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CITY OF GLOUCESTER  
HARBOR PLANNING

Members:

Rick Noonan [Absent], Planning Board

Paul Vitale, Fisheries Commission

Cate Banks substituting for Ralph Pino  
Waterways Board

Greg Verga, City Council

Paul McGeary, Chair

Jeffrey Amero

Ann Molloy

Marcy Pregent

Ron Schrank

Alternates: Mike Potter & Steve Cefalo

Also in attendance: Sarah Garcia; Kathryn Glenn; Steve Winslow, and George Naslas, Weston & Sampson.

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## 2013 Harbor Plan

April 30, 2013

3<sup>rd</sup> Floor Conference Room, City Hall

7 - 9 pm

**Meeting called to order at 7:00 PM by Chair Paul McGeary.**

**Approval of Minutes from March 19, 2013.** Corrections: Page two should state “shuttle boat” not “shuttle board”. Motion on page six should read: “...review Section 4 of the current Harbor Plan with a view towards what should have happened, what did not happen, and what is now irrelevant...”

**MOTION: On motion by Mr. Vitale, seconded by Ms. Pregent, the Committee voted unanimously to approve the minutes from March 19, 2013 as amended.**

### Introduction to Weston & Sampson Team

**Councilor McGeary** stated that agenda items will be taken out of order. The meeting will begin with agenda item number three, “Introduction to Weston and Sampson Team”. **Ms. Garcia** introduced George Naslas of Weston and Sampson. They have a new Brownfields consulting grant with the City that is focused on whether they can be of assistance to Harbor development. **Mr. Naslas** stated that Weston and Sampson is currently working on the Brownfields program. Weston and Sampson is a consulting firm that is in its twentieth year. **Mr. Naslas** has been working specifically on the Brownfields program since 1999, one year after it began. The City of Gloucester has received a grant for hazardous material assessment and one specifically for

petroleum. The grant total is \$400,000 and this is to be used to assess hazardous materials contamination in certain areas. Brownfields are defined as properties with contamination or perceived contamination. Some Brownfields sites are obvious, such as a dump or an abandoned mill. Developers and banks are afraid of the unknown, which is why they are hesitant to invest in properties with potential hazardous waste contaminations.

**Mr. Naslas** continued by saying the grant allows Weston and Sampson to assess the contamination status at particular locations in order to allow for development. These grant funds can be used on multiple parcels. The funds can be used for both City and privately owned properties. The grant is funded through the EPA and is intended to help move orphan properties forward in development. The program is currently funded for two years, through 2015, but there will be the option to extend the grant. **Mr. Naslas** stated the grant is in the initial planning phase. Part of the process of this phase is to allow community members to learn about the program. Another part is to allow for the learning of what is needed by the community, in this case Gloucester. Weston and Sampson will begin with an inventory of sites. Public meetings will be held to allow people to learn about the Brownfields program and hopefully generate some interest.

**Mr. Naslas** stated that outreach meetings have been very successful at engaging private property owners in other locations. There are various levels of assessment. Phase 1 is a paper study which will be looking at historical records of properties and learning what used to be there. Phase 2 is an intrusive investigation during which groundwater data is collected to recommend actions to property owner. From a City's point of view, this study informs about what properties to invest in and what the potential uses are for a property. For private owners, this data is useful to help guide actions if they are interested in developing. There are also administrative and reporting requirements from the EPA, as part of the Brownfields program.

**Mr. Naslas** continued by stating Weston and Sampson has been selected to work with Gloucester on this program. By attending this meeting he hoped to address any questions and to learn if people know of sites that might be of interest to Weston and Sampson. The focus of this program is in the DPA, roughly, but the grant can apply to the entire City. The first few months of the program will be spent planning, while the remaining 18 (eighteen) will be assessment. **Mr. Amero** asked if the funds are available for studies in the harbor, such as dredging areas. **Mr. Naslas** stated that some grantees have used the funding for dredging, but it is a tricky process. The funds cannot be used for clean up, it is for planning cleanup.

**Mr. Winslow** stated that this grant was utilized by another community to do testing along the Malden River. **Mr. Winslow** is overseeing the grant for Gloucester through the Community Development Department. He and **Mr. Naslas** are looking to this commission to guide where to focus the study. The harbor planning study will direct how to move the Gloucester Harbor forward and this grant can help direct that planning. **Mr. Winslow** is hoping these funds will help the Commission get even more done. He is also looking to establish a steering committee and is hoping the Harbor Planning Commission will be able to fill that role. **Mr. Winslow** would like to work with the Commission to see what properties should be tested. There might be some resource judgments to be made, because \$400,000 can be spent rather quickly when looking to assess the Gloucester Harbor.

**Councilor Verga** asked if the money is in hand or if it is part of the sequestration. **Mr. Winslow** responded that the money is in hand and this grant will not be part of the sequestration

until the year 2015. **Mr. Cefalo** asked if a property is already marked by the DEP, can it be part of the Brownfields study. **Mr. Naslas** stated that it depends on the property and how it was acquired. If a property is responsible for the contamination it may not qualify. **Mr. Cefalo** inquired as to whether or not locations already been identified. **Ms. Garcia** clarified that the grant has just been awarded, so they are looking to determine sites and answer any questions that people have about developing around the site. She also stated that the phase one windshield survey does not require any invasive processes.

**Ms. Pregent** asked if a private property owner volunteers to participate and testing confirms there is need for cleanup, do those funds assist with the cleanup. **Mr. Naslas** reiterated that no, the funds cannot be used to not help with clean up. **Mr. Winslow** added that there is a revolving loan grant through the City that can help assist with clean up for properties. **Ms. Pregent** stated that people are afraid of finding out they need to do cleanup and not being able to afford it. **Councilor McGeary** clarified that it is a loan program, with very good interest rates. **Mr. Winslow** confirmed that yes, it is a loan program with very low interest rates and is often used to help pay for cleanup in order to obtain a loan for redevelopment. **Ms. Pregent** suggested that it may be helpful to have the loan information available when having discussions about the assessment. **Mr. Naslas** is sensitive to those concerns and does not want to get someone involved and then walk away.

**Ms. Molloy** asked if Mr. Winslow or Mr. Naslas are familiar with 110 Commercial Street that has recently been assessed by the Brownfields. **Mr. Winslow** confirmed that he is and stated that it was part of the previous grant. The soil and groundwater data is still coming in and there may be more follow up needed. **Mr. Naslas** said that grant also helps develop a cleanup strategy, if necessary, that is based on the desired end use of the property. This is especially useful for sites where an end use is identified. This fund can preplan clean up strategies. **Ms. Garcia** stated that there are certain circumstances that allow for a property to receive grant, rather than loan funds, for cleanup through the City's other program. One example is if a property is owned by a non-profit. **Mr. Winslow** stated that the funds are currently tapped out for ability to provide grants, but there is the intention to apply for another \$400,000 or \$500,000 in the future. **Ms. Molloy** asked how long the process might take, through cleanup. **Mr. Naslas** responded that it is dependent on the process decided by the owner. The paper phase is about a month, the assessment phase can be a couple of months, depending on what is done. When the data is available the next step is to determine the course of action. **Ms. Molloy** asked if a private owner pays for assessment, can they be reimbursed by the Brownfields program. **Mr. Naslas** said that reimbursement is not an option as this is a service grant. The purpose of the Brownfields program is to take away the "unknowns" for developers. This program could be really helpful for properties that have an idea for development. The grant does pay for filing to the MADEP.

**Mr. Potter** asked about the status of I-4, C-2. **Ms. Garcia** answered that it had a Phase 1 assessment performed and it was relatively clean. **Mr. Naslas** added that a Phase 2 assessment should be conducted prior to development. **Mr. Potter** followed up by asking about 110 Commercial Street. **Mr. Winslow** reiterated that ground water sampling has been performed and they are currently waiting on that data to be reported. **Mr. Potter** stated that it would seem that if the City is planning on selling or developing those sites, they should be the top priority to get a cleanup grant. **Councilor McGeary** stated that he believes those are the types of priorities Mr. Winslow is seeking to determine. **Mr. Winslow** said that tonight was an introduction to the Brownfields program. The first step for Weston and Sampson is to take a map, look at some

parcels, and get general information. A list of parcels will be generated and Mr. Winslow will come back to the Commission with that information. **Mr. Potter** asked if the Coast Guard keeps records of spills. **Mr. Winslow** confirmed that they do. **Ms. Garcia** recommended developing fact sheets to post on the website.

**Mr. Naslas** stated the process for I-4, C-2 should depend on what the end use will be, since that will drive the assessment. **Mr. Potter** asked what is left on the cleanup for I-4, C-2. **Mr. Naslas** stated that he is unsure at this time. **Mr. Winslow** stated that there is a timing component to this assessment, because finding contamination triggers reporting requirements and action requirements from DEP. The City is currently looking to put aside resources so the City can plan on development once contamination is determined. **Ms. Molloy** asked whether it would be easier to get Brownfields money if the City owns a parcel, or if it is owned privately. **Mr. Naslas** stated that generally the City is in a better position, but it depends on what the parcel can be used for. If I-4, C-2 is the catalyst for everything around it to be redeveloped, then that will take priority. **Mr. Winslow** said that if property owners get together about the development of a group of parcels, there can be relief from some of the DEP requirements. **Councilor McGeary** stated that there are nuances that need to be considered throughout this process. What Mr. Winslow and Mr. Naslas are looking for from this group is priorities on parcels. **Mr. Naslas** added they are also looking to promote awareness of this program. **Ms. Garcia** will notify the Commission once fact sheets are available.

#### **Review of 2009 Harbor Plan, Section 4 – Recommendations**

**Councilor McGeary** began the discussion by suggesting going around to each member and discussing one aspect of the 2009 Harbor Plan, specifically Section 4, that has happened, one that has not, and one that is now irrelevant. **Councilor Verga** started by saying he believes that Section 4-1-2, Strategy 8, “Support initiatives to expand the cruise ship market” has not met his expectations. **Ms. Garcia** asked for more detail as to what has not met expectations. **Councilor Verga** stated that he is not the expert on this, but it is a big part of the Harbor Plan and the Commission should look at whether or not it has met expectations. **Ms. Garcia** is fairly certain this has been achieved. Gloucester Harbor had 20+ cruise ships in last summer, when this was written it was about two per year. **Councilor McGeary** added that it has certainly increased, but has it plateaued. **Councilor Verga** suggested that there are also other aspects of support that could be looked at, such as busses and transportation. **Mr. Vitale** added that like any other business it will not happen overnight. One issue Mr. Vitale has noticed is that they seem to come primarily during the fall, and not throughout the summer. The communication between when the ships come in and the stores downtown has been lacking. **Mr. Vitale** stated that dredging is also an issue, because water depth is not enough in the event of a nor’easter.

**Mr. Potter** asked what the impact and benefits of these cruise ships are for Gloucester, including how many people and how much money is made. **Ms. Garcia** asked if the data collection is something that should be included in the next Harbor Plan. **Mr. Cefalo** stated the cruise ships have been a success. **Mr. Potter** asked to define what is a success. **Mr. Cefalo** added that there have been more ships coming in to the Harbor. **Ms. Garcia** stated that one thing she would like to see in the scope of services for a consultant to be hired by the Commission is the dashboard of success. **Councilor McGeary** added that one action item of the Harbor Plan being developed currently is to gather more data on the initiatives, to see what the impact is of

the actions being recommended. **Ms. Garcia** stated that in the previous scope data was asked for, but we were told Gloucester is too small to collect data. Data would be something to point to at the end of the day and to demonstrate where we are. **Ms. Pregent** said maybe we can pick a couple of stores and ask what their average day is and what their profits are on days when cruise ships are in to chart the increase for those days. **Councilor McGeary** summarized by saying there should be better data collection and analysis on the next Harbor Plan. **Mr. Cefalo** asked if feedback from the cruise ships can be incorporated into plan. **Ms. Garcia** asked how we can get feedback from target markets.

**Ms. Molloy** stated that one of the things from the 2009 Harbor Plan that she does not believe has been accomplished is Section 4-1-2, Strategy 10: Accessing government assistance. We are in a DPA and it is squeezing us. We need to tap into these funds that are out there to help us diversify and utilize this land. **Ms. Garcia** stated that Ms. Molloy is right, a large part of that is capacity on our end. There are a whole host of programs out there, but it comes back to capacity. There needs to be someone driving the process of applying for and creating the infrastructure for grants. The consultant should tell us what five grants we should go after. We have been successful in getting some, but there are a lot out there. If the City does not currently have the capacity then we need to hire a consultant to write grants. **Ms. Molloy** stated that we need to get the Saltonstall-Kennedy money back. **Ms. Garcia** discussed the surcharge on fish imports and how that money was directed to internal research at NOAA. **Ms. Molloy** stated that if you read what it was meant to be, that it is not what it is being used for.

**Ms. Pregent** stated that she is on Maritime Executive Board and they have been building maritime economy and are continuing to do so. She would like to do a report on what has been done and what is being worked on, such as, attracting maritime research, maritime schools, and alternative energy. **Mr. Cefalo** stated that Section 4-1-2, Strategy 9 should not be limited to domestic ferry services, it should be broadened. **Ms. Garcia** has been asked why Gloucester is not pursuing Canadian ferries. She stated that it is because she has researched ferry studies and has learned that ferries need cargo, not just passengers to be sustainable. The Canadians are willing to subsidize ferry service, but no one in the United States is willing to subsidize. Even local ferries struggle to stay alive in Gloucester. The recommendations of the last plan were a long wish list, and we should determine what is feasible. **Ms. Molloy** stated that if we dredge the Harbor we can do cargo. **Ms. Banks** stated that she is on the Waterways Board and provided an overview of some of the progress made to improve recreational boating in Gloucester, including: dingy chain at St. Peters, launch service, and commissioning of feasibility study for floating marina and mooring fields.

**Councilor McGeary** stated that in terms of the 2009 Harbor Plan, Gloucester has already become a more welcoming port to the recreational boating public. **Councilor McGeary** stated that developing I-4, C-2 is number one on the list of to develop in order to achieve Section 4-1 of the 2009 Harbor Plan: Growing the maritime economy. It is essential to whatever is done in the Harbor. **Ms. Garcia** discussed the value non-profits bring to the community and their potential to help establish relationships for further development. **Councilor McGeary** stated that there can be a spinoff effect from non-profits. Monterey Bay was brought back entirely by the aquarium, which is a non-profit. **Councilor McGeary** stated that the changes are happening, maybe not as deeply or quickly as we would like, but they are happening.

**Councilor Verga** stated he would like to avoid putting in actions into the newest Harbor Plan that would be nice to happen, but lacks follow up. **Councilor McGeary** added that if there

is a commitment and we are sure it will happen it should be included. **Mr. Potter** stated that Section 4-6, regarding the permitting process drives everything. He discussed the City's voluntary participation in Harbor Planning and asked whether or not there is the option to stop participation. **Mr. Potter** continued by saying he believes the City needs to strengthen and change local zoning and ordinances as this will influence development in the City. **Councilor McGeary** followed up by saying that 301 CMR 23 says the Harbor Plan is voluntary, but is being part of the DPA. **Ms. Garcia** replied that what we get from participating is the ability to shape how the DEP issues permits, someone to assess the harbor and assist with the harbor plan, and the capacity to stay in sync with State grants. Whether we have State or local zoning is a political question and is not part of this process here. At the end of this process, if it is determined that the Committee cannot work under current state zoning then that is a political issue and is not under the purview of this commission. **Mr. Potter** stated that Section 4-6 should be changed as it is causing more problems than solving.

**Ms. Garcia** stated she believes the initial Harbor Plan was done under the context of providing two separate areas of suggestions: things that should be in the Harbor Plan and things that are political and should be addressed elsewhere. **Mr. Potter** said that the Committee will not get anywhere unless there is a plan that is conducive to development. **Ms. Glenn** stated that the State law that governs waterways is Chapter 91. Chapter 91 is where the requirements for the DPA are located. If you are a DPA, your standards are different within Chapter 91. A lot of communities do a Harbor Plan even if they are not in a DPA. Chapter 91 gives a set of things you can change through the process of a Harbor Plan as long as you provide offsets. The DPA Master Plan is a requirement of the Harbor Plan if a DPA is part of the harbor planning area. For example, you can have a DPA master plan within a larger Harbor Plan. **Councilor McGeary** summarized by stating the Harbor Planning process provides the ability for communities to ameliorate DPA standards.

**Ms. Garcia** stated that can be one concern we want the consultant to address: can we develop under the current regulations. **Ms. Banks** stated that she is curious about Section 4-6, the permitting process, where it seems to be recommending developing a site plan review committee. **Ms. Garcia** stated that it was accomplished exactly as recommended. **Mr. Vitale** said one of the things that has not been accomplished is the dredging. It is important for all aspects of the Harbor. **Mr. Vitale** provided a few examples of how this impacts ships in the Harbor. **Councilor McGeary** asked Ms. Garcia, in the context of a harbor plan, what can we say about dredging. **Ms. Garcia** replied that we can ask for a dredge management plan. When people were convened to discuss the Annisquam River dredging, they said that you need to move a certain level of cargo in order to be eligible for regular harbor dredge maintenance. Developing a dredge maintenance plan is something that continuously ends up on the back burner. **Ms. Molloy** asked when was the last time the harbor was dredged. **Ms. Glenn** stated that everyone agrees the Harbor needs to be dredged, but it is being held up by work being done by National Grid.

**Mr. Cefalo** stated that the DPA regulations are hard to understand and the perception by people is that it will never work and they cannot even start planning because of the DPA. If we are going to pay someone to write a plan, part of their scope should be looking at what if the DPA did not exist, what could we do.

### **Review Scope for Harbor Plan Consultant**

**Ms. Garcia** introduced the Harbor Plan Consultant scope. Section 8 is the guts of the proposal, the rest is pretty much boiler plate. Most people are familiar with how we got to this point. **Ms. Garcia** reviewed the consultant scope, stating the three basic parts of the scope are: provide an economic development strategy based on the Harbor Plan; evaluate the state regulatory environment; and update the 2009 Municipal Harbor Plan and DPA Master Plan. This includes the dockage piece because it has been demonstrated to be important. **Councilor McGeary** said that Section 2A states “uses may need to be contemporized in light of new commercial maritime activities”, but those are defined in State regulations. **Ms. Garcia** stated that yes, but this board can recommend ideas. **Councilor McGeary** asked if it would just be a suggestion and not something that could be done in the context of the DPA. **Ms. Garcia** we can go to DEP and see if they can be incorporated.

**Mr. Potter** discussed the importance of being able to outline the competitive advantage companies can find within Gloucester in order to get them to relocate here. **Ms. Garcia** stated that what we have found over time is that we are homegrown better. If people need to get on the water, how do we get them here? It is not an easy task, but there are some out there. Overall, when we looked at the Marine science and technology sectors, north of Boston was second only to Boston for the number of patents being issued. **Mr. Vitale** stated that if we are looking to attract companies here for maritime research, there are a bunch of magazines that these companies get; maybe we should consider placing an ad. **Ms. Garcia** suggested requesting marketing materials as part of the scope of services. **Councilor McGeary** concurred with Ms. Garcia that public relations and a marketing strategy should be included in the scope for the consultant.

**Councilor McGeary** asked Ms. Garcia, in terms of the hiring process, how do the consultants fit into this process and how do we fit into their consultancy? **Ms. Garcia** stated that the first thing they do is come to us and say, this is how we think we can deliver to you a plan. **Councilor McGeary** asked, so there is not a rigid structure in mind yet, you want to see what they will do. **Ms. Garcia** confirmed and stated that there are some expectations. She expects them to attend every meeting and provide regular progress. **Mr. Potter** asked what is the budget for the consultant. **Ms. Garcia** stated that the Seaport gave \$125,000. She is thinking \$75,000 for consultants. She would consider using more for a consultant, but we not asking for something out of the box. **Mr. Potter** stated that there are organizations that funding just these kinds of things. **Ms. Garcia** stated that the City has the funding. **Councilor McGeary** stated that this is one of the things we actually got out of being a DPA. **Mr. Potter** provided more funding suggestions. **Ms. Garcia** informed Mr. Potter that if he has specific contacts she would be happy to reach out.

**Councilor McGeary** asked the Committee members to further review section 8 of the consultant scope and if there are more suggestions to please send them to Ms. Garcia. **Ms. Glenn** said to keep in mind how complex the DPA regulations are and to not diminish the importance of hiring someone who has experience with municipal Harbor Plans. **Ms. Garcia** stated that there is lot of interest out there and there needs to be a nice mix of skills. **Ms. Molloy** asked if the \$125,000 can only be spent on a consultant or if there are other options. **Ms. Garcia** stated that she will have to review the scope of the grant as it may have included I-4, C-2. She is not sure what figure to put out there for the bid, as it seems that whatever figure is put out people will tend to bid to that level. **Mr. Cefalo** stated that sometimes you get what you pay for and maybe

we should increase the amount. He also recommended using someone who has not done a study for the City before.

**Ms. Garcia** stated the next meeting is scheduled for Tuesday, May 21 and will most likely be in the 3<sup>rd</sup> floor conference room at City Hall.

**Councilor McGeary** asked if we will we have a response to the RFP by the next meeting. **Ms. Garcia** stated no, we will not. **Mr. Potter** stated that if anyone is interested he can give a talk on zoning, so that they will have an idea of what he is talking about. **Councilor McGeary** stated that would not be a problem as long as it is within the purview of the Committee. **Ms. Garcia** said she will see what will be on the next agenda and will circulate a draft. **Councilor McGeary** said there was not much time given to Section 4 of the 2009 Harbor Plan. The Committee decided to continue this discussion at the next scheduled meeting.

**A motion was made, seconded, and voted unanimously to adjourn the meeting at 8:52 PM.**