

Meeting Minutes
January 20, 2021
Present
Seth Lattrell, Port Authority
Deputy/Planner
Matthew Littell, Utile
Will Cohen, Utile
Elizabeth van der Els, Utile
Tom Skinner, Durand & Anastas
Mayor Kimberley Driscoll, Mayor
Capt. Bill McHugh, Salem Marine
Society/Harbormaster

Mira Riggan, Derby Street Neighborhood Association
Beth Debski, Salem Partnership
Bob McCarthy, Ward 1 Councilor
Barbara Warren, Salem Sound Coastwatch
Rinus Oosthoek, Salem Chamber of Commerce
Pat Gozemba, Salem Alliance for the Environment
Ben Szalewicz, Salem State
Kate Fox, Destination Salem
Fred Ryan, Public Safety
John Russel, Ward 1 Resident
Kathryn Glenn, CZM
Fred Atkins, Salem Port Authority
John Russell, Ward 1 Resident

Salem Municipal Harbor Plan (MHP) Harbor Plan Committee Meeting #4

Meeting Agenda

- Site Analysis
 - Footprint Site
 - Climate Data
 - Crescent Lot
- Engagement
- Next Steps
- Public Comment

Meeting Date, Time, and Location

- January 20, 2021
- Convened: 4:00 pm
- Adjourned: 5:24 pm
- Zoom web conference

Actions

- No voting occurred at this meeting
- No Public Comment

Site Analysis

The project team presented detailed information on the Footprint site from Chapter 91 regulations to easements to ownership surrounding the site, climate data from the Massachusetts Coast Flood Risk Model, and the CrescentLot.

Footprint Site

The future uses on the Footprint site will be restricted by the DPA and Chapter 91 regulations. Chapter 91 has standards for all non-water dependent developments (unless Harbor Plan includes substitute provisions). In the DPA, land and water uses are limited primarily to Water-Dependent Industrial (WDI) activities. Generally, no more than 25% of a DPA may

be used for non water- dependent industrial uses (supporting DPA uses) and some uses are prohibited. The Footprint site is zoned industrial while the zoning surrounding the site is residential conservation, two family, business, and single family. The existing ownership and uses around the Footprint site range from historical and community uses like the House of Seven Gables and the VFW to Marine uses like the BHCM. Surrounding the site there is also city owned land, the South Essex Sewerage Board and a variety of housing types including single family, condos, apartments with 4 to 8 units, and two family houses. In addition to restrictions from the DPA and chapter 91, the site is subject to an irrevocable restriction of approximately 9.5-acres, building restrictions, and restricted access. There are also a number of easements and variances on the site including: emergency access easement, substation easement, parking lot easement, telephone easement, cable easement, electricity easement, verizon easement, drainage easement, access easement, sewer easement, berm easement, and a transmission easement.

Climate Data

The project team reviewed the realities of future flood risk throughout the six planning areas. The data was obtained after the Salem Sound Coastwatch and the National Park Service hosted Kirk Bosma of Woods Hole Group to explain the Massachusetts Coast Flood Risk Model inundation maps for Salem. The flood model is a high resolution probabilistic, hydrodynamic model. The data presented included current conditions, future conditions in 2030, 2050, and 2070. The model considers tropical and extratropical storms, sea level rise, elevation, changing climate, and the landscape and typography. Many of the planning areas already experience inundation and will be greatly affected in 2050.

Crescent Lot

The crescent lot is south of the North River. The crescent lot is a 36,600 square foot space with 97 parking spaces adjacent to the MBTA Commuter Rail Station with some bordering green space. Winn Development was selected as the developer and they are coordinating with the city on massing options. There will be opportunity for the community to weigh in on what public benefits should be added to the site. Considerations on the site include: extreme elevation change, future and current flooding concerns. The developers will need to determine the location of a future building to maximize ground floor use. The developers will also need to work through the restrictions including zoning and Chapter 91. The developer will need to consider the open space requirements and height restrictions.

Engagement

Images were shown from the site visit to the Footprint Power plant and Deepwater berth. The project team also presented the new survey on the website. The focus of the survey is to determine priorities and future uses of the Footprint site and 40 acres within the restrictions of the site. The survey will be shared through an email newsletter, embedded on the website, posted on social media. The results from the social pinpoint were also updated with 445 visits and 118 comments. Comment themes ranges from the arts, transportation, sustainability, food options, walking and biking upgrades, fishing, park upgrades, and neighborhood amenities.

Next Steps

The next scheduled Committee meeting will take place on March 17th and the next public meeting will take place on March 24th. Seth is going to schedule some smaller group meetings and one-on-one or two-on-one meetings. Will share examples of other ports in the future and a copy of the Sasaki Report and a link to the Port Authority meeting that was in December with MassCEC.

Committee Questions

- Bill McHugh: Thought social pinpoint was interesting and is excited about the survey but would like to see the property owner of Footprint share their view and plan.
- Mayor: We need to figure out the range of thoughts, it would be nice to have generalized ideas at the very least. We are thinking about other ways to engage and are looking for opportunities to have one on ones or two on ones, possibly with the members of the planning committee. We would like to peel back the layers of what your hopes and dreams and worries for the site. We want to know if you feel comfortable in your understanding of the restrictions and regulatory challenges. Are you interested in doing that? I am also concerned that Zoom might be hindering the committee's ability to have more free-ranging conversations.
- Pat Gozemba: I agree with the Mayor that we should have tighter group meetings, but the big unanswered question is what is Footprint going to do. I want to remind everyone of the offshore wind industry presentation to the harbor meeting in December. We need to push green, and sustainable options that encourage job creation and green job training. We also need to consider taxes. Can we get Footprint to talk with us and share their vision? And we need to consider and share our vision and how it might make sense for the committee and planning process to show what we would like to see on the site. Is there some other process like the reuse committee (for Dominion) where we could re- envision the future of the site?
- John Russell: Can we get a list of uses of comparable sites or list of neighborhood associations to get their ideas (pro/cons). We want to know what kinds of businesses can go into this type of area based on what we've seen in precedents.
 - Seth: Will create a brief presentation of other ports and what they have considered (wind energy or DPA uses)
- Mira Riggins: I represent the Derby Street Association and we are putting together a focus group and want to have them up to speed on the regulations. And it would be helpful to have some examples of what other cities and ports have done because it is hard to visualize. And what could realistically go into the site based on the restrictions.
- Bob McCarthy: What can they (Footprint) do right now, without zoning changes or alterations to the

DPA. We hear fears of putting salt piles or a place to put cars. We want to know by right and with the existing zoning and DPA restrictions what they can do on the site. Where can we meet in the middle based on what they want, and we want?

- Seth: In reference to your question of what can be done within the existing framework - during the 2008 harbor plan we still had a Power Plant and envisioned it would continue to operate and that harbor plan amplified the typical requirements for marine industrial use in the DPA and stated the rest of site should only be used for WDI and should only be used for power generating uses. It was limited and with the expiration of that harbor plan we really need to complete this next harbor plan to determine future uses.
- Kathryn: Until this harbor plan is done the old harbor plan is in effect and is restricted to WDI. The Harbor plan doesn't need to say these are the uses we want to see in the area, it just has to say these are types of uses the City of Salem is ok with or not ok with. It doesn't have to find a user or specific use for that area. We aren't necessarily going to know what is going to happen on the site, so we need to frame the options.
- Mayor: We need to put a pin in this and make a list or reuse opportunities and realistic options. We don't want folks saying this is going to be just park land because that is not realistic, but we also don't want to wait to see what the owner of the property does. The idea is what do we want to prescribe, it's not necessarily what we are going to get nor does it mean that we can prevent something from happening. The previous plan was focused on the power plant now there are other sites. What do we want to enable through this process and what do we want to see in 10 or 15 years?
- Matthew Littell: This is leading to what is going to be in the plan, the plan needs to strike a balance between being both open and enabling and specific yet general with clear guidance for licensing. This plan needs to enable multiple outcomes.
- Pat Gozemba: I want to address this to the Mayor; do you believe if we begin thinking about a reuse committee it could work with the MHP committee? Or is this the reuse committee? Want to find out if Footprint is going to give us condos or if there is potential for offshore wind? I want to know what Willows and Derby St neighborhoods think.
- Mayor: Not sure what a separate reuse committee would do, all the stakeholders who would be a part of that are already a part of this and it is not fair to go off in a corner and say what do want to have when we know there is an alphabet soup of permitting and incentives to determine what we want to see on the site and we don't own the land. We need to have some engagement with the property owner. It doesn't feel like a reuse committee would be as useful, we have this process that we should try to influence the process. It would be foolish to think someone wouldn't want to look at some version of the site for housing, the market is hot and we need housing. If it is housing - is this the right site, how much, how tall. For wind, there was a great report in terms of information but there is no clarity as to who would do it and when it would happen. It is clearly part of the future but is it 5 years to 10 years? Is there some land banking that needs to happen for the site? We need to have a closer relationship with the landowner who many of us on the zoom call know and already have relationships with them. We need to figure out what is aspirational, what is the stretch goal, and what we will settle for.
- Barbara Warren: I would support getting together in smaller groups, it is easier to talk with a couple people. This conversation is the best we have ever had, and we are moving in the right direction. I hope everyone has watched or plans to watch Salem Harbor's presentation on wind. We do harbor planning every 10 years, if something critical came up we could do one in 5 years. Since there is such uncertainty, we should not give up what we have, if we give up the Deepwater port, DPA, industrial now for something that we don't know we won't be able to get it back. If we, have it and in 3 years if no one wants to wind here or in 5 years we find something else is better and it needs to be changed then we can go through the process again and be very specific. The group needs to be very careful on the Chapter 91 restrictions, the DPA restrictions and the marine water dependent use restrictions, they are critical for Massachusetts and unique for Salem. There is another one, Shetland Park, are they going to be coming in? They are a long way away from deciding what they are going to do there. They are obviously, are exploring options and it is a perfect place for housing. Do we need housing everywhere along the shoreline, probably not, do we need fancy restaurants along the shoreline, probably not? They (Shetland) are not a Deepwater port, they are not water dependent, but they are Chapter 91 so we

can get public access, walkways, and boardwalks and share the harbor. It's a beautiful harbor to share, I feel that pretty passionately.

- Rinus Oosthoek: I think that the commercial use on the waterfront is forgotten a little bit, yes, we are looking at Shetland and this site (Footprint) and few imagine changing use and getting a different tax base, but we haven't mentioned the cruise port at all, whatever future use we consider the cruise port should be considered. We have an industry waiting to happen and, in our discussion, I hope we keep that on the front burner and not the back burner.
- Fred Atkins: It always seems to come back to engaging Footprint, does anyone have any sense of the timeline?
 - Seth: We have been in contact with Footprint on a variety of issues, we have extended the offer to them to present to this committee. Their hesitation is that they don't want to get ahead of the committee, they understand the complications of the site and they are turning to the City for a bit more guidance on how they should proceed before they present.
 - Mayor: I think that sums it up, many of you know Scott and Peter and they have had relationships with neighborhood associations and constituencies here and I think they are trying to frame up what their interests are and know what our interests are. We have a harbor planning process and alphabet soup of permit and compliance requirements that they need to meet as well. Everyone needs to put their cards on the table to understand what the opportunities are. We are not looking at Shetland as part of this planning process, that geography is not included. There is some interest of them reusing those properties, they paid a ton of money for that site and I expect they will want to look at other options but that is not a part of our scope of review. I also want to flag this is a working waterfront. When we think of a working waterfront we think of a huge opportunity and new green infrastructure, but a working waterfront can also be noisy, and dirty and dusty which is why we want to look at some of these other ports and what they entail and what a green economy/ green port can be. And we need to hear from Footprint and where they are in their thinking.
- Beth Debski: It would be helpful to hear from Footprint and you said we would be hearing from Winn Development soon about the Crescent Lot. I think it would be helpful to hear from the Port Authority and what they are thinking about the Port, I know some of the members are a part of the Port Authority.
 - Seth: Fred is the official representative of the Port Authority, but the Port Authority members are represented here between the Mayor and Councilor McCarthy and Bill and I (Seth) are staff of the Port Authority.
 - Fred Atkins: I agree with Bill McHugh we are spinning our wheels; we (Port Authority) are trying to not get out in front of the City when we haven't had any contact from Footprint. If they are waiting for use do we need to give them a laundry list? They obviously saw the presentation from the wind industry at the last Port committee meeting, can we approach them and say what do you think of this, to start the dialogue rather than waiting, we can be doing research for things that would be beneficial to the Port.
 - Seth: As we start to get into site layout and the configuration, we will get into more detail on some of the operational requirements of Port Authority and past agreements of the Port Authority so that will play in a little further. The Port Authority's role is really the operation but also the promotion of water dependent use of the Deepwater berth at the existing Blaney Street facilities. That will continue to be integral in our discussions for how things will play out in the future.
- Bob McCarthy: About 15 years ago Fred was chairing the Port Authority and I was thinking of running for office and realized how important the waterfront was for where Salem was going in the future, so I went to those meetings once a month and every meeting there was a representative from Dominion or whatever the name of the PowerPoint was back then. We were looking at this black square over the power plant because they didn't want anyone to know what they were doing. They said you can do whatever you want for the rest of the harbor but when it comes to our site, we are keeping it the way it is and that is why you see the restrictions from when Fred was chairing 15 years ago. They were at the table, but they didn't want to engage because they believed they would be there

forever. We have a unique opportunity with 40 acres that is flat and available. They (Footprint) need to show a few cards so we know which way they are thinking. We are going to get a vast array of responses for what to do with the site but we don't own it. Recommend looking back at the Sasaki report for reference on what the conversation was like 10 years ago.

- Bill McHugh: We seem to be on the same page, we are involved in a process as part of the Municipal Harbor Plan we shouldn't be looking at specific proposals but in terms of passenger vessels coming in they are not going to make up the port in terms of a business plan. There seems to be potential for wind with new administration, but we need to direct interested parties back to the property owner and the property owner needs to engage.
- Pat Gozember: Circling back to the offshore wind and cruise industry, with the new administration I think we are going to see a lot of action for offshore wind. Can we share the video and presentation on offshore wind? Neighborhood groups need to keep considering industrial uses, in the presentation there are examples of industrial uses/offshore wind in neighborhoods in Europe.
- Fred Ryan: In the North River, at the Crescent Lot, there is a new building going up. In the neighborhood meeting they were talking about what is going to happen with the sea wall, is that something that is under our view?
 - Seth: Right now, we don't have enough detail on what they are going to do, they are starting the ambulance facility (phase 1) but might be considering another phase which would require relief under Chapter 91 which would be under this Harbor Committee. They are proposing to do the development as of right so all of that work would be completed prior to this plan. If they do develop a future phase that would be considered under this committee, specifically to work on the shoreline. If there is an interest in the committee to amplify Chapter 91 regulations on that site that is something we can do.
 - Kathryn: There is an opportunity to put amplifications that say this is what we want to put in the site for the future. For example, for a walkway you could say, we want to see x or we want a walkway like this. You don't have to know what people are planning to do on the site but can plan for

what will come into play when someone develops in the future.

- Fred: The pathway where you cross over to the MBTA has been an issue, I think it would be something to look into, maybe clean up the seawall or at least put it on the radar.
- Seth: that can be made a priority for a public enhancement project.
- Mira Riggins: For the survey, is there a way to know where people are from, what organization?
 - Seth: We will ask some qualifying questions on where people live and work.

This memorandum represents our understanding of the events which transpired and the actions which were taken. If they do not conform to a recipient's understanding, prompt written notice must be communicated to the writer. If no corrections or objections are made, this memorandum will be relied upon as a factual interpretation of this meeting.