

Meeting Minutes
March 24, 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

Salem Municipal Harbor Plan (MHP) Harbor Plan Public Meeting #3

Meeting Agenda

- Introduction
- Harbor Planning Overview by CZM
- Timeline and Next Steps
- Footprint Site: Presentation from Development Team
- Public Comment

Meeting Date, Time, and Location

- March 24, 2021
- Convened: 4:00 pm
- Adjourned: 6:44 pm
- Zoom web conference

Actions

- Public Comment

Engagement

The meeting introduction provided an overview of what a Municipal Harbor Plan (MHP) is, the history of Harbor Plans in Salem and goals of this Harbor Plan Update.

A MHP is a state-approved document establishing community goals, standards and policies to guide public and private land use along harbors. The MHP allows for Chapter 91 standards to be altered to implement a community vision for the waterfront. The MHP relies on input from the public and from an advisory committee and builds from previous Harbor Plans and promotes long-range waterfront planning goals. The MHP is administered at the state level by the Office of Coastal Zone Management (CZM). The original Salem Harbor Plan was approved by EEA in 2000 and served to guide waterfront development and public infrastructure projects in the harbor through 2006. The revision to the 2000 Salem Harbor Plan was approved by EEA in June 2008. The focus of this renewal is the Industrial Port district within the Salem DPA and the North River district, including Crescent Lot.

DPA Program Overview by CZM

Kathryn presented the DPA program overview including: the roles of CZM and DEP, waterway regulations, Chapter 91 Jurisdiction, DPA policy and potential use, water dependent industrial uses, supporting uses and temporary uses. In a Municipal Harbor Plan the role of Coastal Zone Management (CZM) is to provide guidance specific to MHP regulations, to review MHP submittals on behalf of the Secretary of EEA, and the Regional Coordinator is a primary liaison. The focus of the Department of Environmental Protection (DEP) is to protect and promote public use of tidelands and provide regulatory guidance during the MHP process. DEP is the license/permitting authority for Chapter 91. Kathryn explained that waterway regulations are the primary tool to implement protection of the public use of tidelands, coastal and inland waterways. Any activity that takes place within jurisdiction requires authorization. Chapter 91 jurisdiction was explained as flowed tidelands which includes any project in, on, over, or under tidal waters seaward of mean high water (MHW) and extends 3 miles seaward (state jurisdiction) and filled tidelands which includes land that was formerly flowed tidelands.

There are 10 Designated Port Areas (DPA) in Massachusetts and are based on physical and operational features needed to support the water dependent industry (WDI). The three main attributes of a DPA include: waterway and associated waterfront developed to accommodate commercial navigation or other utilization of the water, landside space with physical and use character that supports siting of industrial facilities/operations, and appropriate land-based transportation routes and utilities for industrial use. DPA policy protects limited developed shoreline resources for water-dependent industrial uses that cannot be sited elsewhere.

A Municipal Harbor Plan (MHP) is voluntary and allows the community to modify some Ch. 91 requirements to fit goals for the harbor. Any changes must be consistent with state

tidelands policy and will be reviewed and approved by the Secretary of EEA. As part of the MHP, the community specifies allowable supporting DPA uses that preserve and enhance capacity of the DPA to accommodate WDI uses. Allowed uses in the DPA include water dependent industrial (WDI), accessory to WDI, supporting DPA uses, and temporary uses. Some examples of WDI include: marine terminals/facilities for waterborne commerce, passenger vessel facilities, manufacturing facilities relying on goods arriving via water, and commercial fishing/processing facilities. Supporting DPA uses can take up no more than 25% of the jurisdictional area and temporary uses are allowed for a maximum of 10 years.

Timeline, Engagement and Next Steps

The “Priorities for the Footprint Property Survey” is live on the website and 521 people have responded with 83% of respondents who live in Salem and 55% of respondents who work in Salem. The focus of this survey is to identify priorities for the reuse of over 40 acres of privately owned land around the new power plant.

We are currently in the Develop Recommendations phase in the plan, reviewing the planning districts and discussing inconsistencies. The next Harbor Plan Committee Meeting is March 28th.

Footprint Site: Presentation from Development Team

The Footprint Development Team presented their ideas around the Footprint site. The team included: Scott, Matthew, Emily, and Peter. The presentation included a site overview which outlined the proximity to downtown and the water, transportation restrictions, and historical references since 1873. The existing conditions overview included the DPA line, property line, FEMA Zone AE and considered the need to mitigate future risk. FXM Associates completed the market analysis which included exploration of offshore wind and long term jobs that would support the whole industry. The team went over the goals for the site which include: providing resilient development, preserving the working waterfront, an area for marine industrial uses, removing fencing, public access, incorporating art, and allocating land to street parking, affordable housing, and open space. The team broke the site up into use zones which include: parking for supporting DPA use, proposed marine industrial, public access to the jetty, and a mixed use area. Within the uses the team outlined proposed water dependent uses, public

access, and mixed use potentials. The presentation included a comparison of land areas from the downtown, a neighborhood and the footprint site. At the end of the presentation the team explained how to meet their goals and included a conceptual plan for the site.

Public Comments and Questions

Questions re Kathryn Glenn’s Presentation

Anne Sterling

Thank you, Kathryn, for galloping through those slides at lightning speed. I did have one question. I believe it was on the second to the last slide that came up regarding accessory uses. It came up that residential was one of the supporting uses or accessory uses...Does that ring a bell with you? I did hear the word residential.

Kathryn Glenn

Residential is one of the one of the few that are called out specifically in the regulation as not being an allowable supporting use.

Bob Blair

Kathryn, can you review for everybody what is the current status of the Chapter 91 license on this DPA and the permits? What is the status of all that?

Kathryn Glenn

For the hard planning stuff, Bob, CZM works with the city on the planning of the hard planning and the approval process under those regulations. But the licensing, the specifics of licensing really sits with the DEP.

Bob Blair

You're not able to answer this now?

Kathryn Glenn

It's really not in our wheelhouse.

Bob Blair

I have a question then to direct to Scott, Peter or someone. We hear about Footprint in this term, but as you've explained it, there's Footprint realty and then Footprint power company. So who owns the responsibility for compliance with conditions of permits currently in place on

the property that were issued prior to and during construction of the power plant?

Scott Silverstein

I can answer very briefly, and that is that's correct, Footprint Power Salem Harbor Development owns the power plant, Footprint Power Salem Harbor Real Estate, which Peter and I and our partners own, owns the land that surrounds it. And in terms of the permits there, there are stacks and stacks of permits that went along with this site. And it would depend on the specific permit and in some cases the specific requirements in each permit. So I don't think this is the place to go through in chapter and verse each of those each of those permits.

Cindy Keegan

Hi, thank you, Catherine. I wanted to just ask a clarification on commercial, you had mentioned that they would want to have commercial no more than twenty five percent on a DPA location. Is it considered anything that's not water dependent? Like, what's the definition of commercial, I guess, is what I'm trying to understand.

Kathryn Glenn

That's an interesting question. So I can give you examples of commercial uses. A commercial use could conceivably be water dependent. So I don't think that's necessarily the difference. I think it's more money generating, but it's not necessarily that either, because industrial is also. For example, retail or a business is typically. Does that make sense?

Cindy Keegan

It does. So is there a separate category for industrial non water dependent?

Kathryn Glenn

Yes, there is.

Cindy Keegan

Does that have any kind of a threshold at all?

Kathryn Glenn

Supporting is either industrial or commercial. It can be either of those. The specifics for the entire DPA does go to commercial specifically because industrial is the reason they are industrialized sites typically. So it doesn't have that same limitation.

Cindy Keegan

OK, so industrial non water dependent, doesn't have the same twenty five percent limitation.

Kathryn Glenn

That's correct.

Mira Riggan

You said in the beginning that you are not going to go over the process of changing or modifying the DPA boundary, but I'm going to ask it anyway. Is it your department that goes over that, has purview over this? Is it state legislature, how difficult is it?

Kathryn Glenn

CZM does have a process by which we review designated port area boundaries, and there are very specific regulations that go to those criteria that I went over with regard to what makes a DPA an appropriate DPA. It's a separate process. I just wanted to make sure that people were clear that it's not something that's typically or ever done through the Harbor Planning process. It's a completely separate one.

Matt Kirkman

My name is Matt. Matt Kirkman, I live over down by Salem State. My question is about one of the first slides that was shown that showed the marquees around the various different kinds of properties. There was like a red marquee and a blue marquee, and it showed those different parcels. So the industrial waterfront. And I just wanted to know if I understood correctly that there's a certain percentage which is less than twenty five percent of non-industrial commercial entities. And I'm wondering what those commercial entities might be and might those be destinations for the general public? Are those things like restaurants or public parks or things like that?

Kathryn Glenn

It's restaurants, businesses, that kind of thing. Parks wouldn't be included as a supporting use.

Matt Kirkman

So there could be some general public access to the waterfront through these industrial areas?

Kathryn Glenn

It depends. The key piece for public access is making sure that there's not a conflict with water dependent industrial primarily as a safety concern, that needs to be looked at. And that would be looked at very specifically through licensing.

Susan Strauss

Susan Strauss, Cousin Street, Salem. I was struck by how Lynn Harbor, which you indicated was one of the 10 designated spots, could be approved for 331 residential units. I wonder how that approval was possible.

Kathryn Glenn

Where those are being built is outside of the designated port area in Lynn and so it's not the entire waterfront that's in the DPA, it's just a portion of it.

Jeff Benagh

It was interesting that according to the marina rules, there's not a lot of access to the water for marinas given all the number of moorings that Salem has. But there's not much access to the water and it's controlled by a fairly small number of places. I believe it's three or four spots. Is there a thought that that might be improved? I noticed when you put it up, any marina use is limited to nine slips. But is there a limit to launch access to taking boaters out to the harbor, which right now we're limited to Winter Island, Hawthorne Cove Marina, Salem Willows and the Congress Street launch and the Marblehead side of the harbor.

Kathryn Glenn

If you have a launch vessel to take people to their boats, that is likely to be something that would be allowable. But that needs to go through DEP.

Questions re Footprint Proposal

Anne Sterling

Thank you, Emily. I wanted to ask a question about the development, is it four stories above a garage level which makes five stories, or is it four stories, including the garage level, which is three stories of housing? I did pick up my ears at the mention of workforce development housing, which is an idea that I love. But then it kind of got squished in with affordable housing at the end. So how would we differentiate between workforce housing? What does that actually mean?

Seth Latrell

I do want to also just frame this, that this Harbor planning effort is creating a broad vision. So I don't want to get too far into the weeds on responding to details about height density. I understand those are certainly concerns and questions and feel free to comment on those things. But I don't want to spend too much time going back and forth about those items tonight with the team.

Scott Silverstein

Emily, maybe you can just explain the parking and how that's built into the topography to address the resiliency issue and answer that question.

Emily Innes

Yeah, happy to. In terms of looking at that last piece, the waterfront, so let's actually start from the Derby Street. So Derby Street, three story townhouses, apartments, four stories with the surface parking the condominiums down at the end with a real mixed use. That's four stories on top of the parking. But the parking is embedded into the topographical chain. So when you're walking next to the building, you'll actually be standing on at least part of a parking structure, you're not actually going to see that from your perspective on the ground. It'll be four stories.

Peter Furniss

And the idea here is to essentially lift everything up so that the bottom levels serve as part of our resiliency planning and then filling in around, we have remaining fill from the construction that can be used on the roadways. And we have other ways to make sure that the end topography feels natural, but also provides a resiliency barrier. And the underground parking would be part of that.

Kimberly Waller

Kimberly Waller. Thank you. Hardy Street. I just wanted to say thanks so much for being open and sharing plans and hearing from the public. That's it's a nice process and I'm happy to be part of it. And my question was just really about I sort of was envisioning a little more recreational and public space and maximizing that. I understand the scale. And this is a huge amount of land. But at the same time, while you want to blend in with the Derby Street neighborhood, I thought it would be kind of exciting if there was a little bit broader corridors and maybe more tennis and different things like that. And honestly, especially, I'm thinking about covid and other sorts of activities where it's safe. You can see the tennis courts around Salem. There's waiting lines

and people are really eager to get out and about. So it would be nice to see that.

Jeff Benagh

Oh, yes, so this is Jeff and I'm actually from Melrose, Massachusetts. 63 West Highland. But I spend a lot of time in Salem in the summer because however, we live there. But this looks really positive. And one of the things I wonder about in the new area is the car parking. If it's above the area, if it's above the level, if it's safe from sea level rise, because one of the big problems the town has right now is enough places to park cars when we have storms. And if it's not high up enough, it's just not going to be feasible.

Emily Innes

I'm happy to address that on a higher level. We've been looking at the different options for the parking garages. There are different methodologies that you can use to make them safe from sea level rise, ranging from people who allow them to flood and then the floods to retreat. There's waterproofing methodologies. Obviously, at the conceptual level. We haven't gone into the details of exactly which methodology we'd use. But in general, the rise in elevation that Peter mentioned is going to do a lot to help protect those parking spaces from the impacts of flooding. And then what we would do is look at what other ancillary methods that we need to protect the rest of them.

Seth Latrell

And Emily and team, if I would just add to that and Emily, you noted this in your presentation, but whatever future use occurs in the site is still going to have to go through a permitting process. So to steal a line from the mayor that I've heard a few times as they were trying to build a statue here. And right now we're not at the point where we're cooking yet. We're really focused on trying to find the ingredients that we want to include. So when we advance this vision or advance a vision, that's when we'll really start to dig into the weeds on the specifics and the details of resiliency will 100 percent be a huge component of that. But I just want to make sure that was clear.

Louise Brown

(Louise Brown, 60 Derby Street) Thank you very much for the presentation. It's been very interesting. I have a couple of things I wanted to mention. Seth that I am going to push back a little bit on what she said about not wanting to talk too much about detail, things like height, because I think the success of this design process for the people who live in the neighborhood is going to be very dependent on what this is going to look like when it's finished. And so my

concern is if buildings are going to be going up right opposite my house is that they will be built in a manner that is consistent with the design of these old homes in the neighborhood. The city, I feel, has not been very good at this in terms of a lot of the new buildings that have gone up, particularly in the downtown area, the Hampton Inn building, for instance. The aesthetics of these buildings are going to be critical for me and I think for a lot of other people. We've moved into this neighborhood because of the character of these old buildings. And if these condos and these townhouses that go up in that area are not consistent with the style of building in this particular area, I think that then it's going to fail. It might not fail financially for you, but in terms of its acceptance and its draw for people in the rest of the city to want to come to this area and walk through those neighborhoods, the design element, the aesthetics are really, really important to our acceptance of this and the success, I think of it as a draw for the neighborhood.

Scott Silverstein

It's a point very well taken. In fact, we met just the other day with historic Salem to let them know we'd be coming to them for input and to the neighbors as well. We'll be presenting, I think we're scheduled for April 20th if memory serves with Darby Street Neighborhood Association. Obviously, the stew is not to the point where we're designing what the plates are going to look like to extend that metaphor. So we're not quite there on design. But you're absolutely right. It's going to be critical, but only if we even get to that point. I mean, there are a whole host of steps, and Emily and Kathryn both spoke to what the regulatory challenges are between here and there. But you're right. If and when we get there, aesthetics will be an important part.

Margaret Duffy

Margaret Duffy on Appleton Street. I want to echo what Louise said. I'm going to have just another clarifying question. I think to me, I find it interesting that you used the neighborhood norm of these three to four story buildings, because I'm also having a hard time picturing those Derby Street neighborhood typical three to four story buildings in that area. I don't think that is typical of the Derby street neighborhood, especially if they're going to be lifted in some way. So maybe four to five compared to the existing homes there. And I wondered if we could or if you could clarify for me how residential housing at all is happening within this boundary. It seemed to me from Kathryn's presentation and points you made at the beginning of the presentation that residential was not included in possible development in a boundary which. So I'm just wondering what I missed there.

Scott Silverstein

Sure, in reverse order, I think the short answer is you didn't miss anything. You're absolutely right that the current DPA boundary does not permit residential. I think Kathryn was very clear and she's absolutely right on that. The question for us and when I say us, I mean all of us on this call and all of us in the community is to figure out what the right use for this site is going forward. When the DPA was first put in 40 some odd years ago, it was very, I say easy, I'm sure it wasn't easy for the folks that were doing it at the time, but it was relatively uncomplicated in determining where the line should be. The entire sixty five acre site was actually a little more than sixty five acres because Blainey Street was owned by the plant. At that point they just drew a line around the whole thing because it was all owned by one entity. It was all used for one thing. It was a coal fired power plant. They didn't have to really decide what was the right place to draw this line as we move forward. We saw from the market analysis that Emily presented, that looking back at traditional marine industrial uses there, we don't see a market for this level of acreage. A wind marshaling yard is a different question. That's something new. And we'll continue to have those discussions. But if that doesn't materialize, then you're looking at regionally over the last 12 years, there was an increase in 1.9 acres in water dependent industrial use land. So then the question is, if there isn't a market and there isn't a need for forty two acres of marine industrial use, do we have the ability collectively to put our heads together and figure out is there a different place where we can draw this line, this boundary line through the boundary review process, perhaps through a legislative solution if that's the appropriate avenue? But is there an appropriate place to draw the line where we can ensure that there is sufficient land for foreseeable water and industrial uses? And then is there an opportunity then to rethink what happens on the other side of that line? And what we presented tonight is our best thought at this point in terms of synthesizing the comments that we've heard to give a proposal for what could happen on the other side of that line. Now, that doesn't mean we could go tomorrow. If the boundary were changed tomorrow, we couldn't go tomorrow and implement this plan, because then all that would do is kick us into the normal city planning process where there would be a detailed planning board process, Conservation Commission, ZBA, City Council, all the different agencies and boards that traditionally have jurisdiction over any kind of development. We would go through that process. Right now because of the DPA, we don't even get to that point. So we don't for example, we never get to the point of what things are going to look like, to Louise's point, because we couldn't do any of this. The question is, if the uses aren't there for water dependent industrial uses, then what do we do? So I hope that answers the second question. The first question in terms of scale, what we've been saying and what we think is right is neighborhood scale, which means

up along Derby Street, three stories. And that is fairly consistent with buildings that are in the neighborhood. As you move into the site closer to the water. We're looking at four stories, but along Derby Street, three stories.

Margaret Duffy

Thank you for that first explanation that definitely did help. I think I can remember who made the point that more recreational space would be great as a resident. That is what I would like to see. And yeah, I don't have the solutions either, but all that residential space did surprise me, not that we don't need it appropriately placed and appropriately priced. Thank you.

Peg Harrington

Thanks for the presentation. I appreciate the whole scale of things. I have a couple of top line concerns. One is density. And by the way, I live on Karlton Street, but I grew up in Salem, at Salem Willows across the street from the original old power plant. So I've been involved in this for most of my life. But thank you for your presentation. And thank you for the details you've provided. My first concern has to do with the residential density. My second concern has to do with whatever the residential density that you've just sort of landed on is. How do you propose to build underground parking facilities on a land filled area? It was a big challenge on New Derby Street with the [inaudible] site where that was proposed to do. And I don't imagine that the soil substructure along the powerplant site is suitable for putting underground parking there. And so if that's going to end up with more above ground parking garages or on-street parking is one concern. And the other concern that I have or the suggestion that I have is that looking into other, besides sort of industrial water dependent use, is to look at more traditional water dependent use and maybe reinvigorate with either the National Park Service or other groups traditional boat building, marine maintenance, cultural appropriate uses for at least some part of that land. So it is not just condominiums or apartments and retail space, I think that there's an opportunity there to encourage or enhance the trade schools or traditional wooden boat builders, along with small boat fishing industries to come in there. I understand we're never going to be where Gloucester is in terms of offshore processing and all that sort of stuff. But small day boat construction and small day boat facilities to offload and, you know, send out small day boat fishermen and lobstermen.

Scott Silverstein

Thanks, Peg. I think you're spot on taking them in reverse order, the kinds of uses you've just laid out are exactly the kind of uses that we're envisioning for the water dependent industrial use on the north side of the plant, back behind

SESD and the power plant. We think all of those uses fit in well and all of them are possibilities. And that's what that land on the conceptual plan that Emily showed its' those types of uses that we envision going on the north side, along with perhaps wind operation and maintenance. In terms of the subsurface- you were asking about the underground parking, you're absolutely right - there's no intent to have underground parking. As Emily described it, it would be first level parking with the building on top, but from the outside, because of the way that we would build up the topography and landscape, it would appear from the Derby Street side that it's underground, but it would actually be surface park. If you were looking at the current, I'd actually be a little higher than the current surface because we probably have to raise regardless. So it would just give the appearance of being underground, but it wouldn't be below the current surface. In terms of the density, I think Emily laid it out very well. We're not at the point of having unit counts. We don't have the market study telling us what the market is for one bedroom versus two bedroom versus three bedrooms. And that really plays into what the final unit count would be or even the proposed unit count. But what we do have is a calculation of what the square footage would be based on the sizes of buildings that we're showing, and then an assumption of the square footage on the industrial side. And that calculation, our proposal is significantly less dense from the square footage perspective than the neighborhood and dramatically about half the density of downtown and if I'm doing the math right, Emily, roughly two thirds of the density of the neighborhood. Quick, quick math back of the envelope math. So I hope that that helps.

Peg Harrington

Thanks, Scott. I appreciate that. And I also want to compliment you on the plantings, the natural growth that's going on the berm that you've built around the plant itself. It's really going to be settling in beautifully, I hope, and see this spring and summer.

Seth Latrell

And folks, just as a reminder, we're coming up in about quarter of an we still have quite a few hands up. So I'm going to ask folks to please keep your questions or comments brief and then we'll try and get to as many people as we possibly can. Thanks. And just as a reminder, this is a process, so we will have several other opportunities for public comment. So if you feel like you're being rushed in this, you can always submit comments online to me via email. There's a link on the harbor planning website or directly my email address, SLatrell@Salem.com. And like I said, there'll be other meetings in the future.

Allison Troy

I am Allison Troy from Andover and Bedford, and I was wondering, so there's a lot of very large proposed buildings on the list already for new condos. And there are also very large built condos that have gone in recently and apartments. With covid-19, everyone seems to be driving. There's a lot less people taking public transportation. This building is also very far away from the commuter rail. What's your plan on possibly getting people easily in and out of this town to 95 and 128? Because of the amount of people coming into this town, there's going to need to be a highway at some point. The traffic is extremely bad even right now. And from May to October, it's just going to get worse and worse and worse and just doesn't seem like there's too much thought going into that, traffic going in and out.

Seth Latrell

Thank you, Alison. I think your comment is noted and certainly a concern that the committee will take into consideration as things advance.

Bob Blair

I'll try to make this a quick clarification, I tried to ask this question a bit earlier. The siting permit to build a power plant included a written determination from DEP dated November 1, 2013, and in that it laid out a number of conditions for Footprint to adhere to regarding enhancing and maintaining the DPA of the balance of the property at a 100% level. But it would appear that you've not lived up to those conditions and now you're proposing to change it from a DPA to something else. My question is, why aren't we sticking with the agreements that are already in place for enhancing, maintaining and operating the DPA?

Scott Silverstein

First of all, Bob, I don't have the written determination in front of me. It had a list of requirements. I don't recall one drafted exactly that way, but I won't dispute you because I don't have it in front of me. But what we're talking about, first of all, that was 2013 or 2014. And what we're talking about tonight is what's the right use for this land going forward and what's the need for land for water dependent industrial use. And we've shown the data that we have in terms of what those needs are if we're missing needs. And certainly you're in a great position to know folks out there that might have a need for this land, feel free to send them our way. We don't want to foreclose any avenues of inquiry, but we can only deal with what's in front of us. So feel free to send people our way if there's interest out there.

Bob Blair

I live in Raleigh, Mass. And I'm the chief pilot for the Port of Salem, Massachusetts. And I must say that I know Scott, I read the documents, which I've only started to read as a result of this effort. On your part, I'm shocked by the level of what appears to be non attention for things like marketing the site, three million dollars of investment and Heavy Lift, or Ro-Ro on the site and just maintaining the site ready for use. I know you don't have a Coast Guard facility security plan in place anymore, so you probably couldn't operate the site today if you really wanted to. And I was kind of wondering why we've got to this point.

Scott Silverstein

Happy to take this offline and talk to you. You won't be surprised that I disagree with your characterizations here. Give us a call on this. Happy to talk to you.

Tom Cody

Hello, I'm Tom Cody from Memorial Drive. I'll try to be brief. I just have a couple of points and a couple of questions. And you can choose to answer or not if someone feels it falls in their ballpark. Quick question. As far as the surveys that were out there, there were 521 people that replied to that survey. Are the results of that or any type of data going to be collected and made public?

Seth Latrell

Yes. We will be closing the survey in the coming weeks and the results of that survey will be published on the Harbor Plan website once they've been presented to the Harbor Plan committee. We have a Harbor Plan committee meeting coming up on April 28th. So we're hoping to have the survey results closed in with enough time ahead of that meeting to be able to present the data to the committee at that date.

Tom Cody

Another quick point was the industrial site on the north side. I don't think you guys can have any issues with that because it's squashed between one of two sewer plants, transmission lines and the new power plant itself. So I think that's going to be kind of like a no-brainer. But the mixed use is where you're going to have most of your issues. And you've been hearing it tonight. And I think that really echoing what most of the neighbors in this area are thinking and obviously the height of the buildings. I know you say you don't have a number of units. Not quite sure. I believe that when it comes to the almighty dollar, I think the number of units are definitely in someone's mind and in the back of

someone's mind. But the height of the buildings are definitely going to be an issue and a sticking point with most of us, most of us neighbors. As far as the support of the streets as two streets, you have Derby and you have Web Street, they're both extremely narrow and they're extremely crowded to have more people and more visitors to that area of that magnitude. I just don't see the streets supporting it. I really don't. I travel both of them every day and it's an absolute disaster sometimes. So I really hope and I know I'm echoing what someone else said, but I really hope that's taken into consideration before we move forward with anything. And yes, like Bob said, when they decommissioned the old power plant, and we have finally agreed and I know Mayor you had a lot to do with this, getting that new plant built in. We needed that tax revenue. I understand that. But we were really promised a lot. We were promised a lot of goods and a lot of open space and things like that. And from what I'm seeing, I just don't see that it's being lived up to at this point. The balance of open space to that mixed use and housing and affordable housing is way out of balance. And I think that's what's really upsetting a lot of these neighbors that live there and that own properties on Derby Street. You know, I think I just want to close by saying that we have a wonderful opportunity right here to do something nice. And I'd hate to see it squandered by chasing the almighty dollar. And that's all. Thanks for everybody's time.

Chris Semmelink

I'm Chris Semmelink, I live on 18 Hardy Street. I've been living in Salem for the past decade now. I was over at Pickering for a while. I'm an architect and I've done a lot of work in Charlestown and that area. And a lot of that was done under Ch.91 licensing. And one of the things is, are FPA's still required? Facilities of public accommodation on the lower floors. Because they ended up creating a ghost town at the base of the buildings in Charlestown, and it also becomes an issue of the market, if you end up putting retail over there, are you going to steal from downtown or all the streets leading or the businesses on Derby Street or people are going to get off the boat, do their stuff and say they've been to Salem and then get on the boat and leave. And so Salem isn't big enough, I think, to end up with too many commercial hubs, and it would be something that has to be very carefully balanced to make that work. The other thing is I just read that we're tearing up trolley tracks that are buried in some of the old streets, and it's almost like that's what we need is trolleys or something to get people moving that isn't going to have them in their cars or what's called 350 pickup trucks driving up and down Derby Street. So that's my few points. Just curious about the FPA's and how they work into this proposal and what is being thought about that.

Scott Silverstein

Emily, I see you nodding your head, that's, yes, they're still required?

Emily Innes

FPA's or facilities of public accommodation are required by Ch.91, they are - without going too much into the weeds, and also, I don't have the regulations directly in front of me - but they are required within a certain distance of the shoreline. Much of the site is beyond that distance of the shoreline. So the amount that we would have to provide is relatively minimal relative to the size of the site.

Tom Evans

Tom Evans, Berry Street here in Salem Village, I'm one of the only state pilots that pilots all the ships in eight of the 10 DPAs, and although most of my questions have been asked or answered, I just want to say I find it disturbing that this is the last real deep water port in the Commonwealth that has some potential. And here we are trying to build condos on it. So I really wanted to get the comment out there and it's very disheartening.

Flora Tonthat

(30 Northie Street) What will or what has been done to seek offshore wind or solar farm or other kind of renewable energy opportunities relative to the investments you've made in the mixed use housing plan? You know, it seems that you're saying to me you're making the area resilient just by elevating the land where you need to put the parking and then planting some greens and trees. And that just doesn't seem like it's enough with regards to the public space. That is under what we expected, because it seems that you're considering the woven path between the buildings as public paths. And I'm not sure that the people who live there are going to really be enjoying that. And then the other question is, what are the city's green building requirements, if there's any, for all the buildings that are going up? Is it going to be LEED certified? Is there going to be permeable paths and parking? Are there any green building requirements? Thank you.

Seth Latrell

The question regarding the city's requirements, we're not at that stage yet where we're discussing the specifics of resiliency requirements for the development or sustainability requirements for the development, rather, we're really focused on sort of broader uses. Scott, I don't know if there's anything that you want to respond to in that, but I would just remind the remaining commenters to please

direct your comments to the city. The intent of these comments is to help inform the Harbor Planning committee. It's one thing if there's a sort of a specific clarification, but we want to keep things moving forward quickly.

Scott Silverstein

Just briefly, to reiterate something I said earlier, the question, what have we done in terms of seeking out offshore wind? We've had discussions with offshore wind developers as early as 2013 before we'd even shut down the old plant. We spent quite a bit of time and Peter really spent quite a bit of time trying to entice offshore wind developers to come in and actually use the old building for the development of offshore wind rather than having to tear it down. And we were unsuccessful there. We've continued those discussions with anybody who's expressed an interest, some of whom we've sought out, some of whom have sought us out. And those conversations continued as late as last month. And they're not done. I'm just saying, the last time we spoke to anybody, you know, it takes not only people, not only the people on this call wanting to use the land for offshore wind. It takes, at a minimum, somebody who's actually developing offshore wind to want to locate here, and likely, as Emily pointed out, significant investment from the Commonwealth, because that's generally the way these Port developments and certainly the way that New Bedford was developed with significant infrastructure investment by the Commonwealth.

Peter Furniss

It's really not for lack of interest on our part, I mean, this was the primary development path that we set down and we rethought our process as we found that we were getting very little, very little interest in the site for especially the largest use, the marshaling yard. So it really is not for lack of interest that Scott pointed out earlier. We just sent a letter to CEC to try to figure out how the weather and how the Commonwealth can get involved in this to make sure that we have turned over every rock in terms of determining whether or not that you can actually go forward. So it really is not, for lack of interest on our side, but we're just not seeing the interest in the world.

Kathy Cullen

Hi, Kathy Cullen. 25 Forrester Street in Salem. I want to go on record that I am not in support of reducing the size of the designated port area. I just think these are spaces that just can never be replaced once they are removed. But regardless of that, for any of this plan to happen, the boundaries of the designated port area as defined by the state would need to change. What is that process and how does that work?

Seth Latrell

I'm happy to answer at a high level. There's really two pathways that a DPA could be modified. One is through a DPA boundary review, through CZM, and the other is through legislation. And that would certainly be something that would require full support from the city and not something that we've taken steps to advance at this point. The purpose of tonight's meeting is to understand what the interest from the community is and what the priorities for the site are. So we appreciate your commenting on that.

Steve Dibble

Scott, I want to thank you for your being open door and offering all this information up to the public. You've done a nice job so far. Thank you. A couple of observations, a couple of questions. I also am concerned about the traffic and we need to address it fully. How does it get to the site and how do we leave the site? But observations, the south lot that is proposed for residential has deep water right there. But the north lot, the industrial area that's proposed, is shallow water. And that's a concern because we're supposed to be housing a deep water port, but it's shallow water in terms of the power plant facility, I believe that the power plant should remain, as Scott and I have discussed in the past, the power plant should remain in the DPA for ease of future Marine related uses, including offshore wind turbines. So I'd like to see it stay in the DPA, the industrial side, the north side at least the power plant as well. We need to make sure that we have a deep water facility north of Cape Cod so that the potential higher paying jobs in the wind turbine industry don't get shipped off to New Hampshire and Maine, but can be realized here in Salem with possibility of lower electric bills, like Block Island has in the state of Rhode Island, has for their offshore wind turbines so that it's ready to be plugged into the Salem power plant. I believe it's already ready now. But so the question is, what land area, if any, is needed to receive power generated from the offshore wind turbines? I'm speaking in terms of turbines or what additional land might be needed to receive that and make sure that it's reserved off in the industrial area or will take up some of the industrial part and then also the density comparison that was shown earlier, I don't believe it should include from the south lot, you shouldn't include the north side industrial and the jetty in the density comparison, the density for the residential side in the south, should be standing on its own, so we get a true impact of how dense that neighborhood on the South lot would be. I'd also like to know a rough range, a guesstimate of how many residential units we're talking about in that sketch. Thank you.

Scott Silverstein

Briefly, number one, in terms of the deep water port, we agree with you that the deep water port and the area immediately upland of the wharf under any scenario would remain in the DPA. We're not proposing to take that out of the DPA. We're not making the proposal right now. Regardless, this isn't, as Kathryn said earlier, this is not a DPA boundary review process. That would be a future process. But we wouldn't propose to take the wharf itself or the immediate upland area out of that. And we have programmed in a roadway connecting the wharf to the north side to make sure that any water dependent industrial uses on the north side could make use of the wharf if necessary. In terms of the unit count, like I said and we said earlier, we don't have the market study back. I think when you look at the units that are in the neighborhood, we're talking about something that may be the upper bound. But in a neighborhood scale, size and height, like we talked about before. But until we know exactly what the mix is between smaller units, larger units, we just can't give an answer to that. It would just be a guess.

Matt Sullivan

Matt Sullivan, we are Brenham Associates of 14 Franklin Street. I'm happy to hear a lot about the residents and concerned parties supporting the continued use of this property. And I as well am very much in support of maintaining full DPA use. We had been in contact with the city and in the past for actually moving our business into this facility. Currently, we were stationed at 14 Franklin, as well as other properties across the city and in Boston due to a lack of deep water port access elsewhere and opportunities such as this to repurpose such a large DPA is once in a generation and to have it squandered and put into residential, you will never get that back once it's gone. And I would very much like to see it still used for maritime purposes. And counter to what has been said tonight, there is certainly very local and very intense interest in occupying the space for more industrial use.

Alan Hanscom

Alan Hanscom, Washington Square. I just want to make a quick comment because we're running out of time. This is not a question. So I go back to Healthlink, and we fought the burning power plant in the 1990s and early 2000s. And even back then, we had a dream that the site of the Salem Power Plant, because of its connection to the grid, because of the dredge channel and it being a deep water port could be the perfect place for not only transmission of power from wind. And back then we didn't know about offshore wind. That was too new, it was still on land. But I think that was kind of the dream, that spot was perfect for that. So I am really in favor of fighting hard for more use of that site that

promote renewable energy, because I think Salem needs to be a leader in renewable energy because we're just that kind of city. We're a leader. And that's all I have to say.

Mike Furlong

(4 Blaney St) All right. Thank you for taking my question. I'm just curious if the city is going to connect Blaney Street to the proposed development of footprint on the roadway system.

Seth Latrell

That could certainly be something that is considered through the planning process. So if there's an interest in that, we could take that as a comment. And that could be something considered by the Harbor Plan Committee as plans advance.

Michael Blier

Michael Blier here. 18 Phelps Street, Salem, Massachusetts. Looking at the site plan for the first time today. I think I just want to speak on behalf of the public realm and the kind of public realm that you're making as you progress the plans is a kind of public ground that addresses a kind of larger urban fabric. And it's a kind of public ground that addresses a really local public fabric. And I kind of feel the way the balance is working right now, you do a really good job at making the local neighborhood community neighborhood by giving them a waterfront and giving them the neighborhood. But I don't see a larger urban gesture that says people who are not of that neighborhood are going to feel welcome to go there. And I think to give up and to give away a lot of these sorts of things to do this, I think you have to give back to something that looks more Salem, right? I live in the north fields. I like to walk downtown and I like to walk to the willows. So what is my route? I'm going to walk through people's backyards all along a loop road along the waterfront? Come on. That's not quite the right balance. So given all the great things you guys have done, I'm sure you've figured it out. But, you know, I think it's just an initial red flag that I saw in the initial stages of planning.

Cindy Luppi

Really appreciate the opportunity and I want to thank everyone who's responsible for this meeting for such a great and informed discussion that we're having. I live in Winthrop, but I'm also the New England director for Clean Water Action, and I'm speaking tonight on behalf of our Salem area members. My question, I think, is really in line with some of the previous comments about the spirit of the original siting vision and siting proposal for the gas plant

moving forward. And I know that the initial settlement for the proposal to move forward required that the power plant, the existing plant, be decommissioned by no later than January one, 2015. And I'm just wondering how that fits in with some of these proposed plans with the homes proposed, the residences proposed being even closer and hemming in the port, how would decommissioning logistically move forward? What would be considered then for the site? I mean, I think in general, you're hearing a lot of comments in support of a clean energy vision for that area in a sort of a Marine themed, wind powered vision for that area. So it's actually really great to hear that, that you all are very interested in turning over every rock to keep exploring those opportunities, but also very curious about how the ultimate decommissioning of the gas plant that is currently on site, how that would fit with a potential residential development.

Scott Silverstein

I can just address this very quickly, Cindy. We, as you recall, decommissioned and demolished and took all of the steel from the old power plant offsite using that deep water port. Without getting into to what happens 20 some odd years from now after almost 30 years from now, I don't see any reason that if that were to happen with the new plant, which wouldn't be so new at that point, then it would be done the same way. I'm certainly not designing for that at this point, but I don't see any reason why it couldn't be done the same way.

Pat Gozemba

I thank you, I'd like to make a two minute statement on behalf of SAFE, Salem Alliance for the Environment. First of all, we really want to thank Kathryn Glenn from Coastal Zone Management for the excellent presentation on designated port areas, and particularly for clarifying the legal and compliant uses of that DPA. And we thank Footprint for their presentation of a proposed, but in some ways non-compliant use of their 40 acres. That will require us in Salem really to modify or do away with parts of our valuable DPA. And a number of people on this call already have talked about the fact that there are just 10 designated ports in Massachusetts. Salem won the jackpot in terms of the quality of our designated port area, the 90 foot berth that we have for ships, the deep water port, this is really important to us in all of the remaining DPAs. I think we have an excellent opportunity under the Biden administration in particular, to poise ourselves, to become part of this powerful economic engine of offshore wind. I say powerful economic engine, and I also mean a job creator. I think, in the New York area, in Salem and then in Peabody, we have a strong, throughout the whole state in fact, we have a strong need for more jobs. And I believe that the offshore wind industry is going to offer us that. So SAFE would like to hear more proposals for the site that are legal and

compliant uses of the DPA, uses that will help us to maintain that DPA. And to that end, I spoke with the mayor earlier this week and I asked her if we could have the mass clean energy center present to the Harbor Committee, a new presentation, a final draft of the report that he gave to the Salem Port Authority, which indicates that Salem is a wonderful spot for participating in the offshore wind industry. So first, the mayor says, yes, that will happen. We will hear from Jay Borklin at this public process. And then secondly, I think we should allow some offshore wind interested parties to come and present to the public about what they would do at that site. And I was really happy when Scott mentioned that Footprint Realty has reached out to Mass CEC and indicated that they would like to have a discussion about what Massachusetts Clean Energy Center thinks could happen on that site. So that's an exciting proposal. But I think that we don't want to miss this opportunity. We don't want to give up, modify in so many ways, the DPA that would make it not still remain the ideal site, the ideal port in Massachusetts to service offshore wind installations that will go up, that will go in the ocean from the Gulf of Maine down past Virginia. And in fact, some offshore wind developers have told us, because we were initially thinking that offshore wind would be a marshalling and operations and maintenance operations in Salem would just take care of the Gulf of Maine. And they said, oh, no, given the ships we have, given the kind of technology that's now available an offshore wind operation from Salem could actually service the whole Atlantic seaboard. We know that there are other states that are out there that are jockeying with us for first position and offshore wind. New York and New Jersey are doing that. Up until a year or so ago, say, Massachusetts was number one in terms of having procurement bids in for offshore wind. We've fallen to third place behind New York and New Jersey. So we want to have something happen at that footprint site that maintains our deep water port and that assures that the 90 foot berth for ships will be functional. We also want to make sure that there's room. Scott, you addressed this earlier. There's room for the decommissioning of the gas fired power plant. We in Salem accepted that gas power plant because we knew it was important for our economic picture. But we also were very happy that it was the decommission date of 2050 that was slated there. That's 30 years away, so think about all the acreage that's also there where the power plant is, that acreage will be available. And I just want to encourage us not to be shortsighted. Let's think about what the Biden administration, the big push that they're putting in for infrastructure and for clean, renewable energy and job training. And the Biden administration hasn't been afraid to say good union jobs that pay well and offer people career ladders and a place to go. And I think that's what Salem is all about. We're in many ways a working class city. We have a manufacturing industrial past. And I think with bringing wind into our portfolio of what we have done for the

world, I think this will be a really great enterprise. So happy that Footprint is willing to be talking with Mass CEC and that we can get some more offshore wind discussion before the public. Thank you.

Scott Silverstein

Thanks, Pat. And we're happy to be a part of that discussion. We think we're a necessary part of that discussion. And we told you when we spoke that we would reach out. And we have you know, obviously the committee can hear from anybody they want. And certainly CEC is an important party to hear from when it comes to private parties, be they wind developers or other consultants out there. I would just caution everybody that if people have an interest in the site, come talk to us, have them come talk to us negotiating in public, having people come make presentations about what they would do with the site they don't own isn't always the best way to get to a final resolution. So we're happy to be part of those discussions. We're happy to talk to anybody, but we can't get into this kind of negotiating in a public forum like this. So please send folks our way.

Keith [last name inaudible]

My name is Keith, and we're on Cousins Street here in the Derby area. I want to echo a number of what the residents have said and then some of the representatives from the various groups. It would be disheartening if we lost our DPA, especially the size of it, because, again, like others have said, this is a great opportunity for a maritime city to maintain our maritime waterfront. Definitely don't want to lose that, especially to something short sighted, like condos. I do think that we can put housing in this area a little bit closer to Derby Street. But losing all of that land, it would be very disheartening to know that we would never get that back. And then any considerations for residential in this area - I'm in support of increasing the more affordable housing options in our area. We have so many people that work in Salem that can't even live here. And so I'm fine with that. But my issue is that our neighborhood is so dense. We have very small roads. We have one school. We just can't support the proposal here. Working in real estate, it's clear to me that there could be easily four to five hundred units in that spot. If you add in four to five hundred units, that's a thousand people living there. That's a thousand more cars. That's hundreds of more students for a school that we don't have. We don't have a grocery store in our part of the neighborhood. So if we're opening this up to affordable housing where the folks are going to go to in a food desert, essentially to get groceries in an easy way, we don't really have transit. So there's just so many considerations here that I'd be sad that we lose the DPA. But then I'd also be hopeful that if for some reason we do lose this, that I would really hope that you guys consider what it means to add

thousands of new people into this area and the infrastructure that the city would be responsible for to handle this kind of development.

Cindy Keegan

Cindy Keegan here, 12, William Street, Beverly, Mass, co-chair of Families for the Environment. I just want to be really quick and certainly I echo many of the sentiments that were already said. I think it would be quite a shame to lose a significant portion of the DPA. I think that the reality is that none of us know what is going to drive new port requirements in the near future with climate change, with the renewables that are needed. There are certainly, you know, the last 12 years is just not a good indicator of what the next 12 to 20 to 50 years are going to bring. And I think that it's really important that we think about that long and hard. I think that Salem itself has very few spaces for true industrial activities and the tax base that that brings, and this is one of the few spaces that that offers. And to give it up seems like a very bad idea to me, and it sounds like to a lot of others as well. And again, happy to hear that Footprint's willing to work with CEC to understand offshore wind a little bit more and see if there's any interested parties. I think there's no reason to believe that the millions of investments that are currently going on at other ports couldn't happen right here in Salem. And I'd encourage us to all consider that and see what our opportunities are, and I'll leave it at that.

Seth Latrell

Thank you, Cindy. That's it for the public comment period. Tonight, before we wrap up, I just wanted to hand it over to Mayor Driscoll, just for a couple of things that you want to say just to wrap up the night.

Mayor Driscoll

Yeah, I appreciate the chance to just offer a few comments as we close out here and thank everybody for their time, their involvement, their engagement, the owners of the property, all the consultants that that we have on our team, there is literally an army of people really thinking hard about how best to use this site and how to make sure we get it right. I think we've done a lot over the last decade to improve this neighborhood, both additions, things like the ferry and infrastructure upgrades and subtraction, getting rid of the coal plant and the oil terminal and things like that. And I don't think we're done yet. This site definitely represents a generational opportunity for us to really, really understand how not only it's going to impact the neighborhood, but the opportunities on the whole. So we're focused on trying to get it right. And I know that we have folks who feel strongly about DPAs and we have folks who feel strongly about other uses. In Salem, I always feel like

we do a really good job of understanding all the impacts, putting reasonable people together. We've got a really reasonable, and I think broad, cross-section of people involved on the Municipal Harbor Plan. The committee itself will be weighing all these opportunities and the challenges and trying to land in a good place, not just for today, but for our city's future as well. We've talked about this is as a stew and I think we've overused that analogy, but we're trying to figure out what are the ingredients we want to have on the site, both for neighbors, for our overall community, for our industrial and marine industrial folks. And how do we make sure we get some public access? I think that's really important. That's something that we've heard from the beginning of this discussion, dating back to the original power plant feasibility study. I'm confident that no one's in a hurry. We want to do this right. And that means we're going to listen a lot, learn a lot along this way. But most importantly, land in a place where I'd like to feel that there's a win win win involved for the neighbors, for the property owners and for our overall community and excited to be able to work on it. How fortunate are we to have forty five acres along the waterfront with a history like ours and I think even a brighter future? So thanks for all the engagement looking forward as we move forward in figuring this out together.

Seth Latrell

I just want to follow up with a couple of reminders before we close out the meeting tonight. Our survey is still active and still online. You can access that at the Harbor Planning website, Salem.com. We'll also be posting a recording of this meeting, as well as copies of the presentations in the coming days. If anybody has any questions, comments, please feel free to send them to me directly. Again, my email is SLatrell@Salem.com. Any comment letters that are submitted on the project will be shared with Harbor Planning Committee members.

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.