



JONATHAN F. MITCHELL
MAYOR

CITY CLERKS OFFICE
NEW BEDFORD, MA

City of New Bedford

New Bedford Redevelopment Authority

608 Pleasant St, New Bedford, Massachusetts 02740

Telephone: (508) 979.1500 Facsimile: (508) 979.1575

2018 APR 20 P 1:42

CITY CLERK

NEW BEDFORD REDEVELOPMENT AUTHORITY

March 20, 2018

6:00 P.M.

608 Pleasant Street, New Bedford, MA

2nd Floor Conference Room

MEETING MINUTES OF THE NEW BEDFORD REDEVELOPMENT AUTHORITY

Pursuant to the Notice of Meeting (attached), a Meeting of the Board of Directors of the New Bedford Redevelopment Authority (NBRA) was held at 6:00PM on March 20, 2018, at 608 Pleasant Street, New Bedford, MA, 2nd Floor Conference Room

Present:

New Bedford Redevelopment Authority Board: David Kennedy, George Smith, Celia Britto

Staff:

Patrick J. Sullivan, Director, DPHCD, Kirsten Bryan, Acting City Planner, DPHCD

Guests:

Derek Santos

Eric Jaikes, Assistant City Solicitor

1. Call to Order

Chair Kennedy called the meeting to order at 6:05 PM

2. Roll Call

Chair Kennedy called the roll. A quorum was present and voting throughout

New Business:

- 1) The Board approved a new business agenda item that was not included in the initial agenda for City of New Bedford Assistant Solicitor Eric Jaikes to discuss the NBRA lease with the New Bedford Standard Times for 150 parking spaces in the Elm Street Garage.

Assistant Solicitor Jaikes provided an overview of the current lease arrangement between the NBRA and the City of New Bedford for a total of 150 spaces and

the subsequent sublease of those 150 spaces to the Standard Times for a term of 40 years that began in approximately 1996 and it is approximately year 21 of the lease agreement. The lease in the original amount of \$1.00 allowed the NBRA to receive financial compensation from the Standard Times for those spaces. The City has maintained the garage and covered all expenses associated with the maintenance of the 150 spaces without any compensation. The lease allows the sub- sub lease of spaces by the Standard Times provided that the Standard Times receive no compensation.

The Standard Times has informed the city that they are no longer in need of all the 150 spaces and wish to return 35 spaces to the city and they have also recently sublet 25 spaces to Bay Coast Bank. The Standard Times is requesting to give 35 spaces to the city leaving a total of 115 spaces under the control of the NBRA. The original lease payment is \$9,000 per year to the NBRA for years 21-30 and escalates to \$12,000 per year for years 31-40. The Standard Times is requesting a reduction in the lease payment to offset the reduction of the 35 spaces. The new lease structure would reduce the annually payment to the NBRA from \$9,000 to \$6,500 for years 21-30 and reduce from \$12,000 to \$9,000 per year for years 31-40.

Assistant Solicitor Jaikes provided this overview as a point of information for future consideration of the NBRA at a subsequent meeting.

Additional information will be provided by Assistant Solicitor Jaikes upon request by Mr. Smith.

2) Presentation of Draft Waterfront Urban Renewal Plan for discussion

Director Patrick Sullivan provided a brief introduction of the Waterfront Urban Renewal Plan, followed by a slideshow presentation shared by Acting City Planner Kirsten Bryan. Ms. Bryan explained that the slideshow presented was the same presentation that was shared during the second public meeting for the Waterfront Urban Renewal Plan on December 5, 2017 at the New Bedford Free Public Library.

The presentation consisted of a progress update, as well as tentative phasing for the project to include Phase 1, the Waterfront Plan, Phase 2, the Redevelopment Plan, and Phase 3, the Municipal Harbor Plan. The presentation also included information on both project Focus Areas South and North, respectively. Mr. Sullivan emphasized that in the initial phase of the project, a larger span of the Waterfront was included in the focus area, which has since been refined to address Focus Areas South and North.

Ms. Bryan discussed the proposed land uses for Focus Area South, as well as potential acquisitions. Mr. Sullivan addressed a concern of Mr. Smith's regarding acquisitions and potential development, and explained that it is critical to identify the parcels to be potentially acquired within this plan in order to follow up on such action if necessary at a later date. Ms. Bryan continued, and showed visual renderings of potential project

phasing in Focus Area South, as well as market findings within the presentation. Ms. Bryan then discussed proposed land uses, potential acquisitions, and potential development and shared visual renderings of potential project phasing in Focus Area North.

Mr. Smith and Ms. Britto inquired about the timeline associated with the project. Ms. Bryan explained that an exact date was not readily available at the time, but ensured the group that updates would be provided as the project developed further.

- 3) Vote requested to record the following Activity and Use Limitations be recorded on the following properties. The NBRA was previously provided correspondence from Michele Paul, Director of Environmental Stewardship explaining the need for the recording of the Activity and Use Limitation.
 - a. Plot 66 Lot121 New Bedford Redevelopment Authority owned property located at Pearl Street and Acushnet Avenue
 - b. Plot 66 Lot157 New Bedford Redevelopment Authority owned property located at Pearl Street and Acushnet Avenue

Ms. Britto made a motion to authorize chairman Kennedy to execute the activity and use limitations on behalf of the NBRA. The motioned was seconded by Mr. Smith and voted in the affirmative.

Chair Kennedy then welcomed Derek Santos of the New Bedford Economic Development provide any updated he might have.

Mr. Santos explained that all of the NBRA files have been moved from the Quest Center to the fourth floor attic of City Hall, as a tenant was moving into the space.

Mr. Santos also offered, in response to a question from Mr. Smith, that the Waterfront Redevelopment consultants have been contracted to present to the City's Planning Board, the City Council and NBRA.

Without any further business, Chair Kennedy invited a motion to adjourn, which was made by Mr. Smith, and seconded by Ms. Britto. The meeting was adjourned at 7:27PM.



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MAYOR

City of New Bedford

New Bedford Redevelopment Authority

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Telephone: (508) 979.1500 Facsimile: (508) 979.1575

MEETING NOTICE

March 20, 2018

6:00 P.M.

608 Pleasant Street, New Bedford, MA
2nd Floor Conference Room

REVISED
AGENDA

CITY CLERK
2018 MAR 15 P 2:43
CITY CLERK'S OFFICE
NEW BEDFORD, MA

Call to Order

Roll Call

Approval of Minutes

New Business:

- 1) Presentation of Draft Waterfront Urban Renewal Plan for discussion
- 2) Vote requested to record the following Activity and Use Limitations
 - a. Plot 66 Lot121 New Bedford Redevelopment Authority owned property located at Pearl Street and Acushnet Avenue
 - b. Plot 66 Lot157 New Bedford Redevelopment Authority owned property located at Pearl Street and Acushnet Avenue

In accordance with the Americans with Disabilities Act (ADA), if any accommodations are needed, please contact Kirsten Bryan at 508-979-1488, or MassRelay 711. Requests should be made as soon as possible but at least 48 hours prior to the scheduled meeting."



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

March 19, 2018

New Bedford Redevelopment Authority
c/o Patrick Sullivan, Director
Department of Planning, Housing, and Community Development
608 Pleasant Street
2nd Floor
New Bedford, MA 02740

Subject: New Bedford Rail Yard
Proposed Activity and Use Limitation

Dear NBRA Board Members,

After over 30 years of active assessment and remediation at the New Bedford Rail Yard, the City is preparing to close out the site regulatorily with MassDEP as well as U.S. EPA. Since complete removal of all impacted soil was neither feasible nor necessary for the present and foreseeable future use, the remedial alternative at the site relies on soil management and capping. The site is currently capped with a combination of clean soil and/or asphalt pavement. In order to ensure that the cap will remain in place and that any earthwork will be done in a protective manner and in compliance with applicable regulations, we will be preparing a Permanent Solution Statement with Conditions for submittal to MassDEP. The "conditions" require that an Activity and Use Limitation (AUL) be placed on the site in perpetuity. This AUL will basically document the cap requirements and require that the cap be maintained. Any site work that disturbs the cap must be done under Licensed Site Professional (LSP) oversight.

The AUL will also outline site uses that are consistent with the remedial alternative (i.e. as a train layover, commuter station, and intermodal parking facility), and those site uses that are not compatible under present conditions (single family housing, etc.). Should future plans for the site include a use that is currently incompatible with the AUL, an LSP will need to evaluate site conditions and implement additional remedial actions that render the site safe for such use.

This is a positive step toward closing out this site that has burdened the City for many years, and points to the City's commitment to address these legacy sites. The AUL will not impact current

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site uses and will provide MassDEP with the assurance that that the existing safeguards will be maintained. Should you require additional information please feel free to contact me at Michele.paul@newbedford-ma.gov or directly at 508-979-1487.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Paul', with a stylized flourish at the end.

Michele Paul, LSP
Director of Resilience and Environmental Stewardship
City of New Bedford

CERTIFICATE OF VOTE
NEW BEDFORD REDEVELOPMENT AUTHORITY


I, Celia Britto, hereby certify that I am the duly elected and incumbent Clerk of the New Bedford Redevelopment Authority, a public body, politic and corporate, duly organized and existing under Massachusetts General Laws, Chapter 121B: and that the following is a true extract record of a duly called meeting of the Board of Directors of said Authority held at the Authority's office at 608 Pleasant Street, New Bedford, Massachusetts 02740 on March 20, 2018 at 6:00 PM.

It was voted: that the New Bedford Redevelopment Authority authorizes its Chairman, David Kennedy, to record any necessary documents including the Notice of Activity and Use Limitation (AUL) on the New Bedford Redevelopment Property known as New Bedford Assessors **Plot 66, Lot 157**, located in New Bedford, Massachusetts.

I further certify that the foregoing vote now remains in full force and effect.

I further certify that David Kennedy is the current Chairman, George Smith, is the current Vice Chairman and that Celia Britto, is the current Clerk of the aforesaid New Bedford Redevelopment Authority.

Dated: March 20, 2018


Cecilia Britto, Clerk

CERTIFICATE OF VOTE
NEW BEDFORD REDEVELOPMENT AUTHORITY

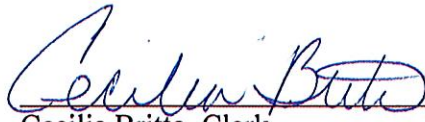
I, Celia Britto, hereby certify that I am the duly elected and incumbent Clerk of the New Bedford Redevelopment Authority, a public body, politic and corporate, duly organized and existing under Massachusetts General Laws, Chapter 121B: and that the following is a true extract record of a duly called meeting of the Board of Directors of said Authority held at the Authority's office at 608 Pleasant Street, New Bedford, Massachusetts 02740 on March 20, 2018 at 6:00 PM.

It was voted: that the New Bedford Redevelopment Authority authorizes its Chairman, David Kennedy, to record any necessary documents including the Notice of Activity and Use Limitation (AUL) on the New Bedford Redevelopment Property known as New Bedford Assessors **Plot 66, Lot 121**, located in New Bedford, Massachusetts.

I further certify that the foregoing vote now remains in full force and effect.

I further certify that David Kennedy is the current Chairman, George Smith, is the current Vice Chairman and that Celia Britto, is the current Clerk of the aforesaid New Bedford Redevelopment Authority.

Dated: March 20, 2018


Cecilia Britto, Clerk