Boundary Review of the Chelsea Creek Designated Port Area (DPA)

Public Information Meeting

MASSACHUSETTS OFFICE OF COASTAL ZONE MANAGEMENT

March 31, 2015

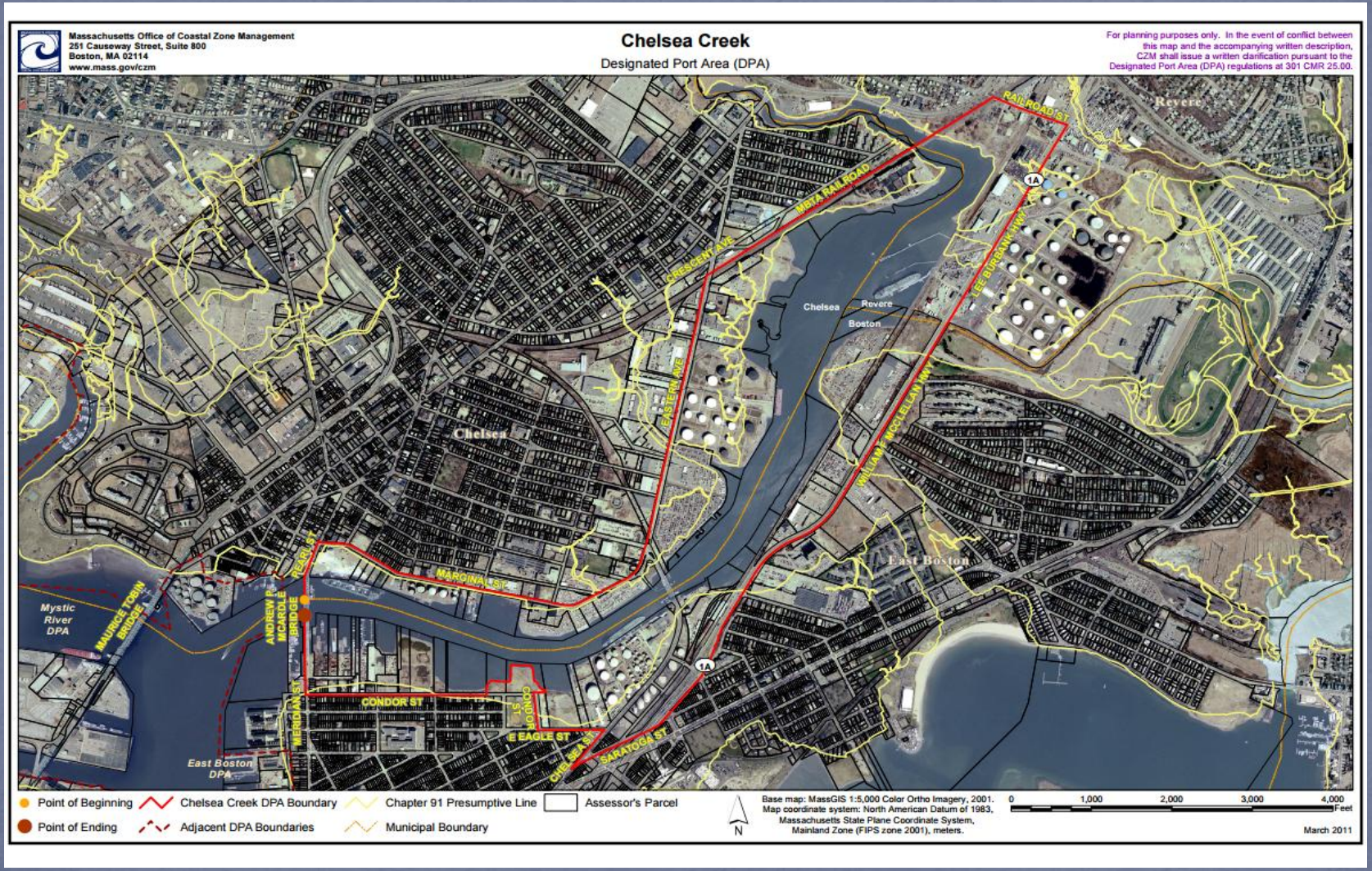
DPA Program

- Protect coastal geographic areas that provide primary characteristics that are essential for Water-Dependent Industrial (WDI) uses:
- Waterfront developed for commercial navigation or use of waterway;
- Backland space that is conducive physically and in use character to industrial uses; AND
- Appropriate roadway and utility services to support industrial uses

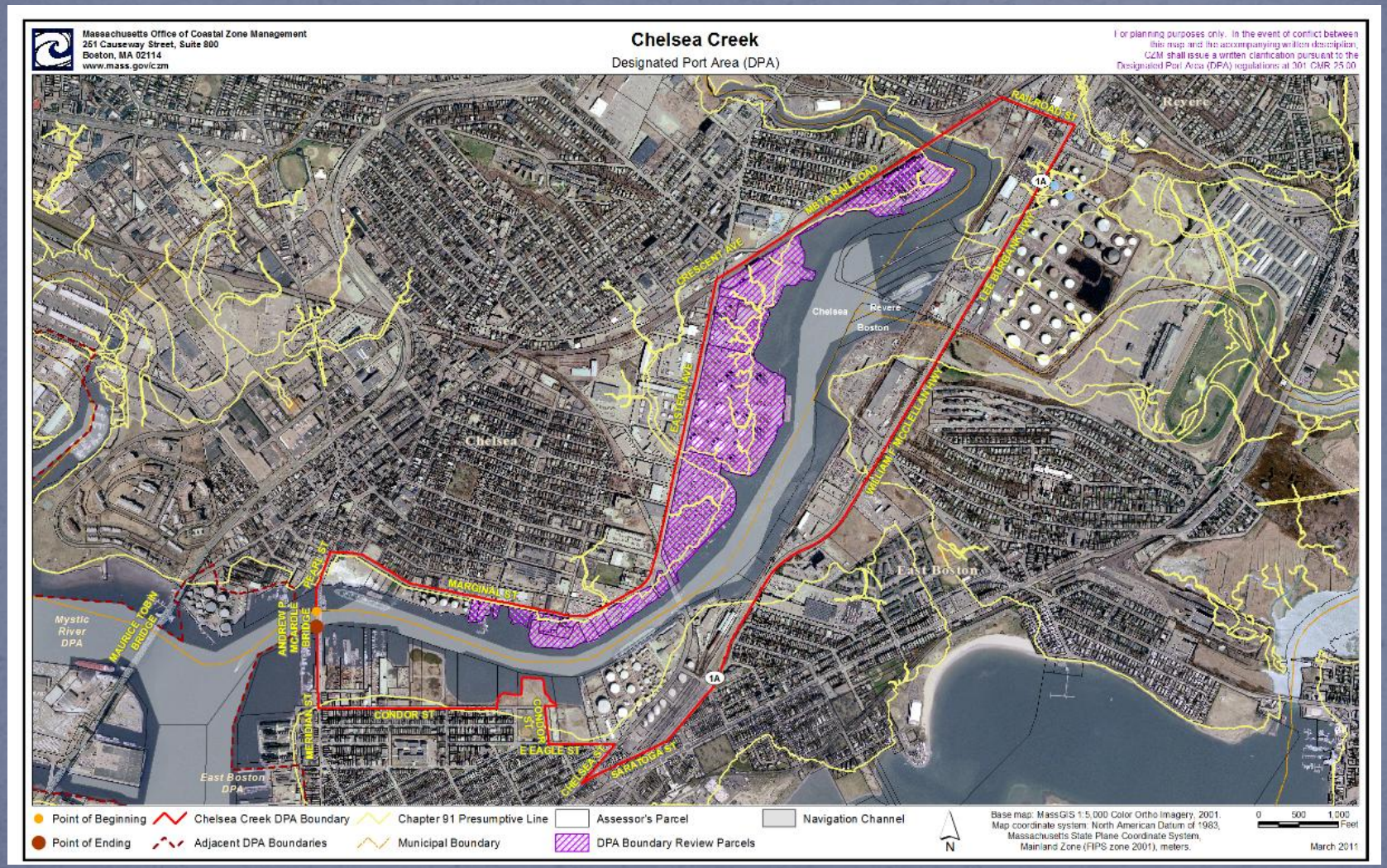
DPA Boundary Review: Purpose

- The purpose of the DPA boundary review process is to determine whether a DPA boundary should remain as it is currently established or whether it should be modified to more appropriately protect and promote the goals of DPA policy.

Current DPA Boundary



DPA Boundary Review Area



Initiation of Boundary Review

- At discretion of CZM Director or at the request of:
  - A port authority or other state/regional planning agency
  - Owner(s) of area proposed for review
  - Any ten citizens of the Commonwealth
  - A municipal body with authority to enact zoning (e.g. municipal official, planning board, City Council)

Preliminary Information

- Request for boundary review must be in writing, and include:
  - Assessor's map of area to be reviewed
  - Mailing addresses of all persons owning property in area to be reviewed
  - Other information/documentation as requested by CZM

Public Notice

- Notice of boundary review published in Environmental Monitor and local paper
- CZM accepts public comments for 30 days (may be extended with additional notice as above)

Consultation Period

- Consultation period begins at close of 30 day public comment period
- Establish a work plan as a group
  - Planning representative(s)
  - DEP
  - Operators of WDI facilities
  - Others as appropriate
- No longer than 6 months unless otherwise agreed by participants

Issuance of Designation Report

- Written designation report issued by CZM within 30 days of close of consultation period
- Report includes:
  - Areas to be included/excluded
  - Maps of proposed changes
  - Data and analyses on which the proposed changes are based

Public Comment on Designation Report

- Notice of the designation report and public hearing published in Environmental Monitor and local paper
- CZM accepts public comment for 30 days (may be extended upon request and with notice)
- CZM will hold a public hearing in the community during 30-day comment period

Issuance of Designation Decision and Map Amendment

- Final Designation Decision issued by CZM Director within 60 days of close of comment period
- Decision takes effect immediately upon issuance
- Notice published in Environmental Monitor and sent to all relevant parties

Designation Standards

- Areas not eligible for review
- Standards for designation of waters
- Standards for designation of lands

Areas Not Eligible for Review

- Subject of designation within previous 5 years
- WDI use has occurred within previous 5 years, unless that use:
  - Did not take place on continuous basis for substantial period of time, or
  - Has been/will be voluntarily discontinued by user
- Recommended for exclusion from review by City Council or other zoning body
- Land area is entirely bounded by existing DPA lands and/or waters

Standards for Designation

- "An area of water/land reviewed shall remain in a DPA if CZM finds that the area is in substantial conformance with the following criteria governing suitability to accommodate water-dependent industrial use:"

Standards for Designation of Waters

- The water area includes, or is contiguous with other DPA waters that include:
  - A navigable entrance or main channel with a design depth of at least 20 feet; AND
  - Substantially developed shoreline with piers, wharves, bulkheads or other structures to connect land and water

Standards for Designation of Waters

- Configuration, size and location of water area is conducive to DPA uses; and
- DPA water area includes, at a minimum:
  - All channels, mooring areas and turnaround areas serving as access channels to DPA lands/waters
  - Water lying between entrance/main channel and DPA land/waters

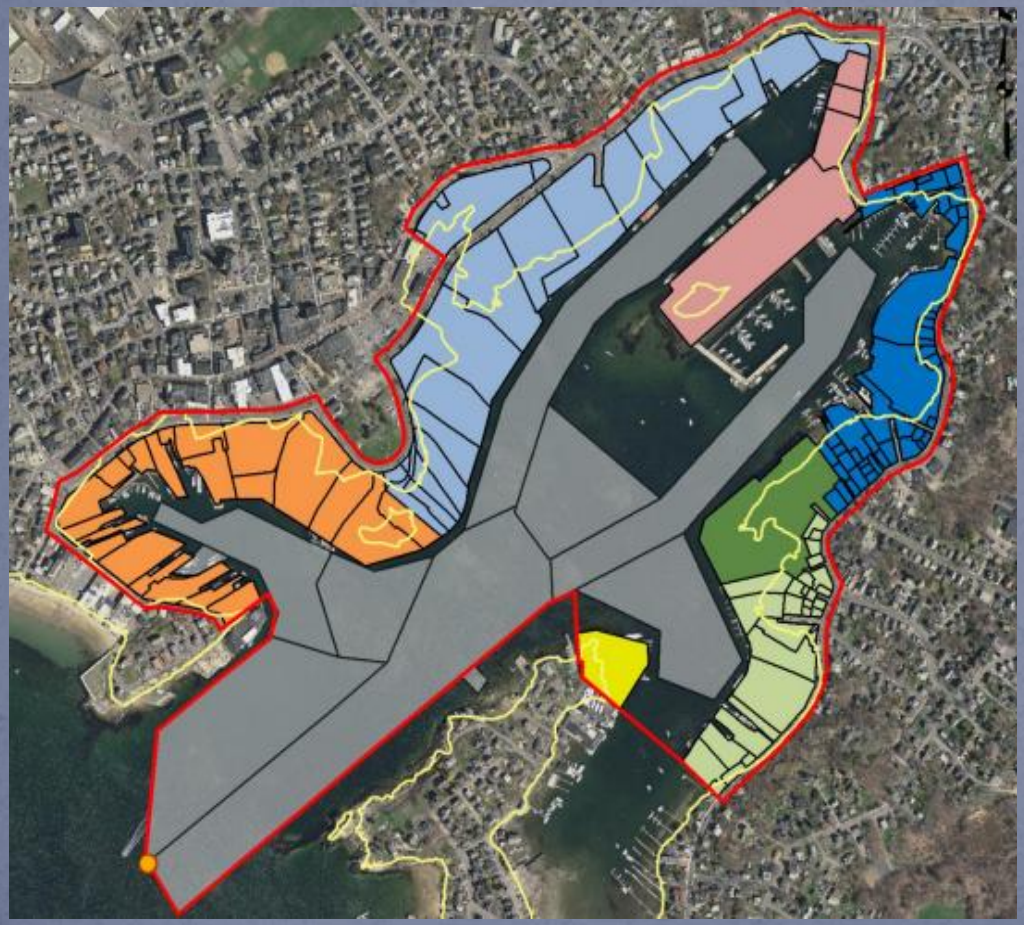
Standards for Designation of Lands

- The land area includes or is contiguous with other DPA lands that include a substantially developed shoreline;
- Reasonable proximity to:
  - rail/road links to major routes
  - water and sewer facilities capable of supporting industrial use;
- Topography that is conducive to or easily adapted to industrial use; and
- Use character is predominately industrial or does not contain a dense concentration of non-industrial buildings

Case Study: Gloucester DPA Boundary Review

- Initiated by the City of Gloucester in March 2013
- Entire DPA reviewed

Case Study: Gloucester DPA Boundary Review

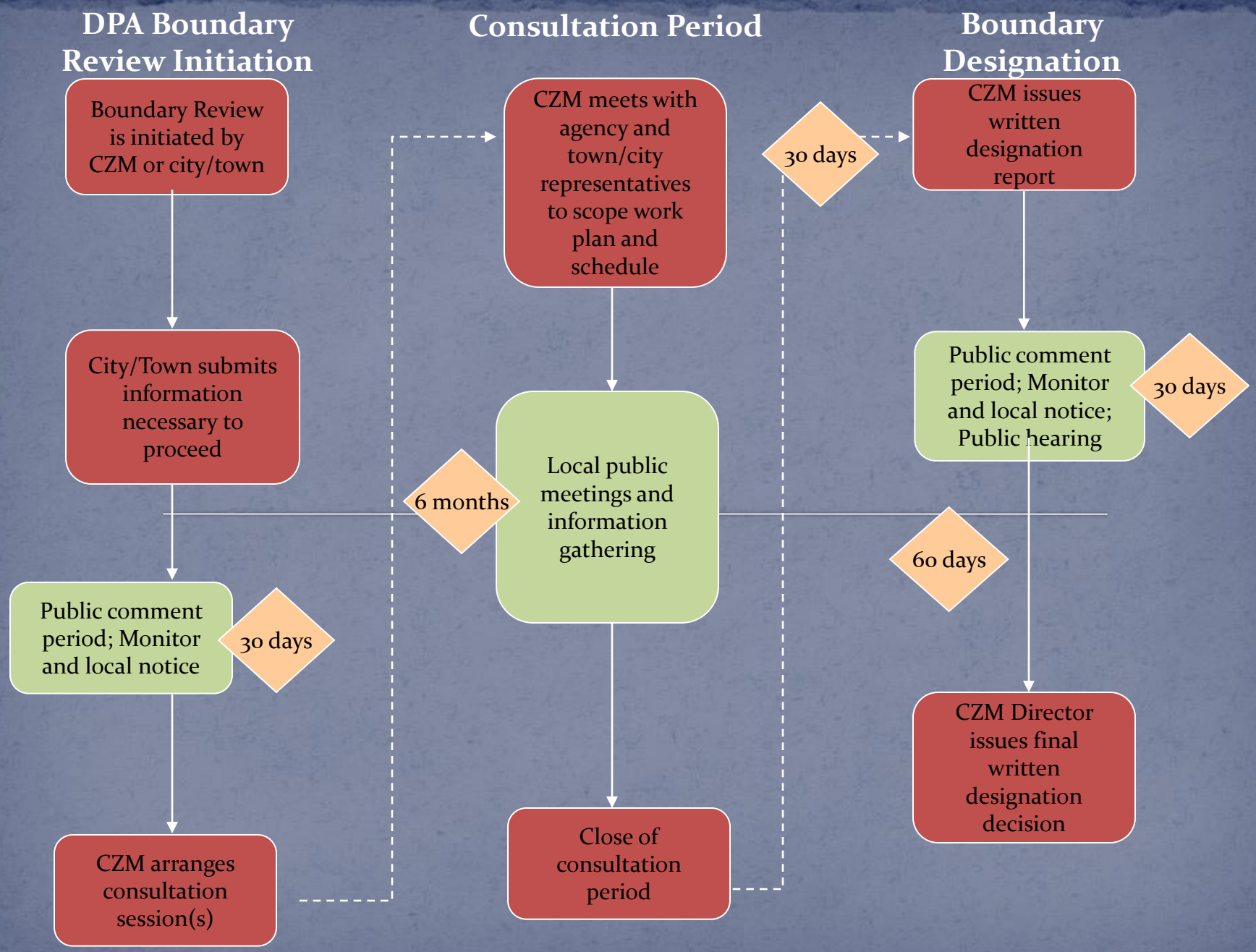


- Grouped into seven "Planning Units" that formed coherent groups of parcels based on physical, geographical, and land use characteristics

Case Study: Gloucester DPA Boundary Review

Before

After


DPA Boundary Review Initiation
Consultation Period
Boundary Designation
Boundary Review is initiated by CZM or city/town
City/Town submits information necessary to proceed
Public comment period; Monitor and local notice
30 days
CZM arranges consultation session(s)
CZM meets with agency and town/city representatives to scope work plan and schedule
6 months
Local public meetings and information gathering
Close of consultation period
30 days
CZM issues written designation report
Public comment period; Monitor and local notice; Public hearing
30 days
60 days
CZM Director issues final written designation decision

Resources

- Boundary Review Regulations: http://www.mass.gov/czm/regs/301-CMR-25.pdf
- Gloucester DPA Boundary Review (Report): http://www.mass.gov/eea/docs/czm/port-harbor/decisions/gloucester-dpa-designation-report-2014.pdf
- Gloucester DPA Boundary Review Final Decision: http://www.mass.gov/eea/docs/czm/port-harbor/decisions/gloucester-dpa-designation-decision-2014.pdf

Questions???

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