Area North and Focus Area South. The businesses in the area employ over 4,000 workers and generate over \$2 billion in sales, mostly from the wholesale trade sector.

The sectors highlighted in blue are those related to the fishing industry. Where numbers specific to the industry could be ascertained, mainly from ES202 reports at the three- and four-digit North American Industry Classification System (NAICS) level, they are shown as “Fishing and related.” Other sectors in blue contain fishing and seafood-related activities but they could not be broken out from the data available. Most of the companies in Wholesale Trade, for example, are merchant wholesalers in non-durable goods, mainly fish and seafood-related. This category also includes apparel/piece goods/notions, grocery and related products (including fish and seafood), chemical and petroleum products, and beer/wine/alcoholic beverages. Manufacturing includes food processing, particularly seafood, which employs over half of the 839 workers in this category. Other manufacturing subsectors of significance are textiles, leather products, fabricated metal products, and electrical equipment.

Retail is mostly food and beverage stores, with sporting goods and motor vehicle and parts dealers also significant employers. There are also several Healthcare and Social Assistance establishments in the area.

Table 2-3 displays wage and payroll information for the waterfront area. It clearly shows that the fishing and related industries provide relatively well-paying jobs and contribute almost three-quarters of total wages in the area.

Employment Trends

City of New Bedford

Employment in the City of New Bedford provides the primary context for waterfront development. **Healthcare and Social Assistance** is the city's largest single industry in terms of employment. Not only is this industry the largest employer, it is projected, with a high degree of reliability, to grow steadily over the next six years in both the city and county.

Manufacturing, the second largest employer presents a very different trend. In this case, the historical trend has been downward, as is the projection to 2021, again with high degrees of reliability.

Retail Trade is the third largest employer in the city and is a sector that could be targeted for mixed-use development. However, the trend is mixed; while growth is anticipated to be positive in the county, it is negative for the city, with low reliability for the projections.

Accommodation and food services, although not among the largest employers, is a key industry for mixed-use development and revitalization. The trends are positive over the next six years, and the projections have a high degree of reliability.

Office-using industries are an important element of downtown development. For purposes of this analysis, the following industries are office-using:

- NAICS code 51 Information
- NAICS code 52 Finance and insurance
- NAICS code 53 Real estate and rental and leasing
- NAICS code 54 Professional, scientific, and technical services
- NAICS code 55 Management of companies and enterprises
- NAICS code 561 Administrative and support

The projected trend for New Bedford is considerably more reliable than that for the county. The upward trend means prospects for growth in office-using industries are good for New Bedford.

Waterfront

To better understand the key sectors of waterfront industries, the consultant team also examined employment data at the three- and four-digit NAICS levels for the period 2006 to 2015, projecting those historical trends forward to 2021.

- **NAICS code 1141 Fishing:** For the City of New Bedford, Bristol County, and Commonwealth of Massachusetts, and based solely on historic performance, the projected trend lines all decline, but with differing degrees of confidence. Wages (average monthly employment with average weekly wages) peaked in 2013, the same year that employment dropped from 2012. Since 2014, both have risen slightly, as have the employment figures. It is too early to tell whether those increases will continue.
- **NAICS code 424, Merchant Wholesalers, Nondurable Goods:** In New Bedford, most of these nondurable goods are fish. Employment in New Bedford, Bristol County, and the Commonwealth of Massachusetts is projected to decline over the next five years; these projections are reasonably reliable. Average weekly wages have followed a gentle upward trend since 2009, while average monthly employment, which seemed to have started a recovery following the 2008 recession, has declined since 2013.
- **NAICS 483, Water Transportation:** Projections are unreliable for Bristol County and the Commonwealth. For New Bedford, projections are reliable but not very meaningful given the very few jobs in this subsector of transportation.
- **NAICS 493, Warehousing and Storage:** While the numbers of jobs since 2006 have declined, average weekly wages have been increasing since 2011. The number of jobs was quite small by 2013. (Data for 2014 and 2015 are not available for this NAICS code). Jobs in this sector have been and are likely to continue to be, in decline such that by 2021 or sooner they may have entirely disappeared from New Bedford. At the county and state level, the likelihood of such a decline is less.
- **NAICS 3117, Seafood Product Preparation and Packaging for the City of New Bedford:** Average weekly wages have increased in recent years, while employment has held relatively steady between 600 and 700 jobs. Over time, trends based on historical performance show declines in this industry, but at low levels of confidence, except for New Bedford, where the projection is more reliable.
- **NAICS 3366, Ship and Boat Building:** There was no data for this code for 2010 and 2011, and the data for remaining years were so variable that they did not merit analysis.

TABLE 2-2: NEW BEDFORD WATERFRONT STUDY AREA: BUSINESS PROFILE

New Bedford Waterfront Study Area: Business Profile						
2016 estimated						
	Establishments	%	Employees	%	Sales (\$ millions)	%
Fishing and related	143	37%	777	18%	463.8	17.1%
Oil & Gas Extraction	1	0%	8	0%	5.2	0.2%
Construction	6	2%	15	0%	5.0	0.2%
Manufacturing	28	7%	726	17%	163.0	6%
Wholesale Trade	45	12%	867	20%	1,882.9	69%
Retail Trade	36	9%	460	11%	106.5	4%
Transportation & Warehousing	11	3%	156	4%	18.7	1%
Real Estate and Rental & Leasing	5	1%	20	0%	8.5	0.3%
Professional, Scientific, & Technical Svcs	27	7%	110	3%	11.2	0.4%
Administrative & Support Svcs	8	2%	132	3%	15.6	1%
Healthcare & Social Assistance	33	9%	84	2%	7.7	0.3%
Healthcare	20	5%	57	1%	7.5	0.3%
Social Assistance	13	3%	27	1%	.2	0.0%
Arts, Entertainment, & Recreation	9	2%	85	2%	11.8	0%
Accommodation & Food Services	13	3%	166	4%	12.4	0%
Accommodation	2	1%	51	1%	5.6	0.2%
Food Services & Drinking Places	11	3%	115	3%	6.8	0.3%
Other Services (excl Public Administration)	16	4%	338	8%	6.4	0.2%
Public Administration	3	1%	304	7%	.0	0.0%
ALL INDUSTRIES	384	100%	4,248	100%	2,719	100%
Fishing and Seafood Related	216	56%	2,370	56%	2,510	92%

Sources: A. C. Nielsen Site Reports; Massachusetts Department of Labor and Workforce Training, ES202 series; US Department of Commerce, County Business Patterns; US Department of Commerce, Regional Economic Information System and FXM Associates

TABLE 2-3: NEW BEDFORD WATERFRONT STUDY AREA: AVERAGE ANNUAL WAGES AND PAYROLLS BY INDUSTRY

New Bedford Waterfront Study Area: Average Annual Wages and Payrolls by Industry				
2015 estimated				
	Ave. Annual Wages	% of Area Average Wage	Total Wages	% of Area Total Wages
Fishing	\$112,892	198%	\$87,717,084	37%
Oil and Gas	\$79,375		\$317,501	
Utilities	\$81,120		\$405,600	
Construction	\$51,844		\$2,644,044	
Manufacturing (primarily seafood processing)	\$64,272	112%	\$39,848,640	17%
Wholesale Trade (primarily seafood)	\$58,604	103%	\$49,168,756	21%
Retail Trade	\$27,092		\$13,139,620	
Transportation and Warehousing	\$36,712		\$5,433,376	
Information	\$53,196		\$265,980	
Real Estate and Rental and Leasing	\$36,764		\$1,286,740	
Professional, Scientific, and Technical Services	\$57,304		\$6,303,440	
Admin and Support and Waste Mgmt and Reme Services	\$23,712		\$3,129,984	
Healthcare and Social Assistance	\$40,300		\$2,579,200	
Arts, Entertainment, and Recreation	\$22,828		\$1,940,380	
Accommodation and Food Services	\$15,548		\$2,689,804	
Other Services (except Public Administration)	\$29,276		\$9,895,288	
Public Administration	\$66,404		\$20,186,816	
ALL INDUSTRIES	\$57,151		\$ 237,690,556	
Fishing & Seafood Related	\$ 79,040	138%	\$ 176,734,480	74%

Sources: A. C. Nielsen Site Reports; Massachusetts Department of Labor and Workforce Training, ES202 series; US Department of Commerce, County Business Patterns; US Department of Commerce, Regional Economic Information System and FXM Associates

2.2 Required Maps

This section contains all the maps of the project area mandated by 760 CMR 12.02(2) and the explanatory text. These maps document existing and expected future conditions based on the implementation of this Redevelopment Plan. The maps are as follows:

- Boundaries of the project area and topography (*Figure 2-5*)
- Boundaries of areas proposed for clearance and areas proposed for rehabilitation (this map is not included as the *New Bedford Waterfront Redevelopment Plan: Focus Area South* does not involve large-scale clearance activities); see *Figure 2-14* for buildings to be demolished (spot clearance).
- Property lines and the footprint of buildings and parking areas on each lot, existing and proposed (*Figure 2-6*)
- Existing uses and the current zoning (*Figure 2-7: Existing Uses* and *Figure 2-8: Current Zoning*). See *Section 2.3 Existing Land Use* and *Section 2.4 Current Zoning and Other Regulatory Controls* for the accompanying text
- Proposed land uses, other activities, and zoning (*Figure 2-9A: Proposed Land Uses*, *Figure 2-9B Proposed Public Infrastructure*, and *Figure 2-10: Proposed Zoning*). See *Section 2.5 Proposed Zoning* and *Section 8. Public Improvements* for the accompanying text
- All thoroughfares, public rights of way and easements, existing and proposed (*Figure 2-11*)

For the following maps, see *Section 4. Plan Objectives* for the accompanying text and *Table 5-4* for specific information about each parcel.

- Parcels to be acquired (*Figure 2-12*)
- Lots to be created for disposition (*Figure 2-13: Lots Identified for Parcelization (Creation)*)
- Buildings to be demolished (*Figure 2-14: Buildings to be Demolished, Rehabilitated, and Constructed*)
- Buildings to be rehabilitated (*Figure 2-14: Buildings to be Demolished, Rehabilitated, and Constructed*)
- Buildings to be constructed (*Figure 2-14: Buildings to be Demolished, Rehabilitated, and Constructed*)

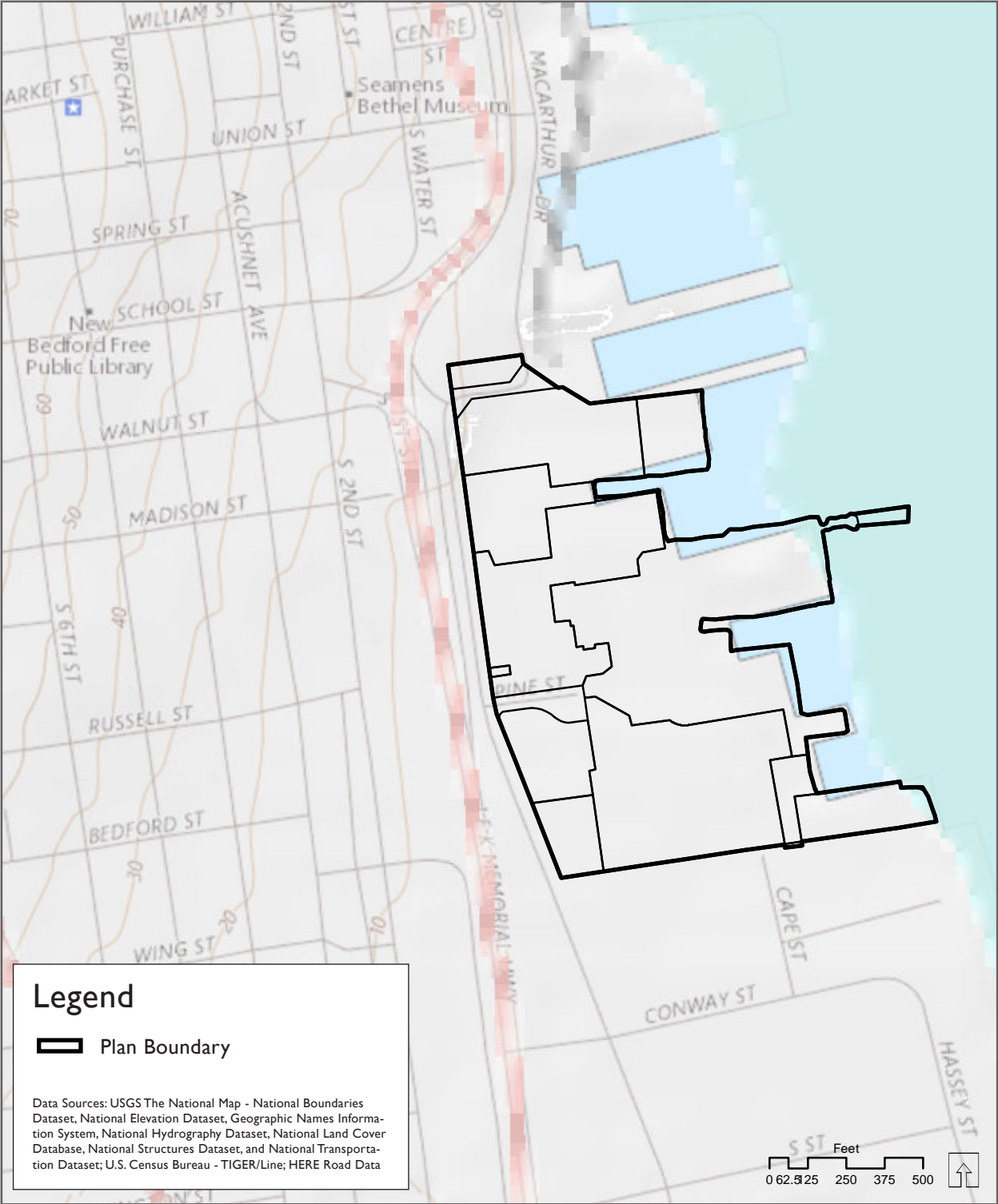


FIGURE 2-5: PROJECT AREA AND TOPOGRAPHY

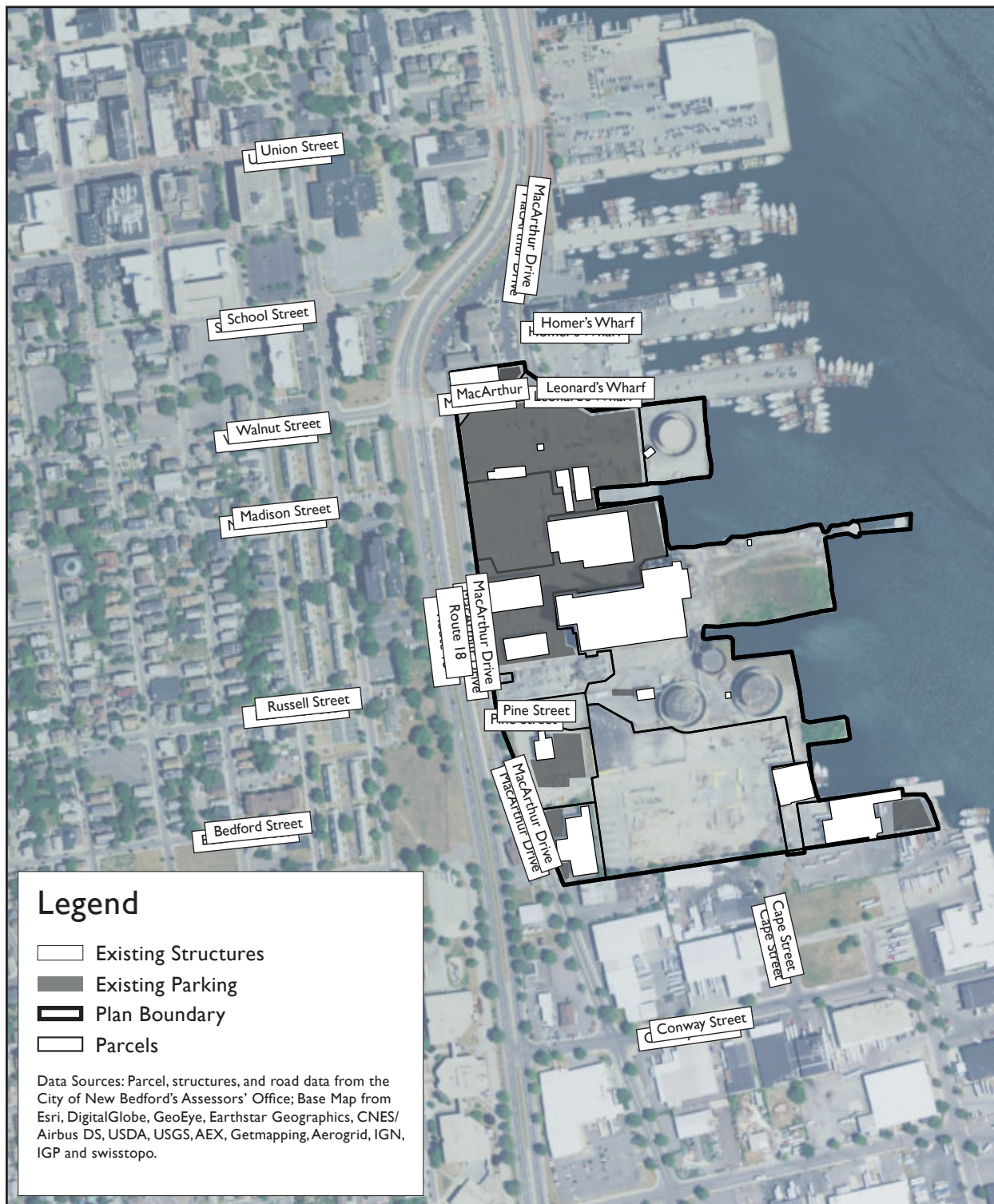


FIGURE 2-6: PROPERTY LINES AND THE FOOTPRINT OF BUILDINGS AND PARKING AREAS

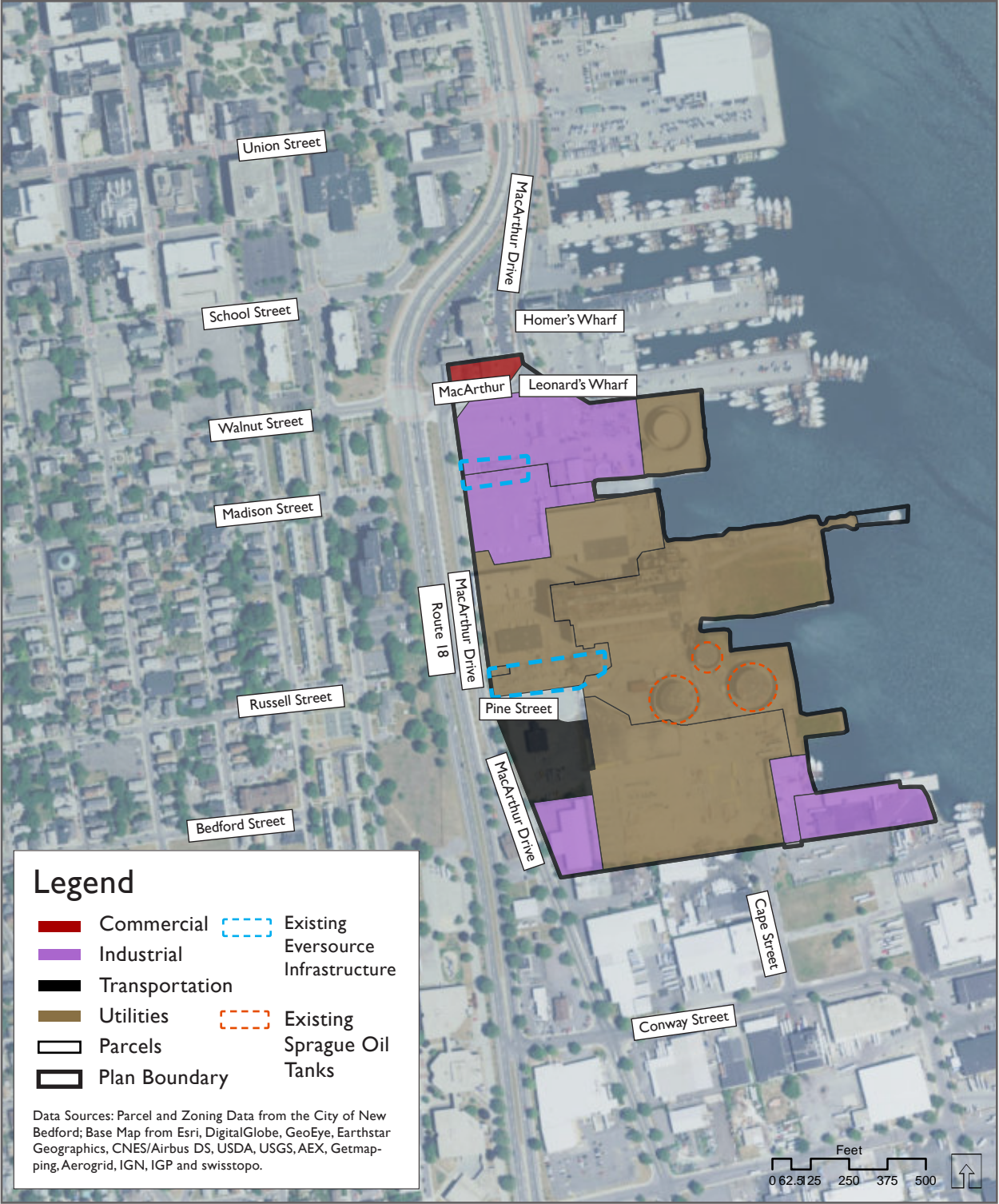


FIGURE 2-7: EXISTING USES

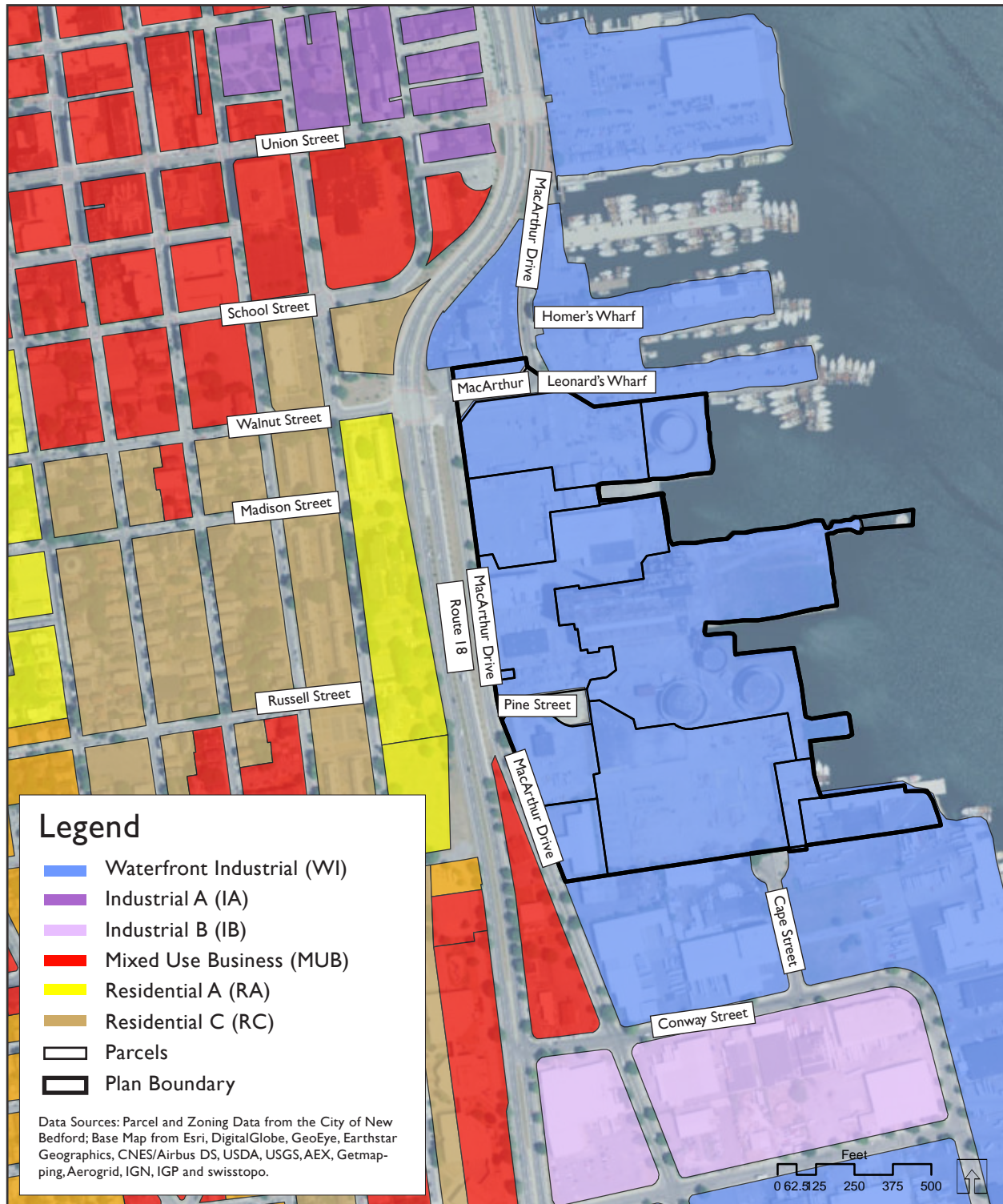


FIGURE 2-8: CURRENT ZONING



FIGURE 2-9A: PROPOSED LAND USES

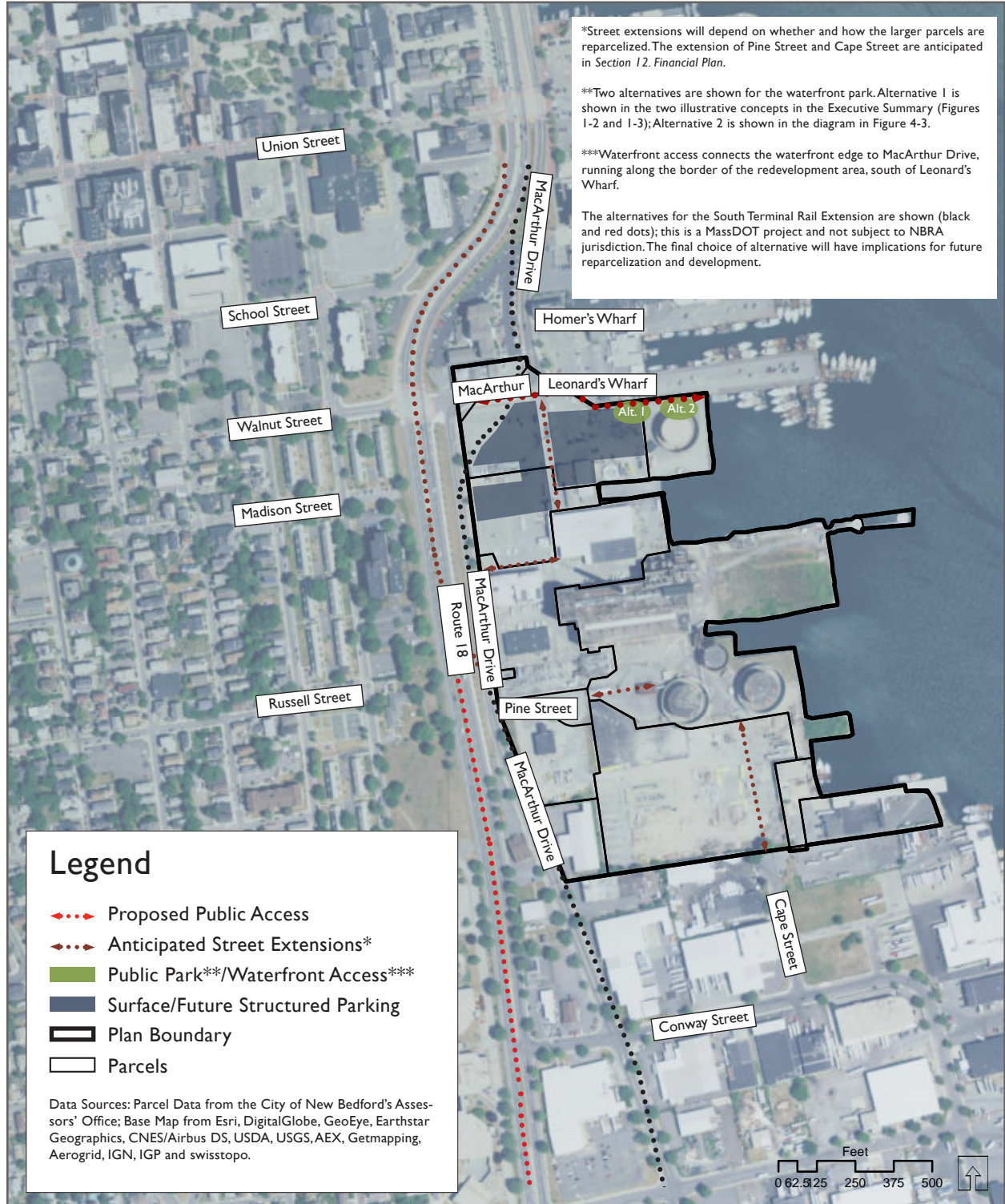


FIGURE 2-9B: PROPOSED PUBLIC INFRASTRUCTURE

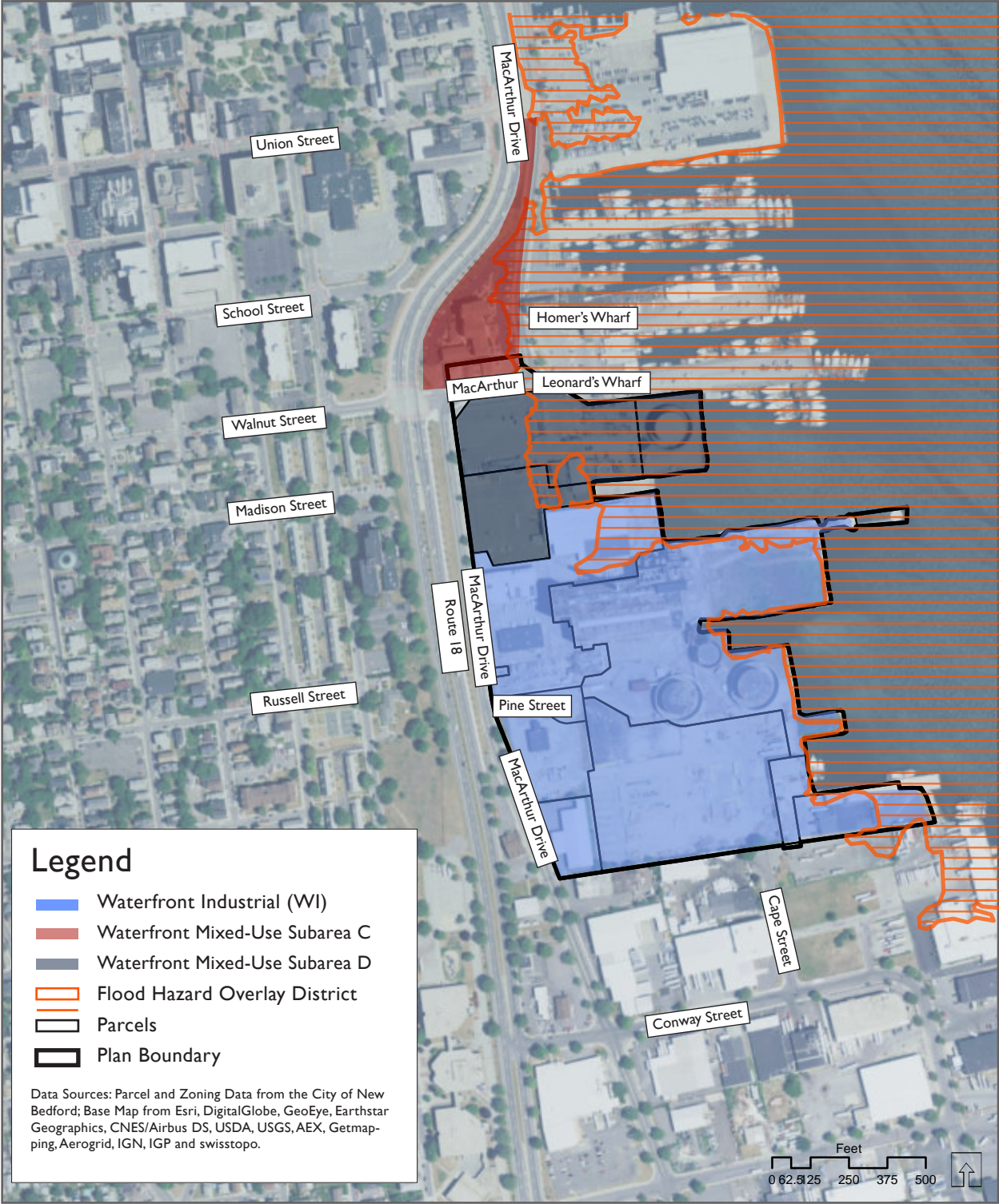


FIGURE 2-10: PROPOSED ZONING



FIGURE 2-11: THOROUGHFARES, PUBLIC RIGHTS-OF-WAY AND EASEMENTS, EXISTING AND PROPOSED

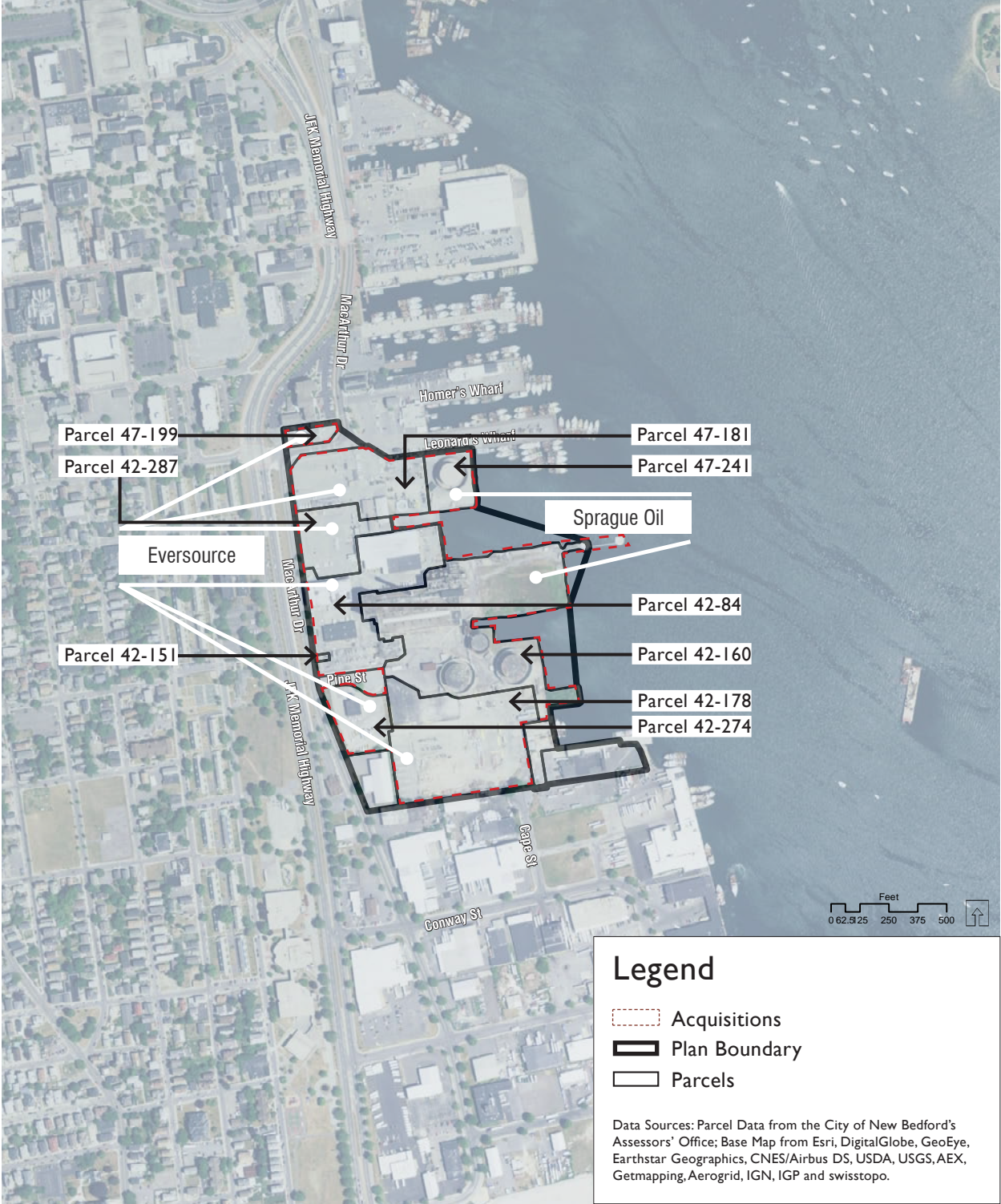


FIGURE 2-12: PARCELS TO BE ACQUIRED

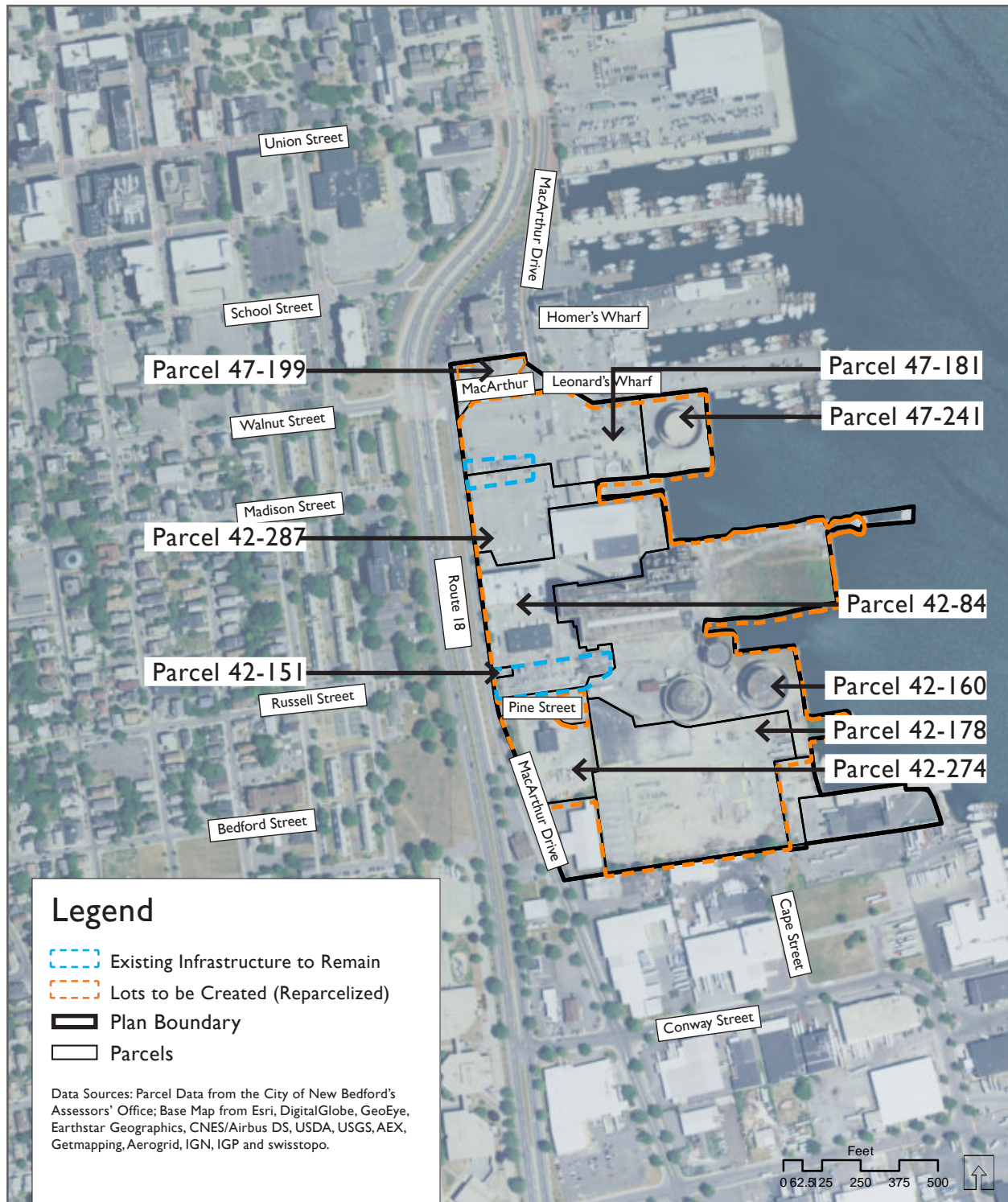


FIGURE 2-13: LOTS TO BE CREATED FOR DISPOSITION

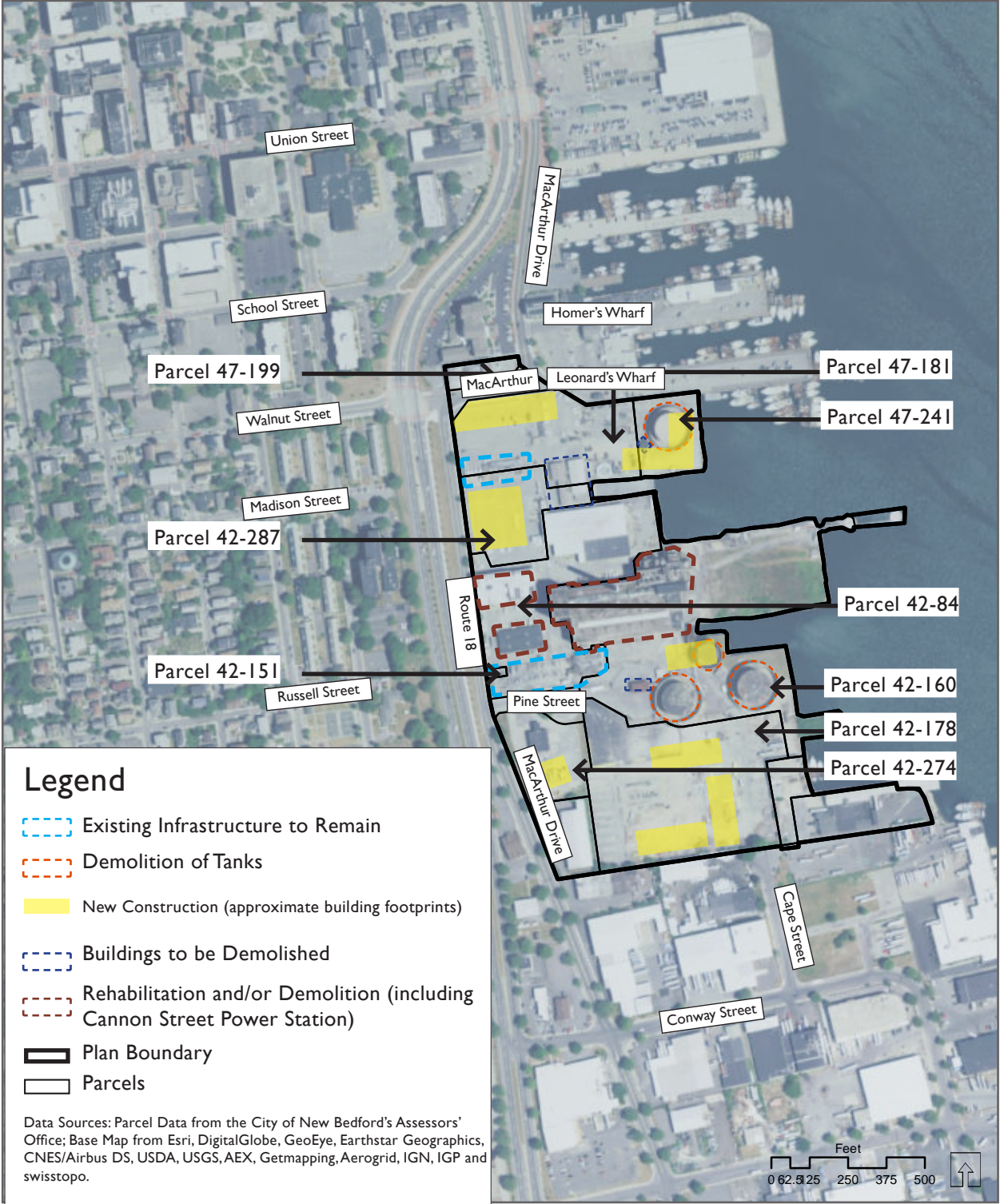


FIGURE 2-14: BUILDINGS TO BE DEMOLISHED OR REHABILITATED; NEW CONSTRUCTION ON ACQUIRED PARCELS

2.3 Existing Land Use

As shown in *Figure 2-7*, there are 13 parcels in this redevelopment area. Seven of these parcels – a total of 18.7 acres – are owned by Eversource (Commonwealth Electric Company/Commonwealth Gas Company) and two – a total of 11.0 acres – are owned by Sprague. In total, the land area controlled by these two companies amounts to 90% of the redevelopment area. The land uses for this subarea are as follows: electric substation (3 parcels), oil storage parcels (2, both owned by Sprague), truck terminal (1 parcel), accessory land (1 parcel), industrial warehouse (1 parcel), and office (1 parcel). Physically, the parcels with utility uses (electric substation and oil storage) are located waterside, while the parcels with other uses border MacArthur Drive.

The remaining 10% of the redevelopment area is owned by Luzo Properties, LLC (a fishing gear retailer), Trio Algarvio, Inc. (seafood processing) and W Trading Inc. (an industrial shop). These parcels are generally much smaller than the Eversource and Sprague parcels, and are located along the southern-most edge of the study area.

OPEN SPACE

As shown in *Figure 2-15*, this redevelopment area is devoid of designated public, open space. For those that work within the redevelopment area, this lack of open space is partially offset by a large number of open spaces within a five-minute (quarter-mile) walk. These outlying spaces are as follows:

- 54th Regiment MA Volunteer Infantry Plaza and Custom House Square (0.83 acres)
- Wings Court (1.1 acres)
- Salvation Army Play Area (1.1 acres)
- Baby Kennneys Tot Lot (0.36)
- Monte Playground (0.73)
- Alfred Gomes School Playground (3.7)

These spaces are depicted in *Figure 2-15*, bounded by circles with radii of a quarter-mile. The blue arrows on the map indicate locations where it is possi-



FIGURE 2-15: PARKS WITHIN A QUARTER-MILE OF FOCUS AREA SOUTH

ble to cross Route 18. On the whole, these open spaces appear to be of good quality, and are diverse in distribution, size, and programming.

Even so, the lack of open space within the immediate area should be remedied because there is no way for the public to access the water within this section of New Bedford's waterfront. The addition of open space at a strategic point within the redevelopment area would relieve this condition and also benefit the community that works within the area by providing a more convenient space for them to enjoy.

2.4 Current Zoning and Other Regulatory Controls

As shown in *Figure 2-8*, this redevelopment area rests fully within the Waterfront Industrial (WI) zoning district. This zoning district allows nearly all industrial, exempt, and institutional uses, allows limited commercial uses, and prohibits nearly all residential uses. In addition to the WI district, the redevelopment area intersects two overlay districts: the Flood Hazard Overlay District (FHOD) and the Waterfront Economic Development and Revitalization Overlay District (WEDROD). These overlay districts are shown in *Figure 2-16*.

Flood Hazard Overlay District (FHOD)

The purpose of the FHOD is to decrease the likelihood of a flood event and to reduce damages should one occur. Parcels within the FHOD must comply with Massachusetts General Laws (M.G.L.) Chapter 131, Section 40 and adhere to the portion of the Massachusetts State Building Code on floodplain and coastal high hazard areas, and to 310 CMR 10.00 (Wetlands Protections Regulations), 12.00 (Coastal Wetlands Restrictions), 13.00 (Inland Wetlands Restrictions, and 15.00 (Subsurface Disposal of Sanitary Sewage).

The FHOD applies to all land that has a one percent or greater chance of flooding each year. In the case of this redevelopment area, this means that all land within the AE zone is subject to its restrictions.

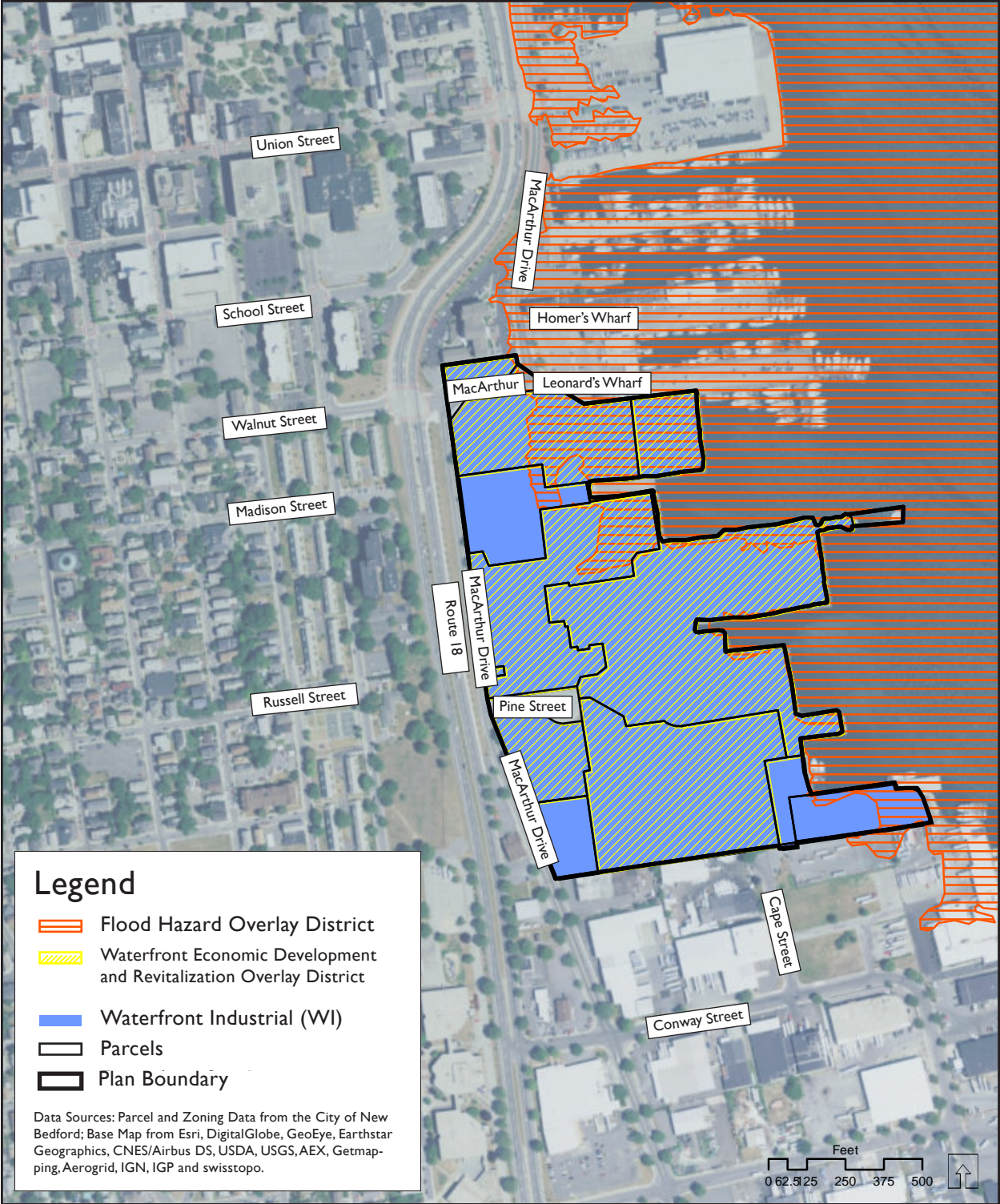


FIGURE 2-16: OVERLAY ZONING IN FOCUS AREA SOUTH

Waterfront Economic Development and Revitalization District (WEDROD)

The purpose of the WEDROD is to facilitate the economic and cultural development of New Bedford; encourage the redevelopment of structures, underutilized parcels, and brownfields along the waterfront; and increase connection between the waterfront and downtown New Bedford. To fulfill this purpose, the WEDROD allows additional uses under a special permit from the Zoning Board of Appeals. This includes “all commercial business establishments and uses permitted as-of-right or through issuance of a Special Permit in a Mixed Use Business Zoning District and Industrial Zoning District;”¹ casinos or other uses licensed under Chapter 194 of the Acts of 2011; and residential dwelling units. This zoning is a response to the plans for a casino in this area of the waterfront, but this is no longer a viable business option. Some of these uses are not allowed within a DPA (see discussion below) and are not consistent with the goals of this Redevelopment Plan to prioritize water-dependent industrial uses within the majority of the redevelopment area.

CHAPTER 91 AND THE DPA

Development in the Waterfront District is regulated not just by the zoning regulations of the City of New Bedford, but by a number of state and federal regulations that govern development in or near the harbor. In addition, the City’s comprehensive plan and other local plans have relevance for the preparation of a redevelopment plan under M.G.L. Chapter 121B.

As shown in *Figure 2-17*, many of the parcels within the Waterfront District are within the boundaries regulated by The Massachusetts Public Waterfront Act, or M.G.L. Chapter 91. All but one of the parcels is within a DPA, which has a more restrictive set of requirements.

In addition, a Municipal Harbor Plan (MHP) was approved by the Massachusetts Executive Office of Energy and Environmental Affairs (EEA) under 301 CMR 23.00, the *New Bedford/Fairhaven Harbor Plan*, which incorporates the DPA. Under 310 CMR 9.34(2), the MHP, which is overseen by the New Bedford Port Authority, governs projects within its boundaries, including development or redevelopment.

¹ City of New Bedford Zoning Ordinance, Paragraph 4751A Uses



FIGURE 2-17: BOUNDARY OF CHAPTER 91 JURISDICTION AND DPA BOUNDARY

The Massachusetts Department of Environmental Protection (MassDEP) will apply the guidance within an approved municipal harbor plan to the discretionary requirements in 310 CMR 9.00 and will allow the use limitations and numerical standards within the municipal harbor plan to supersede certain standards relative to the preservation of shorelands and tidelands for water-dependent uses and public access.

Chapter 91 differentiates between water-dependent uses and nonwater-dependent uses. The definition of water-dependent uses includes water-dependent industrial uses, and requires direct access to or a location within tidal waters. The proposed project must be completely water-dependent to qualify; a nonwater-dependent use as part of the project will result in determination of the entire project as nonwater-dependent. Nonwater-dependent uses must have a proper public purpose, be consistent with the policies of the CZM, and provide public benefits that outweigh the negative effect on the public of the nonwater-dependent use. A MassDEP Waterways License is also required for activities subject to Chapter 91 jurisdiction.

The regulations for a DPA prioritize water-dependent industrial uses. Under 310 CMR 9.36 and 9.51, a structure that is not for a water-dependent industrial use must not preempt a water-dependent industrial use, must not conflict with adjacent water-dependent industrial uses, and must be able to convert to allow future development of water-dependent industrial uses. In addition to water-dependent industrial uses, Temporary and Supporting Uses are allowed within a DPA, but are limited to 25% of the area of the project site, unless otherwise provided in a DPA Master Plan.

Public access and connection to the community is encouraged, as long as it does not interfere with the purposes of the DPA. Within the DPA boundary, certain uses are “presumptively compatible,” such as storefront retail, small-scale, by-appointment administrative offices, and eating and drinking establishments primarily serving patrons of the water-dependent uses on the site; other uses are not allowed, including residential, hotels, general office buildings, major retail establishments, and large-scale recreational boating facilities. New Bedford had a mechanism for transferring development rights – the Supporting DPA Use Eligibility Credit Program – but it was eliminated in the *New Bedford/Fairhaven Harbor Plan* (2010). MassDEP licenses structures and uses in a DPA.

In addition to the development-specific regulations above, environmental regulations at both the state and federal level, including those related to flood zones, solid waste disposal, historic and archaeological resources, and environmental resources, restrict methods of demolition, development, and redevelopment. The requirements of these regulations would be addressed as part of the state's Chapter 91 licensing process, conducted by MassDEP and defined within 301 CMR 9.00. Existing industrial sites may also be regulated by requirements for addressing the presence of hazardous materials. Finally, as a working port, certain uses and procedures within the Waterfront District are subject to the Homeland Security Act of 2002 and are under the jurisdiction of the Department of Homeland Security.

2.5 Proposed Zoning

This Plan proposes some modifications to the existing zoning including the introduction of a new zoning district, the Waterfront Mixed-Use District, the removal of certain uses from the Waterfront Industrial District, and the deletion of the WEDROD District from the zoning ordinance. Please see *Section 4.2 Regulatory Controls* for more detail and *Appendix VIII* for the full text of the zoning change and design guidelines.

2.6 Urban Design Characteristics

The redevelopment area is located below State Pier and Leonard's Wharf along MacArthur Drive. The area is defined by large parcels and a limited number of different owners, the largest of which are Eversource (formerly NStar) and Sprague Oil Company. Much of this redevelopment area is currently vacant although a few portions of the redevelopment area are still actively operated by the Sprague Oil Company, including several oil tanks. The site also has a storied history of industrial energy related uses which will require significant environmental remediation, making construction more expensive and opportunities for public access cost-prohibitive. Future connections and transit opportunities support the redevelopment of this area, including the potential connections to the downtown and greater region, the South Terminal Rail Extension (re-establishing rail access from Whale's Tooth to the to the Marine

Commerce Terminal), and deep water access (currently the deepest berth in the New Bedford port).

Historic Register Properties

Historic properties are an important component of the urban design of an area and contribute to the “sense of place” that identifies an area as a unique place with its own history and culture. Unfortunately, many of the buildings listed below have not been maintained to appropriate levels. The danger of allowing historic buildings to decay is that they, and the embedded information about the community, may be lost. It is not possible, however, to save all old buildings; efforts should be made to focus on those that have particular importance to the community. If an historic building must be demolished, the building and site should be documented with plans, elevations, photographs (including aerial views and, if appropriate, video). Whenever a public hearing on an urban renewal plan is held, notice thereof shall be sent to the Massachusetts Historical Commission together with a map indicating the area to be renewed.

Historic Districts and Places were located using MassGIS Massachusetts Cultural Resource Information System (MACRIS) Maps. *Figure 2-18* depicts their respective locations.

District

- New Bedford Gas and Edison Light Complex (NBE.AN)

Places

- New Bedford Foundry and Machine Shop (NBE.604)
- Eddy’s Wharf - Russell’s Coal Wharf (NBE.978)
- Cannon Street Power Station (NBE.2263)
- New Bedford Gas Filtering Station (NBE.2265)
- New Bedford Gas Workman’s Shed (NBE.2266)
- NStar Service Building (NBE.2267)



FIGURE 2-18: HISTORIC BUILDINGS AND STRUCTURES

3. Plan Eligibility

3.1 Findings

The Department of Housing and Community Development (DHCD) must be able to make certain findings with respect to this Redevelopment Plan under Chapter 121B, Section 48. These findings and their applicability to the plan are summarized in *Table 3-1*.

The supporting information for each of these findings is presented in the remainder of this section. Supporting technical memoranda are provided in the appendices.

These findings are related to the conditions of the redevelopment area relative to the need to invoke the intervention of a redevelopment authority under the enabling legislation. This section will provide evidence that this redevelopment area is a Decadent Area, that the activities proposed by this Plan are justified by the conditions, and that the recommendations of this Plan are consistent with previous planning efforts at the local, regional, and state levels.

The conditions required by Chapter 121B are known as conditions of blight. For the purposes of a Redevelopment Plan, blight is defined as those conditions that cannot be addressed by the private market alone – in other words, public assistance is needed to help address those conditions.

The origins of urban renewal lay in large projects, funded by the federal government, in the 1950s and 1960s. These projects cleared large areas of land, demolishing buildings and relocating people from what were seen as overcrowded and inadequate housing units. Today's focus is on creating incentives for the private market to invest. These incentives can include changes to the regulatory environment, investments in public infrastructure, and/or help with financing.

The purpose of this Plan is to identify the current conditions that prevent such private investment, determine the needs and goals of the smaller community of this area and the impact they expect for the larger community as a whole, and define those actions that will create incentives for the private market, over time, to address the existing conditions.

This redevelopment area is a Decadent Area, as defined by Chapter 121B. The content of this section supports this finding with evidence that meets the requirements of Chapter 121B and 760 CMR 12.00, the regulatory requirements of DHCD.

TABLE 3-1: FINDINGS

REQUIREMENTS OF CHAPTER 121B, SECTION 48	APPLICABILITY TO THE AREA	RELEVANT SECTION
(a) the project area would not be by private enterprise alone and without either government subsidy or the exercise of governmental powers be made available for urban renewal.	While there is evidence of interest from private investment in the area, current conditions make additional investment that is consistent with the goals for the waterfront area unlikely. These conditions include the presence of hazardous materials, the presence of utility infrastructure that will need to remain, the large size of the parcels, and the size and condition of the Cannon Street Power Plant.	Section 3. Plan Eligibility
(b) the proposed land uses and building requirements in the project area will afford maximum opportunity to privately finance urban renewal consistent with the sound needs of the locality as a whole.	Proposed actions by the New Bedford Redevelopment Authority (NBRA) will attract private investment and address the existing conditions by 1) the creation of public access to connect the waterfront to the downtown to allow safe viewing of the working waterfront; 2) acquisition of land to support expansion of water-dependent industrial uses and supporting parking and retail and other active uses to support public access to the waterfront as shown in Figure 2-9B; and 3) regulatory controls to address the physical environment.	Section 4. Plan Objectives
(c) the financial plan is sound.	The financial plan identifies sources of revenue appropriate to the funding needs of this Plan and provides an estimate of the costs required to support the public actions of the NBRA necessary to meet the goals of this Plan.	Section 12. Financial Plan
(d) the project area is a decadent, substandard or blighted open area.	The existing physical and economic conditions are consistent with the legislative definition of a Decadent Area.	Section 3. Plan Eligibility
(e) that the Redevelopment Plan is sufficiently complete, as required by section one.	This Plan has been prepared in accordance with 760 CMR 12.00 as required by DHCD.	(1) Section 3. Plan Eligibility; (2) Section 2. Characteristics and Section 4. Plan Objectives
(f) the relocation plan has been approved under chapter seventy-nine A.	The NBRA will comply with all state and federal regulations regarding relocation of businesses. There are no dwelling units in Focus Area South.	Section 6. Relocation

3.2 Determination of Conditions: Decadent Area

DEFINITION AND APPLICATIONS

Definition of a Decadent Area

Chapter 121B, Section 1 defines a Decadent Area as:

...an area which is detrimental to safety, health, morals, welfare or sound growth of a community because of the existence of buildings which are out of repair, physically deteriorated, unfit for human habitation, or obsolete, or in need of major maintenance or repair, or because much of the real estate in recent years has been sold or taken for nonpayment of taxes or upon foreclosure of mortgages, or because buildings have been torn down and not replaced and under existing conditions it is improbable that the buildings will be replaced, or because of a substantial change in business or economic conditions, or because of inadequate light, air, or open space, or because of excessive land coverage or because diversity of ownership, irregular lot sizes or obsolete street patterns make it improbable that the area will be redeveloped by the ordinary operations of private enterprise, or by reason of any combination of the foregoing conditions.

APPLICATION OF THE DEFINITION

Table 3-2 breaks this definition apart and demonstrates how the existing conditions within the redevelopment area prevent the private market from addressing those conditions. The remainder of this section provides the evidence to support these conclusions.

The determination that this redevelopment area is a Decadent Area rests on three sets of conditions present within the boundary:

- The physical conditions of the area, including site conditions, such as flooding and the presence of environmental contaminants; infrastructure, both public and private; and building conditions, including historic building styles and development patterns
- The demographics as they are related to both the housing market and the job market
- The economic trends and market conditions that encourage or discourage investment within the redevelopment area

The conditions of blight that contribute to a determination of the subareas as Decadent Areas are based on the following existing conditions:

- Land uses that are either incompatible with recommended future uses or indicate the presence of environmental contaminants that would be difficult for the private market to address on its own
- A structure of ownership and parcelization that makes land assembly and development of large scale projects that would support the recommended uses more difficult for the private market to achieve

TABLE 3-2: CHARACTERISTICS OF A DECADENT AREA

CONDITIONS OF A DECADENT AREA	APPLICABILITY TO THE AREA	SECTION
Existence of buildings which are out of repair, physically deteriorated, unfit for human habitation, or obsolete. Existence of buildings which are in need of major maintenance or repair.	<ul style="list-style-type: none"> • Building-condition grades range from C to D. • Three-quarters (75%) of the buildings were built before 1978, and therefore could be contaminated with asbestos and/or lead. • The Cannon Street Power Plant, the most prominent building in the redevelopment area, has been vacant since 1992. This building is structurally sound but requires major repairs and environmental remediation (lead paint, asbestos, guano, and mold). The floor-plate of the building is outdated, although it could be modified for certain uses, and the size of the building, 125,000 square feet, requires a correspondingly large use absorption rate to occupy that space. • The redevelopment area's soil and water has significant environmental contamination. KG Urban reported that remediation of the Cannon Street Power Station was estimated at \$50 million for a level consistent with significant public access to the site. Mitigation for continued industrial use would cost less. 	<i>Section 3. Plan Eligibility: Building and Site Conditions</i>

CONDITIONS OF A DECADENT AREA	APPLICABILITY TO THE AREA	SECTION
Much of the real estate in recent years has been sold or taken for nonpayment of taxes or upon foreclosure of mortgages.	<ul style="list-style-type: none"> Eversource and Sprague have vacated these sites, except for infrastructure that must remain on site, including electrical transformers and gas supply lines that belong to Eversource and oil tanks that belong to Sprague. If the Sprague properties are acquired, relocation assistance would be required for removal of the tanks. 	Section 3. <i>Plan Eligibility:</i> <i>Building and Site Conditions:</i> <i>Hazardous Materials</i>
Buildings have been torn down and not replaced and under existing conditions it is improbable that the buildings will be replaced.	<ul style="list-style-type: none"> Buildings occupy just 18.7% of the land in the redevelopment area, which leaves room for further development. The most recent building was constructed twelve years ago (2005) and all other buildings in the area were constructed during or before 1985. 	Section 3. <i>Plan Eligibility: Building and Site Conditions</i>
Substantial change in business or economic conditions.	<ul style="list-style-type: none"> Eversource, which owns 19 acres of land in the redevelopment area, announced plans to sell its property in 2017. This pending transaction presents both a challenge, given the degree on environmental contamination and amount of land that will change hands, but a large opportunity to address a significant site that is underutilized in comparison to the remainder of the Waterfront. The Cannon Street Power Station has been vacant and non-operational since 1992. According to the filing for its designation on the National Register of Historic Places, the plant was deemed inefficient and unnecessary. 	<i>Demographics</i> <i>Economic</i> <i>Development and</i> <i>Real Estate Market</i> <i>Conditions and</i> <i>Trends</i>
Inadequate light, air, or open space.	<ul style="list-style-type: none"> There is no public open space in this redevelopment area. 	Section 2. <i>Characteristics:</i> <i>Land Use</i>
Excessive land coverage.	<ul style="list-style-type: none"> Due to buildings (18.7%) and paved surfaces (66%), only 12% of the redevelopment area is covered in vegetated surfaces. The soil in the redevelopment area is defined by the US Department of Agriculture (USDA) as “urban land;” most soils are excavated and filled land, and parent material is not easily accessible. As such, stormwater cannot easily infiltrate the ground. 	Section 3. <i>Plan Eligibility: Site Conditions</i>
Diversity of ownership, irregular lot sizes or obsolete street patterns make it improbable that the area will be redeveloped.	<ul style="list-style-type: none"> The parcel sizes and shapes within the redevelopment area are highly irregular. Some parcels have disproportionate waterside access. Buildings straddle parcel lines. 	Section 2. <i>Characteristics:</i> <i>Land Use, Section</i> <i>3. Plan Eligibility</i>

- Public infrastructure that is in poor condition and does not support the recommended land uses

The presence of these conditions indicate a need for public intervention to create the conditions necessary to attract and support private investment to these land areas.

IMPLICATIONS FOR THE NBRA

The NBRA can undertake certain actions to address these existing conditions, including the following:

- Acquisition of land to assist the expansion of water-dependent industrial businesses in this area consistent with the requirements of the *New Bedford-Fairhaven Municipal Harbor Plan*
- Public infrastructure improvements to support pedestrian and bicycle connections between the downtown and the working waterfront
- Support zoning changes to allow recommended active retail, restaurant, and office uses (supportive uses as allowed in a DPA) along the proposed pedestrian connection
- Support the creation of design guidelines and the implementation of a coordinated design review process to ensure that new development meets public needs and that both the connections to and the transitions between uses is fully considered

BUILDING CONDITIONS

Building and Site Valuation

The database maintained by the City's Assessors office provides information about the valuation of land and buildings within the city. *Appendix C. Parcel Inventory* contains data from the City's Assessors Office on a parcel-by-parcel basis, including data on the age, size, ownership, condition and valuation of the buildings and land.

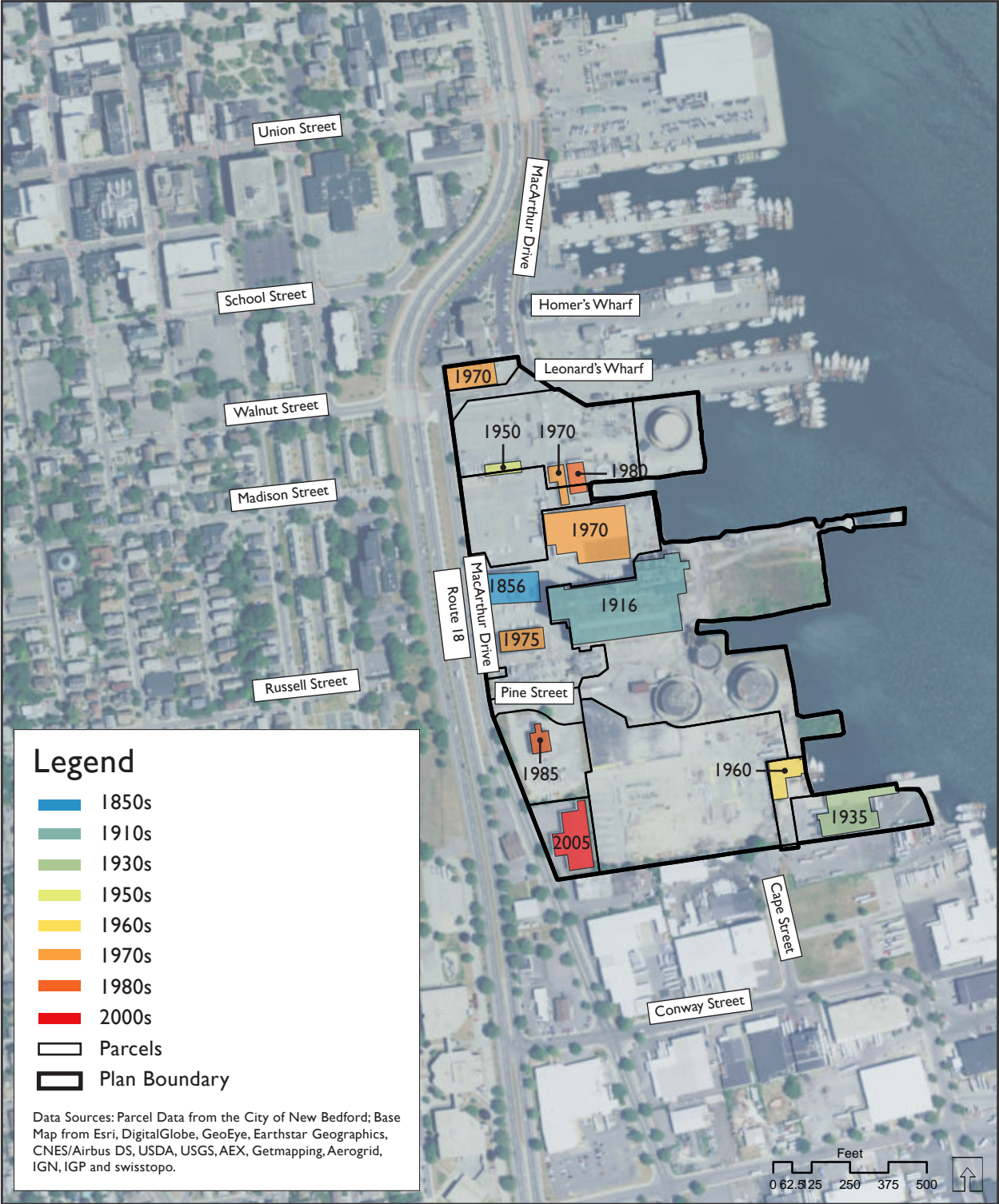


FIGURE 3-1: AGE OF BUILDINGS

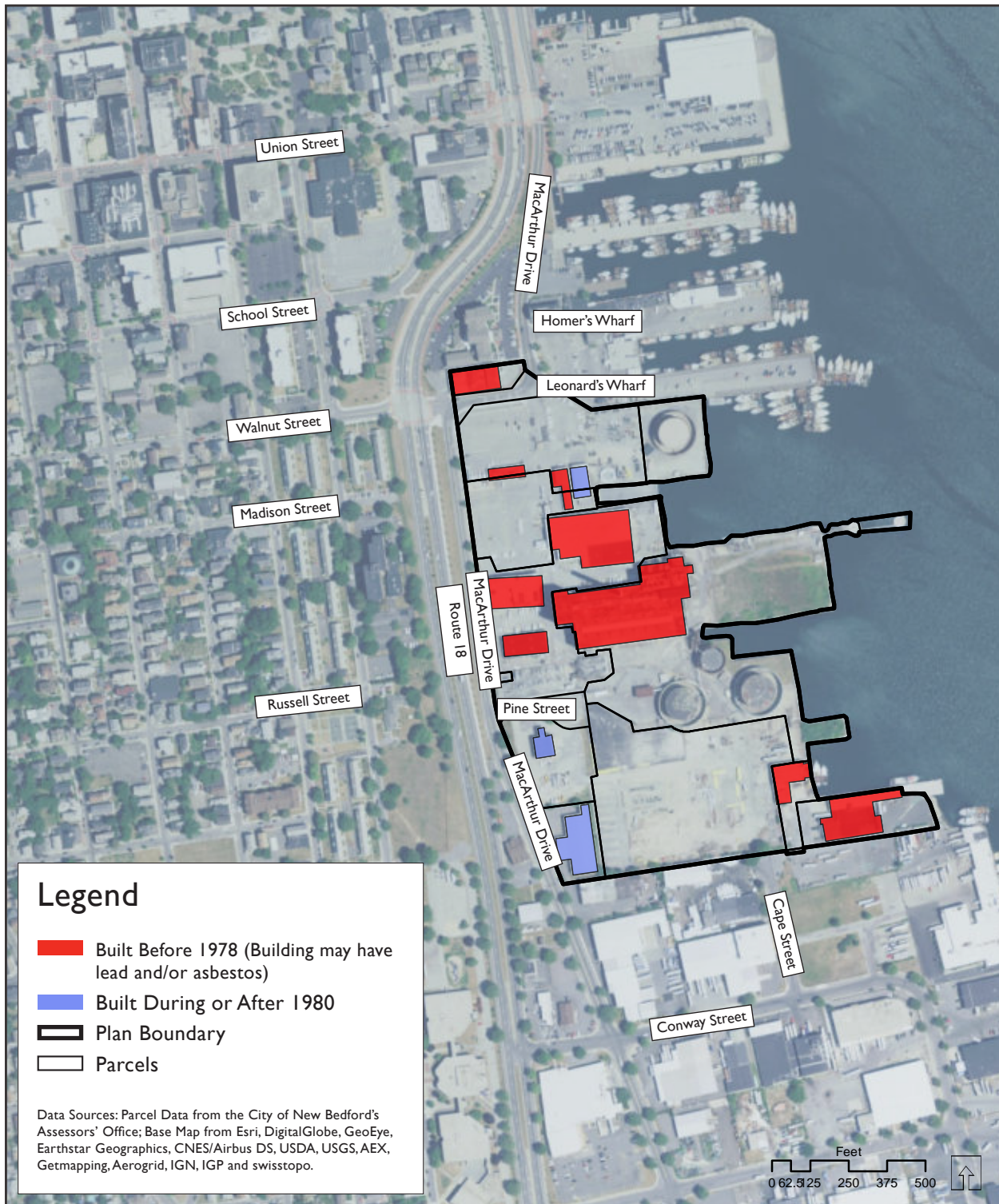


FIGURE 3-2: BUILDINGS BUILT BEFORE 1978 AND 1980

TABLE 3-3: COMPARISON OF ASSESSED VALUATIONS

	CITY OF NEW BEDFORD	WATERFRONT AREA	IN FOCUS AREA SOUTH	IDENTIFIED FOR ACQUISITION
Land				
Total acres (not including public roads and rights-of-way)	~10,565	~391	~33	~30
Total square feet (000s square feet) (not including public roads and rights-of-way)	~460,211	~17,032	~1,438	~1,307
Total Assessed Value - Land (\$000s)	\$2,486,204	\$67,846	\$6,302	\$5,530
Assessed Value per Square Foot	\$5.40	\$3.98	\$4.38	\$4.23
Number of Parcels without Buildings	2,884	162	5	4
Buildings				
Finished Area (000s square feet)	75,051	4,377	242	186
Total Assessed Value (\$000s)	\$6,713,178	\$172,107	\$12,803	\$10,698
Assessed Value per Finished Square Feet	\$89.45	\$39.32	\$52.88	\$57.58

The average assessed value in dollars per square foot of land is highest for the City of New Bedford as a whole at \$5.40. The equivalent value for the parcels that comprise this redevelopment area is \$4.38 and the equivalent value for the parcels in this redevelopment area identified for acquisition is \$4.23. The equivalent value for the waterfront area, as defined by the *New Bedford Waterfront Framework Plan*, is \$3.98.

Average assessed values per finished square foot are far more divergent: the average assessed value per finished square foot in the City of New Bedford as a whole is \$89.45. This is followed in average value by parcels within this redevelopment area identified for acquisition, valued at \$57.58 per finished square foot, and then by parcels within this redevelopment area, which are valued at \$52.88. The equivalent value for buildings in the waterfront area is \$39.32. The high value per finished square foot of parcels within this redevelopment area can be explained by the particularly high value of Parcel 42-84, which has an assessed value per finished square foot of \$229.98; when this property is excluded, the average value per finished square foot of parcels

within the waterfront drops to \$27.60 and to \$32.03 for parcels listed for acquisition. This is reflective of the lower land values for industrial uses.

Parcel 42-84, owned by Sprague, is the largest parcel in the redevelopment area, contains three above-ground storage tanks (AST), and is the location of the Cannon Street Power Plant. The three ASTs are still in use to store oil. The Cannon Street Power Plant has been vacant since 1992 and contains approximately 125,000 square feet.

See *Appendix C. Parcel Inventory* for a building-by-building listing. In addition to the data from the City Assessor's Office, a windshield survey of the redevelopment area was conducted; pictures of parcels identified for acquisition are provided in *Appendix C*. Information about the interior conditions of the buildings was not publicly available, with the exception of the Cannon Street Power Station.

Building Age

TABLE 3-4: BUILDING AGE

	NUMBER	% OF TOTAL
Total Buildings	12	100%
1900 or Earlier	1	8%
Buildings Pre-1978	9	75%
Buildings Pre-1980	9	75%

The oldest of the redevelopment area's buildings, the New Bedford Foundry and Machine Shop, was constructed in 1856. The newest, the Luzo property, was constructed in 2005. Nine of the twelve buildings in the redevelopment area were constructed before 1978 and therefore may have lead paint and/or asbestos. The buildings are illustrated in *Figure 3-1* and *Figure 3-2*.

Housing

This redevelopment area does not contain any residential units.

Replacement of Buildings

A review of maps at the Norman B. Leventhal Map Center Collection reveals that the redevelopment area was significantly built up in the 1800s. The current Leonard's Wharf was referred to as City Wharf; Leonard Street, now gone, was south of Pine Street. In 1875, the Grinnell's Foundry and a machine shop were located just north of Cannon Street and south of Coffin Street. The foundry is most likely the Cannon Street Power Plant, which was built in 1856 for the Tabor & Grinnell Iron Foundry; a building for the Taber & Co. Foundry is shown on a map in the Leventhal Collection dated 1857. Gas works operations and Howland's Marine Railway were located north of Coffin Street and to the west of City Wharf, in the location of the City-owned Leonard's Wharf today.¹ A more elaborate map in 1876 show additional buildings, but does not define use or ownership.

At some point, some of the buildings shown in these earlier maps were demolished. A map in 1911 still shows a significant number of buildings in the area north of Cannon Court² and fewer south of Cannon Court.³ North of Cannon Court, many of the buildings belonged to the New Bedford Gas and Edison Light Company.

A review of aerials dating from 1971 (historicaerials.com) indicates missing buildings from the 1911 map and demonstrates that little construction has taken place within the redevelopment area after that clearance. Some modifications were made to the Cannon Street Power Plant shortly after it ceased operations, but few buildings were built. The most recent building was constructed twelve years ago (126 MacArthur Drive, owned by Luzo Properties, LLC, 2005) and all other buildings in the area were constructed during or before 1985.

Vacant or Potentially Vacant Buildings

The Cannon Street Power Station, which is owned by Sprague, has been vacant since the early 1990s. The building ranges from four- to six-stories high, and has a footprint that is much larger than the buildings that surround

¹ Map of the city of New Bedford, Bristol County, Mass., Wheeler & Coggeshall, 1875, Norman B. Leventhal Map Center Collection, Boston City Library

² <http://www.historicmapworks.com/Map/US/10436/Plate+013/New+Bedford+1911/Massachusetts/>

³ <http://www.historicmapworks.com/Map/US/10432/Plate+009/New+Bedford+1911/Massachusetts/>

it; the station is by far the most prominent structure within the redevelopment area. Since it was abandoned, the Power Plant has twice been the site of stalled adaptive reuse projects, first, in 2004, when a planned \$127 million oceanarium failed to move forward when developers did not secure \$27 million in federal tax credits, and again in 2015, when a planned \$650 million casino fell through when investors left the project.

These failed bids are symptomatic of significant environmental hazards in, on, and around the building. These environmental hazards, according to the investigative work completed by KG Urban during their casino bid, which include “fuel oil, tar, coal tar, cyanide, lead paint, asbestos, guano, and mold,” result from over a century and a half of operation as a power plant, followed by over two decades of vacancy. This report suggested a potential cost of \$50 million for the environmental clean up to allow uses related to the casino. These contaminants could make improvements to the site too expensive for the private market to remediate in order to site new development in the area. Notably, the building has retained its structural integrity.

Eversource announced plans to sell its land in 2017 and has vacated its eight buildings (66% of the buildings in the redevelopment area). Given their history of industrial use, it is likely that these buildings will be contaminated to some extent; details on the site conditions are provided later on in this chapter.

SITE CONDITIONS

Land Coverage

		ACRES	% OF TOTAL
Total # of Parcels		30.0	100%
TABLE 3-5: LAND COVERAGE	ROW	1.0	3.3%
	Pavement	19.8	66.0%
	Buildings	5.6	18.7%
	Total Unbuilt Area	3.6	12.0%

The land coverage calculations prepared by the consultant team demonstrate that nearly 90% of the redevelopment area is covered by either roads, pave-

ment, or buildings. This is undesirable from an environmental perspective, as these built surfaces are likely impermeable, in which case stormwater is unable to infiltrate the ground. A high degree of built surface area also increases localized temperatures due to the heat island effect.

The land coverage of the redevelopment area is also problematic because of the small amount of building coverage relative to paved surfaces; 70% of the redevelopment area is paved while only 16% is occupied by buildings. This may make the area feel abandoned, and unsafe, to passersby. This lack of buildings also suggests that the land is being underutilized.

Ownership and Parcelization

Open areas that are marked for development are usually subdivided into a regular grid. This grid makes the calculation of required setbacks and other dimensional regulations simpler, and the layout of intersecting streets easier. In previously developed areas, however, earlier development patterns often result in irregular parcel shapes. This is the case in this redevelopment area, where most parcels have nine or ten corners and many parcels have rectangular projections no wider than 60 feet, which may not be sufficient for an industrial-scale building. Waterside access is also uneven. One of the two Sprague parcels (42-160) extends past its core in a seven-foot wide corridor along a 375 foot length of the harbor. This shape blocks the waterside access of the adjacent, non-Sprague, parcel (42-287). This arrangement is functional for the current owners, but could create a disincentive for a future purchase of parcel 42-287.

Parcel size and parcel ownership are also important to consider. Some redevelopment areas have many owners of small parcels, which makes redevelopment at certain scales difficult because of the need to assemble multiple parcels from different owners. Finding a single buyer may take time, leaving the parcels unoccupied or underutilized for an extended period.

Another complicating factor is that some buildings in this redevelopment area straddle parcel lines. Again, this arrangement is functional at present, as the parcels in question are owned by the same entity. However, if the owner chooses to sell to multiple buyers, those parcels would need to be subdivided and realigned so that buildings do not cross parcel lines.

FIGURE 3-3:ACTIVITY AND USE
LIMITATION AREA
Source: Beals and Thomas (2012)

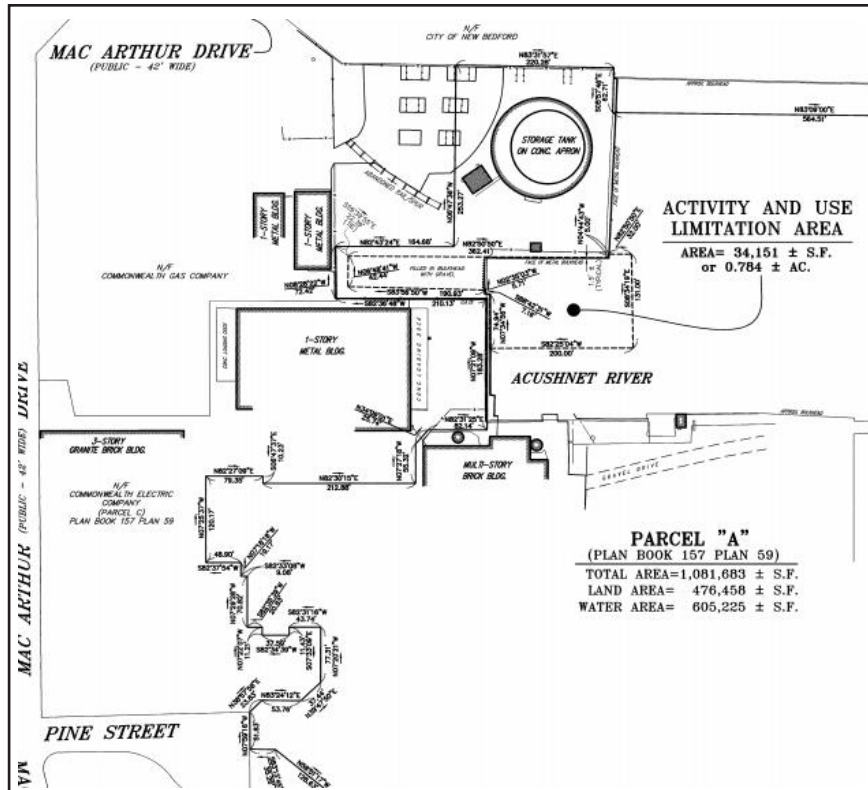


TABLE 3-6: EVERSOURCE-SPRAGUE RTN SUMMARY

RTN	SITE NAME / LOCATION AID	REPORT. CATEGORY	NOTIFIC. DATE	COMPLI. STATUS	DATE	PHASE	RAO CLASS	CHEMICAL TYPE
4-0011345	South Transformer Yard	2-Hour	5/4/1995	RAO	9/1/95	-	A1	Oil
4-0012592	NStar Gas and Elec/FMR Commonwealth Elec	2-Hour	8/26/1996	RAO	6/4/12	Phase IV	A3	Hazardous Material
4-0014208	-	120-Day	9/23/1998	URAM	11/28/11	Phase IV	-	Hazardous Material
4-0015570	Cannon Street Station	2-Hour	6/23/2000	RAO	7/22/03	Phase IV	A2	Oil
4-0015755	Com Gas	72-Hour	9/14/2000	RAO	10/2/02	-	C1	-
4-0015896	Comm Electric Power Plant FMR	120-Day	11/20/2000	RAO	3/23/01	-	B1	Hazardous Material
4-0018316	NStar Service Ctr Vehicle Garage	120-Day	3/12/2004	RAO	4/5/04	-	A2	Oil
4-0022863	NStar Facility	2-Hour	9/16/2010	URAM	9/21/10	-	-	-
4-0025716	Eversource New Bedford Service Center	120-Day	7/27/2015	URAM	8/4/15	-	-	-

(All entries have a release address of 180 MacArthur Drive in New Bedford.)

The size of the parcels limits access from the public streets. At present, access is limited to Pine Street, Cape Street, and select points off MacArthur Drive. (*Section 2. Characteristics* offers more detail.) If the larger parcels were subdivided, extension of Pine Street, Cape Street, or both would be required to provide access to these new sites.

Hazardous Materials

The consultant team's review of hazardous materials within this redevelopment area covers only the parcels owned by Eversource and Sprague; its analysis did not extend to the properties owned by Luzo Properties, LLC, Trio Algarvio, Inc, and W Trading Inc.

Soil

The land owned by Eversource and Sprague has contaminants that date back to the 1800s which the entirety of the parcels. According to the Natural Resources Conservation Services of the USDA, the soil map unit for this site is "Urban Land." This mapping unit suggests that the predominant soil features on site are excavated and filled land and that any parent material is not easily accessible. Massachusetts Department of Environmental Protection (Mass-DEP) database includes all reported releases and assigns a Release Tracking Numbers (RTN) for each event. There have been 10 reported releases at the Eversource/Sprague Site since May 1995, as presented on *Table 3-6*.

The soil is inappropriate for residential settings, and capping or remediation will be necessary for certain land uses. Polycyclic aromatic hydrocarbons (PAHs), VOCs, Extractable Petroleum Hydrocarbons (EPH) and TPH, all associated with the former manufactured gas plant (MGP) facility operations, have been detected in soil as well as groundwater at the site at levels above Massachusetts Contingency Plan (MCP) Method 1 limits. Sampling has confirmed the presence of a large (approximately 190,000 square foot) area of naphthalene contaminated soil and two localized areas (40,000 square feet and 10,000 square feet, respectively) of benzene contaminated soil at the site, all at levels above MCP Method 1 cleanup criteria. Site capping or further remediation will be required for reuse.

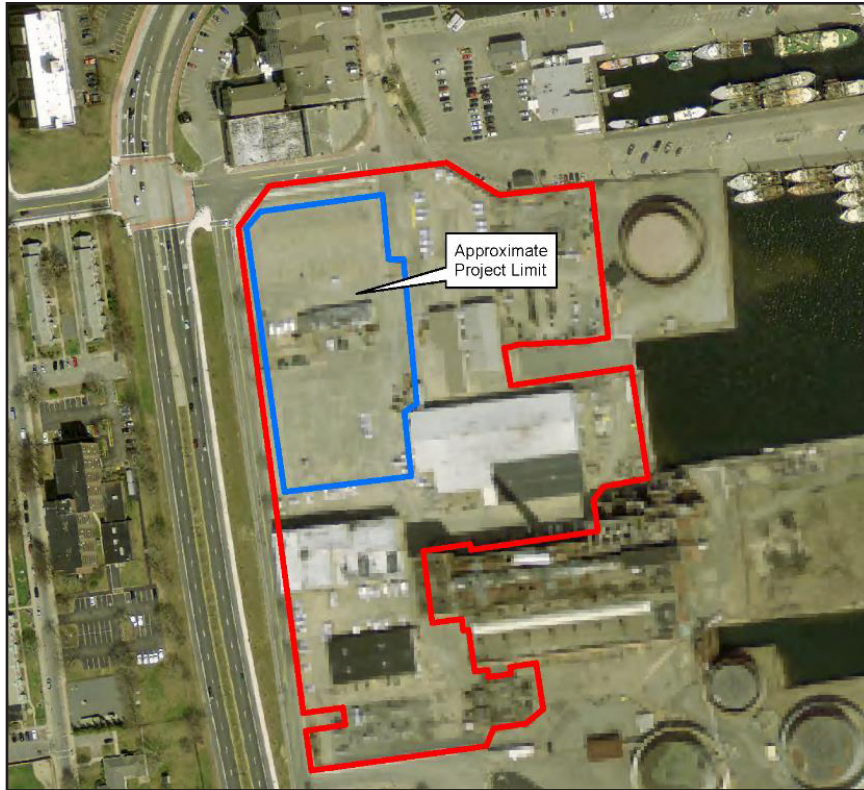


FIGURE 3-4: EVERSOURCE SITE REMEDIATION LIMITS

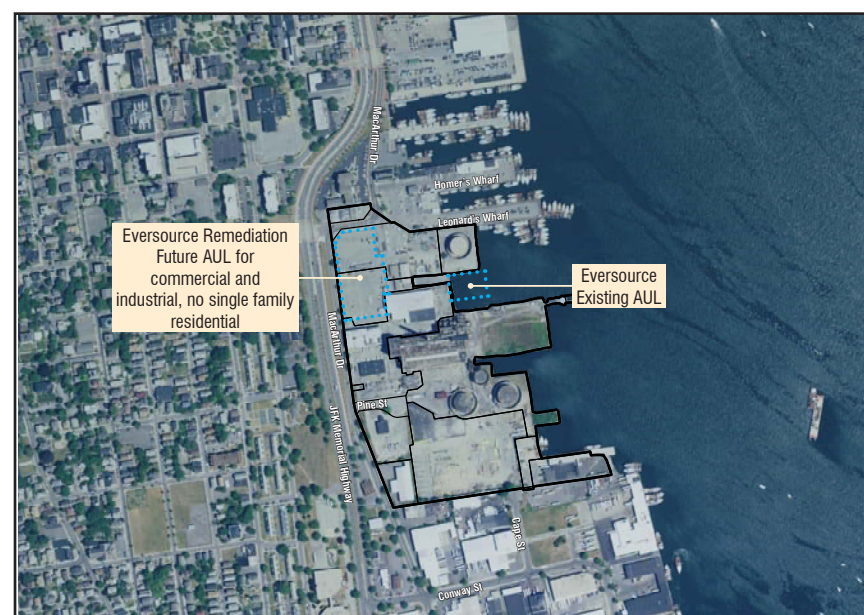


FIGURE 3-5: APPROXIMATE LOCATIONS OF AULS

According to a report prepared by Vanasse Hangen Brustlin, Inc. in 2015, “**left untreated** (emphasis added) [contaminants] would pose a significant health risk to inhabitants of any building that may be constructed above these areas. In addition, the MGP facility operations have resulted in an area of soil contaminated with TPH above MCP Method 1 cleanup criteria on the site that is approximately 100,000 square feet in size, and which is also releasing petroleum hydrocarbon vapors.”⁴

Underground Storage Tanks

There are three registered underground storage tanks (USTs) located at the COM/Electric Pine Street Garage, which include one 5,000 gallon diesel UST, one 5,000 gallon gasoline UST, and one 10,000 gallon gasoline UST (Lightship Engineering, 2007).

⁴ VHB and KG New Bedford, LLC, *Environmental Notification Form: Cannon Street Station*, May 15, 2015, page 3-2.

Hazardous Material Storage

There are several hazardous materials stored on-site not in USTs, and presented on *Table 3-7* below.

TABLE 3-7: HAZARDOUS MATERIAL STORAGE LOCATIONS ON THE EVERSOURCE/SPRAGUE SITE

Location	Material	Quantity	Storage	Date
Sprague	No. 2 Fuel	2,345,742	AST	1948-Present
Sprague	No. 6 Fuel	3,250,000	AST	NA-Present
Sprague	No. 6 Fuel	3,250,000	AST	NA-Present
Sprague	No. 6 Fuel	1,250,000	AST	NA-Present
Sprague	No. 2 Fuel	2,000	AST	NA-Present
Sprague	Additive+ No. 2 Fuel	300	AST	NA-Present
NSTAR	Paint Thinner	<5 gallons	1 gallon containers	NA-Present
NSTAR	Gas Meter Regulators	varies	55 gallon drum	NA-Present
NSTAR	Sealent-Isocyanate	3 gallons	1 gallon containers	NA-Present
NSTAR	Nitrogen Gas	3 tanks	gas cylinders	NA-Present
NSTAR	Simple Green Cleaner	10 gallons	55 gallon drum	NA-Present

Groundwater

According to a report prepared by Vanasse Hangen Brustlin, Inc. in 2015, “groundwater sampling has confirmed significant contamination associated with site operations. Benzene, ethylbenzene, p/m-xylene, styrene, naphthalene, lead, zinc and physiologically available cyanide (“PAC”) have all been detected at concentrations above MCP Method 1 groundwater cleanup standards. Investigations have delineated an approximately 180,000 square feet area of groundwater potentially [impacted]. A plume of benzene groundwater contamination...extending over an approximately 60,000 square foot area has also been identified. TPH impacts...are estimated to extend over a 150,000 square foot plume. PAC impacts...to groundwater are estimated to extend over a 160,000 square foot plume. As with the soil contamination, migration of contaminant vapors from the impacted groundwater pose a health risk [within] the impacted areas.”⁵ These issues can be addressed as part of redevelopment of these sites to ensure better air and water quality via a concentrated site cleanup.

5 5 VHB and KG New Bedford, LLC, *Environmental Notification Form: Cannon Street Station*, May 15, 2015.

Release of Contaminants on Site

The MassDEP regulates and ensures immediate and effective responses to reported releases of hazardous substances on brownfields such as this. The City's Environmental Stewardship office is a partner to developers and is committed to cleaning up such brownfields in the City and with the assistance of DEP. Between 1995 and 2015, there were approximately 10 reportable releases filed on or near this property for substances including oil and hazardous materials, as presented on *Table 3-6*. An Activity and Use Limitation (AUL) plan exists on the site, and a plan of the AUL can be found in *Figure 3-4* and *Figure 3-5*.

Cleanup

Eversource filed a Notice of Intent (NOI) under the Wetlands Protection Act on April 18, 2017 describing their proposed remedial action. The City of New Bedford confirmed in 2020 that this action is complete and the Conservation Commission has issued an Order of Conditions. The action included in-situ solidification (ISS) on a portion of the site where DNAPL is present, shown in *Figure 3-4*. ISS treats soil in-place by mixing it with a cement grout to create a low-permeability soil-cement monolith.

The remediation of the site will be limited to the 19 acres owned by Eversource, as there are no plans for any work to be completed on the 11 acres owned by Sprague. Remediation costs will be lower than that of the former casino proposal, which were estimated to be between \$48 and \$59 million depending on chosen alternative, as those costs incorporated cleanup of both the Eversource and Sprague sites.

The work described above will improve the value of the Eversource site and make the future sale of the land for commercial and/or industrial uses possible. This work, however, will not touch the Sprague parcels, which are also known to be contaminated. The Sprague parcels amount to just under 11% of the redevelopment area.

The Record of Decision (ROD) included a provision called the State Enhanced Remedy (SER) [see 40 CFR 300.515(f)], which allowed for certain maintenance dredging to fall within the Superfund process. MassDEP requested that the SER be included in the ROD; a step that was endorsed

by the City of New Bedford, Massachusetts Executive Office of Energy and Environmental Affairs (EEA), and by local State representatives. The State Enhanced Remedy (SER) provision allowed for maintenance dredging to occur without obtaining the multiple permits required for maintenance dredge projects and without the extensive analytical testing that would be necessary for an upland disposal option. Under the SER provision, the normal permitting process is replaced by the Superfund process with the MassDEP as the lead agency. This allowed the navigational dredging to fall under the Superfund regulations which allows for on-site disposal and regulatory oversight without on-site permits. Through the streamlined SER process, regulatory agencies work cooperatively with the US Environmental Protection Agency (EPA) and MassDEP to ensure that projects are adequately regulated and meet the requirements of local and federal laws while also ensuring that the remediation of the harbor is not unduly delayed by the normal permit application and approval process.

Climate Change and Rising Sea Levels

The New Bedford Fairhaven Hurricane Barrier gates stand at 59 feet top to bottom with water depth at the gates of 38 feet Mean Lower Low Water (MLLW), leaving 21 feet MLLW of freeboard. With local sea levels continually rising and elevated water levels during storm surges, the potential for over-topping the hurricane barrier is presented as a long-term environmental risk. A June 2014 Technical Report prepared by SeaPlan for the Buzzards Bay National Estuary Program states that a Category 3 hurricane at current mean higher high water would cause the hurricane barrier to start to fail, and that a Category 2 hurricane, with four feet of sea level rise, would cause the hurricane barrier to start to fail.⁶

Another long-term risk associated with rising sea levels is New Bedford's use of combined sewer overflows (CSO). According to the same SeaPlan report, the City of New Bedford has 23 CSOs, many of which are already below

6. Longley, K. and Lipsky, A. SeaPlan. Climate Change Vulnerability Assessment and Adaptation Planning Study for Water Quality Infrastructure in New Bedford, Fairhaven and Acushnet, June 2014. Boston (MA): Doc #220.14.01, p.215

TABLE 3-8: LOCAL SEA LEVEL RISE PROJECTIONS FOR WOODS HOLE, MA (BASELINE YEAR: 1992)

YEAR	LOWEST SCENARIO (FT)	INTERMEDIATE- LOW SCENARIO (FT)	INTERMEDIATE- HIGH SCENARIO (FT)	HIGHEST SCENARIO (FT)
2020	0.28	0.31	0.37	0.45
2030	0.38	0.46	0.64	0.84
2040	0.47	0.62	0.96	1.34
2050	0.57	0.81	1.33	1.94
2060	0.66	1.01	1.77	2.64
2070	0.76	1.23	2.26	3.45
2080	0.86	1.46	2.81	4.36
2090	0.95	1.72	3.42	5.37
2100	1.05	1.99	4.08	6.48

Source: Sea Level Rise Scenarios based on NOAA 2012 technical report for the 2014 U.S. National Climate Assessment (climatechange.org)

mean sea level. The rising sea levels will continue to put an unnecessary strain on the City's wastewater treatment by flooding the plant with additional sea water. Furthermore, higher intensity rainfall events could result in more localized upstream flooding in areas where the ultimate discharge is within the Harbor below mean sea level. High intensity storm events (several inches per hour) that occur during when the tide cycle is on the higher end will cause backups in the stormwater management system as there is less capacity to discharge and more hydraulic head is required to activate tide gates on discharge pipes.

Table 3-8 was created by climatechange.org using the National Oceanic and Atmospheric Administration's (NOAA's) 2012 technical report to predict sea level rise until 2100, with different ranges of possible higher and lower rising scenarios.

PUBLIC INFRASTRUCTURE

Public infrastructure within the redevelopment area is limited. MacArthur Drive forms the western boundary and provides links to the remainder of the waterfront to both the north and the south. The City owns Leonard's

Wharf, which is the northern border of the redevelopment area. Leonard's Wharf provides parking and dockage for fishing and lobster boats. Members of the public have access to the wharf, but no separation exists between vehicles and pedestrians.

Pine Street provides a short access from MacArthur Drive to four of the parcels. Cape Street terminates at the southern boundary of the redevelopment area and provides access to two parcels.

The City upgraded the sidewalk along the northern edge of MacArthur Drive. There are no other pedestrian facilities and no public parks or open space within the redevelopment area.

Paving conditions on Leonard's Wharf, Cape Street, and Pine Street appear to be in fair to average condition, with some cracks and patches in the surface.

3.3 Clearance and Rehabilitation

760 CMR 12.02 (3) requires certain additional information if the redevelopment plan proposes clearance and/or rehabilitation activities. The activities below require public action because of the need to address certain conditions that the private market has been unable to address. These conditions include the presence of hazardous materials from previous industrial land uses that has prevented redevelopment and the need to provide new or expanded public infrastructure to accomplish the goal of safe and direct public access to the waterfront.

The NBRA has identified parcels for acquisition (see *Figure 2-12* and *Table 5-4* in *Section 2. Characteristics*). The NBRA will acquire one or more of these parcels over the life of the plan and undertake the appropriate course of action as identified below. All of these activities will be undertaken by the NBRA either alone or in partnership with a redeveloper.

CLEARANCE

A clearance project is defined in M.G.L. Chapter 121B, Section 1. Definitions as “the demolition and removal of buildings from any substandard, decadent, or blighted open area by an operating agency in accordance with subsection (d) of section twenty-six.” The NBRA does not intend to undertake clearance within the redevelopment area.

SPOT CLEARANCE

The NBRA will undertake spot clearance activities in the context of the acquisition and disposition of parcels as identified in *Table 5-4*. *Figure 2-14* identifies those parcels that would undergo spot clearance prior to new construction. Spot clearance of some buildings and removal of existing paved surfaces will be required to allow for new development discussed in this Redevelopment Plan, as shown in the illustrative concept plans in the Executive Summary (Figures 1-2 and 1-3).

While the NBRA may either clear existing structures or mitigate existing environmental conditions itself, it is more likely to dispose of acquired prop-

erties to a developer with the requirement in the Land Disposition Agreement (LDA) that the sites be cleared and/or mitigated to the appropriate standard as part of the redevelopment of those sites. Existing environmental conditions may include one or more of the following: the presence of hazardous materials, flooding conditions, or other similar site-related conditions. As noted in Section 3.3 under Site Conditions, Eversource intends to remediate the environmental conditions on its site to the level of an AUL that restricts single-family use; the Sprague parcels would have to be remediated to a level consistent with their proposed use.

The NBRA will undertake the clearance of existing paved surfaces to implement the recommended pedestrian connections, associated landscape buffers, and the vantage point at the water's edge and to provide parking, either surface or structure.

NEW CONSTRUCTION

The NBRA will work with one or more developers to undertake development and/or parking on the parcels it acquires. There are few existing structures on the parcels to be acquired; the majority of development activities will be new construction of either buildings or infrastructure. The NBRA would require the developer of each parcel to mitigate any existing environmental or other site conditions prior to construction.

REHABILITATION AND/OR DEMOLITION

The Cannon Street Power Station is a large, historic building in a state of disrepair. The preferred option is to rehabilitate this use for one appropriate to the water-dependent uses and/or supporting uses in a DPA. The surrounding street and land use patterns could be adapted to support the rehabilitation of this building as the building is already accessible directly from MacArthur Drive. The overall vitality of the New Bedford Waterfront, and the potential for additional water-dependent uses, such as operations related to the off-shore wind industry and marine technology and research, suggest that rehabilitation of the building would contribute to the revitalization of this area. (See Market Conditions in the *Executive Summary* and the full market report in *Appendix A*.)

However, the rehabilitation of the Cannon Street Power Station may prove to be economically infeasible based on conditions related to the structure, the presence of hazardous materials, and the size and internal layout of the building. If rehabilitation is not economically feasible, then the entire structure should be documented with plans, elevations, maps, sketches, photographs, video, and other means of recording the building, its architectural details and history, and its location within the context of the waterfront.

The existing street pattern within the redevelopment area can be adapted to the objectives of this Plan, including the proposed extension of Pine and Cape Streets which would aid in subdividing the larger parcels.

3.4 Local Survey and Conformance with the Municipality's Comprehensive Plan

760 CMR 12.02 (3)(d) requires that the redevelopment plan be based on a local survey and conform with the municipality's comprehensive plan.

LOCAL SURVEY

This Redevelopment Plan was built upon a thorough analysis of local conditions. Spatially, much of this analysis was conducted using ESRI ArcGIS and shapefiles provided by the City of New Bedford. As necessary, this data was supplemented with shapefiles downloaded from the Massachusetts GIS (MassGIS) and Massachusetts Department of Transportation (MassDOT) websites. Data layers and sources are identified on each map, below the map's legend.

MASTER PLAN

Both the City's comprehensive plan (*A City Master Plan: New Bedford 2020*) and the *New Bedford/Fairhaven Harbor Plan* recommend detailed goals, strategies, and implementation actions that are relevant to this redevelopment area. In addition, the Office of the Mayor sponsored a report in September 2014: *Uniting in Pursuit of Growth and Opportunity: Final Report of the New Bedford Regeneration Committee*. The recommendations of this report relative

to the Port of New Bedford are consistent with other goals and strategies developed by the City.

The overall vision supported by each of these plans is two-fold: to strengthen the capacity of the Port of New Bedford as a working port and to encourage public access to and interaction with the waterfront. The safety of the public is critical – a working waterfront is industrial in nature, and the equipment and processes can be dangerous. *The New Bedford/Fairhaven Harbor Plan* offers the most detailed strategies and action steps related to the Waterfront District, but the City Master Plan: *New Bedford 2020* also ties the Waterfront District into the larger context of the entire city. The recommendations of this report relative to the Port of New Bedford are consistent with other goals and strategies developed by the City.

The main goals of each document are listed below. Each document also has detailed goals and strategies that support these higher-level goals. This Re-development Plan recognizes these goals, and uses them as the basis for its specific recommendations and strategies.

HARBOR PLAN GOALS

The following goals are quoted directly from the Overview to the *New Bedford/Fairhaven Municipal Harbor Plan*.

- Support Traditional Harbor Industries – Preserve and enhance the Port’s traditional strengths in fishing, seafood processing, and their supporting industries.
- Rebuild and Add to the Harbor Infrastructure – Upgrade port infrastructure essential to the future economic vitality of both the working port and the region and to the public’s use and enjoyment of the Harbor.
- Capture New Opportunities – Take advantage of new opportunities for the expansion of marine industry in the Port and other supporting industries (such as tourism, short sea shipping, recreational boating, import/export, and alternative energy) while ensuring that new activities do not conflict with the traditional working port.
- Enhance the Harbor Environment – Demonstrate leadership in Harbor cleanup, recycling and energy conservation under a “Green Port” initiative, with the goal of creating an environmentally healthy Harbor that will encourage a large variety of compatible uses.

COMPREHENSIVE PLAN GOALS

The following goals are quoted directly from the Executive Summary of the *City Master Plan: New Bedford 2020*. These goals are relevant for, but not always specific to, the Waterfront District.

- Expand and secure recent success in developing emerging technology sectors, such as marine science and technology, alternative energy, medical devices, biotech manufacturing, and creative enterprises.
- Enact a comprehensive development strategy that links underperforming and potential development sites, such as brownfields, business park sites, and historic mills throughout the city with opportunities for emerging sector development to increase and stabilize the commercial tax base and create jobs.
- Continue to foster sustainable development projects that have the ability to catalyze economic growth within targeted neighborhood, commercial, and development districts through both jobs created during construction and the creation of permanent jobs for New Bedford citizens.
- Support traditional harbor industries, including fishing and seafood processing, while capturing new opportunities to diversify the Port's economy in sectors, such as short sea shipping, alternative energy, tourism, and recreational boating.
- Develop the creative economy and cultural tourism as a leading edge growth sector.
- Improve, enhance, and integrate the city's public transit services, including shuttles and inter-city buses as well as regional passenger rail.
- Protect natural resources and create new greenways throughout New Bedford.
- Promote and market the cultural and historical assets of New Bedford to transform the city's image for both tourists and residents.

GOALS OF THE NEW BEDFORD REGENERATION COMMITTEE

The following goal is quoted directly from the Summary of Strategies from *Uniting in Pursuit of Growth and Opportunity: Final Report of the New Bedford Regeneration Committee* (2014):

- Champion the EDA planning process as a strategy for building a dynamic working waterfront.

3.5 Regional Planning

The Southeastern Regional Planning and Economic Development District (SRPEDD) is the regional planning agency for New Bedford. This group has issued several plans that direct development in New Bedford, many of which are related to the expansion of freight and commuter rail services from the Whale's Tooth rail yard to Boston (South Coast Rail). Re-establishment of an existing rail spur from Whale's Tooth to the Marine Commerce Terminal (South Terminal Expansion) has been part of the South Coast Rail project. These plans are as follows:

- *Southeastern Massachusetts: Vision 20/20 - An Agenda for the Future*, 1999
- *South Coast Rail Corridor Plan Update: Community Priority Areas of Regional Significance*, 2013
- *South Coast Rail Corridor Plan: Five-Year Update of Community Priority Areas - New Bedford* 2013
- *Comprehensive Economic Development Strategy*, 2015
- *Regional Transportation Plan*, 2016
- *South Coast Rail - Notice of Project Change*, 2017

1999 SOUTHEASTERN MASSACHUSETTS: VISION 20/20

Published in 1999, *Southeastern Massachusetts: Vision 20/20* follows a period of tremendous population growth in southeastern Massachusetts. (Notably, New Bedford, along with Brockton and Fall River, did not experience this growth; these cities grew by about 4% between 1970 and 1999 while the rest of the region grew by more than 80%.) Correspondingly, *Vision 20/20* emphasizes managing future growth, diverting growth to existing urban centers, protecting rural areas, and preserving natural environments. Transit infrastructure is seen to enable this work, thus its development is defined as a priority. The document also stresses the importance of maintaining the unique identities of the region's municipalities.

2013 SOUTH COAST RAIL CORRIDOR PLAN UPDATE: COMMUNITY PRIORITY AREAS OF REGIONAL SIGNIFICANCE

The 2013 *South Coast Rail Corridor Plan Update: Community Priority Areas of Regional Significance* was developed by SRPEDD, Old Colony Planning Council, the Metropolitan Area Planning Council, and representatives from the communities they serve. The intent of this Plan is to designate Priority Areas in the region which will then be the target of investment and focused planning activities. These Priority Areas fall into two categories: Priority Areas for Development (those areas that have excellent development potential due to proximity to transit and existing infrastructure) and Priority Areas for Protection. New Bedford has 24 Priority Areas for Development, 16 Priority Areas for Protection, and one area for both development and protection. The redevelopment area encompasses one of these priority areas for development, the NStar (now Eversource) site.

SOUTH COAST RAIL CORRIDOR PLAN: FIVE-YEAR UPDATE OF COMMUNITY PRIORITY AREAS - NEW BEDFORD

Like its region-wide counterpart, the *South Coast Rail Corridor Plan: Five-Year Update of Community Priority Areas - New Bedford* describes the Priority Area designation and identifies those areas that have been selected. It also includes a series of maps of Subregion 8 (New Bedford, Fairhaven, Acushnet): (1) Community Priority Area Designations, (2) Open Space and Developed Land, (3) Economic Development and Infrastructure, (4) Water Resources, (5) Biodiversity and Natural Resources, and (6) Housing and Environmental Justice.

2015 COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY

Every year, the SRPEDD publishes a comprehensive economic development strategy for the region. The 2015 *Strategy* establishes six goals:

- Support the development of small business and new startups in the region
- Support the development of infrastructure for economic development
- Pursue sustainable development and enhance the region's quality of life

- Broaden the region's economic profile; promote employment opportunities in emerging sectors such as marine science, biotech, and the creative economy
- Provide institutional support for economic development
- Broadband infrastructure, adoption, and digital inclusion in Massachusetts

Each goal is attached to a measurable indicator, and is connected to a regional Strengths-Weaknesses-Opportunities-Threats analysis. The document also includes activities and progress relating to that goal. New Bedford is mentioned in the activities and progress section a number of times in relation to the University of Massachusetts School for Marine Science and Technology, the Quest Center, the proposed Marine Commerce Terminal, restoration of commuter rail service, and safety improvements at the New Bedford Regional Airport.

2016 ECONOMIC IMPACT STUDY OF NEW BEDFORD/FAIRHAVEN HARBOR

The focus of this study is the economic impact of the Phase V dredging project and the SER process mentioned in *Section 2 Characteristics*. To determine the impact, this study evaluated the total economic contribution of the existing waterfront businesses, estimating the annual economic activity of the harbor at nearly \$10 billion, which translates to approximately 2% of the Gross Domestic Product of the Commonwealth of Massachusetts.⁷

2016 REGIONAL TRANSPORTATION PLAN

The 2016 *Regional Transportation Plan* strives to use the region's transit system to enable smart growth development. The Plan establishes a number of goals towards this end, which are distributed across seven categories: Safety, System Preservation, Congestion Reduction, System Reliability, Environmental Sustainability, Economic Vitality and Freight Movement, Project Development and Implementation.

In its assessment of existing conditions and projections of future challenges, the document describes a number of conditions specific to New Bedford. Among these are the New Bedford-Fairhaven bridge, which the Plan identifies as a bridge of regional significance. Over 18,000 vehicles pass over this bridge per day; bridge openings over the last thirty years total 14,830. For-

⁷ Martin Associates and APEX Companies, LLC, Economic Impact Study of New Bedford/Fairhaven Harbor, 2016, page 55.

ty percent of these passages are for fishing vessels. The bridge is structurally sound but suffers from mechanical problems which occasionally result in wait times of 20-minutes and closings for repairs. MassDOT began a feasibility study for bridge replacement in 2014. This Plan also recognizes New Bedford as the municipality in Southeastern Massachusetts with the second highest “unmet transportation need.” The planned South Coast Commuter Rail Line will offer some relief; however, its development will take many years.

2018 DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (DSEIR) – SOUTH COAST RAIL

MassDOT is planning an extension of the existing Stoughton commuter rail line that will provide much needed commuter rail service to both New Bedford and Fall River, as well as to other municipalities along the line. This effort is known as the South Coast Rail (SCR) project. On March 15, 2017, MassDOT and the Massachusetts Bay Transportation Authority filed a Notice of Project Change for the SCR project that introduced a phased development scheme that would provide commuter rail service to Fall River and New Bedford during construction of SCR through an extension of the existing Middleborough/Lakeville line. This phased plan is expected to result in the provision of service for the two cities by November 2022.

On January 31, 2018, MassDOT filed a Draft Supplemental Environmental Impact Report (DSEIR) with the Commonwealth for the SCR project under the phased model. Per the DSEIR, the SCR project will lead to the development of two commuter rail stations and one layover station in New Bedford. All three facilities will be developed in the first phase of the project. The Whale’s Tooth Station will be located near Focus Area South (and within Focus Area North), along the existing rail corridor in the land bound by Acushnet Avenue, Herman Melville Boulevard, and the existing freight tracks, while the Wamsutta Layover Facility will be bound by Acushnet Avenue, Herman Melville Boulevard, and Wamsutta Street. The second station, King’s Highway, will be located approximately two miles to the north of the redevelopment area.

4. Plan Objectives

4.1 Plan Goals and Objectives

VISION

As stated in the *Executive Summary*, the vision for this redevelopment area is to support the existing water-dependent commercial and industrial businesses that form the backbone of New Bedford's waterfront economy. These businesses include traditional business, such as fishing, cargo handling, and boat repair, and emerging industries, such as off-shore wind.

In addition to providing room for existing businesses to expand and new businesses to establish themselves, this redevelopment area will provide a critical connection between New Bedford's historic downtown and the vibrant working waterfront. Providing public access to the municipal piers, including a proposed public walkway adjacent to the southern edge of Leonard's Wharf, lined by active uses and appropriate landscaping and terminating in a vantage point at the water's edge will allow access to visitors without compromising the safety and integrity of commercial operations.

GOALS

The following goals support this vision:

1. Support water-dependent, industrial uses within the Designated Port Area (DPA) boundary, integrating them with the existing waterfront economy.
2. Identify and support activities that draw people to experience and support the waterfront, such as the seafood off-loading facility and restaurants that serve locally caught seafood.
3. Create public access to the waterfront to promote greater understanding of the traditional working waterfront and the new marine-related industries.
4. Establish a gateway area outside of the DPA that provides a transition to the downtown and parking for both waterfront businesses and the public.
5. Establish design guidelines for new construction to reinforce the public access to the waterfront and create a clear identity for those public areas in contrast to the industrial areas.

DEVELOPMENT ACTIVITIES

Support water-dependent, industrial uses within the revised DPA boundary, integrating them with the existing waterfront economy.

The NBRA will support the redevelopment of this area over time with a combination of three strategies specific to its ability to undertake development activities within the redevelopment area:

- Acquisition of parcels
- Disposition of parcels
- Public infrastructure improvements

Each of these activities is discussed in more detail below.

Acquisition

The NBRA has identified the following acquisitions within this Plan, shown in *Figure 2-12*:

- Parcels owned by Eversource (identified as Commonwealth Electric and Commonwealth Gas in the City tax assessor's database)
- Parcels owned by Sprague Massachusetts LLC

Should the parcels be developed by the current or future owners in accordance with the goals and requirements of this Plan, including *Section 4.3 Design Guidelines*, the NBRA would review the need to acquire the parcels and update the plan accordingly.

Disposition

The NBRA expects to dispose of any parcels it acquires that are not used for public infrastructure (street improvements, public parks, and/or parking). The NBRA must follow the process described in *Section 9. Disposition*, and any developer will be bound by *Section 10. Redeveloper's Obligations*. Any parcels acquired by the NBRA are likely to be subdivided prior to disposition as identified in *Figure 2-13*.

Public Infrastructure Improvements

Identify and support activities that draw people to experience and support the waterfront, such as the seafood off-loading facility and restaurants that serve locally caught seafood.

Create public access to the waterfront to promote greater understanding of the traditional working waterfront and the new marine-related industries.

Establish a gateway area outside of the DPA that provides a transition to the downtown and parking for both waterfront businesses and the public.

The City of New Bedford owns Leonard's Wharf, and the public is allowed to access the wharf, which is adjacent to the Waterfront Grille (outside the redevelopment area). This public access is not well-defined; the landside of the wharf is devoted to parking while fishing and lobster boats are tied up to the edges, sometimes two or three deep. Potential exists for conflict between visitors eager to view the working waterfront and the employees of the fishing boats.

The City has already installed streetscape improvements on MacArthur Drive, including a brick sidewalk on the western side of the drive. To the south, this sidewalk leads to the improved intersection, including new crosswalks, of MacArthur Drive, JFK Memorial Highway, and Walnut Street. To the north, the brick sidewalk connects MacArthur Drive to the improved intersection of MacArthur Drive, JFK Memorial Highway, and Union Street (outside the redevelopment area). On the eastern side of MacArthur drive, the brick sidewalk begins at the Wharfinger Building and continues south to the southern point of Coast Guard Park. The sidewalk is then concrete alongside the parking lot, historic slate next to the Bourne Counting House, and then concrete again to the northern tip of Leonard's Wharf.

The intersection at Walnut Street is a gateway to the neighborhoods south of downtown, while the intersection at Union Street is a gateway to the downtown, including a complex of historic buildings across from State Pier that cluster in front of the New Bedford Whaling Museum. These two intersections are critical points to connect the waterfront to the remainder of the city.

The earlier *Framework Plan* provided options for State Pier. Within this Re-development Plan, Leonard's Wharf and the abutting parcels (47-241 and 47-181) are the obvious connection point that, when incorporated into the design of the abutting parcels to the south, will provide public access to the waterfront without interfering with current and future water-dependent operations.

The public improvements to create a gateway to the waterfront along the municipal piers, with primary access along the southern edge of Leonard's Wharf, include short-term and mid- to long-term strategies.

Short-term

In the short-term, the NBRA, the City, and property owners will work together to create safe and appropriate access for visitors to the working waterfront. The NBRA's role will include the acquisition of the necessary land and/



FIGURE 4-1: CONCEPTUAL ILLUSTRATION SHOWING EFFECT OF PROPOSED PUBLIC IMPROVEMENTS
Source: Sasaki Associates

or easements and would include the implementation of the improvements with the New Bedford Port Authority (NBPA).

Short-term improvements will include the following:

- Defined pedestrian/bicycle access, separated from the circulation for the parking lot by a change in materials and, if possible, a physical barrier. The physical barrier should include a landscaped buffer and the pedestrian path should be a minimum of 8 feet wide.
- Connection of the pedestrian path to the sidewalks on MacArthur Drive. The landscaped buffer on the eastern side of MacArthur Drive should be more fully planted. On the southern side of MacArthur Drive, a landscaped

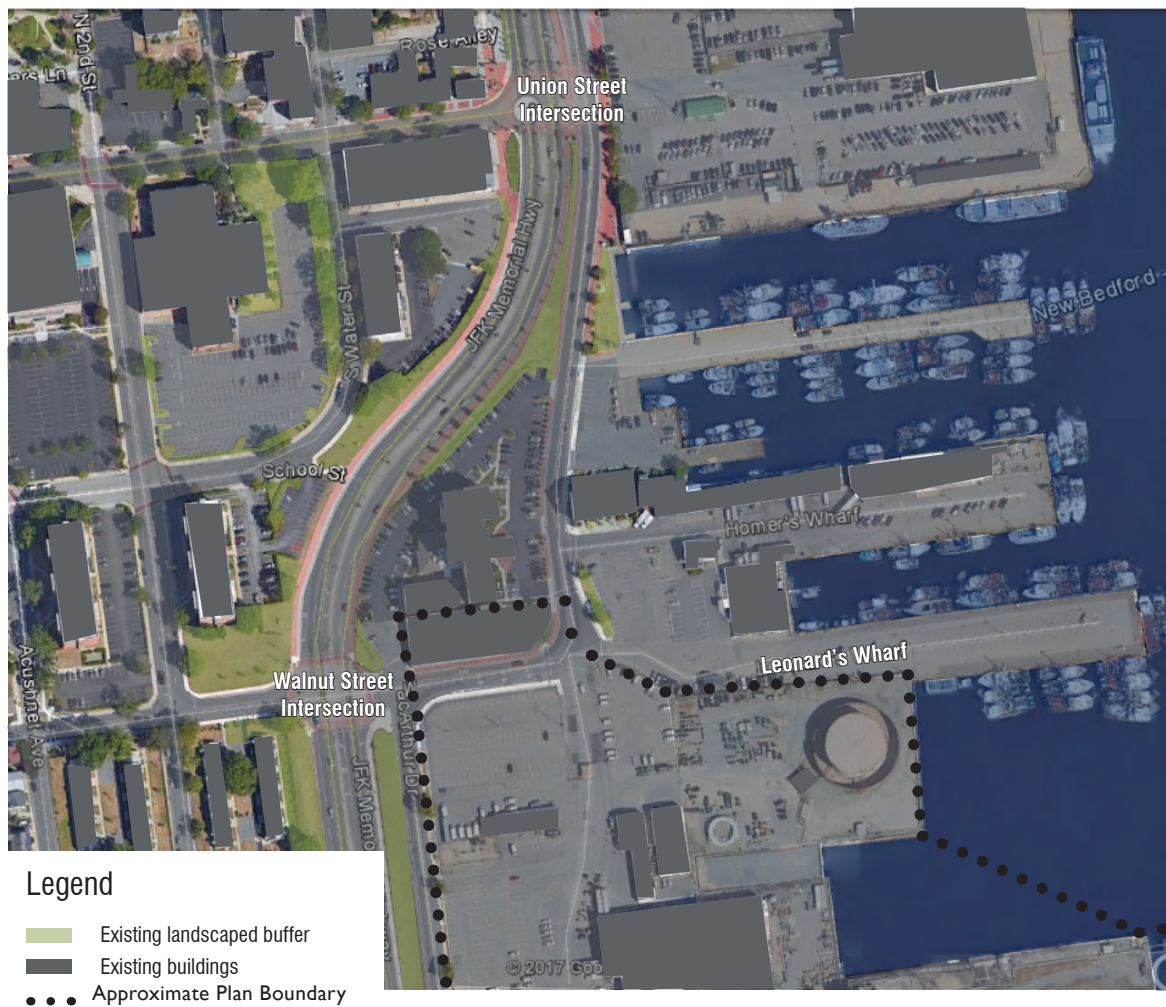


FIGURE 4-2: DIAGRAM OF EXISTING PEDESTRIAN INFRASTRUCTURE
Source: Google Earth, Harriman

buffer (including street trees) should be installed between the sidewalk and the current surface parking lot.

- Creation of a vantage point from which visitors can view the harbor and waterfront at the termination of the pedestrian path at the eastern end of Parcel 47-241, just south of Leonard's Wharf.
- Wayfinding signage to direct visitors from the intersections with Union Street and Walnut Street to Leonard's Wharf and the vantage point proposed for Parcel 47-241.



FIGURE 4-3: CONCEPTUAL DIAGRAM OF PROPOSED PEDESTRIAN INFRASTRUCTURE
(Alternative Location of Public Park)

Source: Google Earth, Harriman

Mid- to Long-Term

As this area develops over time, the pedestrian connections will act as a corridor for active uses that draw visitors from the downtown to MacArthur Drive and the proposed public access just south of Leonard's Wharf. The active uses will act as a second center of visitor activity, within a quarter-mile walking distance to the edge of the New Bedford Seaport Cultural District.

- The active uses should incorporate the Bourne Counting House and the Fairfield Inn & Suites to create a connection on both sides of MacArthur Drive to the north.
- MacArthur Drive to the south should be a combination of retail or other active use on the ground floor with offices above. The upper floors and the ground floor behind the retail uses could also be an extension of the conference center use at the Waypoint Event Center.
- Uses that support water-dependent industrial in this area should include space for technology, research, and innovation labs, and other uses that support the Blue Economy that will support existing and future marine-dependent uses, helping to broaden and diversify the waterfront economy. These use could have a storefront location to engage visitors to the area.
- Training for current and future jobs, including those related to the off-shore wind industry, will support the needs of businesses for a workforce that is trained in local industries. These uses may be best on upper floors, but could be integrated into a ground floor location to showcase the economy of the waterfront.
- The termination of the pedestrian path at a view point at the water's edge should be integrated into other active uses, which could include a fish market or other use that connects visitors to the vibrancy of the industries on the waterfront.
- Signage should incorporate elements of the history and operations of the waterfront to help visitors understand the importance of the waterfront to New Bedford and Massachusetts both in the past and now. Partners for this efforts should include the National Park and Destination New Bedford.
- Where possible, infrastructure for bicyclists should be integrated to form a continuous network along the waterfront and to the downtown and neighborhoods.

Street Extension

Should the NBRA acquire and subdivide one or more parcels, the NBRA and the City may choose to extend Cape Street and or Pine Street to facilitate the subdivision and access to the new parcels.

Parking

The NBRA could redevelop land now owned by Eversource along MacArthur Drive as parking to support the existing and future businesses within this redevelopment area. In the short-term, this parking is expected to be surface parking. As the intensity of uses, and therefore the demand for parking, increases, the surface parking could transition to structured parking. The need for parking will depend on the types of uses that are integrated into this area over time, the intensity of those uses, and the continued development of new technologies, such as ride-sharing services and the spread of autonomous vehicles.

REGULATORY CONTROLS

Establish design guidelines for buildings within view of a public right-of-way to reinforce the public access to the waterfront and create a clear identify for those public areas in contrast to the industrial areas.

To accomplish this goal, the NBRA and the City will need to establish regulatory controls for this redevelopment area that incorporate changes to the City's zoning ordinance and the incorporation of design guidelines defined within the Redevelopment Plan into the City's process for site plan approval and the approval of special permits for projects within the redevelopment area.

This Redevelopment Plan anticipates two types of regulatory controls:

- Changes to the City's zoning ordinance as discussed in *Section 2. Characteristics* and described in more detail in *Section 4.2 Proposed Zoning Changes*. The NBRA will sponsor these changes and work with the Planning Board and City Council to ensure they are adopted.
- Design guidelines to control the physical appearance of buildings and sites within the redevelopment area and the relationship of new or rehabilitated

structures to the existing structures. Specific guidelines are provided in *Section 4.3 Design Guidelines*. The design guidelines will be applicable to all projects within the redevelopment area that qualify for site plan review and/or a special permit and will be part of the Planning Board's review process.

4.2 Proposed Zoning Changes

This Redevelopment Plan does not anticipate changes to the boundary of the WI District. As noted below, this Plan does recommend changes to the allowable uses.

The following uses allowed in the WI District are not allowed within this redevelopment area:

- Adult entertainment establishment
- Motor vehicle sales

The WEDROD (Section 4700A) should be removed from the City's zoning ordinance.

Figure 2-10 provides a map of the proposed boundary changes for the current zoning districts. The existing zoning will be replaced by a new Waterfront Mixed Use District (WMU). The purpose of the proposed WMU is to promote and support economic revitalization by retaining existing and supporting uses. Focus Area North will include two subareas: Subarea A (Wamsutta) and Subarea B (Revere Copper). Focus Area South also includes two subareas: Subareas C (Fairfield Inn and Eversource) and Subarea D (Sprague/Eversource).

Subarea A is intended to attract new multifamily residential, multifamily mixed use, and neighborhood business uses while maintaining the area's historic character and enhancing public access to and within, the waterfront.

Subarea C is designed to promote the link between New Bedford's Downtown and its waterfront, with active ground floor uses along MacArthur Drive that connect to a proposed pedestrian connection to the waterfront in Subarea D.

Subarea B (along the waterfront and including the Revere Copper site) and Subarea D, are designed to retain and expand existing water-dependent, water-related and supporting uses, and attract new, sustainable businesses that may benefit from prime waterfront access and visibility. Uses in Subarea D are subject to the requirements of the Designated Port Area (DPA), G.L. c. 91 et seq., and the New Bedford Municipal Harbor Plan in effect at the time of application. In Subarea D, only the identified design guidelines apply.

The establishment of the WMU is also intended to maintain the historic character of the district and enhance public access to and within the waterfront.

The WMU will supersede all other zoning district regulations for this area, except the Flood Hazard Overlay District (FHOD). In the case of any potential discrepancy between the WMU and the FHOD regulations, the FHOD regulations shall apply.

The full text of the new WMU District is provided in *Appendix VIII. Waterfront Mixed-Use District Zoning and Design Guidelines*.

4.3 Design Guidelines

The design guidelines in this Plan will be applicable to the following project types within the redevelopment area:

- All projects on land owned by the NBRA or the City of New Bedford
- All projects subject to a Land Disposition Agreement (LDA) with the NBRA
- All projects in the redevelopment area that are required by the City's zoning ordinance to undergo site plan review and/or apply for a special permit.

The Planning Board will undertake the design review process as part of the approval processes for site plan review and, if required, special permit applications.

URBAN DESIGN VISION

The redevelopment area is envisioned as an expansion of the existing working waterfront. The redevelopment area is entirely within the DPA boundary; and the majority of the site is within the Chapter 91 jurisdictional line, although some areas extend outside it. The large size, contiguous and underutilized parcels, and varied regulatory conditions of the redevelopment area enable the area to foster many diverse industrial uses in the future. The long-term vision for this redevelopment area is designed to:

- Expand the industrial legacy of the site while transforming underutilized spaces into future water-dependent and water-related uses.
- Balance modest public realm connections along the waterfront with water-dependent, industrial development maximizing productive land use.
- Improve connections to new rail opportunities, the regional road network, other industries, and the downtown.
- Transform a brownfield site into a vibrant and productive part of the working waterfront.
- Leverage and celebrate its prime location on the waterfront with opportunities for complimentary public uses and public viewing of fish offloading and other industries along the river edge.

DESIGN GUIDELINES

Design Principles

These Design Guidelines focus on four key aspects to the physical experience of this redevelopment area:

- **Public access to the waterfront:** A driver of the revitalization of this area is to ensure consistent public access to the waterfront at a single point that will not interfere with the safe operations of vehicles, boats, or machinery.
- **Treatment of buildings:** New buildings in the land use area identified as retail/commercial/office in *Figure 2-9A*, outside of the DPA, should have an active relationship to the street, serving to define space for public and private activities. Where supporting, ground-floor activities are allowed in the DPA, new buildings should also strive to have an active relationship to the public realm to create a welcoming gateway to the public access points.

- **Treatment of the site:** Sites should be landscaped to provide a buffer between incompatible uses and to define spaces for public and private activities.
- **Public infrastructure:** Streetscape improvements should be consistent in quality and treatment with the existing improvements to MacArthur Drive at the intersections with Walnut Street and with Union Street throughout this redevelopment area.

Design Guidelines

Design Guidelines provide more flexibility about how the preferred design elements are met by the Applicant.

1. Public Access to the Waterfront
 - a. In WMU Subarea D, public access should be designed to improve walkability to the State Pier and other waterfront industries, the regional road network, and the downtown.
 - b. Property owners should work with the city to install paved or other hardscape pedestrian and bicycle connections from the public walkway to the city's public sidewalk and street network.
 - c. Property owners should follow the design guidelines for plantings and hardscape materials provided below in 3) Treatment of the Site and Landscape, using plants and materials that are appropriate to the waterfront environment.
2. Treatment of Buildings
 - a. Building frontage shall be designed to include a clearly defined building entrance, architectural details, alcoves, covered walkways, awnings, windows, public seating, bicycle amenities, and other small-scale features that relate to pedestrians.
 - b. Façades should be treated with similar care on all sides of the building visible from a public right-of-way.
 - c. Parking garages should be integrated with the bulk and architecture of the main building, to enhance the design of the garage façade and reduce negative visual impacts from the street or the water.
 - d. Pedestrian entry points should be clearly identified and ADA accessible.
 - e. Windows should not be blocked by signage, blinds, or permanent materials that hinder visual access.

- f. Historic buildings should be rehabilitated, and the historic elements preserved.
 - g. When historic preservation is not feasible, new construction or the adaptive reuse of old buildings should incorporate façade and roof articulation, window and door patterns, and building materials that establish a compatible design character with neighboring buildings.
 - h. Use of alternative energy sources is strongly encouraged.
 - i. Use of high albedo roof treatments, green roofs, blue roofs, solar panels, or any combination of the above is strongly encouraged.
 - j. Compatibility with LEED criteria is strongly encouraged, although LEED certification is not required.
3. Treatment of the Site and Landscape
- a. Where possible, curb cuts should be minimized, and property owners are encouraged to share access from the public right-of-way to contiguous parking lots and service areas to adjacent buildings.
 - b. Clear signage should be provided to direct drivers to private parking. All signs are subject to administrative review by the Planning Department and Section 3200. Sign Regulations of the City's Code of Ordinances.
 - c. Access to parking for buildings with their principal frontage on Logan Street should be located on Howe Street or Hicks Street to preserve the proposed pedestrian and bicycle connections from Purchase Street to the waterfront.
 - d. Parking lots should be located behind or to the side of buildings to effectively screen them and maintain the character of the streetscape.
 - e. Plants should be native or adapted to coastal conditions.
 - f. To supplement 4760A.C.3(a) above, the use of vegetated buffers, rain gardens, bioswales, and wetlands restoration to control runoff and manage stormwater on-site is encouraged.
 - g. The visual impact of wide expanses of parking should be reduced with large, landscaped islands and planting strips.
 - h. Compatibility with SITES criteria is strongly encouraged, although SITES certification is not required.
 - i. Compatibility with the requirements of the International Dark-Sky Alliance is strongly encouraged.



4. Public and Private Infrastructure

- a. Owners and developers of buildings with active ground floor uses should work in concert with the City to ensure that a minimum clear width of six (6) feet for pedestrians is maintained on every sidewalk (not including the space assigned to light poles, hydrants or street trees). If the available sidewalk clear width is less than six (6) feet, new buildings may consider setting back the storefront or ground floor active uses from the front property line as much as needed to achieve the desirable minimum sidewalk clear width.
- b. Sidewalks should be continuous along all roadways as part of a “complete streets” design approach that allocates right of way access for bicycle lanes, sidewalks, and parked or ride share vehicles. If there is insufficient right of way to accommodate these design solutions, the applicant shall submit a waiver request to the planning department.

4.4 Effect on Jobs in the Redevelopment Area

760 CMR 12.02 (3)(b) requires a specific estimate of the number of jobs retained, created, and/or eliminated by the proposed redevelopment actions in the redevelopment plan.

The anticipated effect of the actions within this Redevelopment Plan – and a major goal of this Plan – is that new and expanded water-dependent and related industrial uses will attract new employers to the area due to a combination of efforts, including: planned physical improvements, changes to the regulatory environment, and efforts to assist current property owners, prospective developers, and new businesses by the Redevelopment Authority, the New Bedford Economic Development Council, the New Bedford Port Authority, and the City of New Bedford.

The redevelopment area lies entirely within the DPA, whose use limitations are expected to be maintained and encouraged. The working waterfront is a special and significant asset of the City of New Bedford. One objective for intensification of industrial uses within this area is related to offshore wind energy, including staging, operations servicing, and supply chain manufacturing. No definitive space requirements or demands or job estimates are available at this time, but the servicing of offshore wind operations could easily be accommodated within the urban renewal area. The redevelopment area could offer space for offshore wind operations and maintenance, potentially a long-term source of job creation in maritime, mechanical, and hydraulic skills similar to those needed by commercial fishing and boat repair.¹ Based on the estimated build-out of the areas now leased for offshore wind development south of Martha's Vineyard, ongoing annual support of the installed offshore wind turbines would be expected to support at least 70 full time jobs.

Another component of the offshore wind energy supply chain, and an industry with broader markets to support development within the redevelopment area, is shipbuilding and repair and metal fabrication. MassFabrication, an existing operation bordering on the urban renewal area, has sought to acquire six acres from Eversource and a waterfront portion of the Sprague property to develop a shipbuilding, repair, and multi-function expansion of its cur-

1. 2018 Massachusetts Offshore Wind Workforce Assessment. Bristol Community College, UMass Dartmouth Public Policy Center, Massachusetts Maritime, prepared for the Massachusetts Clean Energy Center.

rent metal fabrication business. The prospective development can proceed without public financial assistance and would provide an estimated 150 jobs within two years of expanded operation, according to the business owner. Acquisition of the property needed to realize this immediate job generating potential by the NBRA may be required.

According to multiple interviewees, as a result of confidential interviews conducted by FXM, New Bedford's waterfront offers potential for expanded marine technology and research, particularly in the international market. The redevelopment area could accommodate a marine tech incubator of 9,000 to 30,000 square feet, offering good access to Interstate 195 (I-195), downtown commercial services, and related potential marine services and expertise within the harbor area. According to one interviewee, there are three marine tech/research companies affiliated with MIT that now have no water access and/or are using port facilities out of state. Dock space within this redevelopment area would be needed to support the vessels associated with these companies. There is a future potential for expansion in data gathering by autonomous underwater vehicles; servicing these would require a mobile crane to offload them from research vessels. No definitive job estimates are available at this time.

There is renewed interest in a freight ferry service to Martha's Vineyard, prompted by continuing pressure on the Steamship Authority (SSA) by residents and businesses in Falmouth/Woods Hole to remove truck traffic. If the original roll-on/roll-off facility on State Pier is deemed not suitable at this time then this redevelopment area may offer an opportunity to accommodate freight ferry service to Martha's Vineyard and ultimately Nantucket – both of which were established as technically and financially feasible in independent studies conducted for the state and NBPA and which would produce positive job creation and other economic benefits to New Bedford and both islands. Between 20 and 30 local jobs – not counting the indirect effects of expansions by off-site suppliers documented in prior studies – would be produced as a consequence of freight ferry service to the islands.²

The redevelopment area may also offer an opportunity to host charter/excursion commercial recreational vessels that could provide residents and visitors opportunities for sightseeing, dinner, party, business conference and

2. *Final Report on the Possibility of a Freight Ferry Service Between Martha's Vineyard and New Bedford*. Flagship Management for the Woods Hole, Martha's Vineyard, and Nantucket Steamship Authority, August 25, 2017.

other functions within and beyond the harbor area. Prior studies, such as the Strategic Ports Plan for MassDOT, have shown that New Bedford has an under-served resident and visitor base and lacks such services compared to Boston, Gloucester, Salem, Plymouth, Onset, Point Judith, and other port locations that host commercial recreational vessels (not just those for whale watches). Based on employment in sightseeing and scenic vessels in other Massachusetts ports, between 6 and 10 jobs per vessel would be expected, not including the jobs supported in vessel maintenance, provisioning, service and repairs.

In the short-term (one to five years), approximately 220 jobs would be created to support offshore wind turbines and the MassFabrication shipbuilding facility. This estimate for off-shore wind turbine support is specific to the redevelopment area and does not represent the total number of jobs along the entire waterfront. Expansion in marine technology jobs are likely to happen in the short- to medium-term but no projections are available.

In the medium-term (five to ten years), between 20 and 30 local jobs would be required to support freight ferry services with an additional 6 to 10 jobs per vessel for excursion boating. With two excursion vessels, the total jobs created in the medium-term would be between 30 and 50 jobs.

In the long-term (more than ten years), the total number of jobs is difficult to anticipate given the likelihood of changing market conditions in that period. However, jobs related to the addition of retail, office, and restaurant uses at the corner of MacArthur Drive and south of Leonard's Wharf would come online in the medium- to long-term.

No jobs are expected to be eliminated as a result of the actions identified in this plan.

5. Acquisitions

The NBRA has identified two types of acquisitions within this Plan:

- Acquisition of land for future development; the NBRA may further subdivide these parcels prior to later disposition
- Acquisition of land or easements for public improvements

Figure 2-12 shows the location of each parcel to be acquired.

All parcels identified for acquisition belong to either Eversource (Commonwealth Oil and Commonwealth Gas) or Sprague Massachusetts LLC. See *Section 2. Characteristics* for the identification of the parcels and *Section 4. Plan Objectives* for a discussion of plan activities. The NBPA may also acquire these parcels, consistent with their strategic goals and authority within the waterfront. The NBRA and the NBPA will coordinate any actions related to acquisition so as not to impact each other's operations in the area.

The parcels to be acquired are listed in *Table 5-1*. This table identifies the current owner, use, and most recent assessed value by parcel identification and the street address. The table groups the proposed acquisitions by the proposed land use to reflect physical adjacencies and/or new uses appropriate to the context of the proposed land uses for the area.

The Redevelopment Plan identifies these parcels for acquisition to support the public purpose of this Redevelopment Plan as defined in *Section 4. Plan Objectives*. The parcels listed in *Table 5-1* have not contributed to the vitality of the New Bedford Waterfront but would act as catalytic projects in the revitalization of the redevelopment area, as described in this Redevelopment Plan.

TABLE 5-1: PARCELS FOR ACQUISITION

PARCEL ID	ADDRESS	OWNER	PROPERTY SIZE (ACRES)	ASSESSED VALUE (2018)	PHASE
Planned Action: Acquisition and later disposition, potential right-of-way easement for street extensions of Cape Street and Pine Street to access the site Current Land Use: Electric substation (42-151, 42-178 and 42-84), oil storage (42-160), truck terminal (42-274) Proposed Land Use: Water-dependent industrial and supporting uses					
42-151	MacArthur Drive	Commonwealth Electric Co (NSTAR/Eversource)	0.1	\$34,000	I/II
42-160	1 Pine Street	Sprague Massachusetts Properties LLC	9.7	\$5,335,700	I/II
42-178	Leonard's Wharf	Commonwealth Electric Co (NSTAR/Eversource)	6.3	\$1,119,400	I/II
42-274	140 Pine Street	Commonwealth Electric Co (NSTAR/Eversource)	1.6	\$516,800	I/II
42-84	180 MacArthur Drive	Commonwealth Electric Co (NSTAR/Eversource)	4.8	\$3,193,100	I/II
Planned Action: Acquisition and later disposition Current Land Use: Warehouse Proposed Land Use: Water-dependent industrial and supporting (including parking); supporting uses					
47-181	MacArthur Drive	Commonwealth Gas Co (NSTAR/Eversource)	3.5	\$1,141,700	I/II
Planned Action: Acquisition and later disposition Current Land Use: General office (47-199), accessory land (42-287), and oil storage (47-241) Proposed Land Use: Retail, commercial, restaurant; parking					
47-199	5 Water Street	Commonwealth Gas Company (NSTAR/Eversource)	0.4	\$511,100	I/II
42-287	MacArthur Drive	Commonwealth Gas Co (NSTAR/Eversource)	2.0	\$560,400	I/II
47-241	MacArthur Drive	Sprague Massachusetts Properties LLC	1.3	\$506,600	I/II
Total			29.7	\$12,919,000	

TABLE 5-2: SNAPSHOT OF PARCELS FOR ACQUISITION

	ACQUISITIONS	TOTAL FOCUS AREA SOUTH	PERCENTAGE OF FOCUS AREA SOUTH
Total Number of Properties	9	13	69%
Total Acres	30	33	91%
Total Valuation (\$000s)	\$12,919	\$15,027	86%
Estimated Displacements*	None	N/A	N/A

6. Relocation

If the New Bedford Redevelopment Authority (NBRA) acquires all parcels identified for acquisition, then there are no anticipated relocations of businesses; all parcels identified for acquisition are vacant. There are no dwelling units in this redevelopment area because the entire area is within a Designated Port Area (DPA). However, active infrastructure remains even though business operations are elsewhere. This infrastructure is related to the supply of natural gas, the transmission of electricity, and storage of heating oil. Should one or more acquisitions trigger the relocation of this infrastructure, the owners will be eligible for relocation assistance and payments as defined in this section. An alternative would be to grant easements for the infrastructure to remain and access rights for maintenance and repair.

Should a pre-acquisition relocation become necessary, the NBRA will prepare a relocation plan for persons and/or businesses that must be relocated and are considered to be a displaced person as set out in Massachusetts General Laws (M.G.L.) Chapter 79A, Section I, including a displaced person that must be relocated because of any public acquisition of land to fulfill the public purpose of this Redevelopment Plan. The NBRA commits to a process that will accomplish the following goals, established by 760 CMR 27.00:

- A fair, equitable, and consistent treatment of the businesses who are displaced through the acquisition
- Minimize the adverse impact of displacement on the businesses and their community
- Prevent the closure of business

As required by 760 CMR 27.00, the NBRA will establish a relocation advisory agency prior to any acquisitions. The NBRA will file a relocation plan with the Bureau of Relocation (part of Department of Housing and Community Development (DHCD)) for any project that displaces the occupants of more than five dwelling units or business units. This Plan recommends a pre-filing consultation with the Bureau of Relocation.

The NBRA will comply with the applicable requirements in M.G.L. c.79A, the regulations in 760 CMR 27.00 and the related guidelines, and federal laws related to relocation, including 49 CFR Part 24, as applicable. The plan must be approved by the Bureau of Relocation prior to displacement. All displaced persons and businesses are entitled to relocation assistance and payments established under M.G.L. c. 79A and 760 CMR 27.00.

The plan must be filed with the Bureau of Relocation at least 45 days before the anticipated date of the acquisition of the property, along with notification of the affected occupants of their rights and the available relocation assistance and payment prior to acquisition of the property. However, DHCD recommends filing the relocation plan at least 180 days in advance of the beginning of relocation activities to allow sufficient review of the plan and to accommodate the 120-day Notice to Vacate required for permanent displacement of a displaced person or business.

TABLE 6-1: ANTICIPATED RELOCATIONS FROM IDENTIFIED ACQUISITIONS

PARCEL ID	ADDRESS	OWNER	ESTIMATED RELOCATION	PROPOSED DISPOSITION
42-151	MacArthur Drive	Commonwealth Electric Co (NSTAR/Eversource)	N/A	Yes but transformers remain in use
42-160	1 Pine Street	Sprague Massachusetts Properties LLC	If oil tanks remain, easements may be granted for access; if removed; owner is eligible for relocation assistance under <i>Section 6. Relocation.</i>	Yes. Oil tanks in use.
42-178	Leonard's Wharf	Commonwealth Electric Co (NSTAR/Eversource)	N/A	Yes
42-274	140 Pine Street	Commonwealth Electric Co (NSTAR/Eversource)	N/A	Yes
42-84	180 MacArthur Drive	Commonwealth Electric Co (NSTAR/Eversource)	N/A	Yes (power station is non-operational)
47-181	MacArthur Drive	Commonwealth Gas Co (NSTAR/Eversource)	N/A	Yes
47-199	5 Water Street	Commonwealth Gas Company (NSTAR/Eversource)	N/A	Yes
42-287	MacArthur Drive	Commonwealth Gas Co (NSTAR/Eversource)	N/A	Yes
47-241	MacArthur Drive	Sprague Massachusetts Properties LLC	N/A	Yes (oil tank is not in use)

TOTAL NUMBER OF RESIDENTIAL UNITS: 0

TOTAL NUMBER OF BUSINESSES: 0

7. Site Preparation

Certain sites have been identified in *Section 2. Characteristics* as either sites that have environmental risks or have had such risks in the past. Development of any of these sites must follow the relevant requirements of the US Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (MassDEP). However, the waterfront is an urban environment, and not all sites with hazardous materials may have been identified. Buildings built prior to 1978 may have lead paint either in the material or the surrounding soil and older buildings may also have asbestos. Previous uses may have contaminated the soils. The presence of hazardous materials should be evaluated on a case-by-case basis prior to the commencement of the project.

Eversource has committed to mitigation of the existing conditions on its parcels (see Site Conditions: Cleanup under *Section 3.2*). *Section 12. Financial Plan* includes an estimate of costs related to the Sprague sites, based on the mitigation costs projected in the KG Urban proposal.

Some of the parcels in this redevelopment area are within FEMA floodplains (AE and X) and the City's Flood Hazard Overlay District. Additional site preparation costs are associated with the requirements for construction in a floodplain, including elevation of or flood-proofing the first floor. The presence of the New Bedford Hurricane Barrier does provide some protection against flooding; however, the barrier may be over-topped in certain circumstances.

As noted in *Section 2.4*, Chapter 91 has a regulatory impact on the development of parcels within the jurisdictional boundaries of Chapter 91. MassDEP grants Chapter 91 licenses and the requirements of that license are governed by Chapter 91, 310 CMR 9.00, and the requirements of a state-approved Municipal Harbor Plan, which can modify some, but not all, of the requirements of Chapter 91. The requirements of this additional licensing process may add costs to the preparation of the site for future development. Such costs are typically borne by the developer.

The New Bedford Redevelopment Authority (NBRA) anticipates that all site improvements for land subsequently disposed of under a Land Disposition Agreement (LDA) will be undertaken by the developer subject to the mitigation requirements appropriate to the proposed land use in the LDA.

For sites to be retained under NBRA ownership, the site preparation will include the investigation of environmental conditions and the mitigation of those conditions to the appropriate level of the proposed land use. At the time of writing, the NBRA does not intend to retain long-term ownership of the acquisitions identified in this Redevelopment Plan.



8. Public Improvements

The New Bedford Redevelopment Authority (NBRA) plans improvements to the public streetscape to connect the working waterfront to the downtown, as discussed in *Section 4. Plan Objectives* and shown in *Figure 2-9B Proposed Public Infrastructure*. The NBRA's role will include the acquisition of the necessary land and/or easements. The New Bedford Port Authority (NBPA) owns Leonard's Wharf and would be a partner in the implementation of the pedestrian walkway adjacent to the southern edge of Leonard's Wharf, the installation of landscaped buffers along the southern edge of MacArthur Drive, and the installation of the vantage point at the water's edge of the pedestrian connection.

If the NBRA divides its larger acquisitions into smaller parcels (reparcelization), it may work with the City to extend Cape Street, Pine Street, or create another public street from an existing driveway, such as the one from MacArthur Drive to the interior of the Eversource site. Such extensions would require the establishment of the extended right-of-way and the clearance and installation of the roadway within that right-of-way.

Finally, the NBRA may redevelop land now owned by Eversource along MacArthur Drive as parking to support the existing and future businesses within this redevelopment area. The parking would be surface parking in the short- to mid-term and structured parking in the long-term, as market conditions evolve to support the cost. The amount of tidelands occupied by Supporting DPA Uses and any accessory uses, such as parking, shall not exceed 25% of the area of the project site. Temporary uses should only be licensed to operate for a maximum of ten years and should only be granted if marketing efforts do not identify any water-dependent uses.

9. Disposition

The New Bedford Redevelopment Authority (NBRA) has not yet identified a developer or developers for the parcels listed in *Table 9-1* and shown in *Figure 2-13*. Any disposition must meet the relevant requirements of Massachusetts General Laws (M.G.L.) Chapter 121B and Chapter 30B. Under these two chapters, the sale, lease, or acquisition of residential, industrial, or commercial real property by a redevelopment authority engaged in the development and disposition of real estate in accordance with an approved plan, is exempt from public disposition procedures required of all other local government bodies.

However, any parcel of land to be sold or otherwise disposed of by the NBRA must meet the requirements of 760 CMR 12.05. This includes an independent disposition appraisal of the parcel. The criteria for determination of the disposition price of the parcel are detailed in 760 CMR 12.05. The Department of Housing and Community Development (DHCD) must approve both the disposition price and the Land Disposition Agreement (LDA) between the NBRA and the purchaser.

The sale, lease, or development (redevelopment, rehabilitation or new construction) of any property controlled by the NBRA must be in accordance with the objectives of this Redevelopment Plan. The NBRA will evaluate the need to subdivide larger parcels based on the land uses as defined in this plan, the market demand for certain parcel sizes consistent with the proposed uses, and developer interest in redeveloping or rehabilitating the entire site versus smaller pieces. A specific parcelization plan is not provided to retain maximum flexibility for changing market conditions over the life of this Redevelopment Plan.

The NBRA will periodically assess the progress of this Plan's implementation and identify other properties for disposition or remove any properties identified in the list of dispositions that have subsequently been developed according to the requirements of this Redevelopment Plan. Changes to the plan are governed by 760 CMR 12.03, as outlined in *Section 16. Process for Future Changes*.

TABLE 9-1 ANTICIPATED DISPOSITIONS FROM IDENTIFIED ACQUISITIONS

PARCEL ID	ADDRESS	OWNER	ANTICIPATED DISPOSITION
42-151	MacArthur Drive	Commonwealth Electric Co (NSTAR/Eversource)	Disposition to private developer. Easement will be required for access to electrical infrastructure.
42-160	1 Pine Street	Sprague Massachusetts Properties LLC	Disposition to private developer; potential subdivision; land may be retained by the NBRA or transferred to the City for extension of Cape Street and/or Pine Street. Note that if oil tanks remain, easements may be granted for access; if oil tanks are removed; owner is eligible for relocation assistance under <i>Section 6. Relocation</i> . Easement will be required for access to electrical infrastructure.
42-178	Leonard's Wharf	Commonwealth Electric Co (NSTAR/Eversource)	Disposition to private developer; potential subdivision; land may be retained by the NBRA or transferred to the City for extension of Cape Street.
42-274	140 Pine Street	Commonwealth Electric Co (NSTAR/Eversource)	Disposition to private developer; potential subdivision.
42-84	180 MacArthur Drive	Commonwealth Electric Co (NSTAR/Eversource)	Disposition to private developer; Easement will be required for access to electrical infrastructure.
47-181	MacArthur Drive	Commonwealth Gas Co (NSTAR/Eversource)	Disposition to private developer; potential subdivision; land may be retained by the NBRA or transferred to the NBPA for public use (parking, access, park). Easement will be required for access to gas supply infrastructure.
47-199	5 Water Street	Commonwealth Gas Company (NSTAR/Eversource)	Disposition to private developer.
42-287	MacArthur Drive	Commonwealth Gas Co (NSTAR/Eversource)	Disposition to private developer; potential subdivision; land may be retained by the NBRA or transferred to the NBPA for public use (parking). Easement will be required for access to gas supply infrastructure.
47-241	MacArthur Drive	Sprague Massachusetts Properties LLC	Disposition to private developer; potential subdivision; land may be retained by the NBRA or transferred to the NBPA for public use (access, park).

I 0. Redeveloper's Obligation

Redevelopers within the redevelopment area will be subject to the City's zoning ordinance, as may be revised according to the recommendations of this Plan. Redevelopers of all property within the redevelopment area will also be subject to the urban design guidelines in *Section 4.3 Design Guidelines*.

The New Bedford Redevelopment Authority (NBRA) may sell or lease land it owns within the boundary of this Redevelopment Plan to a redeveloper or redevelopers who will undertake a project on the site. Such sale or lease shall be undertaken in accordance with the disposition process outlined in *Section 9. Disposition*. The NBRA may choose to issue a Request for Interest (RFI) or a Request for Proposal (RFP) to identify potential redevelopers. The RFI or RFP will require that any project meet the objectives of this Redevelopment Plan as described in *Section 4. Objectives*. Response must include a detailed narrative that includes, but is not limited to, the following requirements:

- The proposed development, including proposed land uses
- How the proposed development will meet the objectives of this Redevelopment Plan
- The parties involved (ownership, development team, etc.)
- Any public improvements required for the proposed project
- The proposed timeline to completion of construction
- Pro forma for the project and available financial resources
- Relevant experience and related references
- Proposed job creation, including temporary and permanent jobs

In accordance with Department of Housing and Community Development's (DHCD's) Urban Renewal Regulations at 760 CMR 12.00, the selected redeveloper will be subject to a Land Disposition Agreement (LDA). This agreement will define any requirements specific to that property and any requirements the NBRA has for the development of property in general.

The NBRA will establish the following requirements within the LDA:

- Development of the parcel(s) must follow the relevant design guidelines in this Redevelopment Plan
- All improvements must be completed in accordance with the objectives of the Redevelopment Plan
- All improvements must be completed within a reasonable timeframe
- The project will be subject to the City's relevant project approval process

In addition, the NBRA may require performance standards relative to the timing and completion of construction within the LDA. DHCD must approve the LDA.



II. Time Frame

This Redevelopment Plan shall take effect on the date of approval by the Department of Housing and Community Development (DHCD), and shall be in effect for twenty years from that date.

The activities described in the Implementation Plan in the *Executive Summary, Section 4. Plan Objectives* and *Sections 8 through 13* are anticipated to take place over a period of twenty or more years, according to the anticipated phasing schedule identified in *Section 1. Executive Summary*. Some of the proposed activities are dependent upon market conditions and/or the actions of other entities, including City boards, committees, and departments and state agencies. This phasing schedule, therefore, is an estimate of when certain actions are likely and will shift depending on these factors.

Phase I activities will be completed within the first two to five years. Phase II activities will be completed within five to ten years. Phase II activities will be completed within ten to twenty years.

The New Bedford Redevelopment Authority (NBRA) will undertake regular review of the timeline and the proposed actions to ensure that the goals of this Redevelopment Plan are met by the actions and to consider whether this Plan should be amended to reflect changes in goals or completed actions.

I 2. Financial Plan

The estimated revenues and expenditures in this section are based on estimates applicable as of the writing of this Redevelopment Plan. It is important to note that over the twenty-year life of a Redevelopment Plan, costs will shift based on the economic and market conditions at the time of implementation.

This section contains a series of three tables. *Table 12-1* identifies funding sources that are available to the New Bedford Redevelopment Authority (NBRA) and the City to implement the recommendations of this Redevelopment Plan. These funding sources and the amounts available for each type will also change in response to both economic and political conditions over the next twenty years. In particular, grant programs that exist now may not be available in the future. Certain sources of revenue have a specific purpose which has been identified. Others, such as historic tax credits, have specific restrictions on use and eligibility. This list of revenue sources is not meant to be a comprehensive list, but indicates the types of resources available. As noted in the *Executive Summary*, most of these sources are for capital-related costs, not ongoing operating or maintenance costs.

Table 12-2 lists the parcels identified for acquisition in this Plan and provides the current assessed value (as of 2018). This assessed value is used as the basis for the cost of acquisition in the project budget, provided in *Table 12-3*.

The project budget in *Table 12-3* below estimates the potential costs over the twenty-year life of this Redevelopment Plan. The current assessed value of the properties to be acquired is known and is summarized below. Market conditions over the acquisition period may increase or decrease the value of those properties. Certain parcels may be acquired only in part or the rights may be acquired by easement (for example, the improvements to public infrastructure may require an easement rather than the acquisition of a full parcel). As described in *Section 6. Relocation*, no relocations of either residents or businesses are anticipated by this Plan.

Of the funding sources that are currently available, the City would expect to draw on a portion of the following three funds to support the goals of this urban renewal plan over the twenty-year life of the plan:

- HOME – average annual funding of \$900,000
- CDGB – average annual funding of \$1.5 million
- Chapter 90 – average annual funding of \$2 million

The NBRA anticipates using surface parking in the short- to mid-term and structured parking in the long-term to raise revenue. Assuming 270 surface parking spaces, the NBRA would raise approximately \$1.4 million in annual revenues. Construction costs are included in the project budget.

The project expenditures detailed below are related to the specific actions of the NBRA to implement the recommendation of this Redevelopment Plan. Not all actions proposed in this Redevelopment Plan will be undertaken by the NBRA. The NBRA expects to work with developers using a Land Disposition agreement (LDA) to control the terms of the development. Demolition, construction and rehabilitation activities will be the responsibility of the developer after the LDA is executed. For this reason, those costs have not been included. The NBRA does not anticipate undertaking spot clearance and site preparation prior to disposition.

The NBRA and/or the City will fund those costs related to the public improvements listed in *Section 4. Plan Objectives*, including the proposed street-scape improvements to existing public streets, the extension of Cape and/or Pine Streets, and the public vantage point. The public vantage point will be accomplished in partnership with a developer as part of an LDA that addresses demolition of the unused oil tank on that site.

Environmental remediation of the parcels owned by Eversource will be completed by Eversource as noted in *Section 3.2*. The extent of environmental conditions of the Sprague sites are not known; however the costs anticipated by KG Urban for environmental remediation for their proposed casino project were \$40 million. This cost includes the remediation and redevelopment of the Cannon Street Power Station. This plan anticipates that the NBRA may assist with the cost of remediation, and the \$50 million estimate is included in the project budget. Note that these order-of-magnitude estimates will change based on the type and volume of development over time.

TABLE 12-1: GENERAL SOURCES OF FUNDING

GENERAL SOURCES FOR DEVELOPMENT ACTIVITIES	PURPOSE
Commonwealth of Massachusetts	
Legislative Appropriations	Restricted by purpose of related legislation
MassWorks	Public infrastructure
Chapter 90	Public roadway/Streetscape
MassHousing Workforce Housing Fund	Workforce housing
New Market Tax Credits, Historic Tax Credits	Development
Historic Tax Credits	Development
Brownfields Redevelopment Fund	Development
Commonwealth Places (MassDevelopment)	Place-making
MassHousing	Affordable housing
Federal Sources	
TIGER	Public infrastructure
Historic Tax Credits	Development
Brownfield Grants	Development
HOME	Affordable housing
CDBG Funds	Housing, Infrastructure, Streetscape, Jobs

TABLE 12-2: ASSESSED VALUE OF IDENTIFIED ACQUISITIONS

PARCEL ID	ADDRESS	OWNER	PROPERTY SIZE (ACRES)	ASSESSED VALUE (2018)
42-151	MacArthur Drive	Commonwealth Electric Co <i>(NSTAR/Eversource)</i>	0.1	\$34,000
42-160	1 Pine Street	Sprague Massachusetts Properties LLC	9.7	\$5,335,700
42-178	Leonard's Wharf	Commonwealth Electric Co <i>(NSTAR/Eversource)</i>	6.3	\$1,119,400
42-274	140 Pine Street	Commonwealth Electric Co <i>(NSTAR/Eversource)</i>	1.6	\$516,800
42-84	180 MacArthur Drive	Commonwealth Electric Co <i>(NSTAR/Eversource)</i>	4.8	\$3,193,100
47-181	MacArthur Drive	Commonwealth Gas Co <i>(NSTAR/Eversource)</i>	3.5	\$1,141,700
47-199	5 Water Street	Commonwealth Gas Company <i>(NSTAR/Eversource)</i>	0.4	\$511,100
42-287	MacArthur Drive	Commonwealth Gas Co <i>(NSTAR/Eversource)</i>	2.0	\$560,400
47-241	MacArthur Drive	Sprague Massachusetts Properties LLC	1.3	\$506,600
Total			29.7	\$12,919,000

TABLE 12-3: FINANCIAL PLAN

	EXPENDITURES 000s	SALE/LEASE OF LAND* 000s	FEDERAL BROWNFIELDS GRANTS 000s	CDBG 000s	
Project Costs					
• Purchase of Land (see Table 12.2)	\$12,900				
• Appraisals (per parcel \$5,000-12,000)	\$100				
• Planning, legal, financial, and administrative costs (per project \$25,000-\$100,000)	\$1,000				
• Relocation (No relocations are anticipated)	\$0				
Total Project Costs	\$14,000	\$14,000			
Public Improvements					
• Installation of pedestrian access adjacent to the southern edge of Leonard's Wharf	\$500				
• Installation of vantage point for viewing harbor and informational signage	\$1,000			\$210	
• Installation of landscaped buffer along the southern edge of MacArthur Drive	\$500				
• Construction of the extension of Cape Street and/or Pine Street at \$500 per linear foot; subdivision of land to accommodate extension	\$500				
• Environmental testing and remediation of the parcels owned by Sprague	\$50,000	\$7,000	\$4,000		
• Paving and striping surface parking lots (270 spaces): Phase I	\$1,350				
• Construction of structured parking (540 spaces): Phase III	\$16,200				
Total Public Improvements	\$70,050				
Total Expenditures	\$84,050				
Contingency (20%)	\$16,810				
Total Redevelopment Budget	\$100,860	\$21,000	\$4,000	\$210	
* Assumed that land value will increase after environmental remediation.					
** Includes crowdfunding match.					
*** Assumed DIF/TIF program to offset bond payments. Bonds for parking offset by parking fees. Additional grants may cover a portion of the cost.					

SOURCES OF REVENUE							
			MASSDEVELOPMENT				
	PARC 000s	MASSWORKS 000s	BROWNFIELDS 000s	PLACEMAKING** 000s	TDI CREATIVE CATALYST 000s	CULTURAL FACILITIES FUND 000s	LOANS/ BONDS*** 000s
		\$500					
	\$400			\$100	\$40	\$250	
		\$500					
		\$500					
			\$600				\$38,400
							\$1,350
							\$16,200
							\$16,810
	\$400	\$1,500	\$600	\$100	\$40	\$250	\$72,760

13. Citizen Participation

13.1 Participation in Plan Development

Citizen participation in the Redevelopment Plan included the following:

- Continued meetings with the Steering Committee, which was first assembled for the development of the *New Bedford Waterfront Framework Plan*. Members of the New Bedford Redevelopment Authority (NBRA) attended these meetings, and Steering Committee meetings doubled as NBRA meetings throughout the planning process.
- Two public workshops

The New Bedford Port Authority (NBPA), the New Bedford Economic Development Council (NBEDC), and the City of New Bedford publicized these efforts. A summary of each meeting is provided in this section. Meeting materials and meeting notes are available in *Appendix IV* and *Appendix V*, respectively.

It should be noted that the citizen participation avenues outlined above and detailed below build upon earlier outreach conducted during the development of the *New Bedford Waterfront Framework Plan*. The Framework Plan involved one-on-one and joint meetings with key stakeholders, Steering Committee meetings, public meetings, and on-line outreach using a web-based interactive mapping platform and survey called MyHarbor.

STEERING COMMITTEE

The New Bedford Waterfront Redevelopment Plan Steering Committee is composed of waterfront businesses and property owners, waterfront advocates, and waterfront industry representatives.

The roles and responsibilities of the Steering Committee were as follows:

- Provide input on the topics related to this Redevelopment Plan
- Review and comment on materials prior to public meetings
- Review and comment on results received from the public meetings
- Reach out to other community members to inform them of the process and encourage them to participate in the public workshops

The members of the Steering Committee were as follows:

- David Alves – Realtor, City Council
- Dagny Ashley – Tourism and Marketing Director
- Cecile Britto – Downtown Business Owner (Womens Clothing)
- Richie Canastra – BASE
- Ray Cullum – Micro Cullum Associates (Marketing, Recreational Boating)
- Carlos Dacunha – Webster Bank
- Coleen Dawicki – UMass Dartmouth
- Jim Dwyer – NBPA
- Roy Enokson – Eastern Fisheries
- Bob Gardner Jr. – Bayline Boatyard
- Pat Kavanagh – K&K Fishing – Member Of The Sustainable Harvest Sector
- David Kennedy – City Planning, NBRA
- Meghan Kish – National Parks Service
- Terrence Lewis
- Matt Morrissey – Deepwater Wind
- Jim Oliveria – GNB WIB
- Jeff Pontiff – Ej Pontiff Real Estate
- Charlie Quinn – Quinn Fisheries
- Conrad Roy Jr. – Tucker Roy Towing
- George Smith – Planning Board, NBRA
- David Wechsler – Maritime International

Steering Committee Meeting #1

The first Steering Committee meeting for the Redevelopment Plan took place on November 7, 2016. During this meeting, the consultant team reviewed the proposals put forth by the New Bedford Waterfront Framework Plan, the process for and expected outcomes of the Redevelopment Plan, and the responsibilities of the Steering Committee. The meeting concluded with questions and discussion.

Discussion during this meeting centered on the selection of subareas identified during the Framework Plan as focus areas for the Redevelopment Plan. One attendee stressed that the consultant team should consider execution of the plan.

Steering Committee Meeting #2

The second Steering Committee meeting took place on January 18, 2017. The purpose of this meeting was to review materials related to the two focus areas selected for study in the planning process for the two redevelopment plans: Focus Area North (consisting of subareas 1, 2, and 3 from the Framework Plan) and Focus Area South (consisting of subarea 6 from the Framework Plan). To this end, the consultant team presented any relevant information from the Framework Plan and all newly developed material on physical constraints (both rail and infrastructure). They also presented proposed land uses, infrastructure, and parcelization. The meeting concluded with questions and discussion.

One theme within this discussion was access to the waterfront, specifically the tension between public access and public safety. Attendees also brought up their desire for a shipyard; Fairhaven's shipyard has long wait times which are expected to expand, rather than contract, in the future. One individual expressed their feeling that the consultant team's economic analysis (which, on the whole, depicted a robust fishing economy in New Bedford), fell short because it did not separate ground fishing and scalloping. This individual felt that scalloping is driving all growth while ground fishing is in bad shape.

Steering Committee Meeting #3

The Steering Committee met for a third time on March 30, 2017. The purpose of this meeting was to update the Steering Committee on the consultant team's progress to date, and to discuss potential uses in the waterfront and the implications of environmental, circulation, and regulatory conditions. The consultant team also reviewed the role of the NBRA. The meeting concluded with questions and discussion.

Like at the second Steering Committee meeting, public access to the waterfront was a topic of discussion. One individual mentioned the idea of point

access to the waterfront, rather than continuous access. This method would allow the public access without disrupting harborfront operations and would also keep the public safe. Attendees also expressed their desire to prioritize waterfront operations over residential and public uses.

Steering Committee Meeting #4

The fourth Steering Committee meeting took place on November 15, 2017. The consultant team presented the proposed land uses, the proposed acquisitions, and the conceptual plans for future development in the two focus areas. The importance of the fishing industry continued to be a focus point for comments.

PUBLIC MEETINGS

The planning process involved two public workshops, one in February 2017, and a second in December 2017. Both meetings were located in the New Bedford Public Library. Each meeting was divided into two parts: a presentation that provided information and research about the plan and posed questions to be answered during the workshop and then an interactive session designed to engage participants and ask them to apply their knowledge of the area and the information they had just received to answer the questions posed during the presentation.

Public Meeting #1

The first public meeting took place on February 2, 2017. This meeting began with an overview of the planning process and conditions within the two focus areas (relationship to the waterfront, economic conditions, physical and environmental constraints, regulatory context, and proposed uses). After the presentation concluded, the consultant team fielded questions from the audience and then hosted a “data walk.” For the data walk, members of the consultant team stood next to 30-inch by 40-inch boards displaying information from the earlier presentation. Attendees were asked to circulate and share feedback with and pose questions to the team. The attendees were also invited to fill out a card containing a series of questions about the plan.

Public Meeting #2

The second public meeting took place on December 5, 2017. This meeting reviewed the process and research to date and presented the conceptual plans for the two focus areas, including the proposed land uses and identified acquisitions. After the presentation concluded, the consultant team fielded questions from the audience and then hosted a “data walk.” For the data walk, members of the consultant team stood next to 30-inch by 40-inch boards displaying the conceptual plans and illustrative graphics. Attendees were asked to circulate and share feedback with and pose questions to the team. The attendees were also invited to fill out a card containing a series of questions about the plan.

APPROVAL PROCESS

The NBRA met on **XX** and voted to determine that the redevelopment area met the criteria for blighted, decadent, and substandard conditions.

Additional meetings for the approval process included a meeting with the Planning Board on **XX** and a meeting with City Council on **XX**.

RECORD OF PUBLIC PARTICIPATION

Materials from the Steering Committee meetings, the public workshops, the Open Houses and community meetings, and from the surveys are provided in *Appendix IV* and *Appendix V*.

13.2 Participation in Project Execution

The NBRA is responsible for the implementation of this Redevelopment Plan.

FUTURE PUBLIC INVOLVEMENT

Meetings of the NBRA are public meetings and are thus subject to the Open Meeting Law, M.G.L. c. 30A, §§18-25. As described in *Section 16. Process for Future Changes*, a major plan update would require the same public process as the preparation of this Redevelopment Plan. Any use of eminent domain requires a public process, as stipulated by Massachusetts General Laws (M.G.L.) Chapter 79 and by the requirements of Chapter 121B, the enabling legislation for this Redevelopment Plan.

To capture the existing institutional knowledge about this Plan and the planning process, the NBRA will convert the Steering Committee into a working group that can review the progress of this Redevelopment Plan on an annual basis.

I 4. Requisite Municipal Approvals

This section contains the formal records of the following required actions:

- Vote of the New Bedford Redevelopment Authority (NBRA) to support the Plan and move it into the approval process, at a meeting held on **XX**, 2020.
- Determination of conformance with the *New Bedford Master Plan* by the New Bedford Planning Board, at a meeting held on **XX**, 2020.
- Opinion of Counsel for the NBRA/City Solicitor/both, dated **XX**, 2020.
- Vote of the New Bedford City Council to approve the Plan for submission to the Department of Housing and Community Development (DHCD), at a meeting held on **XX**, 2020.

Appendix IV Public Meeting Notes and Minutes contains the minutes from each of these meetings.

In addition, the Massachusetts Historical Commission receive notice of the public hearing held by the City Council on **XX**, 2020.

14.1 New Bedford Redevelopment Authority

Insert pages when ready



14.2 Planning Board

Insert pages when ready



I4.3 Opinion of Counsel for the NBRA/City Solicitor

Insert pages when ready

14.4 Vote of the City Council

Insert pages when ready



I 4.5 Massachusetts Historical Commission

Insert pages when ready



I 5. Massachusetts Environmental Policy Act (MEPA)

The New Bedford Redevelopment Authority (NBRA) filed an Environmental Notification Form (ENF) under the Massachusetts Environmental Policy Act (MEPA). *Appendix D.* contains the ENF filed with the Executive Office of Energy and Environmental Affairs (EEA) on **XX**.

16. Process for Future Changes: 760 CMR 12.03

In accordance with 760 CMR 12.03, changes to the plan may be made any time during implementation including changes to the following: property/parcel designations through acquisitions, clearance, dispositions, rehabilitation, and new construction. Plan changes are divided into two types: a minor plan change and a major plan change.

16.1 Minor Plan Change

The New Bedford Redevelopment Authority (NBRA) must submit all proposed minor and major plan changes to the Department of Housing and Community Development (DHCD) for approval. The application for a plan change shall include a detailed description of the change and the purpose and effect of the plan change on proposed activities. However, the following minor plan changes do not need DHCD approval:

1. Granting or receiving easements for utilities
2. Confirmatory takings for the purpose of title clearing
3. Tax foreclosures
4. Conveying non-buildable lots of less than 5,000 square feet to owners of adjacent parcels
5. Acquiring an interest in property made available through a discontinuance of a public way
6. Transfer of a property interest to or from another public entity

16.2 Major Plan Change

Major plan changes require the same process as the initial preparation of this Plan:

- Evidence of public outreach
- A public hearing
- Determination by the Planning Board that the plan is in conformance with the City's comprehensive plan
- Approval by the City Council

DHCD must approve a major plan change. A major plan change is defined by DHCD as a significant change to any of the basic elements of the approved Redevelopment Plan, including characteristics, objectives, public improvements, redeveloper's obligations, acquisitions, or dispositions. This would include changing the allowable uses within the plan area, changes to the boundary of the plan and identifying a parcel for acquisition that had not previously been so identified.

Additional requirements are provided in 760 CMR 12.03.

I 7. Severability

Should any section, paragraph, or provision of the Plan be rendered unconstitutional, or invalid, such decision shall not affect the whole or any part thereof other than the part so decided to be unconstitutional or invalid.



