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References in the format 12.0x are to the headings in 760 CMR 12.00, which regulates the content and the format of this redevelopment plan. 760 CMR 12.00 is promulgated by the Department of Housing and Community Development.
PARTICIPANTS

Participating Organizations
HDC – Harbor Development Corporation (Edward Anthes-Washburn)
NBEDC – New Bedford Economic Development Council (Derek Santos)
city of New Bedford
NBRA – New Bedford Redevelopment Authority
EDA – U.S. Economic Development Agency

Steering Committee Members (invited)

David Kennedy – New Bedford Planning Department, New Bedford Redevelopment Authority
Terrence Lewis – New Bedford Redevelopment Authority
George Smith – New Bedford Planning Board, New Bedford Redevelopment Authority
Celia Brito – Downtown Business Owner (Womens Clothing)
Coleen Dawicki – University of Massachusetts Dartmouth
David Alves – Realtor, New Bedford City Council
Jim Oliveria – New Bedford City Council
Bob Gardner Jr. – Waterfront Business Owner (Bayline Boatyard)
Richie Canastra – Whaling City Seafood Display Auction
Jim Dwyer - Harbor Development Commission
Roy Enokson – Eastern Fisheries
Lars Vinjurud – Ocean Fleet Fisheries, Inc.
David Wechsler – Maritime International, Inc.
Matt Morrissey – New Bedford Economic Development Council Senior Advisor
Jeff Pontiff – E.J. Pontiff Real Estate
Conrad Roy Jr. – Tucker-Roy Marine Towing & Salvage
Charlie Quinn – Quinn Fisheries, Inc.
Pat Kavanagh – K&K Fishing Corporation, Inc.; Sustainable Harvest Sector
Ray Cullum – Michel Cullum Associates, Inc.
Captain Rick Cunio – New Bedford State Pier Manager, Commonwealth of Massachusetts
Laura Foley Ramsden – Foley Fish
Meghan Kish – National Parks Service
Dagny Ashley – New Bedford Tourism & Marketing Director
Carlos DaCunha – Webster Bank
Jill Maclean - City of New Bedford Planning
Cover and section Divider photographs: Sasaki Associates; All other photographs: the Cecil Group
WATERFRONT VISION

New Bedford’s waterfront vision links its strong history with the continued success of existing and future waterfront industries and increased public access, anchoring the city’s role as the economic and cultural hub for the greater South Coast region.

IMAGE: SASAKI ASSOCIATES
1.1 INTRODUCTION

The New Bedford waterfront is a vibrant and thriving center of economic and cultural activity for the city and the South Coast today. Along the estuary of the Acushnet River before entering Buzzards Bay lies the New Bedford Harbor, a body of water shared with the city of Fairhaven. The Harbor is home to the most productive fishing port in the country, due in part to its proximity to the Atlantic Ocean and its long history as a working waterfront. This rich and diverse waterfront has been a vital part of New Bedford’s economy for the last century as cross-continental trade gave way to whaling and commercial fishing.

As New Bedford looks to the future of its waterfront, the city plans to maximize the benefits of its strategic location in order to leverage the expansion of existing industries, introduce synergistic new industries, and the create of critical connections for the public to the working waterfront. The future vision is of a waterfront that continues to represent New Bedford’s rich history, supports industries of today and tomorrow, and broadens public access – demonstrating that within the approximately 3-mile long waterfront area, there is room for all of these things to co-exist.

Purpose of the Study

In April 2014, the New Bedford Economic Development Council (NBEDC), a 501(c)(3) non-profit organization, received $200,000 in Economic Adjustment assistance for the development of a strategy and redevelopment plan for New Bedford’s working waterfront from the United States Economic Development Administration. The purpose of the grant was to focus on advanced port development and redevelopment that will attract diversification of manufacturing and other industries within the South Coast region and encourage job creation in wind power, commercial fishing, and tourism industries.

This vision for the working waterfront will enable waterfront redevelopment to occur without losing valuable industrial land to other uses. The strategy focuses on phased development over a ten to fifteen year time frame that integrates offshore wind manufacturing and assembly, commercial fishing expansion, and new forms of tourism along the waterfront that do not impede industrial activity along the waterfront.
**Redevelopment Plan**

This redevelopment plan is a companion document to the New Bedford Waterfront District Master Plan (the master plan) and is an integral component of the implementation strategy for that plan.

A combination of physical characteristics and economic conditions render portions of the waterfront difficult to develop by the private market alone. The New Bedford Redevelopment Authority (NBRA) will be authorized by this redevelopment plan to undertake actions whose purpose will be to create conditions that encourage investment by private entities in the subareas of the waterfront identified by this plan.
1.2 FINDINGS (12.02)

The Department of Housing and Community Development (DHCD) must approve this redevelopment plan in order for the NBRA to undertake actions that this plan authorizes. In order to approve this plan, DHCD must make certain findings with respect to the content of the plan. These findings, and their relevance to the plan content, are summarized in the table below:

<table>
<thead>
<tr>
<th>REQUIREMENTS OF CHAPTER 121B, SECTION 48</th>
<th>APPLICABILITY TO THIS PLAN</th>
<th>RELEVANT SECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) the project area would not by private enterprise alone and without either government subsidy or the exercise of governmental powers be made available for urban renewal</td>
<td>The private market has been unable to address development within the subareas.</td>
<td>Section 3.0 Eligibility</td>
</tr>
<tr>
<td>(b) the proposed land uses and building requirements in the project area will afford maximum opportunity to privately finance urban renewal consistent with the sound needs of the locality as a whole</td>
<td>Each subarea has its own purpose that relates to the larger New Bedford Waterfront District Master Plan.</td>
<td>Section 2.0 Characteristics of the Area</td>
</tr>
<tr>
<td>(c) the financial plan is sound</td>
<td>Several general funding sources have been identified; no specific project is anticipated by this plan.</td>
<td>Section 4.0 Plan Objectives</td>
</tr>
<tr>
<td>(d) the project area is a decadent, substandard or blighted open area</td>
<td>The four subareas qualify as blighted open areas and decadent areas.</td>
<td>Section 3.0 Eligibility</td>
</tr>
<tr>
<td>(e) that the urban renewal plan is sufficiently complete, as required by section one</td>
<td>This plan meets the format and content requirements of 760 CMR 12.00.</td>
<td>All sections</td>
</tr>
<tr>
<td>(f) the relocation plan has been approved under chapter seventy-nine A</td>
<td>Not applicable – no relocation is anticipated by this plan.</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>
1.3 PLANNING PROCESS

The planning process for this redevelopment plan has been a component of the larger planning process for the master plan. The master plan process included regular meetings of a Steering Committee to review and comment upon the development of the strategies and recommendations for the master plan. One of the implementation steps of this plan is the creation of a redevelopment plan under Chapter 121B to enable the New Bedford Redevelopment Authority to undertake actions that will be consistent with the goals of the master plan.

In order to adopt a redevelopment plan, a municipality must follow a specific procedure, as defined in 760 CMR 2.02(5). A public process is also required; the public process is documented in Section 6 Citizen Participation.

An additional public meeting to discuss the specific recommendations of this redevelopment plan will be required prior to the beginning of the approval process. The approval process is summarized to the right. Note that these steps should be followed in the order presented.

<table>
<thead>
<tr>
<th>ACTION</th>
<th>RESPONSIBILITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vote to determine that redevelopment area is a blighted open area, a decadent area, or a substandard area</td>
<td>NBRA</td>
</tr>
<tr>
<td>Initial review of draft or drafts by DHCD</td>
<td>DHCD</td>
</tr>
<tr>
<td>Vote to approve plan for approval by city Council</td>
<td>NBRA</td>
</tr>
<tr>
<td>Determination that plan is consistent with master plan or other relevant plans</td>
<td>Planning Board</td>
</tr>
<tr>
<td>Opinion that plan is consistent with applicable laws</td>
<td>City Solicitor</td>
</tr>
<tr>
<td>Publish notice of public hearing in newspaper</td>
<td>City Staff</td>
</tr>
<tr>
<td>Notify Massachusetts Historical Commission of hearing</td>
<td>City Staff</td>
</tr>
<tr>
<td>Public hearing</td>
<td>City Council</td>
</tr>
<tr>
<td>Vote to approve plan and send plan to DHCD for approval</td>
<td>City Council</td>
</tr>
<tr>
<td>Review and approval</td>
<td>DHCD</td>
</tr>
<tr>
<td>Prepare and file Environmental Notification Form</td>
<td>Consultant/city Staff prior to DHCD final approval</td>
</tr>
</tbody>
</table>

**NBRA = NEW BEDFORD REDEVELOPMENT AUTHORITY**
**DHCD = DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**
1.4 SUMMARY OF THE PLAN

This redevelopment plan accomplishes the following:

• It is an implementation plan for the New Bedford waterfront district Master Plan (master plan) and reinforces the recommendations in that plan for waterfront-oriented uses.
• It creates four subareas within the larger waterfront district and authorizes the NBRA to undertake real estate development and related actions consistent with their authority under Chapter 121 B of the Massachusetts General Laws.
• It identifies the goals of the NBRA with respect to the purpose of the subareas and the ability of the NBRA to conduct development-related activities within each subarea.
• It defines the initial strategies to address each goal, identifies related actions and a time frame for each strategy and recommends possible funding mechanisms for undertaking planning and development projects.

New Bedford waterfront district Plan

As New Bedford considers its position as the preeminent commercial fishing hub in the country and evaluates development pressures along the waterfront, it is critical to understand the importance of preserving existing fishing and fishing-related uses to the New Bedford economy and culture.

The future framework ensures a mix of water-dependent and water-related land uses while allowing flexible land uses where possible that introduce public connections between the downtown and the working waterfront.

Subareas

The subareas are shown at left and described in full under Section 2.1 Description of the Plan Area. Four of these subareas are subject to this redevelopment plan; each is composed of contiguous parcels within a well-defined boundary and has its own purpose that relates to the larger master plan.

The general purpose for each subarea is as follows:
• Subarea 1: Transit-Oriented Mixed-Use
• Subarea 3: Transit and Transit-Oriented Development
• Subarea 6: Cargo-handling and Water-dependent Industry
• Subarea 8: Supporting Water-dependent Industry

Plan Objectives

The purpose of any redevelopment authority is to create and support conditions that encourage private investment in the development of the areas under the authority’s control. As part
CONCEPT FOR PROPOSED ORGANIZATION OF USES WITHIN THE WATERFRONT DISTRICT MASTER PLAN (IMAGE: SASAKI ASSOCIATES)
of this purpose, the NBRA has identified several secondary goals that would allow it to act more effectively within the four subareas:

- Build Capacity
- Address Existing Debt Obligations
- Establish Development Regulations and Review Process
- Undertake Planning Projects
- Identify and Undertake Catalyst Developments

These goals and related strategies and actions are discussed in more detail under Section 4 Plan Objectives.

**Time Frame**

The NBRA should expect to initiate actions related to building capacity as part of the approval process within six months and work towards the ability to undertake its first development project within three years. This time frame will allow the NBRA to implement operational and funding strategies and begin the planning necessary for the first development project in one of the four subareas.

**Activities**

The NBRA is authorized to have all powers identified in MGL Chapter 121B Sections 11 and 46, and all related sections. These powers allow the NBRA to undertake the following activities within the four subareas:

- Apply for and accept grants and loans.
- Issue bonds.
- Acquire and dispose of buildings and land.
- Undertake planning activities.
- Clear and redevelop land.
- Rehabilitate buildings.
- Undertake improvements to public infrastructure.
- Relocate buildings, businesses, public assets, tenants.
- Undertake historic and architectural preservation.
- Develop design guidelines and standards and undertake design review of projects.
- Require other regulatory standards for private development.

Although the NBRA is authorized under the enabling legislation to acquire property through an eminent domain taking, no such action is anticipated at this time. Any project requiring the use of eminent domain would require a major plan update under the process outlined in Section 7 Future Plan Changes.
1.5 OTHER REQUIREMENTS

**Effective Date**

This redevelopment plan will take effect upon such date as approved by the Department of Housing and Community Development (DHCD). The plan will remain in effect for twenty years from the date of approval by the DHCD as noted in the letter from DHCD at the beginning of this document.

**Other State Filings**

Notice of the redevelopment plan will be filed with the Massachusetts Environmental Policy Act (MEPA) office to fulfill the requirements of 301 CMR 11.00 et seq. Should the NBRA amend this redevelopment plan at a future date to include specific projects, an Environmental Notification Form must be filed with MEPA for each amendment.

**Format**

The organization of this redevelopment plan is consistent with the requirements of Chapter 121B and the format detailed in 760 CMR 12.00, as promulgated by DHCD. Relevant sections and headings include reference numbers that correspond to particular portions of 760 CMR 12.00, beginning with 12.02 (1). This redevelopment plan does not include any specific projects that would require acquisition, redevelopment or disposition of property by the NBRA. As a result, this document does not include responses to the sections of 760 CMR 12.00 that relate to the requirements for specific projects. Should the NBRA contemplate a project under MGL Chapter 121B, this redevelopment plan would be amended according to the procedures in Section 7 Future Plan Changes, and the requisite plans for financing, phasing, site improvements, and relocation would be prepared as part of that amendment.

**Severability**

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

CHARACTERISTICS OF THE AREA
The characteristics of the area are required by the Department of Housing and Community Development in its guiding regulations. This section describes the waterfront district as a whole and identifies the land use and zoning characteristics of each of the subareas. This section also discusses the relationship of this redevelopment plan to other planning efforts in the waterfront district and in the city of New Bedford.
2.1 DESCRIPTION OF THE PLAN AREA

The New Bedford waterfront district is located along the western shore of the Inner Harbor of the New Bedford Harbor. The district is bounded by I-195 to the north, Route 18 to the west, and Cover Street to the south.

The area contains a mix of uses, described in Section 2.2 Existing and Proposed Land Uses. Much, but not all, of the waterfront district is within the Designated Port Area (DPA) and/or is subject to Chapter 91 jurisdiction.

This redevelopment plan concerns four subareas within the larger waterfront district. These subareas have different characteristics from the rest of the waterfront district. Most of the land within the four subareas is not within the DPA boundary and most does not have direct water access. The Harbor District Commission (HDC) has jurisdiction over most of the land with direct water access in the waterfront district.

The other subareas within the waterfront district are composed of thriving businesses related to the fishing and fish-processing industries. Subareas 1, 3, 6, and 8 contain uses that are not compatible with the focus on waterfront-dependent and supporting industries and, in general, are not as economically productive as the other subareas. A summary of information about existing economic conditions, future market trends, and existing and future demographic trends is in Section 3.1 Eligibility; the complete report is provided in Appendix C. Subareas 1, 3, 6, and 8 have physical conditions that make it less likely that the private market will invest in these areas. These conditions are described in more detail in Section 3.1 Eligibility. Private investment has not been a problem in the rest of the waterfront district, with many existing businesses looking to expand.

The following maps are provided in this section:
- An aerial showing the waterfront district and identifying the four subareas that are the subject of this redevelopment plan.
- A US Topographical map for the subareas.
- A description of each of the four subareas, the reason for including the subarea within this redevelopment plan, and the reason it is appropriate for the NBRA to have a role in each subarea.
- A map of the parcels, buildings and rights-of-way within the waterfront district.

Section 2.2 discusses existing and proposed land uses and Section 2.3 discusses existing and proposed zoning.
LOCATION OF SUBAREAS WITHIN ORIGINAL STUDY AREA FOR WATERFRONT DISTRICT MASTER PLAN (IMAGE: THE CECIL GROUP)
**Subarea 1: Transit-Oriented Mixed-Use**

**Purpose**

The purpose is to allow mixed residential and commercial that capitalizes on the proximity of this area to the planned South Coast Rail improvements and the The Lofts at Wamsutta Place. The playground between Washburn Street and I-195 should be relocated to this area.

**Why a Redevelopment Area is Appropriate**

The proposed uses for this area – a mix of housing and retail/commercial – are sufficiently different from the water-dependent industrial uses that make up the rest of this waterfront study. Current uses are inconsistent with the existing zoning and are not compatible with each other. This subarea is not under the jurisdiction of the HDC.

**Potential Role of the New Bedford Redevelopment Authority**

The NBRA could be involved in parcel assembly, including acquiring land for a recreation area to replace the one in Subarea 2. Significant conditions of blight are probable, including the tire recycling facility, the auto repair sites, and the retention pond and other sites associated with the Wamsutta Mill complex.
**Subarea 3: Transit and Transit-Oriented Development**

*Purpose*

South Coast Rail is planning new commuter services to Boston. Transit-oriented development here should be connected to the mixed-use in Subarea 1. Freight connections should be made to Subareas 4 and 6, and 7, if possible.

*Why a Redevelopment Area is Appropriate*

The NBRA is a landowner in this area and has had a role, along with the city of New Bedford, in managing the rail spur that connects the EPA site to the freight rail. This subarea does not contain waterfront properties nor is it within the DPA, and thus would not be under the jurisdiction of the HDC.

*Potential Role of the New Bedford Redevelopment Authority*

Depending on the strategies for the other subareas, the NBRA properties could be sold or used for land swaps in other subareas to help implement the overall strategy for the waterfront. A larger role for the NBRA may be appropriate depending on the South Coast Rail plans and timeline.
Subarea 6: Cargo-handling and Water-dependent Industry

Purpose

Water-dependent industrial.

Why a Redevelopment Area is Appropriate

Chapter 762 of the Acts of 1957 establishes the limits of the property that the Harbor Development Commission can acquire. Chapter 193 of the Acts of 1960 amended the earlier act and exempts lands owned by the New Bedford Gas and Edison Light Company from the lands the HDC can acquire.

Potential Role of the New Bedford Redevelopment Authority

If the prohibition on purchasing these lands is still in place, the NBRA could be the entity to purchase any land that is needed to fulfill the implementation strategies for this subarea.
**Subarea 8: Supporting Water-dependent Industry**

**Purpose**

Waterfront-related uses such as processing or cold storage. Some of this area is outside the DPA.

**Why a Redevelopment Area is Appropriate**

The existing residential uses are not allowed under existing zoning and are inconsistent with future plans for waterfront-related uses.

**Potential Role of the New Bedford Redevelopment Authority**

Under a redevelopment plan, the NBRA could have the responsibility for relocating property owners and tenants of uses that are not compatible with the overall vision for the area. It is also a landowner.

The amendment in Chapter 193 of the Acts of 1960 also exempts lands owned by companies engaged in the fishing business from the lands the HDC can acquire. In order to fulfill the strategies for this subarea and for Subarea 6, the NBRA could be the entity to purchase land and arrange land swaps between various property owners in the two subareas.
SUBAREA 8

SUBAREA 6

SUBAREA 3

SUBAREA 1

PROPERTY LINES, ROADS, AND BUILDINGS (IMAGE: THE CECIL GROUP)
Land use within the waterfront district is governed by the proximity of the district to the water. Historic development patterns for fishing and trade have been maintained for the modern versions of those industries. The regulatory requirements of Chapter 91 and Designated Port Areas have specified that water-front dependent uses have priority over other uses on land abutting the tidal waters.

New Bedford is the top fishing port in the nation as measured by the value of commercial fish landed in the port, and has been the top port for fourteen years in a row. The challenge for the city is to support the working waterfront as a vital economic force within the city and the region.

The two illustrations on pages 30-31 provide separate methods of looking at the land uses within the waterfront district. The first examines land use in terms of how dependent that use is upon proximity to the water. Note that within the DPA boundary, the majority of uses are water-dependent.

The second illustration groups land uses into major categories – residential, commercial, industrial, and government uses. The majority of land within the waterfront district, even beyond the DPA, is industrial.

The illustrations on page 32 indicate the proposed uses for the waterfront district. The concept plan shows how water-dependent uses and supporting uses would be organized, and identifies some areas as mixed-use. A proposed open space corridor with selected links to the water illustrates how public access to the harbor can be accommodated without creating conflicts between the working waterfront and the public. Such conflicts, if not properly managed, could create safety issues.

The land use subarea plan on page 14 identifies all of the subareas within the waterfront district and notes the land use “theme” for each subarea.

Pages 34-37 describe the existing land uses within Subareas 1, 3, 6, and 8 in greater detail and identifies inconsistencies between current land uses and the proposed concepts on page 32.

The illustration on pages 38-39 shows the ownership of the parcels within the subareas as provided by the city of New Bedford’s Office of the Assessor. The NBRA and the city have significant land holdings within the waterfront district, including Subareas 1, 3, 6, and 8.
CURRENT LAND USES IN TERMS OF DEPENDENCY ON THE WATER (IMAGE: SASAKI ASSOCIATES)
EXISTING LAND USES: GENERAL CATEGORIES (IMAGE: THE CECIL GROUP)
CONCEPT FOR PROPOSED ORGANIZATION OF USES WITHIN THE WATERFRONT DISTRICT MASTER PLAN (IMAGE: SASAKI ASSOCIATES)
Existing and Proposed Land Uses: Subarea 1

Subarea 1 is one of the two subareas in this analysis that contain residential uses. The Lofts at Wamsutta Place are a new addition to the area, and represent the successful redevelopment of one of the Wamsutta Mill buildings. A second mill building is under renovation.

The north side of Hicks Street and both sides of Washburn Street contain a number of single-family, two-family, and three-family buildings. These buildings are in average condition, but are mixed with auto repair and commercial uses, including a tire recycling facility that occupies both sides of Washburn Street. These particular uses are not compatible with the recommendations for mixed-use development centered on the proposed rail station in Subarea 3 and shown in the concept plan on page 32.

The industrial uses may indicate the presence of environmental contaminants within the buildings. The pond is another possible source of contaminants given its relationship to the Wamsutta Mill. Public infrastructure is in poor condition relative to the proposed mix of uses.
Existing and Proposed Land Uses: Subarea 3

Subarea 3 has few buildings, most of which face Acushnet Avenue. The remainder of the subarea includes parking, the railroad rights-of-way and tracks, and land that may have been previously developed and is now cleared.

A challenge for redeveloping this area will be how to work with existing businesses and property owners to take advantage of the proximity to the rail station for both freight and commuter uses. The uses in this subarea are likely to remain a combination of commercial and industrial, and are not necessarily incompatible with the proposed land uses. The need to evaluate the presence of environmental contaminatees will depend on the types and locations of the uses proposed for the subarea. The use should transition to transit-related uses toward the north to link with the uses in Subarea 1.

The general condition of public infrastructure in this subarea is similar to that of Subarea 1. Public infrastructure improvements will be needed to link the rail station with potential commuters in the proposed mixed-use area of Subarea 1 and the other residential and mixed-use neighborhoods within walking or biking distance of the rail station.
Existing and Proposed Land Uses: Subarea 6

The land uses within this subarea are primarily industrial or related to industrial. The presence of environmental contaminants has been discussed in the media as part of the KG Urban proposal for a gaming facility and the clean-up figure was identified as $50 million. Kostow Greenwood Architects, who worked with KG Urban, described the project on their website:

*Given the industrial use of the site, the property has extensive contaminants including fuel, oil, tar, coal tar, cyanide, lead paint, asbestos, and mold.*

Similar assumption could be made about any of the industrial sites within these subareas.

The level of remediation required will be an important component of any redevelopment plan. Significant public access to the site would require a higher standard of decontamination than may be required for industrial uses. The recommendation in the master plan to consider water-related uses and a discussion of cargo-handling operations in this area may suggest a less intensive approach to remediation. However, given the cost, the need for public assistance may remain.
Existing and Proposed Land Uses: Subarea 8

The land use profile of Subarea 8 is primarily industrial, which is consistent with recommended uses in the master plan. Several land uses, including residential, smaller auto-related uses, and a ball field are not consistent with the proposed uses which would support waterfront industry, including the Marine Commerce Terminal and potential cargo operations or the off-shore wind industry.

The ball field is accessible to the neighborhood to the west by an overpass crossing JFK Memorial Highway and to the neighborhood to the south by Morton Court and South Front Street, past the mills and housing. The picture on page 52 was taken on a weekday in July: no children were observed on the ball field or its surroundings. The housing along Morton Court is probably former mill housing, based on age and style. Additional housing is present at the corner of South Front Street and Blackmer Street.

While some of the mill buildings contain active uses and are economically productive, others are in various states of being demolished. The assumption is that environmental contaminants are present in these buildings which have an extensive history of industrial use.
Selected Owners: Subarea 1
Owner1
- CHRISTIAN REVIVAL TEMPLE
- CHRISTIAN REVIVAL TEMPLE
- CITY OF NEW BEDFORD
- CITY OF NEW BEDFORD
- CITY OF NEW BEDFORD
- COGGESHALL INVESTMENTS LTD
- CORREA EDWARD "TRUSTEE"
- CORREA EDWARD "TRUSTEE"
- JAD ASSOCIATES LLC
- LAND LOCKER INC
- LANDLOCKER INC
- LECH ENTERPRISES LLC
- LECH GARAGE & AUTO BODY SHOP INC
- N B REDEVELOPMENT
- NEW BEDFORD REDEVELOPMENT AUTHORITY
- NEW ENGLAND MARINE ENGINEERING & SUPPLY INC
- NEW ENGLAND MARINE ENGINEERING AND SUPPLY INC
- RIPARIAN LLC
- WAMSUTTA LLC
- WAMSUTTA POND CORP
- WAMSUTTA WAREHOUSE CO INC
- WASHBURN DEVELOPMENT CORP

Selected Owners: Subarea 3
Owner1
- AGUIAR KIMBERLY "TRS"
- CITY OF NEW BEDFORD
- CITY OF NEW BEDFORD
- CITY OF NEW BEDFORD
- COMMONWEALTH ELECTRIC CO
- COMMONWEALTH OF MASS
- COMMONWEALTH OF MASSACHUSETTS
- COMMONWEALTH OF MASSACHUSETTS (THE)
- GLICKSMAN DAVID
- GLICKSMAN DAVID P "TRUSTEE"
- HOUSING 70 CORPORATION
- MARITIME TERMINAL INC
- MARITIME TERMINAL INC-OCC
- N B REDEVELOPMENT
- N B REDEVELOPMENT AUTHORITY
- NEW BEDFORD HARBOR DEVELOPMENT
- NEW BEDFORD REDEVELOPMENT AUTHORITY
- PENN CENTRAL CO
- PENN CENTRAL CO.
- WAMSUTTA WAREHOUSE CO INC

Selected Owners: Subarea 6
Owner1
- CITY OF NEW BEDFORD
- CITY OF NEW BEDFORD
- COMMONWEALTH ELECTRIC CO
- COMMONWEALTH GAS CO
- COMMONWEALTH GAS COMPANY
- COMMONWEALTH OF MASS
- COMMONWEALTH OF MASSACHUSETTS
- COMMONWEALTH OF MASSACHUSETTS (THE)
- N B REDEVELOPMENT
- N B REDEVELOPMENT AUTHORITY
- NEW BEDFORD HARBOR DEVELOPMENT
- NEW BEDFORD REDEVELOPMENT AUTHORITY
- OUTER HARBOR LLC
- PACZOSA JACK
- SOUTH COAST MILLS LLC

Selected Owners: Subarea 8
Owner1
- CITY OF NEW BEDFORD
- CITY OF NEW BEDFORD
- COMMONWEALTH OF MASS
- COMMONWEALTH OF MASSACHUSETTS
- COMMONWEALTH OF MASSACHUSETTS (THE)
- COSTA JOSE S
- FINICKY PET FOOD INC
- N B REDEVELOPMENT
- N B REDEVELOPMENT AUTHORITY
- NEW BEDFORD HARBOR DEVELOPMENT
- NEW BEDFORD REDEVELOPMENT AUTHORITY
- SPRAGUE MASSACHUSETTS PROPERTIES LLC
2.3 CURRENT AND PROPOSED ZONING

Existing Zoning

The primary zoning districts in the waterfront district are Residential A, Mixed Use Business, Industrial A, Industrial B, and Waterfront Industrial. There are also three overlay districts within the waterfront district: the Cove Street Mill Overlay District, the Flood Hazard Overlay District, and the Waterfront Economic Development & Revitalization Overlay District.

The existing zoning districts within the waterfront district are as follows: (see zoning map for colors)

- Residential A (RA) (bright yellow)
- Mixed Use Business (MUB) (red)
- Industrial A (IA) (pale blue)
- Industrial B (IB) (lavender)
- Waterfront Industrial (WI) (royal blue)

There are two overlay districts within the waterfront district:

- Flood Hazard Overlay District (FHOD)
- Waterfront Economic Development & Revitalization Overlay District (WEDROD)

Some of the existing land uses are not consistent with current zoning.

- Residential dwellings (single-family, two-family, and multifamily) are not allowed in Industrial-B, but do exist in both Subareas 1 and 8.
- Salvage, scrap, and waste-processing business are not allowed in Mixed Use Business, but are present in Subarea 1 and abut existing residential uses.
- Fish processing, an important use for supporting the fishing industry, is not allowed in Industrial-B, but is recommended as a use by the master plan.

The requirements of some of the city’s zoning districts may conflict with or be superseded by the requirements of Chapter 91 and the DPA (see Section 2.4 Other Regulatory Requirements).

Proposed Zoning Changes

The following are recommended zoning changes for the four subareas that are the subject of this redevelopment plan.

Some of these recommendations also apply to the rest of the waterfront district.

- Multifamily should be allowed in Subarea 1 and possibly 2 and 3
• Because Industrial-B does not allow fish processing, the city may wish to extend Waterfront Industrial to Subareas 7 and 8.
• Subarea 1 and portions of Subareas 2 and 3 should be rezoned as transit-oriented mixed use districts with uses and dimensional standards to encourage assembly of parcels and density that is appropriate for such uses.

Because the New Bedford Fairhaven Harbor Plan, and, by extension the regulations for Chapter 91 and the DPA, govern development within their boundaries, any zoning changes should be reviewed along with other regulatory requirements to ensure that the city does not inadvertently create a conflict among the various regulations.
Development in the waterfront district is regulated not just by the zoning regulations of the city of New Bedford, but by a number of state and federal regulations that govern development in or near the harbor. In addition, the city’s comprehensive plan and other local plans have relevance for the preparation of a redevelopment plan under Massachusetts General Laws (M.G.L.) Chapter 121B.

The majority of the parcels within the waterfront district are within the boundaries regulated by The Massachusetts Public Waterfront Act, or M.G.L. Chapter 91. A smaller subset of these parcels is within a Designated Port Area, which has a more restrictive set of requirements.

**Regulatory Implications for Development or Redevelopment**

As a Municipal Harbor Plan (MHP), the *New Bedford/Fairhaven Harbor Plan* (which incorporates the Designated Port Area Plan) is the primary document governing development or redevelopment in the *waterfront district*. Under Chapter 91, a harbor plan regulates projects within its boundaries. The Harbor Development Commission is responsible for this plan; it is approved by the Massachusetts Executive Office of Energy and Environmental Affairs (EOEEA).

The Massachusetts Department of Environmental Protection (MassDEP) will apply the guidance within an approved municipal harbor plan to the discretionary requirements in 310 CMR 9.00 and will allow the use limitations and numerical standards within the municipal harbor plan to supersede certain standards relative to the preservation of shorelands and tidelands for water-dependent uses and public access. *Section III: Standards for Plan Approval of the New Bedford/Fairhaven Harbor Plan* contains specific requirements for parcels subject to Chapter 91 and the DPA.

Chapter 91 differentiates between water-dependent uses and non-water-dependent uses. The definition of water-dependent uses includes water-dependent industrial uses, and requires direct access to or a location within tidal waters. The proposed project must be completely water-dependent to qualify – a non-water-dependent use as part of the project will result in determination of the entire project as non-water-dependent. Non-water-dependent uses must have a proper public purpose,
Chapter 91 Designations*

- Water Dependent Industrial Use
- Water Dependent Industrial Related Use
- Supporting Commercial Use
- Non Water Dependent / Non Supporting Use / No Data

*MA Office of Coastal Zone Management, 2011

CHAPTER 91 DESIGNATIONS (IMAGE: SASKI ASSOCIATES)
be consistent with the policies of the Massachusetts Office of Coastal Zone Management (CZM), and provide public benefits that outweigh the negative effect on the public of the non-water-dependent use. A MassDEP Waterways License is required for activities subject to Chapter 91 jurisdiction.

The regulations for a Designated Port Area (DPA) prioritize water-dependent industrial uses. Under 310 CMR 9.36 and 9.51, a structure that is not for a water-dependent industrial use must not preempt a water-dependent industrial use, must not conflict with adjacent water-dependent industrial uses, and must be able to convert to allow future development of water-dependent industrial uses. In addition to water-dependent industrial uses, Temporary and Supporting Uses are allowed within a DPA, but are limited by percentage of land area. This limitation can be modified within a community’s MHP.

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

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

Appendix A contains a list of applicable regulations, the authority with jurisdiction, and notes on the implications of the regulations for development applications.
Chapter Three

ELIGIBILITY
The NBRA must work within a defined redevelopment plan area. For this redevelopment plan, we have proposed four subareas within the larger waterfront district. These subareas share some characteristics of the waterfront district but also have other specific conditions that make private investment less likely. They have been identified as Decadent Areas under the definitions in Chapter 121B, Section 1.
3.1 ELIGIBILITY

The four subareas described on pages 10-13 are part of the larger waterfront district which is the subject of the New Bedford Waterfront District Master Plan, prepared by Sasaki Associates (the master plan). The planning process for the master plan identified these four districts as areas in which the ability of the New Bedford Redevelopment Authority (NBRA) to act in land development would be critical to supporting the recommendations of the master plan. This technical memorandum examines the existing conditions in the waterfront area as a whole and within each of the subareas to determine the level and type of blighted conditions under Chapter 121B, Section 1.

This memorandum determines that the current conditions within the four subareas meet the definition of a Decadent Area.

Decadent Area

Each subarea meets the definition of Decadent Area in different ways. The condition of the sites, public infrastructure, and buildings, the presence of environmental contaminants related to current and previous land uses, and the suitability of existing land uses with respect to the recommendations of the master plan factor into this determination of decadent conditions.

The current ownership and parcelization patterns of land are all related to lower assessed values in Subareas 1, 3, and 8, and indicate the difficulty of redeveloping these subareas for the uses recommended by the master plan. Subarea 6 has significant environmental problems and a public figure for mitigation – $50 million – that is likely to negatively influence developers interested in pursuing options for this site.

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

- Land uses that are either incompatible with recommended future uses or indicate the presence of environmental contaminants that would be difficult for the private market to address on its own.
- A structure of ownership and parcelization that makes land assembly and development of large scale projects that would support the recommended uses more difficult for the private market to achieve.
- Public infrastructure in poor condition and does not support the recommended land uses.
The presence of these conditions indicate a need for public intervention to create the conditions necessary to attract and support private investment to these land areas.

**Implications for the NBRA**

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

- Acquisition of land to assist private developers in assembling multiple parcels.
- Relocation of incompatible uses to other areas of the city.
- Public infrastructure improvements to support pedestrian and bicycle connections between the neighborhoods and the proposed rail station and appropriate vehicular connections between the freight rail and the waterfront industries.
- Support zoning changes to allow recommended uses and prohibit incompatible uses.
- Support the creation of design guidelines and the implementation of a coordinated design review process to ensure that new development meets public needs and that the both the connections to and the transitions between uses is fully considered.

**Land Use and Existing Conditions**

The recommendations of the master plan focus on strengthening and supporting the existing water-dependent uses in the waterfront area. The implications for the four subareas are two-fold: determining 1) whether existing land uses are incompatible with the proposed uses and 2) if existing building and site conditions prevent the development of the proposed uses. The discussion that follows identifies some of the general concerns; pages 18-33 contain specific discussions of each subarea.

**Land Use**

Land uses in Subareas 1, 3, and 8 are not fully consistent with the proposed uses for those areas. The general use of land for industrial purposes in Subarea 6 is reasonably consistent with the proposals for expanding cargo-handling in that area, but specific siting requirements would have to be investigated further.

**Building Conditions**

Building conditions are not a major factor in the determination of blighted conditions for the subarea, but should be noted
as they relate to underlying land uses which may indicate the
presence of environmental contaminants. These uses tend to
be industrial in nature, or related to auto repair, and occur
throughout the four subareas. No building in any of the four
subareas received a condition grade of higher than C+1, which is
just above average, and generally typical of industrial buildings.

Site Conditions

No information exists in the parcel database about site
conditions, but a visual inspection of the subareas and an
understanding of current and past land uses reveals important
information about the potential for environmental contaminants
on sites within each subarea. The investigative work that KG
Urban did on the Eversource (NSTAR) sites suggest a potential
cost of $50 million for environmental cleanup to allow the
uses it had proposed for a gaming facility. These contaminants
could make improvements to the site too expensive for the
private market to remediate in order to site new development
in the area. Site conditions also include the surrounding public
infrastructure which has an impact on both vehicular and
pedestrian access to the area and thus the desirability of locating
either residential or commercial activity on the site.

Ownership and Parcelization

Just as land use and the conditions of buildings and sites are
related, so too are the ownership of parcels and how those
parcels are divided within each subarea. The prevalence of
ownership and the size and distribution of the parcels can make
development more or less difficult to undertake.

The city, the Harbor Development Commission, the NBRA, and
the Commonwealth of Massachusetts appear regularly as owners
of parcels throughout the waterfront area. However, there
are other owners who have more than one parcel under their
control, and the participation of these owners – or lack of such
participation – will be an important component of any plan to
redevelop these subareas to support the recommendations of the
master plan.

Open areas that are marked for development are usually
subdivided into a regular grid. The grid makes the calculation
of required setbacks and other dimensional regulations simpler,
and the layout of intersecting streets easier. However, in a
previously developed area such as these four subareas, earlier
development patterns often result in irregular parcel sizes and
IMAGES FROM SUBAREA 8 AND 6 (IMAGE: THE CECIL GROUP)
IMAGES FROM SUBAREAS 3 AND 1 (IMAGE: THE CECIL GROUP)
shapes. Each of the subareas has been analyzed using a series of the horizontal grid lines (all of which are on a diagonal), based on the dominant parcels within the area. Each subarea has been superimposed over these lines so that the regularity or irregularity of the parcels relative to the subarea as a whole is clear.

The shape of the parcel is not the only characteristic that affects the likelihood of redevelopment. Smaller parcels are more difficult to redevelop, and assembly of smaller parcels to create sufficient land for larger projects is difficult due to the cost and the need to coordinate different owners. The relationship between ownership and parcelization is a critical one – too many owners of smaller parcels becomes a disincentive to redevelopment.

**Summary of Demographic and Economic Characteristics**

Physical characteristics are not the only determinants of blighted conditions, and an understanding of the demographic and economic profile of the Study Area is important for understanding the factors that influence development within the area. Note that Subareas 1, 2, and 8 have the most residential uses; demographic information about households applies to these subareas in particular. There is a clear difference between the economic conditions of the residents in these subareas and the rest of the city. This area is an Economic Justice area.

The Study Area for the master plan encompasses the area from I-195 to the north to Cove Street in the south, Route 18 to the west, and Popes Island to the east. A polygon circumscribing this area was used to obtain demographic and economic data reported in this section from the subscription data service A.C. Nielsen Site Reports. The Site Reports data are 2014 estimates based, according to Nielsen, on the latest US population and economic censuses updated by sources and algorithms proprietary to Nielsen. Other sources are noted in the text and tables, all of which are provided in Appendix C as part of the full report.

**Population and Households**

The estimated population of the waterfront study area is 719 residents in 2014. This represents about 1% of the city as a whole. The Study Area has grown much faster than the city and county: 43% between 2000 and 2010, compared to 1.5% in the city and 2.5% in the county. Although this growth rate is not
estimated to have continued between 2010 and the present, the Study Area is still projected to grow over five times as fast as the city and County over the next five years.

The growth rate of households in the Study Area was similar to the growth rate of population between 2000 and 2010. Future growth rates for both population and households are projected to be similar, and household growth will also exceed those of the city and County by wide margins. However, these households are less affluent than those of the city and County: median household income in 2014 is estimated at $27,613 compared to $38,858 in the city and $57,890 in the county. Poverty rates among families in the study area are high at 47%, with 42% of families with children below poverty. Only 19% of families in the city are below poverty levels and 9% of county families.

Workforce Characteristics

**Education levels in the study area are low**: only 12% have a college degree, and 45% have no high school diploma. However, in the city as a whole, only 15% have a college degree and 32% have no high school diploma. The county boasts somewhat better levels, with 26% of its residents having a college degree. Only 18% have not completed high school. **The workforce in the study area reflects the low educational attainment.** It is heavily blue-collar: 47% compared to 28% in the city and 21% in the county. The great majority of workers in all three areas work in the private sector. Almost 40% of the households in the Study Area have no vehicle, a very high proportion. Only 19% of those in the city and 10% of those in the county have no vehicle. Travel times to work are similar, however, among those who do and do not own vehicles.

**Housing**

The great majority, over 90%, of Study Area residents are renters, higher even than the 60% of New Bedford residents who rent. In the county, the latter proportion is reversed: 60% of units are owner-occupied and 40% are rented. Average lengths of residence are comparable, but the few owners in the study area have the longest tenures: 28 years compared to 23 in the city and 22 in the County. Conversely, renters in the Study Area have the shortest terms: 7 years compared to 9 in the city and County.
The median value of owner-occupied structures in the study area is just over $200,000, while the comparable figure for the city is a little over $230,000 and for the county $275,000.

Reflecting the large proportion of renters in the study area, 92% of the structures are multi-unit with only 7% being single unit structures. In the city, 35% are single unit structures, and in the county, 58%.

Establishments, Employees, Business Sales, Payrolls and Wages

The waterfront area accounts for about 7% of business establishments, 8% of employment, and 20% of business sales within the overall economy of New Bedford. Fishing and seafood and related industries are estimated to account for over half (54%) of the employment and over 90% of the business sales within the waterfront area.

Payrolls for the estimated 4,159 employees in the waterfront area totaled about $238 million in 2014. Average annual wages are estimated at $57,000. This average annual wage for all employees within waterfront area industries compares favorably to the $44,500 average annual wage for all industries in New Bedford in 2014, with the higher average wage largely accounted for by wages in fishing and seafood and related businesses. The fishing, seafood and related industries accounted for 78% of all payrolls within the waterfront area in 2014, at an average annual wage of $82,500.

Economic Opportunities

The Economic Summary in Appendix C describes a number of opportunities for economic development within the larger waterfront district. For the subareas that are the subject of this redevelopment plan, the Economic Summary provides the following comments related to commercial and industrial uses in the redevelopment subareas:

Subareas 3, 6, and 8

The fishing and seafood industries remain the dominant economic activity within the waterfront district. They represent a classic business “cluster” unrivaled by any other single related economic activity in New Bedford. They depend upon the skills and expertise of facilitative functions – labor force, packaging
companies, marine services/boat repair, legal, financial, promotional, and so forth. Much of the labor force they use for direct operations is predominately located within the city, and in some instance near the waterfront. They are also a significant symbol of the city and draw visitors to the waterfront and downtown as well as well customers for their direct sales.

While the processing, wholesale storage, and distribution segments of the industry are not literally water-dependent, proximity to vessel off-loadings as well as proximity to other dealer processors is advantageous. These related businesses, while competitive, share product on a daily basis as needed to fill specific orders. The trend toward vertical integration – in which the processing, storage, and distribution, and fishing activities share a common corporate identity – blurs the distinction between water-dependent and non-water dependent business identities in this industry.

For the foreseeable future, the seafood industry is predicted to continue to be the dominant waterfront area economic “cluster”, providing a majority of jobs, payrolls, and business expenditures within the waterfront area economy. Policy and other initiatives that are needed to retain and help expand this industry are likely to be a rational economic development investment. Additionally, policy incentives for expansion of other waterfront industries should consider the ongoing health of the seafood industry.

Subareas 3, 6, and 8 could be redeveloped to support the seafood industry. Subarea 3 will have direct access to rail; Subarea 6 has direct water access, and Subarea 8 is, in part, contiguous with the Marine Commerce Terminal.

**Subarea 6**

The Eversource site continues to represent an untapped potential for locating a variety of water-dependent and related uses that could further expand the waterfront area economy. A principal issue to address is the actual cost of remediation for productive economic uses. The clean-up cost, estimated to be $50 million, is a deterrent to incremental development. However, further study is needed to understand the true remediation cost in the context of yet-to-be-determined future uses. For example, a high clean-up cost applies to residential uses, and a less intensive requirement and cost may be needed for industrial uses. The future strategy may offer an opportunity to achieve major mixed-use development.
Chapter 121B requires that a redevelopment plan be in conformance with the community’s comprehensive plan. Both the city’s comprehensive plan (A City Master Plan: New Bedford 2020) and the New Bedford/Fairhaven Harbor Plan recommend detailed goals, strategies, and implementation actions that are relevant to the waterfront district. These recommendations should form the basis of the goals and strategies of any redevelopment plan for the area. In addition, the Office of the Mayor sponsored a report in September 2014: Uniting in Pursuit of Growth and Opportunity: Final Report of the New Bedford Regeneration Committee. The recommendations of this report relative to the Port of New Bedford are consistent with other goals and strategies developed by the city.

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

The main goals of each report are listed below. Each document also has detailed goals and strategies that support these higher-level goals. The redevelopment plan should recognize these goals, and use them as the basis for the specific recommendations and strategies relevant to its purpose and related activities.

**Harbor Plan Goals**

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

- **Support Traditional Harbor Industries:** Preserve and enhance the Port’s traditional strengths in fishing, seafood processing, and their supporting industries.
- **Rebuild and Add to the Harbor Infrastructure:** Upgrade port infrastructure essential to the future economic vitality of both the working port and the region and to the public’s use and enjoyment of the Harbor.
- **Capture New Opportunities:** Take advantage of new oppor-
tunities for the expansion of marine industry in the Port and other supporting industries (such as tourism, short sea shipping, recreational boating, import/export, and alternative energy) while ensuring that new activities do not conflict with the traditional working port.

- **Enhance the Harbor Environment:** Demonstrate leadership in Harbor cleanup, recycling and energy conservation under a “Green Port” initiative, with the goal of creating an environmentally healthy Harbor that will encourage a large variety of compatible uses.

**Comprehensive Plan Goals**

The following goals are quoted directly from the *Executive Summary of the City Master Plan: New Bedford 2020* (2010). These goals are relevant for, but not always specific to, the waterfront district.

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

- Promote and market the cultural and historical assets of New Bedford to transform the city’s image for both tourists and residents.

**Goals of the New Bedford Regeneration Committee**

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

- Champion the EDA planning process as a strategy for building a dynamic working waterfront.
- Gain local operational management of State Pier, and in the long term, develop the pier for public and retail uses that are integrated with the downtown.
The Commonwealth of Massachusetts has ten Sustainable Development Principles. Under the DHCD’s regulations, this redevelopment plan must show consistency with these principles. The tables below summarizes the relationship between the recommendations of this plan and the Sustainable Development Principles.

<table>
<thead>
<tr>
<th>Sustainable Development Principles</th>
<th>Applicability to this Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Concentrate Development and Mix Uses</td>
<td>New buildings and infrastructure within the four subareas would occur on previously developed land. Each subarea has a specific mix of uses that either supports existing businesses and jobs (Subareas 6 and 8) or supports regional plans for transport and related development (Subareas 1 and 3).</td>
</tr>
<tr>
<td>2. Advance Equity</td>
<td>New Bedford is an economic justice community; implementation of the master plan would support existing and new waterfront-related industries, providing valuable jobs for the city’s residents.</td>
</tr>
<tr>
<td>3. Make Efficient Decisions</td>
<td>This plan recommends a review of existing regulatory decision-making processes and recommends that the city and the NBRA work together to create a streamlined permitting process for projects in the four subareas.</td>
</tr>
<tr>
<td>4. Protect Land and Ecosystems</td>
<td>Concentrating development in previously developed areas keeps buildings from encroaching on undeveloped areas. This plan also anticipates that environmental cleanup will be required for sites polluted with industrial waste. Finally, the plan evaluates the need to consider impacts from flooding and sea level rise on local businesses and residents and plan for the mitigation of such impacts.</td>
</tr>
<tr>
<td>5. Use Natural Resources Wisely</td>
<td></td>
</tr>
</tbody>
</table>

3.3 MASSACHUSETTS SUSTAINABILITY PRINCIPLES
<table>
<thead>
<tr>
<th>Sustainable Development Principles</th>
<th>Applicability to this Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. Expand Housing Opportunities</td>
<td>Subareas 1 and 3 include housing as one of the proposed land uses that would be appropriate for transit-oriented development focused on the proposed Whale’s Tooth commuter rail station.</td>
</tr>
<tr>
<td>7. Provide Transportation Choice</td>
<td>This plan recommends that the NBRA consider pedestrian and bicycle infrastructure improvements to connect the proposed rail station to current and future residential neighborhoods.</td>
</tr>
<tr>
<td>8. Increase Job and Business Opportunities</td>
<td>The implementation of this plan would support mixed use in Subareas 1 and 3, including retail and neighborhood services to support the proposed housing. Subareas 6 and 8 would support existing water-dependent industries and the proposed expansion of the cargo-handling and off-shore wind industries.</td>
</tr>
<tr>
<td>9. Promote Clean Energy</td>
<td>One of the industries supported by this plan is the off-shore wind industry (Subareas 6 and 8).</td>
</tr>
<tr>
<td>10. Plan Regionally</td>
<td>The proposed South Coast Rail project includes an expansion of commuter and freight rail that has regional significance.</td>
</tr>
</tbody>
</table>
CHAPTER FOUR
PLAN
OBJECTIVES
The plan goals and strategies define how the NBRA will define its mission to enable private investment within the four subareas. The NBRA will undertake planning efforts targeted to each subarea and identify a project or projects within each subarea that will act as a catalyst for private investment.

Over the next two years, the NBRA will build its capacity as an effective organization within the city of New Bedford that can act in partnership with the city, the New Bedford Economic Development Council, the Harbor Development Commission, local businesses, and property owners to revitalize the four subareas.
The purpose of any redevelopment authority is to create and support conditions that encourage private investment in the development of the areas under the authority’s control.

As part of this purpose, the NBRA has identified several secondary goals and related objectives that would allow it to act more effectively within the four designated subareas.

- Build Capacity
- Address Existing Debt Obligations
- Establish Development Regulations and Review Process
- Undertake Planning Projects
- Identify and Undertake Catalyst Developments

**Build Capacity**

The NBRA as currently constituted has not been an active participant in development. The NBRA should focus on working with the Mayor’s Office and the Planning Department, the New Bedford Economic Development Council and the Harbor Development Commission to develop clear lines of communication and responsibility relative to development within the four subareas and the larger waterfront district.

The NBRA also needs to identify how it will be staffed and how to pay for the staffing.

Building capacity should begin within the next six months.

**Address Existing Debt Obligations**

The NBRA has an outstanding obligation to the city of New Bedford. This obligation must be addressed in the short term, either separately or as part of a redevelopment project.

The NBRA also holds land both within the four subareas and throughout the city. The purpose and value of the assets should be considered both in terms of the obligation to the city and in terms of potential projects the NBRA could undertake within the four subareas.

The NBRA should address the existing obligations within the next 18 months.

**Establish Development Regulations and Review Process**

Both the NBRA and potential developers must understand how development will take place within the four subareas. The NBRA
should work with the city to define the appropriate regulatory changes – both zoning and design guidelines/standards – and a permit review process. The city should consider an expedited review process for projects within the subareas and define the roles of the Department of Planning, Housing and Community Development, the Planning Board, the Zoning Board of Appeals, and the NBRA in reviewing and permitting development in the subareas.

The NBRA should begin discussion on the regulatory and review process within the next six months.

**Undertake Planning Projects**

The master plan and this redevelopment plan have been referred to as “framework” documents throughout the planning process. The NBRA should undertake additional planning, specific to each subarea, to link the proposed general land use activities with regulatory changes, build-out and redevelopment scenarios, and a clearer understanding of the timing and impact of some of the identified changes – such as the South Coast Rail expansion – that affect the context of development within each subarea.

The NBRA should expect to begin planning for one or more subareas within one year.

**Identify and Undertake Catalyst Developments**

As part of the planning process, the NBRA should identify catalyst developments – a project or projects within each subarea that the NBRA can use to attract additional private investment. A catalyst development could be one or more of the following:

- Public infrastructure improvement, such as improving pedestrian and bicycle access to the proposed Whale’s Tooth station
- Relocation project, such as relocating the ball field in Subarea 8 to a location that is more accessible to the neighborhoods
- Redevelopment project of either new construction or renovation that supports one of the proposed uses for the subarea in which the project takes place

The NBRA should plan to undertake its first project within the next three years, either with an in-house development team or though a public/private partnership. The timing of other projects would be throughout the life of this redevelopment plan.

This redevelopment plan would have to be amended, as noted in *Section 7 Future Plan Changes*, to incorporate new projects or regulatory changes.
The NBRA is authorized to have all powers identified in MGL Chapter 121B Sections 11 and 46, and all related sections. These powers allow the NBRA to undertake the following activities within the four subareas:

- Apply for and accept grants and loans
- Issue bonds
- Acquire and dispose of buildings and land
- Undertake planning activities
- Clear and redevelop land
- Rehabilitate buildings
- Undertake improvements to public infrastructure
- Relocate buildings, businesses, public assets, tenants
- Undertake historic and architectural preservation
- Develop design guidelines and standards and undertake design review of projects
- Require other regulatory standards for private development

Although the NBRA is authorized under the enabling legislation to have the ability to acquire property through an eminent domain taking, no such action is anticipated at this time. Any redevelopment project, including one requiring the use of eminent domain, would require a major plan update under the process outlined in Section 7 Future Plan Changes.
### 4.3 IMPLEMENTATION PLAN

This Implementation Plan is tied to the city’s goals and supporting objectives and to the activities allowed under Chapter 121B.

<table>
<thead>
<tr>
<th>Goals</th>
<th>Objectives</th>
<th>Actions</th>
<th>Timing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Build Capacity</td>
<td>Establish staffing and operating procedures.</td>
<td>Discuss using city Planning Staff in the short-term and hire own staff once operating funds established.</td>
<td>6 months – 1 year</td>
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<td></td>
<td></td>
<td>Schedule regular meetings with city staff and agency representative to develop working relationships.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Begin regular communications with city and related agencies.</td>
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<td></td>
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<tr>
<td>Address Existing Debt Obligations</td>
<td>Reduce obligation to city through disposition of land or production of income.</td>
<td>Identify land that is surplus to operations and dispose of to create capital for repayment.</td>
<td>18 months</td>
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<tr>
<td></td>
<td></td>
<td>Identify land that could be income-producing and create plan to realize such income.</td>
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<td></td>
<td></td>
<td>Work with city Solicitor and city CFO first to develop payment plan and strategies.</td>
<td></td>
</tr>
<tr>
<td><strong>Goals</strong></td>
<td><strong>Objectives</strong></td>
<td><strong>Actions</strong></td>
<td><strong>Timing</strong></td>
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<tr>
<td>Establish development regulations and review process.</td>
<td>Work with Department of Planning, Housing and Community Development.</td>
<td>Identify and implement regulatory changes that enhance the purpose of each subarea; may include design guidelines.</td>
<td>6 months – 2 years</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Develop permitting and design review process; identify roles for each.</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Consider streamlined permitting process for each subarea.</td>
<td></td>
</tr>
<tr>
<td>Undertake planning projects.</td>
<td>Create specific plans for each subarea targeted to the purpose of that subarea; fully evaluate environmental conditions contributing to blight.</td>
<td>Undertake in-house or hire consultant team to create subarea plan. Focus plan on identifying specific projects for the NBRA to undertake that will act as catalysts to private development.</td>
<td>1 – 2 years</td>
</tr>
<tr>
<td>Identify and undertake catalyst developments.</td>
<td>Begin specific planning for catalyst project based on planning efforts above.</td>
<td>Create plans for financing, site improvements, timing, and relocation.</td>
<td>3 – 20 years</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Amend this redevelopment plan to add project. Secure funding.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bring together development team to undertake project.</td>
<td>In-house team or public/private partnership. NBEDC could help with development projects.</td>
<td></td>
</tr>
</tbody>
</table>
4.4 FUNDING STRATEGIES

The NBRA needs to consider three different categories of needs when reviewing possible strategies to fund its activities.

- Outstanding Obligations
- Operations
- Future Projects

**Outstanding Obligations**

The NBRA has existing assets and liabilities. One of its first actions should be to evaluate its current real estate holdings and its current obligation to the city of New Bedford and determine how to best address the outstanding loan payable to the city. The NBRA has a few options:

- Sell land that is superfluous to NBRA requirements to raise funds for repayment of the obligation.
- Transfer land that is superfluous to NBRA requirements to the city in exchange for a reduction in the debt.
- The city Solicitor and the CFO should be part of the discussion as to the method and timing of the repayments.

**Operations**

Existing land may be a key to the NBRA’s operational needs. In order to conduct the activities envisioned by this redevelopment plan, the NBRA will need part- or full-time staff to manage its regular operations. In the past, the NBEDC has acted as staffing for the NBRA. As the NBRA takes on additional work, it may be less appropriate for the NBEDC to provide staffing given their own operational needs. Other cities, such as Salem, have integrated their redevelopment authority with the city Planning Office and this may be one model to study.

Land that can become income-producing can provide a stream of income to assist with operational staffing. However, supplemental sources of funds will be needed in the first few years as the NBRA builds capacity and undertakes its first planning and development project or projects.

**Future Projects**

The NBRA will need to identify sources of funds to help it undertake planning and development projects. It is unlikely that the NBRA will be staffed in the first few years at a level that would allow it to undertake such projects in-house. The cost of hiring planning and development professionals will need to be a part of the projects the NBRA finances.

Funds for studies will be needed before the NBRA can undertake significant development. Such studies may include evaluating
the existing environmental conditions and proposed mitigation, the appropriate uses for the potential development site or sites, and creating the development pro forma, financing and phasing plans, and proposed site improvements. City Planning staff may be able to undertake some of these studies; others will require specific professional expertise.

**Funding Sources**

The following is a list of some of the sources that could be used for both operations and project planning and development. It is not meant to be an exhaustive list, or applicable to all four subareas, but does provide some initial sources for consideration. Some of these sources would form the financing structure for bonds issued by the NBRA.

**Operations**
- City Funds
- Community Development Block Grants
- Priority Development Funds

**Infrastructure**
- MassWorks grant program
- Business Improvement District
- Community Preservation Act (CPA)
- Local Infrastructure Development Program
- Infrastructure Investment Incentives Act (I-Cubed)
- District Improvement Financing (DIF)

**Development Projects**
- Tax Credits – New Markets, Federal Historic, State Historic
- Urban Center Housing Tax Increment Financing (UCH-TIF)
- Economic Development Incentive Program (EDIP)

MassDevelopment and the Executive Office of Housing and Economic Development would be good sources for discussing the requirements and applicability of these funding sources.
Chapter Five

REQUISITE MUNICIPAL APPROVALS
This section contains the formal authorization of vote by each entity. These should be inserted prior to sending the final document to DHCD for approval.
5.1 APPROVAL BY THE NBRA
5.2 PLANNING BOARD DETERMINATION OF CONSISTENCY
5.3 OPINION OF CITY SOLICITOR
5.4 APPROVAL BY THE CITY COUNCIL
Public outreach and engagement with important stakeholders was critical during the fourteen-month planning process that identified existing and future land use potential for the master plan. The planning team met at key points in the project with the steering committee; an organization of land and business owners, waterfront advocates and industry representatives that guided the process and development of the framework.

As part of the public outreach effort there were five steering committee meetings, two public meetings, and additional meetings with local experts, advisory groups and agencies. These groups provided specific feedback around topical areas and provided insight into the implementation process.

Public input is described in more detail in the master plan, but included the following:

**Phase One – Project Foundation**

The planning team met one-on-one or in joint meetings with key stakeholders, including members of the New Bedford Economic Development Council (NBEDC), New Bedford Redevelopment Authority (NBRA), representatives from city departments, the Harbor Development Commission (HDC), and other public, private, and non-profit stakeholders. The planning team met with the steering committee twice during this phase.

**Online Outreach**

Online outreach to the steering committee was launched towards the end of phase one in the steering committee meeting in February 2015. The online tool was an interactive mapping platform and survey called MyHarbor which was developed to gather input from the community to determine current and future use patterns along New Bedford’s waterfront.

**Phase Two – Exploring Alternatives**

The concept alternatives phase explored different options as alternatives for both the overall waterfront district master plan and this redevelopment plan. This phase provided the opportunity to bring together the existing conditions analysis with stakeholder visions and goals. Feedback from the NBEDC, its partners, and the broader public was incorporated into discussions with the steering committee to identify a preferred direction.
Public Meeting #1

The first public meeting focused on goals and objectives of the waterfront district master plan and allowed the general public to review and refine the analysis findings. At the conclusion of the meeting, the team worked with NBEDC to evaluate stakeholder input for incorporation into the next phase’s development of alternative strategies.

Phase Three – Master Plan Development and Implementation Strategies

Phase three aggregated the findings and alternatives from phases one and two and identified a comprehensive and flexible framework and preferred alternatives for waterfront focus areas.

Public Meeting #2

The second public meeting focused on the exploration of different scenarios for land uses, development patterns, public realm improvements, and infrastructure; and relative priorities for potential plan initiatives. The community explored ideas for the redevelopment subareas. At the conclusion of these meetings, the team again worked with the NBEDC to evaluate stakeholder input and weigh the various alternative strategies to develop a preferred direction for the creation of draft plans.

Phase Four – Building Capacity and Governance

Once the master plan and the draft redevelopment plan are final, the planning team and the HDC will present their findings and the final plans to the New Bedford Redevelopment Authority and the Planning Board. This phase is expected to begin in early 2016.

6.2 PARTICIPATION IN PROJECT EXECUTION

Before the NBRA can undertake any projects, it must undertake a planning process to identify the uses, existing site and, if appropriate, building conditions, the cost of the planned improvements, the financing structure for the development, and the timing of the project. This plan should include participation by the public, including notification of the surrounding neighborhood.

Once the planning for the proposed project is complete, this redevelopment plan would need to be amended to incorporate the redevelopment project. Adding such a project is a major plan amendment and would have to follow the process outlined in Section 7 Future Plan Amendments.
Chapter Seven

FUTURE PLAN

CHANGES
The provisions of 760 CMR 12.00 allow for specific circumstances under which a redevelopment plan may be updated or changed. This plan does not include any specific project for the NBRA that would require acquisition, redevelopment or disposition of property and no such specific circumstances were anticipated at the time this plan was adopted.
This plan has a time horizon of twenty years and may require updates in the future. The provisions of 760 CMR 12.03 specify two mechanisms whereby this plan may be changed: a minor plan change and a major plan change.

**Minor Plan Change**

This update requires a resolution from the NBRA.

Minor plan changes do not substantially alter the provisions of the plan.

**Major Plan Change**

A major plan change involves a more substantial alteration of the underlying plan and, as such, requires a more complex approval process. The process for a major plan change is the same as was followed to produce this plan – evidence of a public hearing, certification of conformity with existing plans by the Planning Board, and approval by the city Council. All property owners and developers affected by the changes must be notified and given an opportunity to comment.

**DHCD Approval**

All proposed minor and major plan changes shall be submitted to the Department of Housing and Community Development for approval; such approval is required before the changes to the plan can take effect.
7.2 REQUIRED INFORMATION FOR REDEVELOPMENT PROJECTS

If the NBRA wishes to undertake a specific redevelopment project – whether a public infrastructure improvement, new construction, or reconstruction – it must amend this plan using a major plan amendment. A redevelopment project requires additional information that is not presented in this redevelopment plan. This information is required by one or more of the following sections from 760 CMR 12.00.

- 12.02(4) Financial Plan
- 12.02(6) Site Preparation
- 12.02(7) Public Improvements
- 12.02(8) Relocation
- 12.02(9) Redeveloper’s Obligations
- 12.02(10) Disposition
LAND USE CONCEPTS FOR NORTH TERMINAL (INCLUDING SUBAREAS 1 AND 3) AND SOUTH TERMINAL (INCLUDING SUBAREA 8)

(Image: Sasaki Associates)