

# Gloucester Municipal Harbor Plan Update

Regulatory & Mapping Foundation

July 14, 2021



# Agenda

1. Project Overview Refresher
2. Regulatory Basics
3. Gloucester Harbor Maps
4. Next Steps



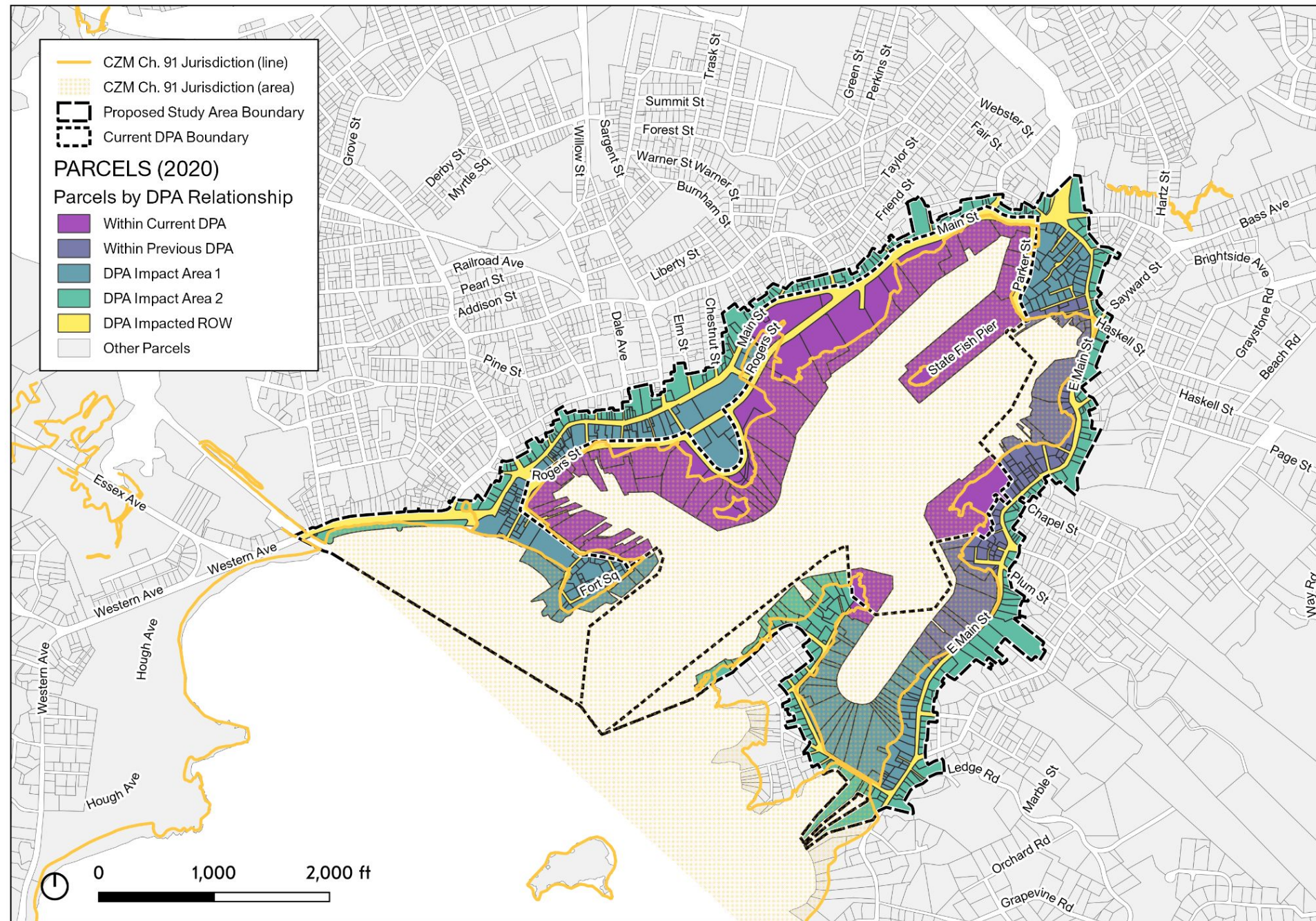
# Project Area

**Within Current DPA:** parcels governed by current DPA regulations that protect and prioritize water dependent industrial uses

**DPA Impacted ROW:** public road rights of way that are critical for vehicular access and circulation in/around the DPA

**DPA Impact Area 1 (Including Within Previous DPA):** parcels on the water side of the DPA Impacted ROW that need to be compatible with and complementary to water dependent industrial uses

**DPA Impact Area 2:** parcels on the land side of the DPA Impacted ROW that may have synergies and conflicts with water dependent industrial uses.





# Schedule

## Provide Baseline, Assessment, and Economic Strategy

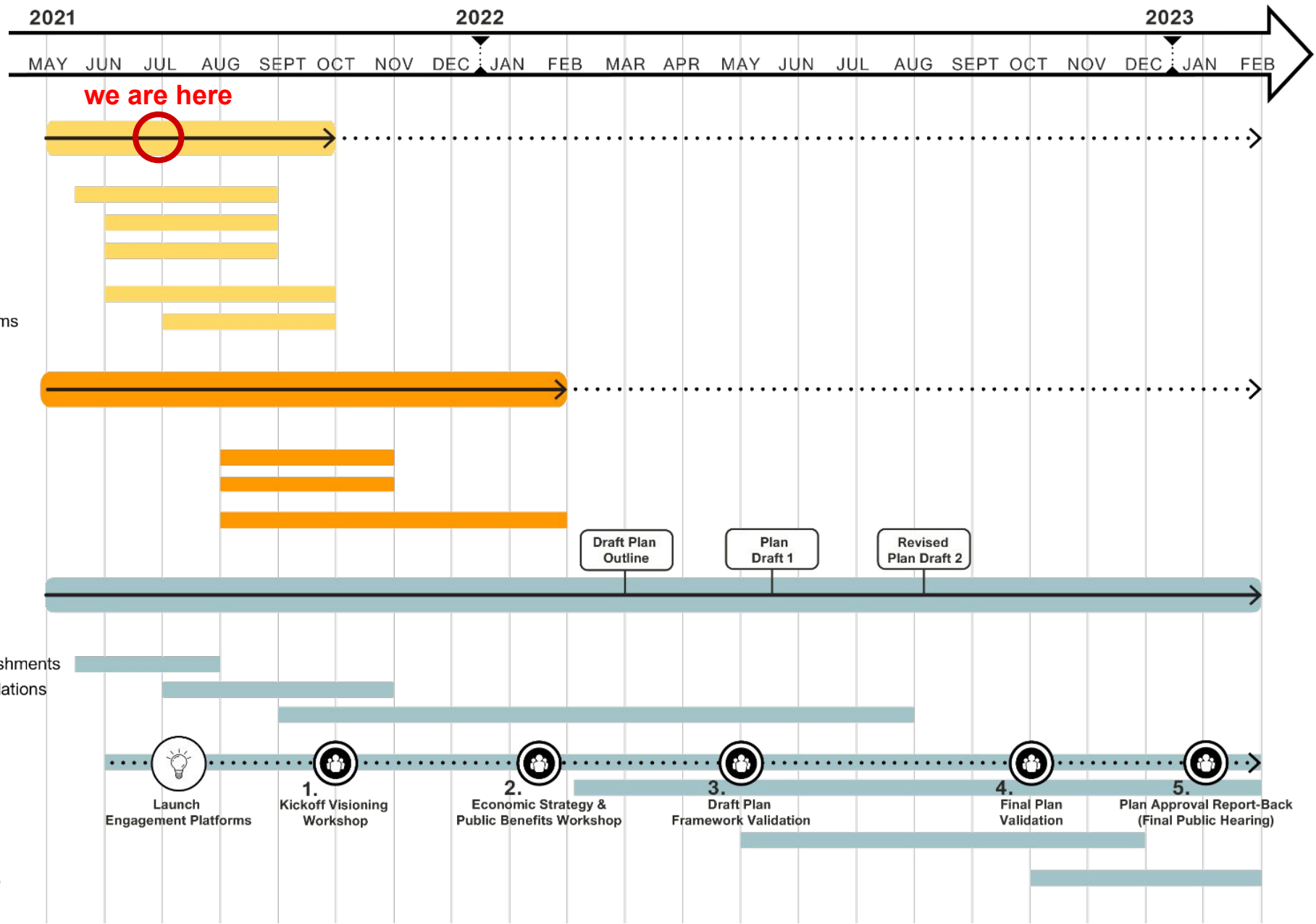
- 1.1 Economic Baseline Inventory
- 1.2 Coastal Resilience Strategy
- 1.3 Evaluate shore side infrastructure, dockage demand and options
- 1.4 Define goals, objectives and strategies
- 1.5 Identify and prioritize projects and programs

## Evaluate the State Regulatory Environment

- 2.1 Examine maritime industrial market
- 2.2 Assess supporting use interpretations
- 2.3 Review existing and recommend new Chapter 91 substitutions/amplifications

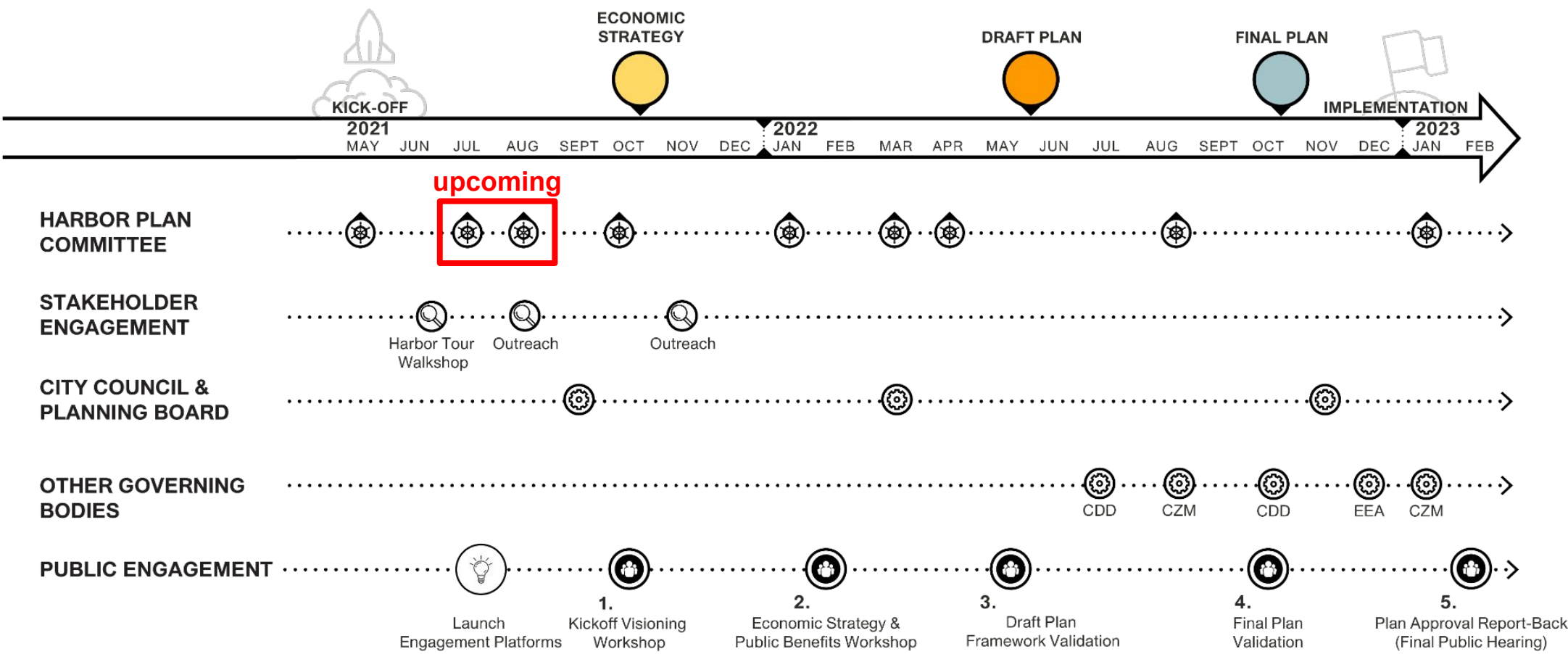
## Update the MHP & DPA Master Plan

- 3.1 Analyze existing MHP/DPA MP accomplishments
- 3.2 Identify inconsistencies with current regulations
- 3.3 Update goals, objectives, strategies and land use regulatory changes
- 3.4 Conduct public engagement
- 3.5 Produce plan and ensure compliance with MHP regulations
- 3.6 Implementation Action Plan
- 3.7 DEP Waterways to amend the Chapter 91 regulations/adopt the new changes to the Gloucester MHP





# Stakeholder & Public Engagement

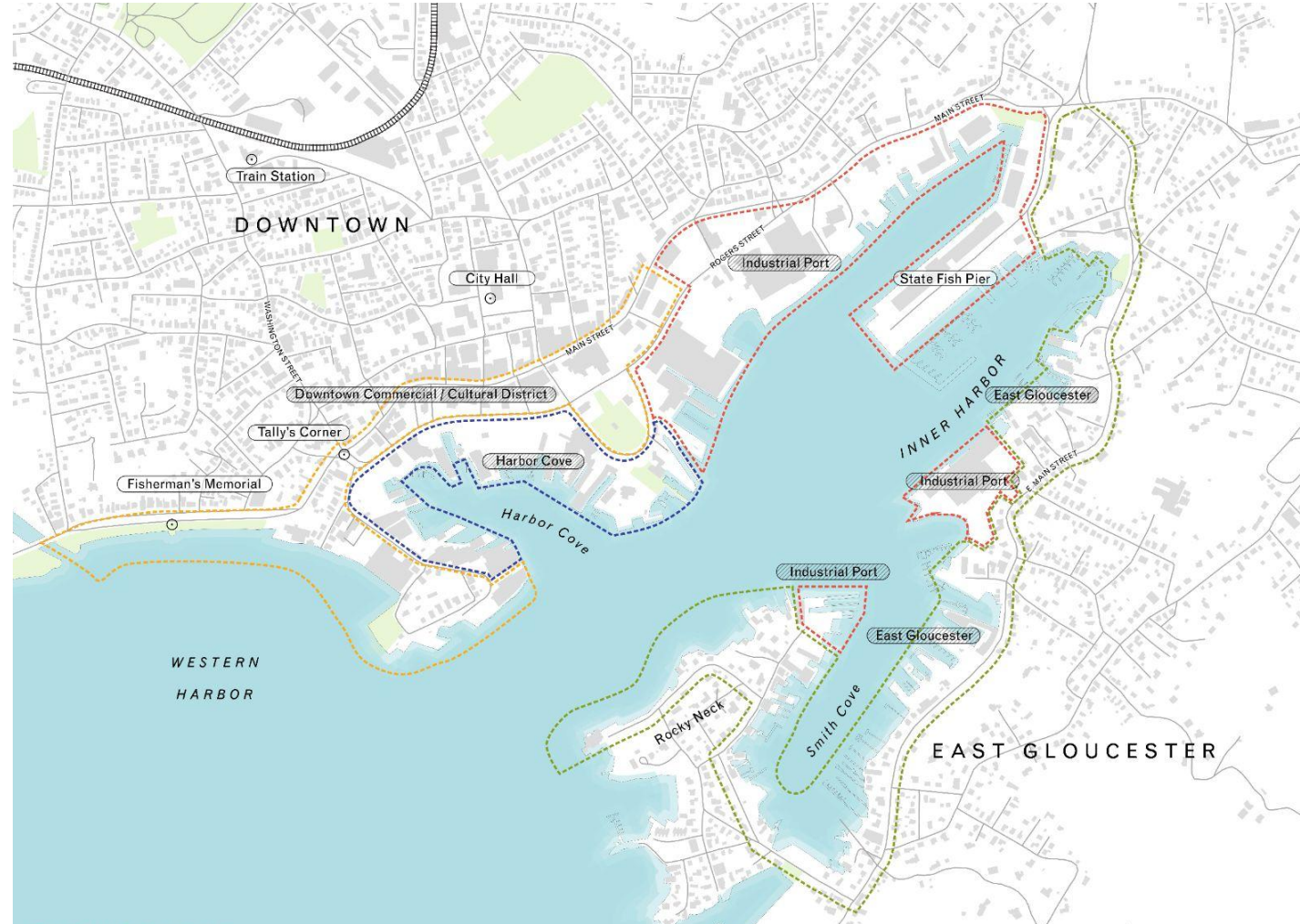


CDD: [City of Gloucester Community Development Department](#)  
EEA: [Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs](#)  
CZM: [Commonwealth of Massachusetts Office of Coastal Zone Management](#)

# What is a Harbor Plan Update?

A Harbor Plan is a state-approved document establishing community goals, standards and policies to guide public and private land use along harbors.

- Allows for Chapter 91 standards to be tailored to implement a community vision for the waterfront
- Relies on input from the public and from an advisory committee
- Builds from previous Harbor Plans and promotes long-range waterfront planning goals
- Administered at the state level by the Office of Coastal Zone Management (CZM)
- Changes must be consistent with Massachusetts tidelands policy





# Amending the Current Gloucester Harbor Plan

The original Gloucester Harbor Plan was approved by the EEA on **July 6, 1999**, and an update was approved on **December 11, 2009**

A renewal to the City of Gloucester's Municipal Harbor Plan was approved on **August 2014** by the EEA.

- Goals included: Strengthen Gloucester's maritime industries; Update the Plan and its provisions to reflect the revised DPA boundary; and Help build a flexible future for Gloucester's waterfront that is responsive to emerging maritime uses and industries.
- The zoning/policy reforms outlined in the 2014 Plan were implemented immediately after approval. The DPA boundary was updated as well.

The City's new MHP/DPA MP will be foremost a **strategic document** to support the existing economic base and expand economic development opportunities, including both **marine water-dependent and supporting uses** of harbor properties.

- The economic strategy must take into account the city's overall economic position in order to effectively position and revitalize its maritime assets.
- A boundary review will not be conducted as part of this update.



# Goals of this MHP Update

- Strengthen and support traditional industries
- Align the MHP and DPA plan with the City's goals of diversifying and modernizing its maritime economy;
- Incorporate long term planning to adapt to risks associated with rising sea levels and climate change; and
- Renew the 2014 Gloucester MHP and the provisions of the DPA Master Plan for an additional ten years.





# Key Issues to consider

## Preservation + Economic Change:

How can Gloucester navigate economic change in a way that balances preservation of the traditional fishing industry with emerging opportunities like the blue economy and marine life sciences cluster?

## Embedding Resiliency in All Strategies:

How do infrastructure investment and economic development strategies need to evolve to incorporate climate change, sea level rise and flood risk?

## Physical Development Strategy:

How can the MHP help Gloucester create a physical development strategy that aligns expectations with the limited capacity of predominantly shallow-depth waterfront parcels?

## Harbor-Upland Relationship:

What relationship do we want to build between the harbor and upland residential districts and downtown?



# Regulatory Basics

Chapter 91, Municipal Harbor Plans, & Designated Port Area Master Planning



# What is Chapter 91?

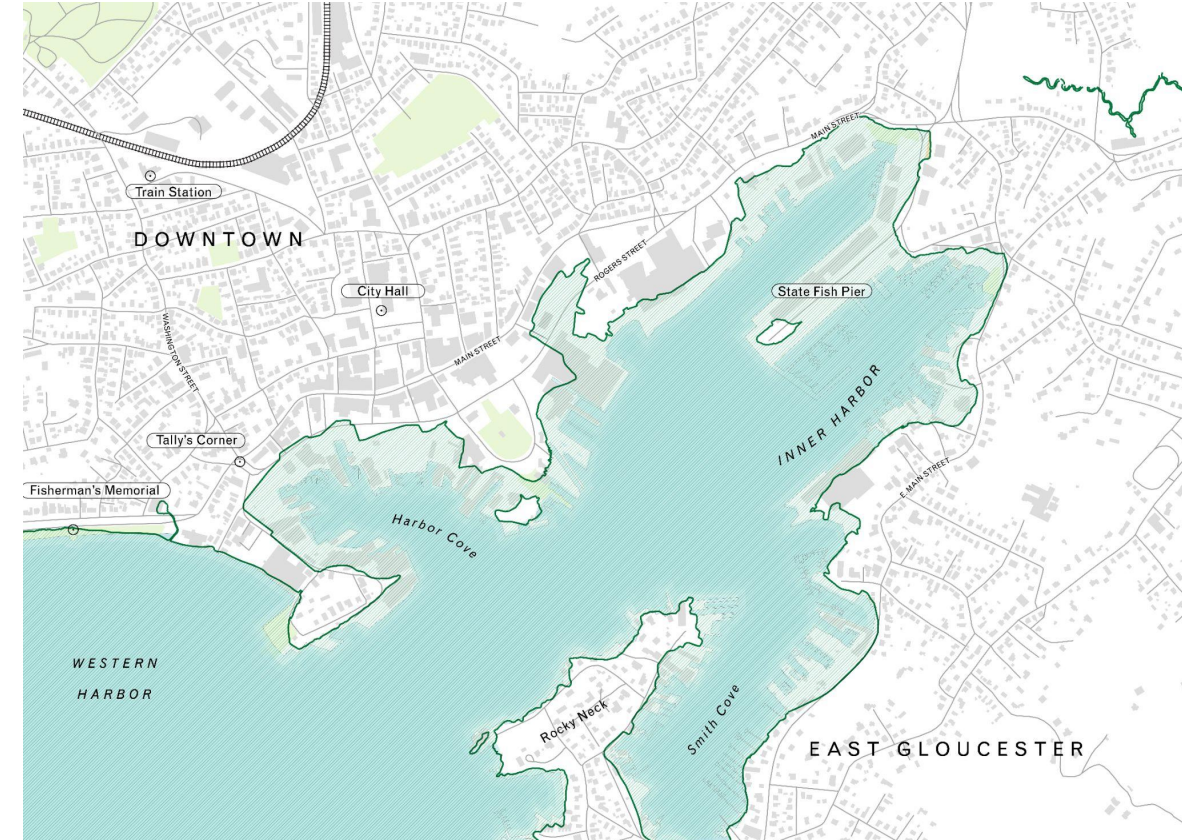
Chapter 91 is the program that implements the Public Trust in Massachusetts tidelands. The origins go back to the Colonial Ordinances of 1637. The Massachusetts Public Waterfront Act was enacted in 1983 to further regulate filled and flowed tidelands.

Its purpose is to:

- Preserve and **protect pedestrian access** to the water
- Establish **priority for water-dependent uses**
- Guarantees that private uses of tidelands and waterways serve a **proper public purpose**

# Chapter 91 Jurisdiction

- Flowed Tidelands
  - Any project in, on, over, or under tidal waters seaward of mean high water (MHW)
  - Extends 3 miles seaward (state jurisdiction)
- Filled Tidelands  
(lands that were formerly flowed tidelands)
  - In a DPA, all filled tidelands to Historic High Water (HHW)
  - Outside a DPA, to first public way or 250 ft. from MHW (whichever more landward)

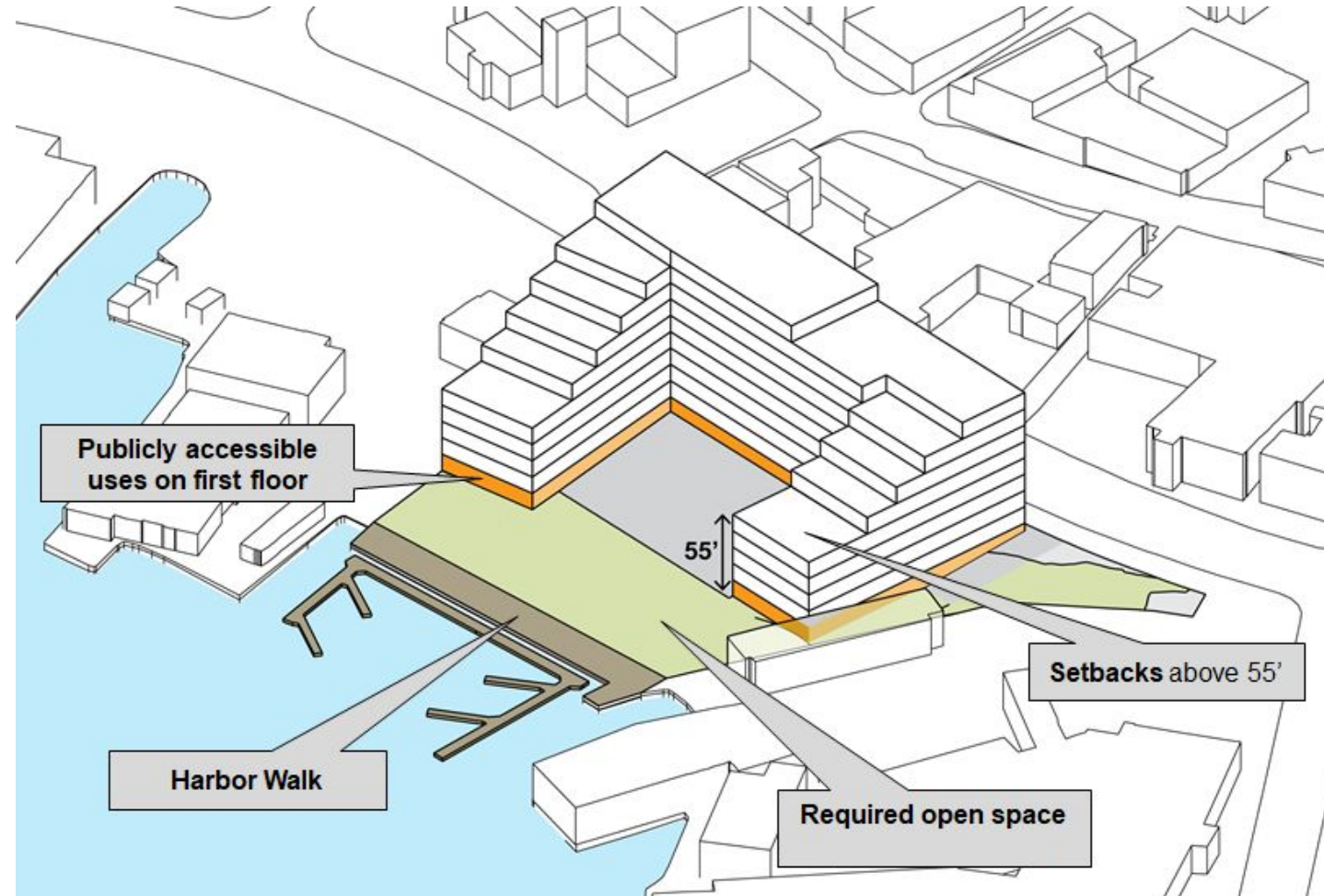




# Chapter 91: Nonwater dependent use standards

Chapter 91 has standards for all nonwater dependent developments, unless an approved Municipal Harbor Plan includes substitute provisions.

- **Building heights:** Required setbacks above 55' starting at 100' of high water
- **Water Dependent Use Zones (WDUZs):** up to 100' from the project shoreline
- **Open space:** equal amount of open space for every square foot of nonwater dependent use building area
- **Harbor walk:** a minimum of 10' wide
- **First floor use restrictions:**  
Facilities of Public Accommodation (FPA)



# Chapter 91: Water Dependent Use Zone (WDUZ)

An area parallel to the shoreline reserved for water dependent uses

- **Dimension:** 25' minimum, up to 100', depending on the depth of the parcel
- **Water Dependent Uses:** Includes boat landing docks and launching ramps, marinas, fishing piers, waterfront boardwalks and esplanades for public recreation, and water-based public facilities.
- **Open space and Public Access:** A 10' harborwalk parallel to the water and access for the public are required.
- **New or expanded buildings that house non-water dependent uses:** Not allowed within the WDUZ.
- **First floor use restrictions:** Facilities of Public Accommodation (FPA) at the ground level required within 100' of the shoreline



*Salem Harborwalk - DEP Photo*



# What is a Designated Port Area (DPA)?

DPAs are land and water areas set aside for working port industrial uses that need to use the water to operate. These are referred to as Water Dependent Industrial or WDI uses.

The DPA boundary is periodically reviewed by the Office of Coastal Zone Management (CZM).

## Water Dependent Industrial (WDI) Uses Include:

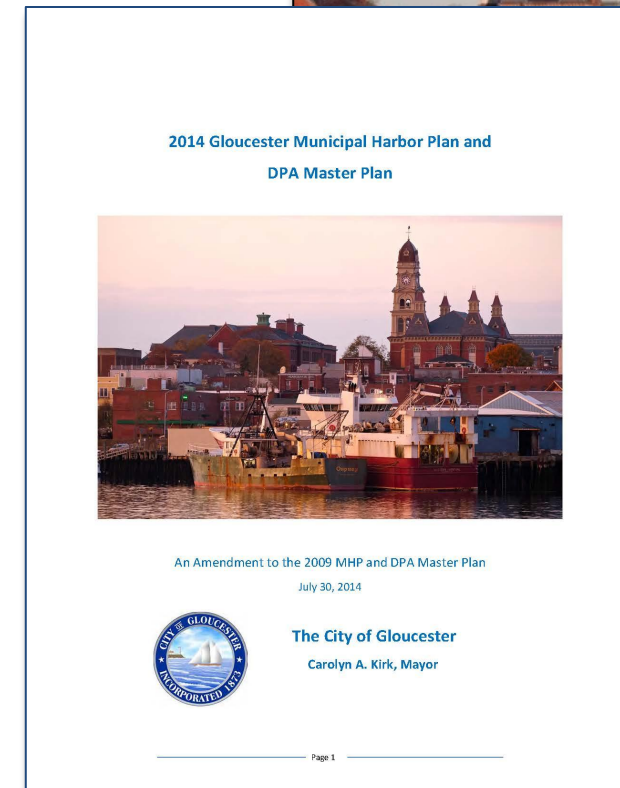
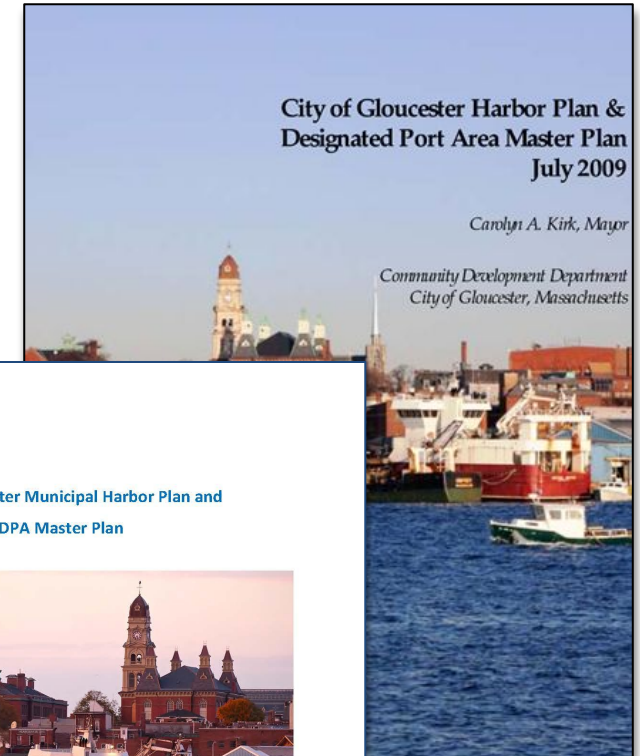
- commercial fishing
- shipping
- other vessel-related commercial activity
- manufacturing
- processing
- production activities that require marine transportation or large volumes of water

# DPA Master Plan

A DPA Master Plan is the component of an MHP pertaining to lands and waters of a DPA. In a DPA Master Plan, a municipality may request flexibility for certain use standards, but must balance that flexibility with strategic elements that ensure that DPA interests are still protected.

The DPA Master Plan must:

- comply with a series of approvability standards found within the municipal harbor planning regulations.
- include measures to preserve and enhance the capacity of the DPA to accommodate water-dependent industrial uses.
- provide measures to prevent substantial exclusion of WDI's by any other use eligible for licensing in a DPA.
- include provisions to buffer existing adjacent uses.





# DPA Master Plan Approval Standards

1. Ensure that an extensive amount of the total DPA land area near the water will be reserved for water-dependent industrial uses.
2. Set forth reasonable arrangements to prevent commitments of any space or facilities that would significantly discourage present or future water-dependent industrial activity, especially on waterfront sites.
3. Identify any industrial or commercial uses allowable under the municipal zoning code that shall qualify as a Supporting DPA Use.
4. Set forth a strategy to guide the on-going promotion of water-dependent industrial use by appropriate municipalities, state agencies, and federal government.
5. If the Master Plan identifies proposed new sites for recreational boating facilities of nine slips or less the Secretary must determine that specific criteria for approval have been met.

# Uses Allowed in DPA

## Water Dependent Industrial (WDI)



*Boat Repair*

## Supporting DPA Uses



*Harbormaster*

## Accessory to WDI



*Admin Offices*

## Temporary Uses



*Food Truck*



# Water Dependent Industrial (WDI)

- Industrial in nature and water dependent
- Includes traditional WDI uses, and:
  - hydroelectric power generating facilities;
  - offshore renewable energy infrastructure facilities in the Commonwealth
  - facilities for the manufacture, servicing, maintenance, data collection, and other functions related to coastal or offshore structures and for the development of new technologies and systems for these structures\*
  - facilities for research and development or for the manufacture of technologies, e.g., robotics and acoustics, related to the marine environment\*
  - facilities for research on, and the treatment of, marine species\*
  - facilities for the development and testing of offshore renewable energy infrastructure or components\*

\* provided that the use requires transfer between ship and shore or the withdrawal and/or discharge of large volumes of water;





# Accessory Uses to WDI

- Uses associated with WDI uses
- Cannot exist on their own
- Examples:
  - Accessways
  - Parking
  - Administrative offices
  - Employee cafeteria





# Supporting DPA Uses

- No more than 25% of jurisdictional area
- Commercial or industrial uses
- Provide **direct economic or operational support** to WDI use
- Differ from accessory use—can exist without WDI use
- Certain uses prohibited by regulation (hotel/motel, certain recreational boating, office buildings, etc.)
- Master Plan must show that commercial use will be no more than 25% of entire DPA land area



# Temporary Uses

- Allowed for maximum license term of 10 years
- Intended to fill vacant spaces/facilities and to help maintain infrastructure
- Examples:
  - Parking
  - Warehousing
  - Trucking



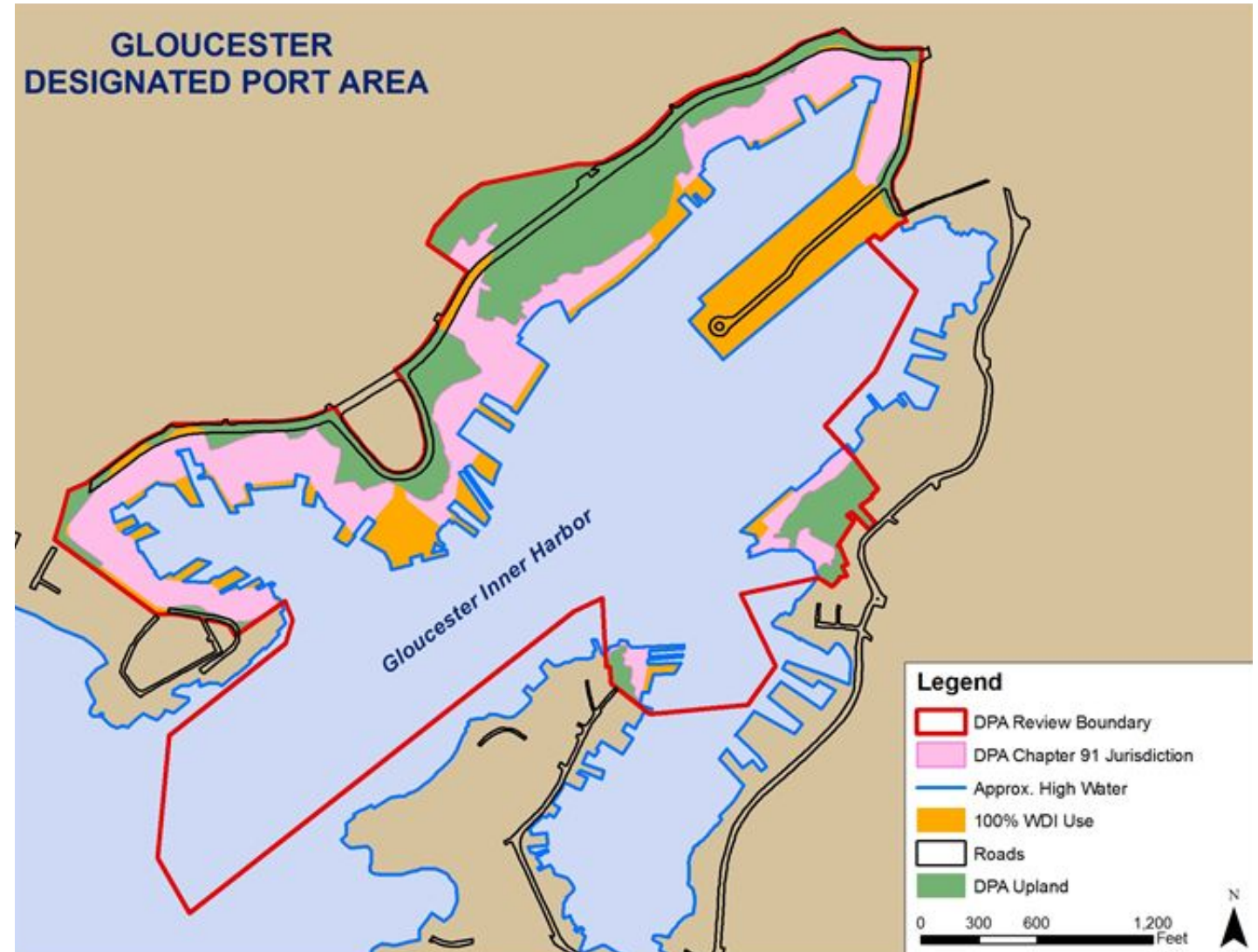


# 2014 MHP/DPA

## Outcomes

### Supporting Use Calculation:

- State Fish Pier, USCG, Cruiseport, DPA roadways, and pile supported piers remain 100% WDI uses
- The other DPA parcels within Chapter 91 jurisdiction each must have a minimum of 50% WDI uses, but each may have up to a maximum of 50% supporting uses
- No complex formula required
- Any transition from WDI uses to supporting uses by a large DPA property owner does not affect most other DPA property owners
- City zoning becomes the operative land use mechanism for DPA properties outside Chapter 91 jurisdiction



A wide-angle photograph of Gloucester Harbor. In the foreground, the water is a deep blue-grey with gentle ripples. The middle ground is filled with various boats docked at a pier, including a large white ferry with blue accents and the text "New England Aqueduct" on its side. Behind the boats, a row of colorful buildings (red, orange, and grey) lines the waterfront. In the background, a hill rises with several houses and a prominent white wind turbine. The sky is a pale, clear blue.

# Gloucester Harbor Maps

Initial maps of existing conditions in Gloucester Harbor



# Environmental & Flooding

## REGULATORY

Current DPA Boundary

## TRANSPORTATION

Railroad

## ENVIRONMENTAL

100yr Flood Zone

## Impervious Surfaces

Impervious Surface

## National Wetland Inventory

Estuarine and Marine Deepwater

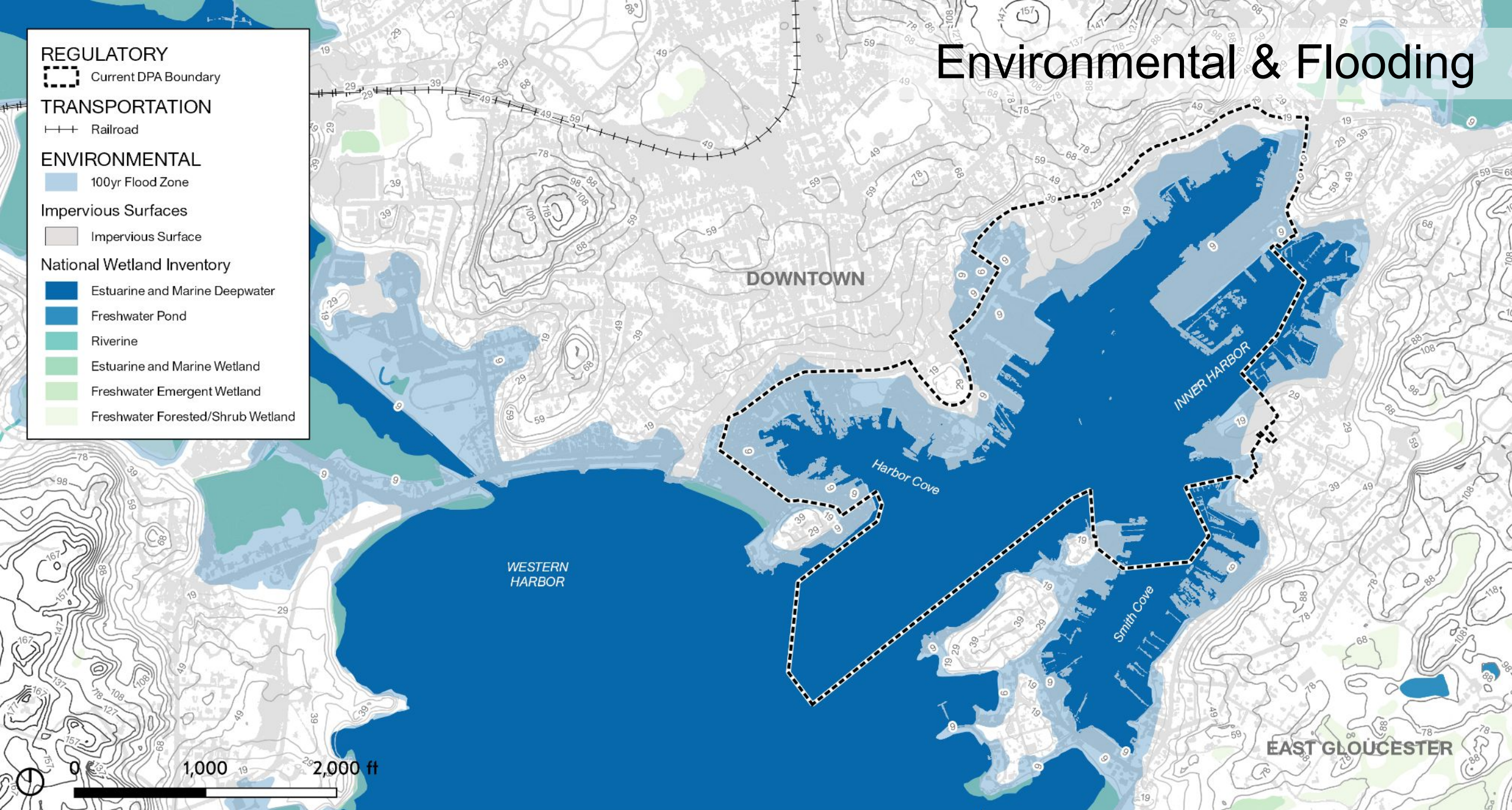
Freshwater Pond

Riverine

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland





# Chapter 91 Jurisdiction

CHAPTER 91 JURISDICTION

Jurisdiction Line

Contemporary High Water

Contemporary High Water (Inferred)

Historic High Water

Historic High Water (Inferred)

Marsh Line

Area in Jurisdiction

A detailed map of Gloucester, Massachusetts, illustrating the jurisdictional boundaries for Chapter 91. The map features the Inner Harbor and Western Harbor, with various streets and landmarks labeled. A legend in the top left corner defines the symbols used: a solid purple line for the Jurisdiction Line, a solid blue line for Contemporary High Water, a dashed blue line for Contemporary High Water (Inferred), a solid light blue line for Historic High Water, a dashed light blue line for Historic High Water (Inferred), a green line for the Marsh Line, and a pink hatched area for the Area in Jurisdiction. The map also includes a scale bar at the bottom left indicating distances up to 2,000 feet, and a north arrow. The areas of 'DOWNTOWN' and 'EAST GLOUCESTER' are clearly marked.

utile

Tetra Tech

Fort Point Associates, Inc.

Ninigret Partners

Woods Hole Group

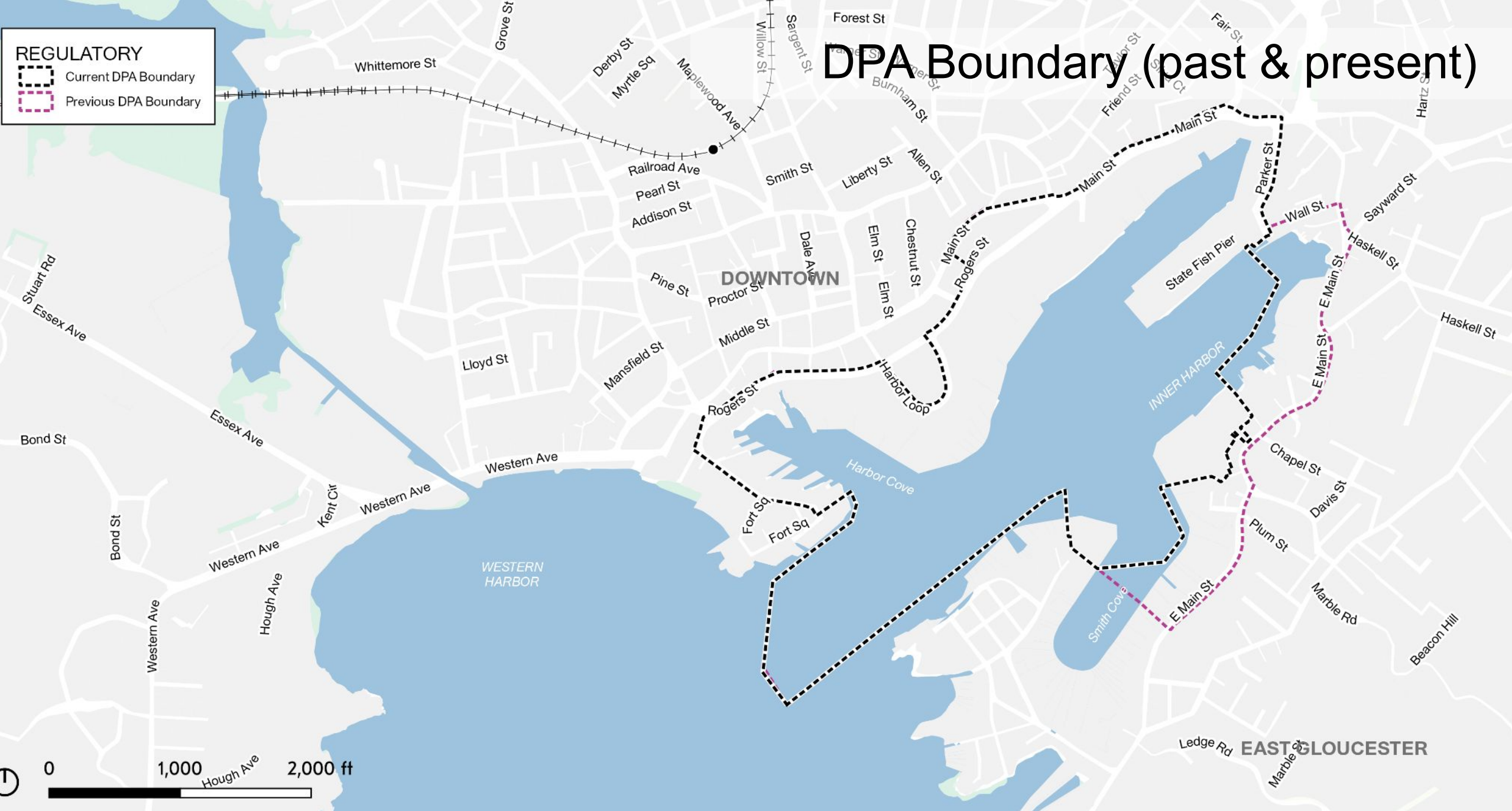
Brown Richardson + Rowe

City of Gloucester

harborplan.gloucester-ma.gov/

26







## REGULATORY

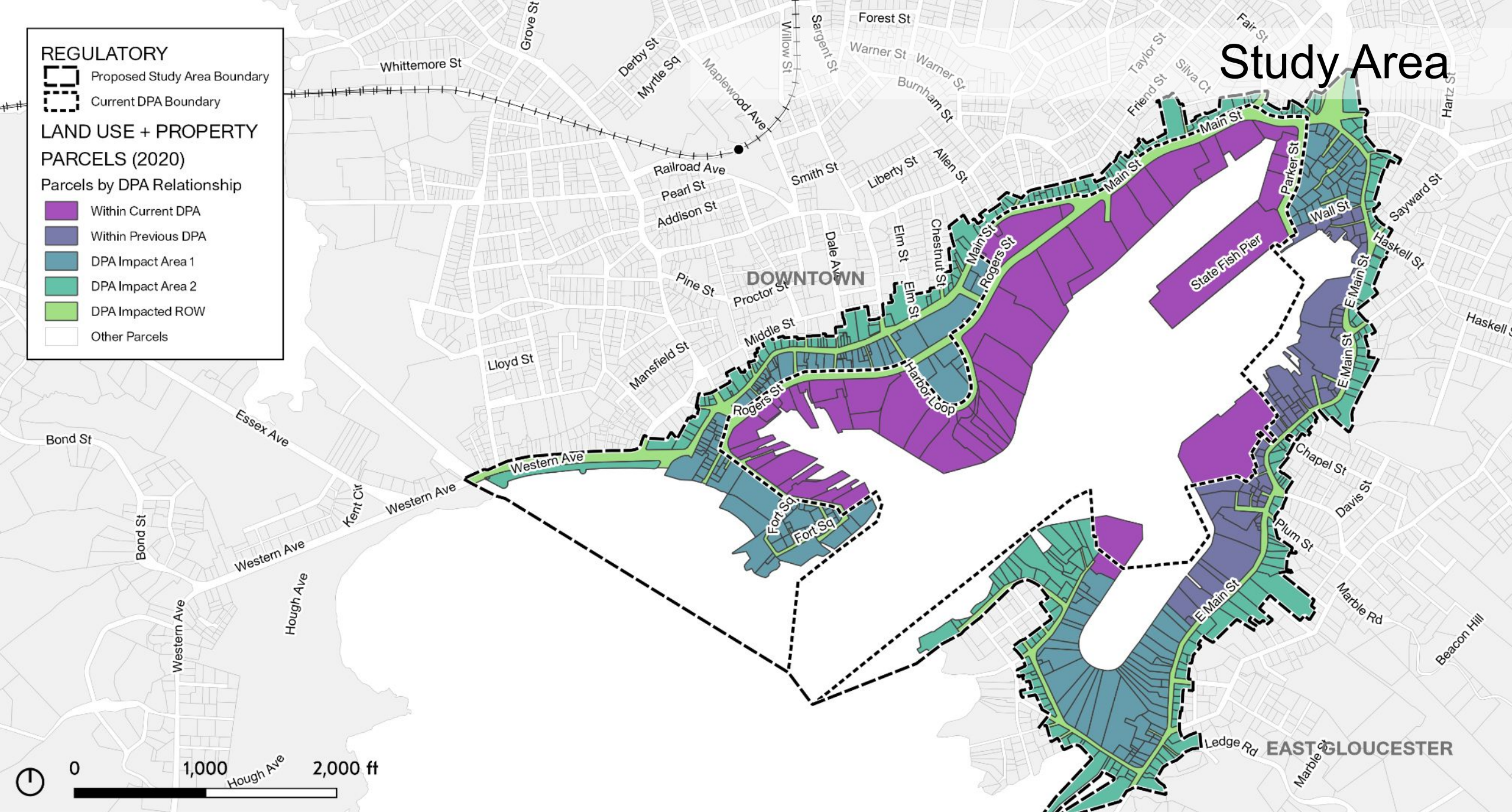
- Proposed Study Area Boundary
- Current DPA Boundary

## LAND USE + PROPERTY PARCELS (2020)

### Parcels by DPA Relationship

- Within Current DPA
- Within Previous DPA
- DPA Impact Area 1
- DPA Impact Area 2
- DPA Impacted ROW
- Other Parcels

# Study Area






## REGULATORY

 Current DPA Boundary

## TRANSPORTATION

 commuter rail station

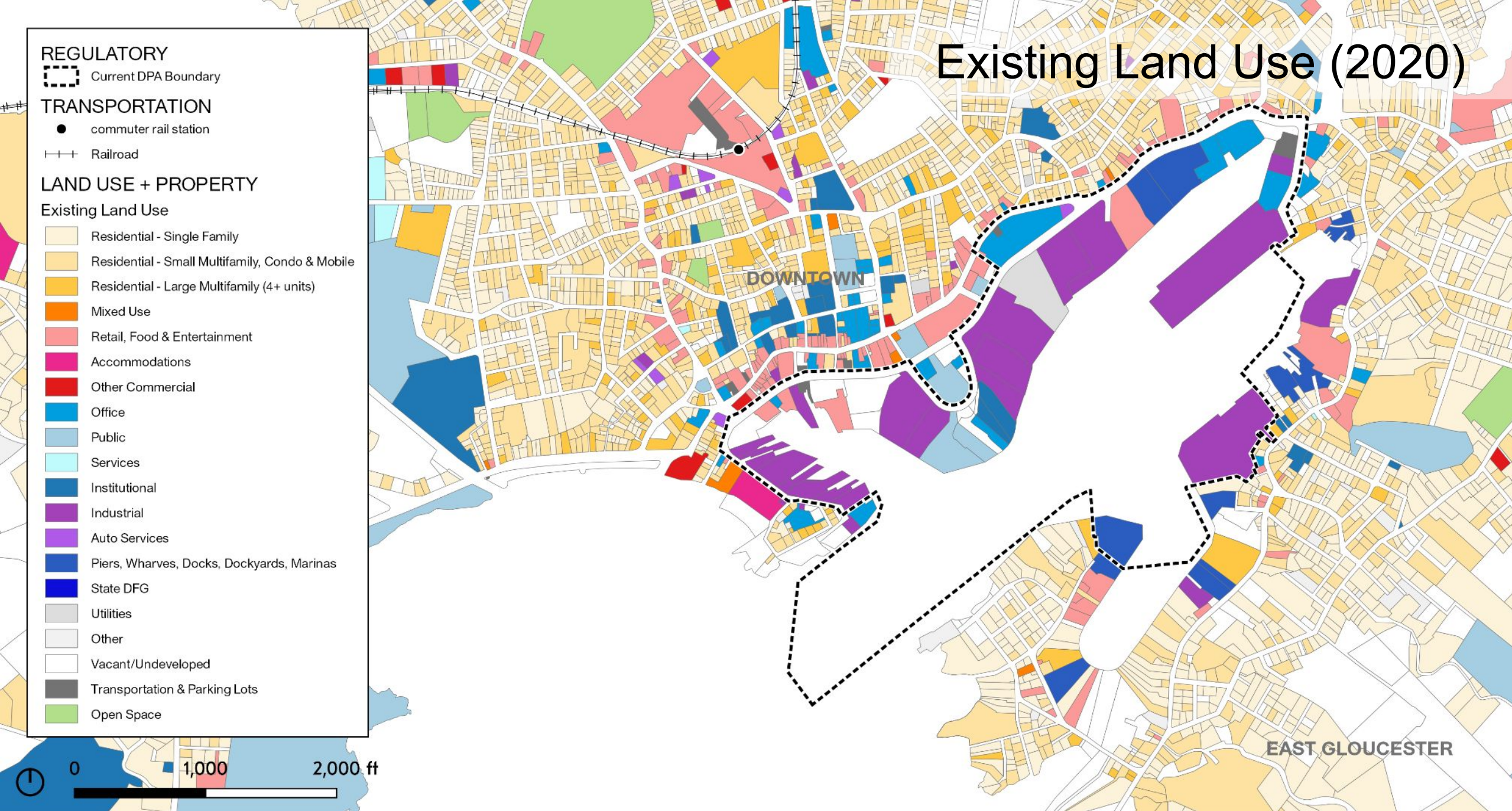
 Railroad

## LAND USE + PROPERTY

### Existing Land Use

-  Residential - Single Family
-  Residential - Small Multifamily, Condo & Mobile
-  Residential - Large Multifamily (4+ units)
-  Mixed Use
-  Retail, Food & Entertainment
-  Accommodations
-  Other Commercial
-  Office
-  Public
-  Services
-  Institutional
-  Industrial
-  Auto Services
-  Piers, Wharves, Docks, Dockyards, Marinas
-  State DFG
-  Utilities
-  Other
-  Vacant/Undeveloped
-  Transportation & Parking Lots
-  Open Space

# Existing Land Use (2020)



EAST GLOUCESTER


DOWNTOWN



## REGULATORY

 Current DPA Boundary

## TRANSPORTATION





 commuter rail station

 Railroad

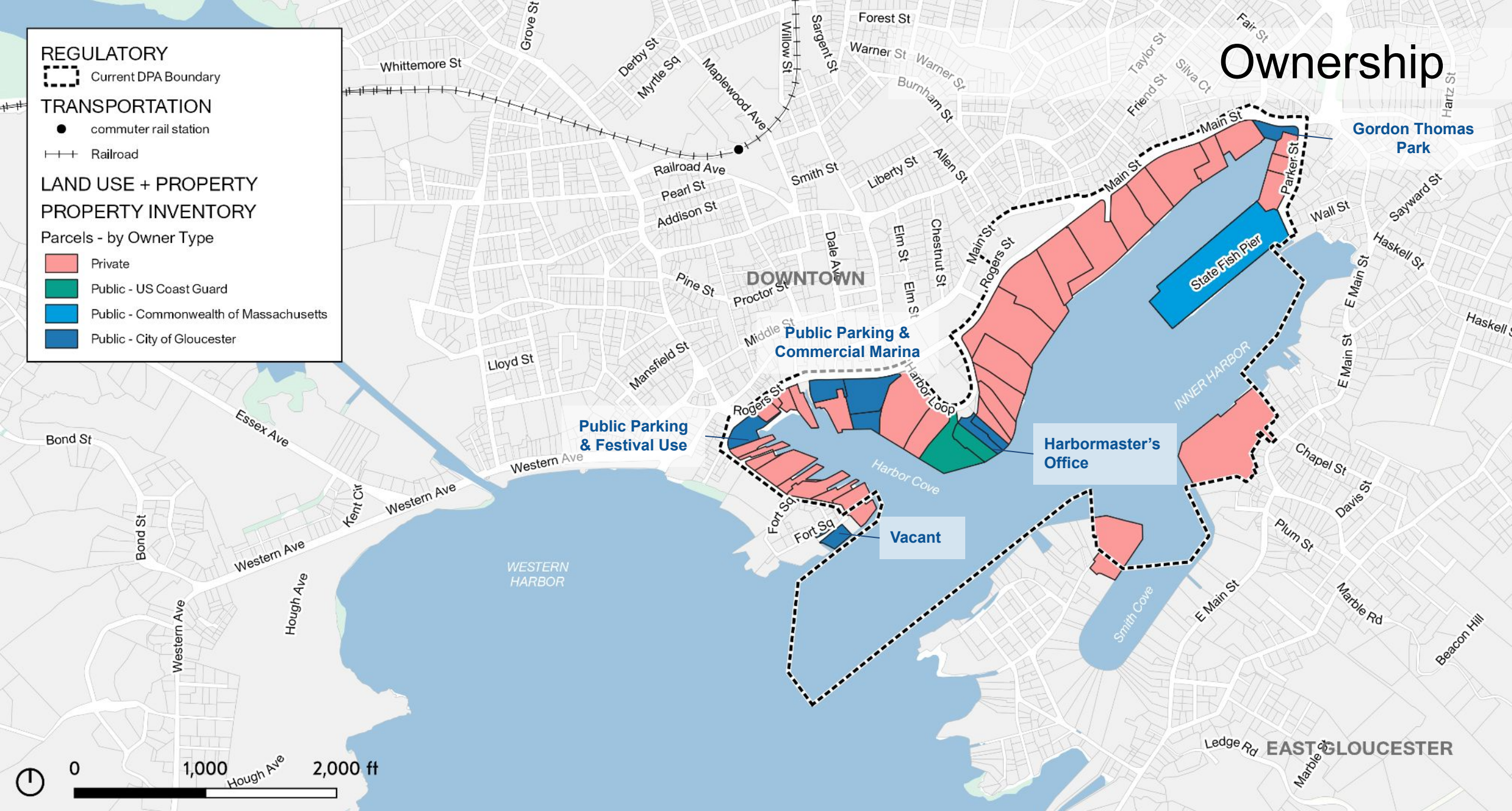
## LAND USE + PROPERTY

### PROPERTY INVENTORY

Parcels - by Owner Type

-  Private
-  Public - US Coast Guard
-  Public - Commonwealth of Massachusetts
-  Public - City of Gloucester

# Ownership





**Parcel Use & Status**
















The map displays the following streets and locations:

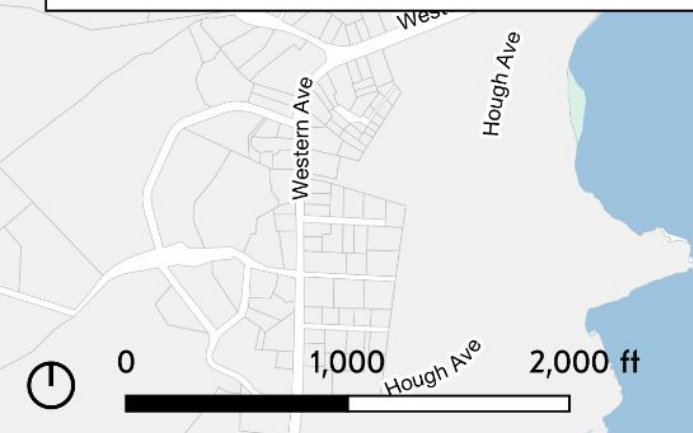
- Streets:** Grove St, Derby St, Myrtle Sq, Maplewood Ave, Willow St, Sargent St, Forest St, Warner St, Burnham St, Friend St, Fair St, Hartz St, Main St, Parker St, Wall St, Sayward St, Haskell St, E Main St, Chapel St, Davis St, Plum St, Marble Rd, Beacon Hill, Ledge Rd, Marble St, E Main St, Smith Cove, Harbor Cove, Harbor Loop, Rogers St, Elm St, Chestnut St, Allen St, Liberty St, Smith St, Dale Ave, Proctor St, Middle St, Pine St, Addison St, Pearl St, Railroad Ave, Mansfield St, Lloyd St, Western Ave, Fort Sq, Fort Sq, Chapel St, Davis St, Plum St, Marble Rd, Beacon Hill, Ledge Rd, Marble St, E Main St, Smith Cove, Harbor Cove, Harbor Loop, Rogers St, Elm St, Chestnut St, Allen St, Liberty St, Smith St, Dale Ave, Proctor St, Middle St, Pine St, Addison St, Pearl St, Railroad Ave, Mansfield St, Lloyd St, Western Ave, Fort Sq, Fort Sq.
- Locations:** DOWNTOWN, WESTERN HARBOR, INNER HARBOR, EAST GLOUCESTER.
- Other Labels:** State Fish Pier, Harbor Cove, Harbor Loop, Smith Cove.

 Current DPA Boundary

## PROPERTY INVENTORY

### Parcels - by Status

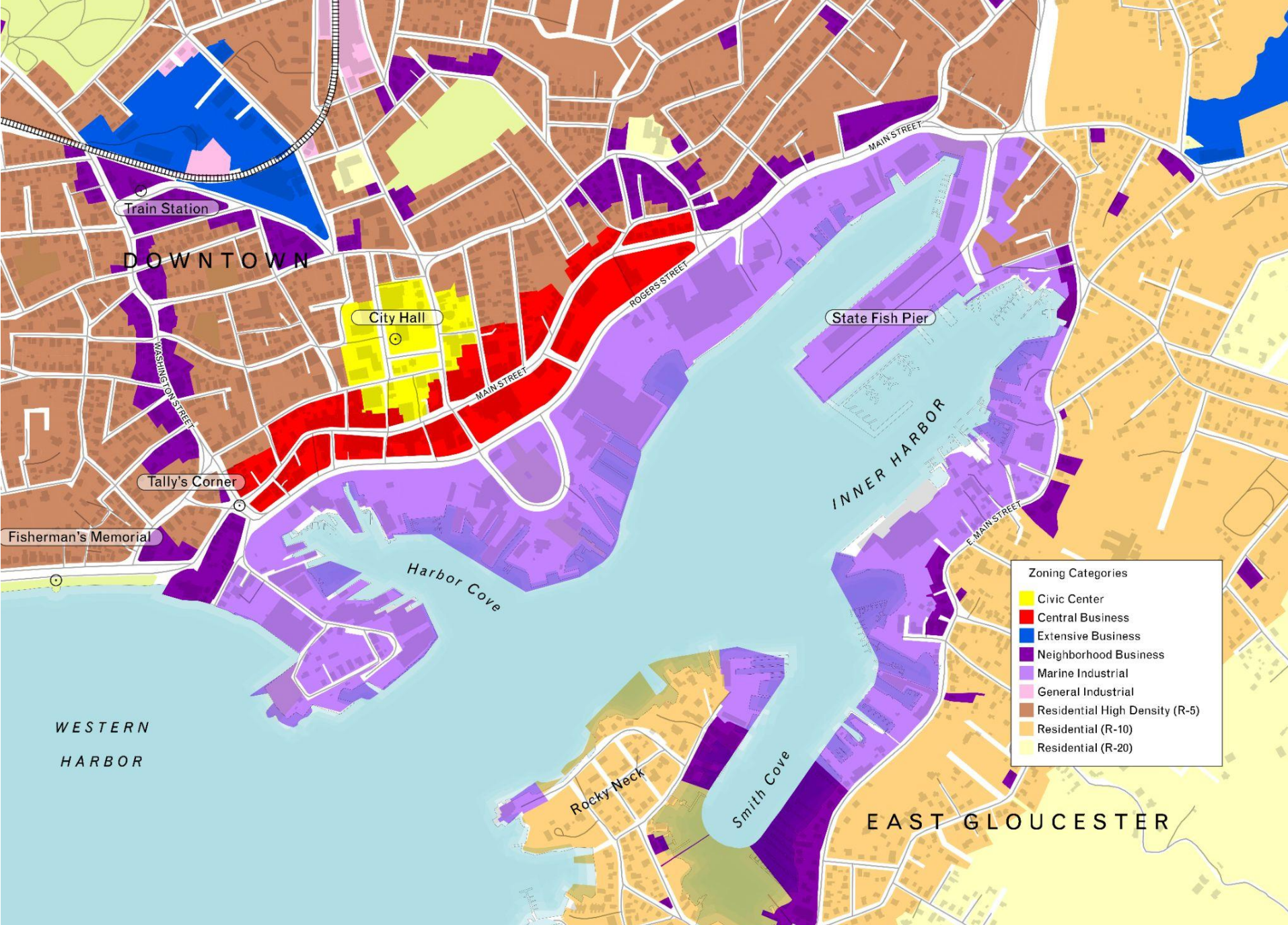
- |  |  |
|--|--|
|  | Blue Tech  |
|  | Hybrid Industrial-Restaurant (brewery, wholesale, ice supply)          |
|  | Fish-Related Industrial (processing, storage, wholesale/auction)       |
|  | Boat-Related Industrial (storage, marina, boat supply, dry dock, fuel) |
|  | USCG   |
|  | Harbormaster   |
|  | Office   |
|  | Museum   |
|  | Public Park  |
|  | Parking  |
|  | Underutilized  |
|  | Vacant, uncertain future   |
|  | For Sale   |
|  | Electrical Substation under Redevelopment                              |
|  | Redevelopment Opportunity  |





# Zoning

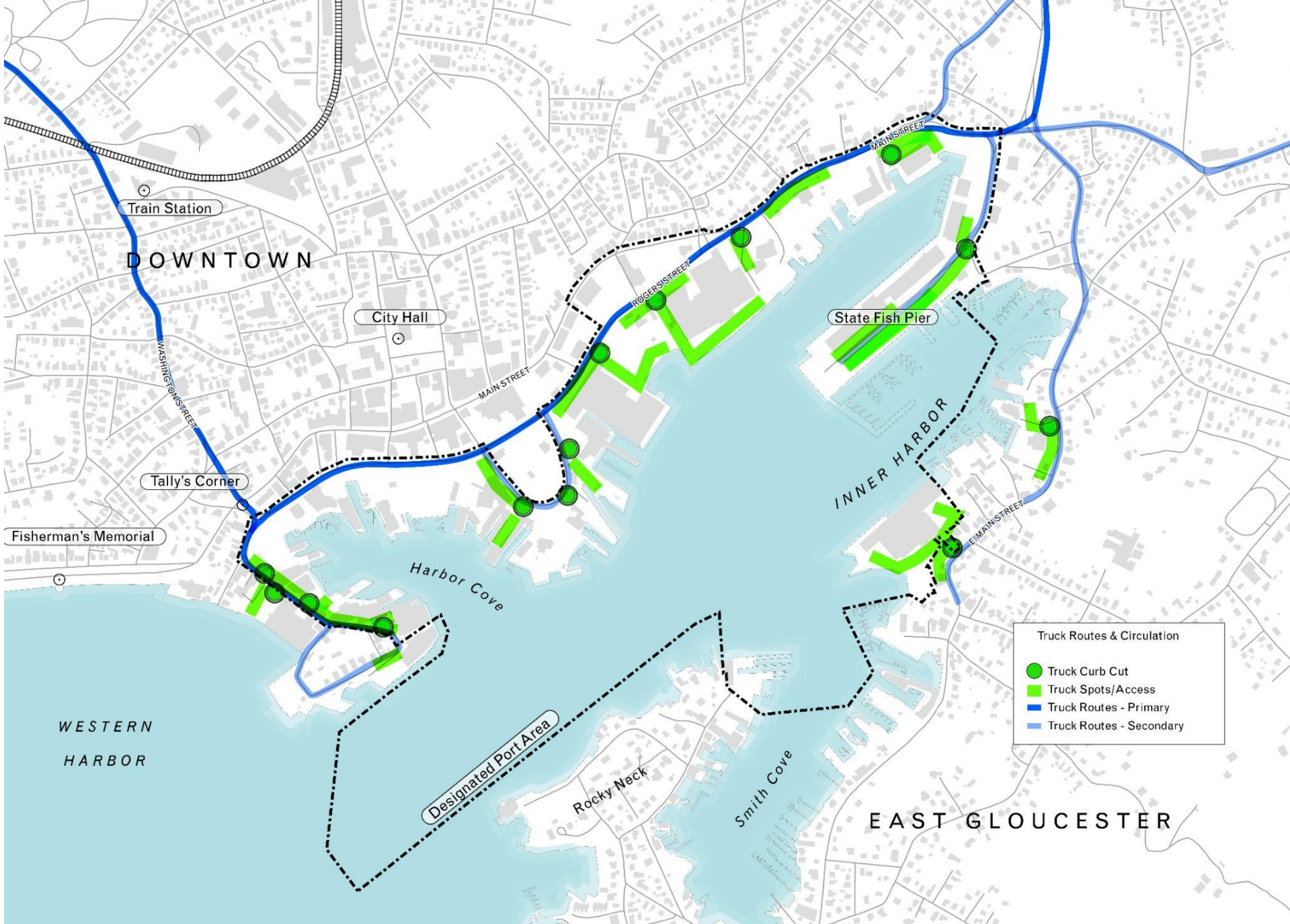
(from 2014, to be updated)





# Truck Access

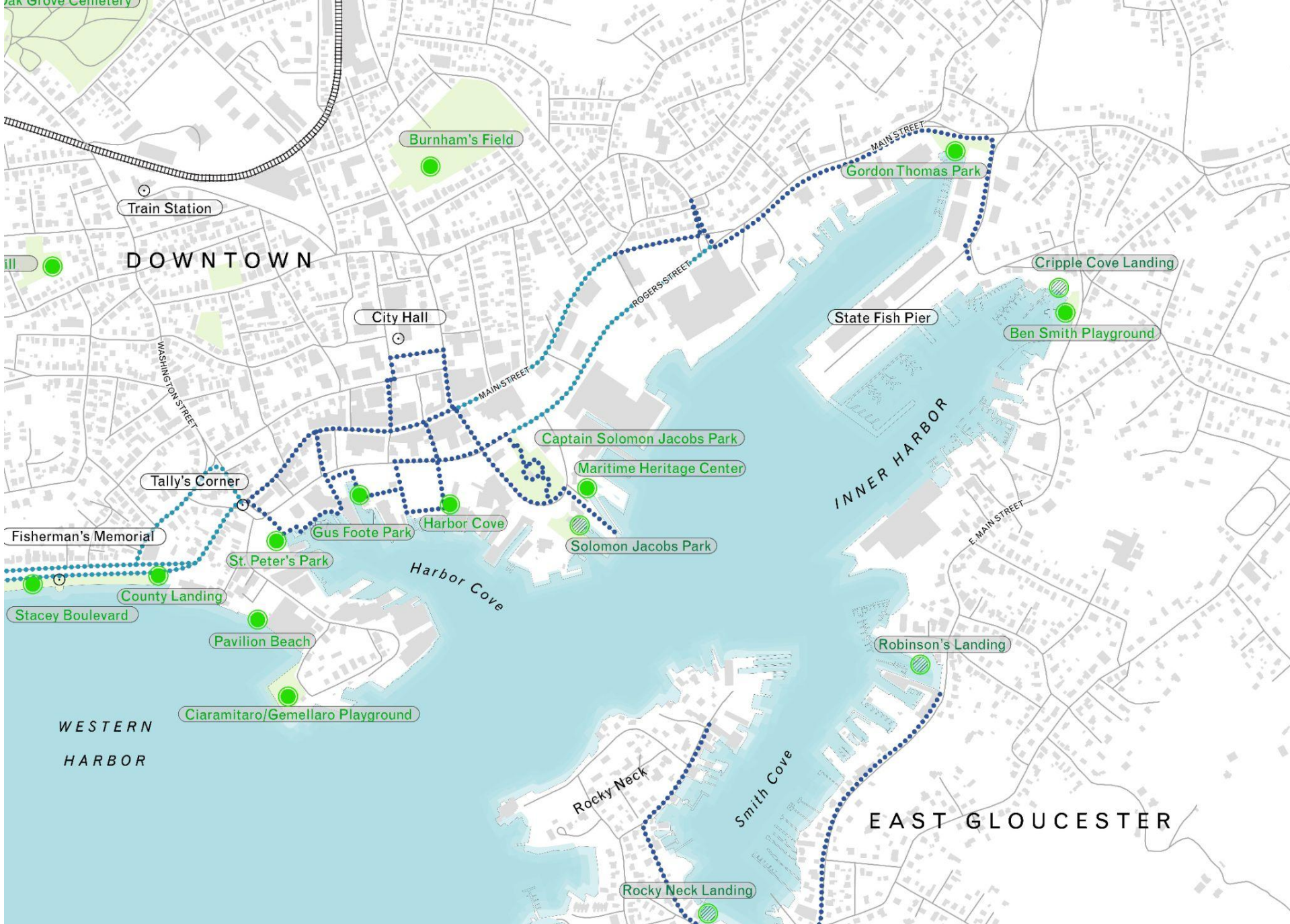
(from 2014, to be updated)





# Public Space Network & Public Access

(from 2014, to be updated)





# Harbor Walk

## (2012)



- STORY POSTS
- 1

St. Peter's

2

T.S. Eliot

3

Olson

4

Lobstering

5

Fishing Today

6

Salting Fish

7

Blackburn

8

Granite

9

Packing Fish

10

Magnolia

11

City Hall

12

UU Church

13

Bird Area

14

Paint Factory

15

Nautical Facts

16

Rocky Neck

17

Captain Heberle

18

Fitz Henry Lane

19

The Sea Serpent

20

Our Lady
- 21

Adventure

22

Beauport

23

Dogtown

24

The Dory

25

Marine Railways

26

Norman's Woe

27

Gorton's

28

Edward Hopper

29

Winslow Homer

30

Virginia Burton

31

Samuel Sawyer

32

Temple

33

Birdseye

34

Murray

35

St. Joseph's

36

Whales

37

Joan of Arc

38

Hammond

39

Breakwater

40

Kipling/Man at Wheel
- 41

Wives

42

Stage Fort Park
- WALKING CINEMA & POSTCARDS

A

Fiesta!

B

St. Peter's

C

Boat Racing

D

Schooners

E

Rocky Neck

F

Whale Watch

G

Blackburn

H

Maritime

I

Art Scene

J

CAM

K

City Hall

L

Main Street

M

Local Food

N

Memorial



# Next Steps

## Upcoming HPC Meetings\*

- August 11th - Economic Baseline Conditions & Analysis

## Public Kickoff

- Project identity and branding, website launch, including question/comment form - July
- Preparing for initial workshop\* - October TBD



## Planning Analysis

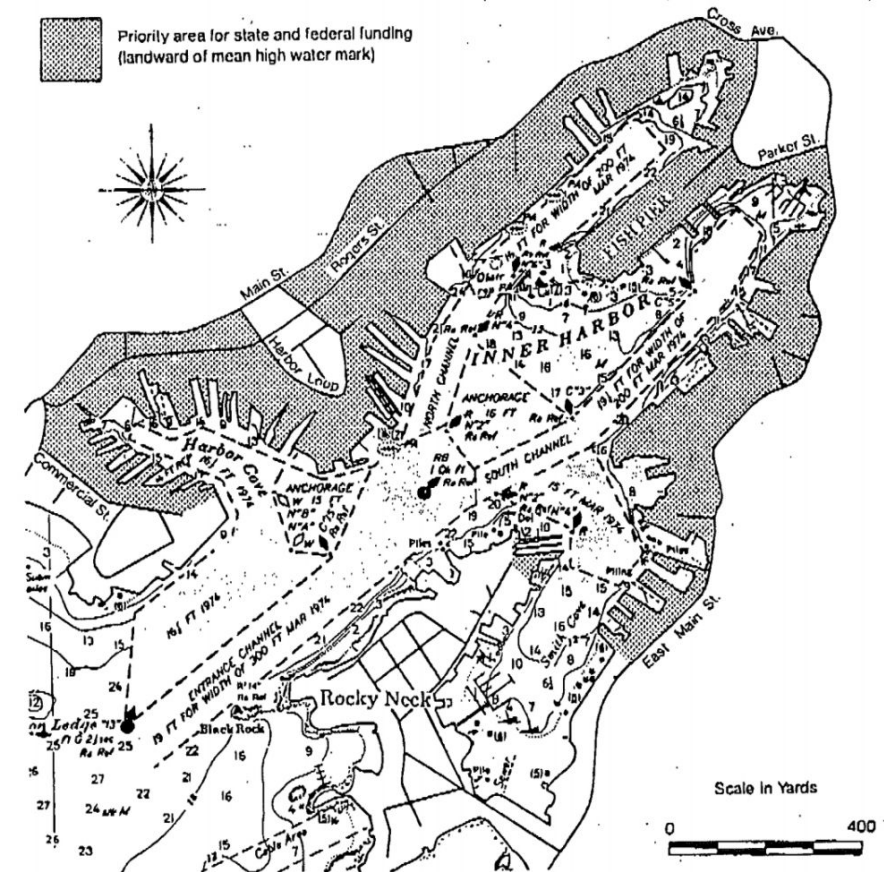
- City GIS and other datasets
- Review of current MHP and other relevant plans
- Begin the economic, resilience and infrastructure existing conditions analysis

\*Meetings will be online and conducted via Zoom until further notice

# Designated Port Area: GLOUCESTER INNER HARBOR

DESIGNATED PORT AREA CONSISTS OF:

-  Selected area within those waters subject to Waterways license jurisdiction (seaward of mean high water mark).
-  Priority area for state and federal funding (landward of mean high water mark)



6/30/80

Vol. 12 - 200.32