

**MASSACHUSETTS DEVELOPMENT
FINANCE AGENCY**

REQUEST FOR PROPOSALS (“RFP”)

FOR

**USE AND DEVELOPMENT
OF
NEW BEDFORD STATE PIER, NEW BEDFORD, MA**

APRIL 6, 2022



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- 2019 10 Year Capital Needs Assessment
- 2018 Full Condition Survey (Marine Structures)
- Location and Context Map
- Port of New Bedford Strategic Plan 2018-2023
- Existing Site and First Floor Plan
- Existing Second Floor Plan - Building 2 Warehouse
- 2020 Partial Site Plan (North Wharf and Upper Deck)
- 1961 North Wharf Repair Plans
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- 2018 Site Plan
- Legislative Language Related to Pier

1. EXECUTIVE SUMMARY

The Massachusetts Development Finance Agency (“MassDevelopment” or “Agency”) is seeking a qualified developer for use and/or development of the New Bedford State Pier (“NBSP”) in New Bedford, Massachusetts. The NBSP is owned by the Commonwealth of Massachusetts, through the Department of Conservation and Recreation (DCR). The Agency currently manages the NBSP through an agreement with DCR.

The NBSP is a contiguous area of approximately 8 acres and approximately 1,600 LF of wharves (North, East and South) located at the waterside terminus of Union Street – the City of New Bedford’s downtown commercial corridor – and abutting the Historic District and National Park. Adjacent to active piers used primarily for the berthing of commercial fishing vessels, the site provides an excellent truck route and has highway connections to the Southeast Massachusetts region.

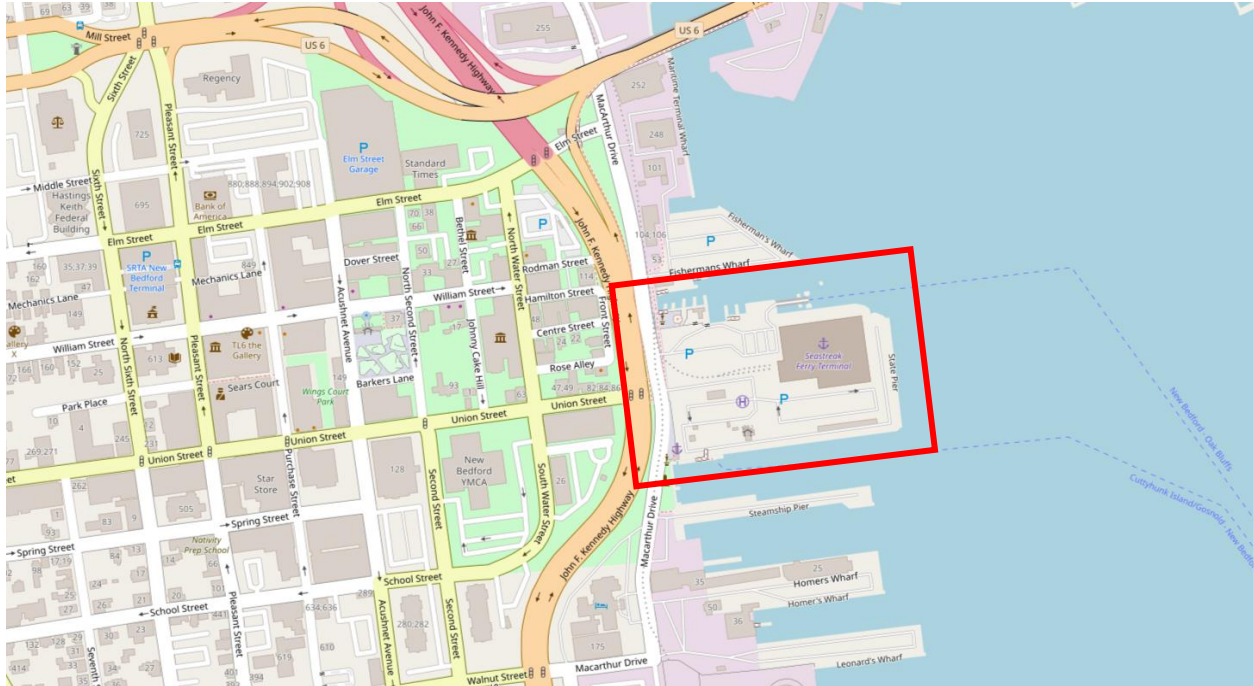
MassDevelopment is interested in development ideas/concepts for the NBSP that will advance the Agency’s objective to maximize use of this asset, and create a local and regional benefit, provide support to maritime industries, advance economic development, and foster asset utilization that will support a diverse and significant workforce. MassDevelopment is open to ideas that utilize all or parts of the existing asset as currently configured, redevelop the site in part or in whole, or result in a larger-scale redevelopment of the whole site. Concepts may include single or multi-tenant end-users, as well as single or multi-party ownership arrangements for the existing and/or proposed redevelopment.

MassDevelopment invites interested parties (“Respondent/s”) to submit responses to this RFP that detail a development plan consistent with the programmatic enhancements to New Bedford’s historic downtown and the continuation of waterside development associated with the nation’s leading commercial fishing fleet. **Diverse Respondents are encouraged to submit responses.** Responses are due by May 9, 2022 by 5:00 PM.

2. SUMMARY OF SITE

The New Bedford State Pier is located within New Bedford Fairhaven Harbor, landside of the hurricane barrier. The entire property is owned by the Commonwealth of Massachusetts through its Department of Conservation and Recreation (“DCR”), and is currently managed by MassDevelopment through a Memorandum of Understanding with DCR that expires June 2022. Pursuant to the 2018 Economic Development Bill (St. 2018, c. 228), there currently exists the legislative authorization for MassDevelopment to lease the property from the Commonwealth for a term up to 35 years.

NBSP currently includes two warehouse buildings referred to as Building 1 (2 story +/- 50,000 GSF) and Building 2 (1 story refrigerated +/- 26,000 GSF), a multi-tenant wharf-side building referred to as Building 6 (1 story +/- 4,000 GSF), and various small accessory / utility buildings throughout the site.



Key Points

- Located at the waterside terminus of Union Street (the City of New Bedford’s downtown commercial corridor), and abutting the Historic District and National Park. This area has experienced a resurgence of food and retail activity since the 2012 reconstruction of JFK Boulevard, a project promoting safe pedestrian transit from the waterside into the downtown area.
- Adjacent to active piers used primarily for the berthing of commercial fishing vessels.
- Within the New Bedford Fairhaven Harbor; protected by the Hurricane Barrier.
- Contiguous area of approximately 8 acres.
- Approximately 1,600 LF of wharves (North, East and South)
- Excellent truck route and highway connections to the Southeast Massachusetts region.
- Potential access to existing deep berths at the eastern and southern end of the site.
- Land freight to vessel roll on/roll off access.
- The entire site is located within the New Bedford / Fairhaven Designated Port Area (DPA) and subject to Massachusetts Chapter 91 Waterways regulations. Note that the above referenced 2018 Economic Development Bill allows for 20% of the site area to be used for accessory uses that support the marine industry on the western end of property.

Existing Site Considerations

- **Tenants:** At this time, MDFA manages a combination of licensed users at the property that are under 12-18 month agreements with DCR. MDFA also manages short-term transient users that are subject to the property’s posted Schedule.
- **Utilities:** The site is furnished with local utility services including below ground domestic and fire protection water, municipal sanitary and storm water, natural gas, and multiple electrical services. Current data to the site is a combination of sub surface hard lines and wireless technology.

Special Site Considerations

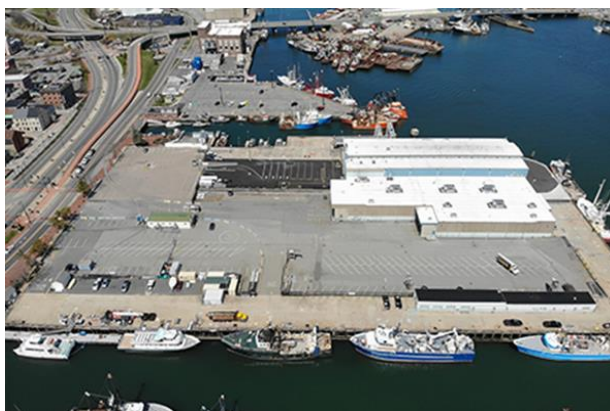
- Schooner Ernestina Morrissey: See Section 182C of Chapter 6 of the General Laws; The southwest Corner of property is reserved for seasonal berthing of the Commonwealth’s historic Schooner Ernestina Morrissey. For the purposes of this RFP, respondents shall assume that the landward 250 LF of the south wharf will remain dedicated for this use, along with “Ticket Area/Outdoor Storage” that consists of approximately 700 SF of paved area adjacent to the State Pier’s south wharf, with an indoor ticketing storage shed and adjacent open storage.
- Limitation on use of the property for the transportation of refuse: Based on the location of the property being adjacent to the Downtown, historic waterfront and inclusion within the National Park as the homeport of the historic schooner Ernestina Morrissey, the property will not be used for the transportation of garbage or refuse.
- Law Enforcement Berth: A dedicated law enforcement floating wooden berth exists at the mid-western section of the north wharf. For the purposes of this RFP, respondents shall assume that this area of the property will remain dedicated for this use (based on the federal resources that funded its installation) along with the associated office space currently 960 sf within Building 6 located on the Southeast corner of the property, unless a case can be made to revisit this subject within the response.



View looking southeast with Tonnessen Park in foreground, MEP berth and RoRo/Ferry Terminal, and Hurricane Barrier in distant



Looking west towards downtown New Bedford, Union Street corridor, and the New Bedford Whaling National Historic Park



View looking north across New Bedford State Pier showing adjacent City Piers to the north and south, and the Route 6 bridge in background

3. SITE HISTORY AND OWNERSHIP

The entire property is owned by the Commonwealth of Massachusetts through its Department of Conservation and Recreation (“DCR”), and is currently managed by MassDevelopment through an Operation and Management agreement with DCR that expires June 2022. MassDevelopment and DCR are currently in negotiations to extend the existing agreement for an additional 5 years. Pursuant to the 2018 Economic Development Bill (St. 2018, c. 228), there currently exists the legislative authorization for MassDevelopment to lease the property from the Commonwealth for a term up to 35 years. MassDevelopment is issuing this RFP as manager under the Operation and Management agreement, subject to final review and approval by DCR.

Formed in 1998, MassDevelopment is a body politic and corporate created by the Commonwealth of Massachusetts to help foster economic development across the Commonwealth. The Agency acts as the Commonwealth’s quasi-public finance and economic development agency, with a primary focus in stimulating business, driving economic growth, and helping communities thrive across Massachusetts. The Agency is governed by an 11-member Board of Directors. MassDevelopment prides itself on a team-oriented, solutions-based approach to economic development. The Agency provides its clients with entrepreneurial solutions to complex real estate projects and creative financing options that create economic opportunities in Massachusetts.

4. SUBMISSION REQUIREMENTS

All proposals shall provide information relating to the elements listed below in sufficient detail to allow MassDevelopment to conduct an informed and fair review process. Proposals should be submitted at: <https://www.cognitofirms.com/MassDevelopment/NewBedfordStatePierRFP>. Any attachments should be in a searchable pdf format and any Excel spreadsheets should be unlocked with formulas visible. **A submission must include the following elements, at a minimum:**

1. Project Team

- Proposed development entity
- Identify all key project team members and clearly describe their role.
- Detail the relevant experience/qualifications of key project team members in planning, development, and/or management and operations of the development project. Resumes must be included.
- Identify any previous project experience on land owned by a state or local government or other public agency or authority.
- Identify all outstanding claims, unresolved disputes, or pending legal actions with any state or local governments or other public agencies or authorities.

2. Development Proposal

- Conceptual site plan and illustrations based on the areas of interest from each proposer, i.e. total site use and/or development plans along with partial use and/or development plans will be considered. [NOTE: the inclusion of 3D Modelling,

perspective vignettes and other forms of presentations that go beyond two dimensional site plans should be considered]

- Northern Edge/Wharf Use Plan (optional)
- Eastern Edge/Wharf Use Plan (optional)
- Southern Edge/Wharf Use Plan (optional)
- Western Edge Accessory Use Plan (optional) (see Acts of 2018, Chapter 228, Section 58(b))
- Building #1 Plan – First and Second Floor (optional)
- Building #2 Use Plan (optional)
- Southeast Building #6 Use Plan (optional)

3. Project Timeline and Development Phasing Plan

- Detailed timeline and phasing plan including all elements of project

4. Project Financials

- Project budget (using development pro-forma template provided)
- Project Sources and Uses, inclusive of any public subsidy needed (using development pro-forma template provided)
- Financial capacity summary
- Revenue and operating assumptions
- Proposed Lease Structure Terms (Duration, Base Rate, Extensions, Responsibilities)

5. RFP SCHEDULE AND SUBMISSION

The selection schedule is as follows:

RFP Available:	April 6, 2022
Developer Site Tour #1 (optional)	April 12, 2022, 1pm
Deadline for Questions:	April 25, 2022 by 5:00 PM
Response to Questions Issued:	April 29, 2022 by 5:00 PM
Proposal Submission Deadline:	May 9, 2022 by 5:00 PM
Target Selection Date:	June 1, 2022

MassDevelopment reserves the right to alter the timeline as it deems necessary.

RSVPs for the Developer Site Tour should be sent via email by April 11, 2022 to: Michelle Hennigar at MHennigar@MassDevelopment.com

All questions should be submitted via email on or before the date and time listed above to Michelle Hennigar at <mailto:MHennigar@MassDevelopment.com> Prospective respondents should note that all clarifications and exceptions must be submitted prior to submission of a proposal. Answers to all questions of a substantive nature will be posted on MassDevelopment's website at (<https://www.MassDevelopment.com/rfp-rfq/>). It is the responsibility of respondents

to ensure that they receive all information pertaining to this RFP by visiting the website link listed above.

This RFP has been distributed electronically using MassDevelopment's website. It is the responsibility of respondents to check the website for any addenda or modifications to this RFP.

Respondents to this RFP must submit their proposals via the online submission form available at: <https://www.cognitofirms.com/MassDevelopment/NewBedfordStatePierRFP>.

Responses must be received no later than the date and time stated above. Narrative attachments should be in searchable PDF format and any Excel spreadsheets should be unlocked with formulas visible. Any incomplete forms will be deleted prior to the deadline and will not be included as a submission.

6. REVIEW PROCESS

Only responses containing the required Elements of Proposal (Section 5) may be considered for further evaluation.

There will be no public opening of proposals submitted under this RFP. An internal review committee (appointed by MDFA CEO) will be convened to review the submitted proposals, and this committee may or may not contact respondents for further questions or clarifications and may also contact references. The review of a proposal by MassDevelopment and DCR does not obligate MassDevelopment to enter into a contract with the respondent.

Evaluation Criteria

The review committee will evaluate and compare each firm's proposal using the following evaluation criteria. The criteria below are not an exhaustive list and are not listed in any order of importance:

- Understanding of the Site, and the goal of maximizing the site's utilization, while providing economic benefits for the site, region and Commonwealth;
- Experience with commercial and economic development projects, with preference for those firms that have worked in marine and waterfront development projects;
- Diverse team with credentials and experience of firm and the Program team;
- Evidence of Respondent Team's good standing;
- Respondent's proposed cost and capacity for providing such services as described herein.

Recommendation of a proposals advancement will be made using a best overall value determination, identifying a respondent that is responsible and responsive, possessing superior management, financial and technical capabilities necessary to fulfill the requirements of the use/development, and whose proposal conforms to the RFP's requirements stated herein. Respondents will be judged by an integrated assessment of the general considerations and specific criteria defined in the evaluation criteria set forth herein to be most advantageous to the property, region and Commonwealth. Proposed costs incurred by the Commonwealth will be a significant, but not determinative, consideration.

The review committee reserves the right to consider other factors, including information that may not be provided in the proposals, if it deems the information relevant to the evaluation process.

The review committee reserves the right but is not obligated to waive or modify any irregularities or informalities in the responses received.

7. GENERAL PROVISIONS

- a. MassDevelopment reserves the right to reject any or all responses or parts of responses, to solicit new responses, and to make recommendations to enter into an agreement as it deems to be in its best interest and the best interest of DCR, as owner of the property.
- b. **Diverse respondents are encouraged to submit a proposal.** No respondent will be subjected to discrimination on the basis of race, color, sex or national origin in consideration of the responses.
- c. MassDevelopment reserves the right to waive any informalities, minor deviations, insignificant mistakes, and matters of form rather than substance and to seek clarification of the proposals, which can be waived or corrected without prejudice to other respondents, potential respondents, or MassDevelopment.
- d. A proposal may be modified or withdrawn by a respondent prior to the proposal submission deadline by delivering a written notice to the Agency representative that is authorized to receive questions as set forth in Section 6 above.
- e. By submitting a proposal to MassDevelopment, respondent is certifying that its offer is in all respects bona fide, fair, and made without collusion or fraud with any person. As used in this section, “person” shall mean any natural person, joint venture, partnership, corporation or other business or legal entity.
- f. Both DCR and MassDevelopment employees, and respondents, are subject to G.L.c. 268A, the Massachusetts Conflict of Interest Law. Respondent represents that it has reviewed the Conflict of Interest law, has not violated the law, and covenants that it will remain in compliance with G.L.c. 268A.
- g. Potential respondents are hereby notified that issuance of this RFP and receipt of proposals do not assure that a firm will be selected.
- h. MassDevelopment is not liable for any costs incurred by a respondent in the preparation and production of a proposal or for any work performed prior to contract execution.
- i. Any proposal submitted in response to this RFP that is not modified or withdrawn as specified in Section 9 (H) above, shall be considered a firm offer and shall remain effective unconditionally for ninety (90) days.

- j. No respondent shall hold any press conference, issue news releases, or make announcements concerning its position in this subject / process prior to MassDevelopment's public release of this information; thereafter any such press conference, release, or announcement shall be made only after obtaining the written approval of MassDevelopment.
- k. MassDevelopment provides respondents with an opportunity to administratively resolve disputes, complaints, or inquiries related to MassDevelopment proposal solicitations or contract awards. MassDevelopment encourages respondents to seek resolution of disputes through consultation with MassDevelopment staff. All such matters will be accorded impartial and timely consideration. If consultation with MassDevelopment staff does not lead to a resolution of the dispute, respondents must file a written dispute with the MassDevelopment Office of General Counsel.
- l. During the evaluation process, the content of each proposal will be held in confidence and details of any proposal will not be revealed (except as required under law).
- m. Unless otherwise specified in the response to the RFP, the quoted price includes all overhead, insurance, taxes, fees, and licenses applicable to the delivery or services set forth in the proposal.
- n. Respondents are further advised that upon signing a contract, the selected firm must certify that it has complied with any and all laws of the Commonwealth relating to the payment of taxes, reporting of employees and contractors, and withholding and remitting of child support as required by M.G.L. c. 62C, §49A, and has either (i) filed all tax returns and paid all taxes required by law; (ii) has filed a pending application for abatement of such taxes; (iii) has a pending petition before the appellate tax board contesting such taxes; or (iv) does not derive taxable income from Massachusetts Sources such that it is subject to taxation by the Commonwealth of Massachusetts; and must certify that it is a "Qualified Employer" or an "Exempt Employer" as defined under Chapter 521 of the Massachusetts Acts of 1990, as amended by Chapter 329 of the Massachusetts Acts of 1991, and 102 CMR 12.00 et. seq. as provided in the contract. A firm's failure to certify compliance with said laws would be cause for MassDevelopment not to enter into a contract. MassDevelopment further reserves the right to investigate, at any time prior to MassDevelopment's execution of a contract or during the term of a contract, any information indicating that there has been a failure to comply with said laws. If MassDevelopment determines that any selected firm has not complied with said laws, it shall decline to enter into a contract, may terminate any contract entered into, and further may decline to extend the contract.
- o. MassDevelopment is subject to the requirements concerning the disclosure of public records under the Massachusetts Public Records law, M.G.L. c. 66, and thus documents and other materials made or received by MassDevelopment are subject to public disclosure.
- p. All respondents must be registered to do business in the Commonwealth of Massachusetts and be in good standing with the Secretary of the Commonwealth.

MassDevelopment may request evidence of good standing prior to entering into any contract.

- q. A respondent will not be selected if it appears on any list of debarred or suspended contractors maintained by the Commonwealth or the federal government.
- r. This solicitation is subject to M.G.L. c. 7 §§ 22C – 22F which provides that a state agency, state authority, the house of representatives or the senate may not procure goods or services from any person employing ten or more employees in an office or other facility located in Northern Ireland, who fails to certify that:
 - i. he/she does not discriminate in employment, compensation, or terms, conditions and privileges of employment on account of religious or political belief; and
 - ii. he/she promotes religious tolerance within the workplace, and the eradication of any manifestations of religious and other illegal discrimination; and
 - iii. he/she is not engaged in the manufacture, distribution or sale of firearms, munitions, including rubber or plastic bullets, tear gas, armored vehicles or military aircraft for use or deployment in any activity in Northern Ireland.

M. G. L. c. 7, §§22C – 22F shall not apply if (i) the procurement is essential, as determined by MassDevelopment, and compliance would eliminate the only proposal or offer or would result in inadequate competition; or (ii) there is not comparable proposal or offer (i.e. within 10%) by a certifying firm; or (iii) the firm does not employ ten or more employees in an office or other facility located in Northern Ireland.

DISCLAIMER. This document (the “RFP”) does not consist of an offer nor a contract, but is merely an advertisement intended to potentially elicit offers from interested developers. All submissions to MassDevelopment shall become property of MassDevelopment, and will be subject to the Massachusetts public records law (G.L. c. 66, § 10). Respondents to this RFP will not be compensated or reimbursed for any costs incurred in preparing a response.

MassDevelopment is not obligated to contract for any services or products described herein. MassDevelopment reserves the right to (1) accept or reject any or all proposals, (2) waive any anomalies in proposals, (3) negotiate with any respondent, and (4) modify or cancel the RFP. Any decision to enter into any agreement arising as a result of this RFP process is subject to final review and approval of DCR. Any lease of the property either to MassDevelopment or to a third party, would be issued by DCAMM (the Commonwealth’s Division of Capital Asset Management and Maintenance) on behalf of and in consultation with DCR.

EXHIBIT 1 - PROPERTY CONDITIONS

Below is a list of property conditions at the Site. The information below is for general information purposes only, is not intended to constitute legal or other professional advice, and should not be relied upon or treated as a substitute for specific advice relevant to particular circumstances.

Existing Conditions

The New Bedford State Pier is an approximate 8+ acre site with 76,000 SF of primary warehouse structures of which 26,000 SF was converted to a refrigerated environment in 2017, and 6,000 SF serves as the Seastreak Ferry Terminal Offices and Passenger Services. In addition to the primary warehouses a smaller one story storage and office building is located on the southeast corner of the site currently occupied by offices of the Massachusetts Environmental Police, State Police and Seaport Economic Counsel and private users that license use of the storage areas. Various other utility buildings are located upon the site including a gatehouse that allows for the eastern end of the site to be used for international cargo under US Customs regulations.

In 2018-19 MassDevelopment conducted a comprehensive capital needs assessment of the site that concluded a 10 year capital need between \$60M and \$70M, predominantly associated with the repair and replacement of the pile supported wharf structures on the North, East and West boundaries. The report can be found in the Appendix.

In 2021, MassDevelopment and DCR engaged the services of Foth Engineering to produce alternatives for the replacement of the North Wharf, with preliminary design options currently in process. The report is pending.

Zoning Information

Detailed zoning information can be found on the City's website: <https://www.newbedford-ma.gov/planning/regulations/>. Please reach out to the New Bedford Department of Planning with any questions: (508) 979-1488.

Utilities and Building Services

The property is serviced by multiple utilities including multiple water services for domestic and fire protection, sewer, electric, tel/data and natural gas. Please refer to plans in the Appendix.

Parking

As currently configured the site contains approximately 140 parking spaces used seasonally by current ferry services, cargo operations and tenant parking

Environmental Conditions

There are no known environmental conditions at the New Bedford State Pier.

EXHIBIT 2 – POTENTIAL FINANCING RESOURCES

All proposals should detail their financial assumptions, including any financial assistance from the Commonwealth, MassDevelopment, or another entity that might be required to facilitate the redevelopment of the Project Site. Below is a list of MassDevelopment resources that may be used for the redevelopment. Other resources may be available from the city and/or state.

MassDevelopment offers real estate and equipment financing solutions with higher advance rates and lower interest rates. Our extensive experience and low-cost options can help at any state of a development project – from predevelopment to permanent financing.

Loans/Guarantees

- **Predevelopment financing:** Predevelopment loans can be used to finance early stage project costs, such as architectural and engineering work or traffic and feasibility studies necessary to advance a project to the construction stage.
- **Brownfields Assessment and Remediation:** Financing is available to provide environmental assessment and remedial actions.
- **Construction and permanent financing:** MassDevelopment offers loans to fund acquisition, renovation, construction, and permanent financing for a range of real estate uses, including multi-tenant, mixed-use, commercial, industrial, and housing.
- **Loan guarantees:** MassDevelopment provides guarantees on a portion of a bank real estate loan or tax-exempt bond to help cover the difference between a bank's maximum allowable loan advance rate and up to 90% of the property's value.

Bonds

- **Tax-exempt bond financing:** MassDevelopment's bond financing programs offer a cost effective method for companies and institutions to finance capital projects including new construction, acquisition, renovation, new equipment purchases, and facility expansions.
- **Infrastructure Financing:** MassDevelopment offers three unique financing programs designed to support public infrastructure – Infrastructure Investment Incentive Program (I-Cubed); District Improvement Financing (DIF); and Local Infrastructure Development Program (23-L). The programs can be used independently, or in combination, and involve the establishment of an identified development/redevelopment district to finance infrastructure that will spur real estate development that may not otherwise occur.

To learn more about MassDevelopment's financing tools, please contact Kelly Arvidson at karvidson@MassDevelopment.com, or visit the MassDevelopment Finance Department's website: <https://www.MassDevelopment.com/financing>.

EXHIBIT 3 – ADDITIONAL DUE DILIGENCE MATERIALS

In addition to the site information included in the Appendices to this RFP, the documents listed below include important information regarding NBSP and the surrounding area. The information, materials and opinions contained in the following documents are for general information purposes only, and are not intended to constitute legal or other professional advice, and should not be relied upon or treated as a substitute for specific advice relevant to particular circumstances.

- 2020 Karl Seidman Market Study (<https://www.MassDevelopment.com/rfp-rfq/>)
- Rates, Rules, and Regulations for Conventional and Container Terminal Services – Effective January 1, 2019 (<https://nbstatepier.com/>)
- Port of New Bedford Strategic Plan 2018-2023 (<https://portofnewbedford.org/strategic-plan2018-2023/>)

Considerations from City of New Bedford

The City of New Bedford has provided the following commentary for applicants to consider with their submissions:

The City has expressed its desire for applications to consider the legislative allowance for up to 20% of the properties western edge to be developed for accessory uses as defined by 310 C.M.R. 9.12(3) with a focus towards complimentary and associated retail, dining or other public accommodations. The City’s vision of a street edge along McArthur Boulevard is envisioned as a “downtown street” with structures, building scale and pedestrian streetscape elements that reflect Front Street and other similar streetscapes within the Historic District. Furthermore, the following suggestions should be considered within a proposal that speaks to this subject:

- The main entrance to the pier generally aligns with Union Street, providing an opportunity for a "gateway" entrance in the final design. Care should be given to design, material, scale, lighting, signage, and entrance heights for the commercial traffic coming through, but also be inviting for a pedestrian experience. Paving, lighting, and enhanced landscaping in keeping with a dense urban setting should also be considered.
- Building design should respect scale, material, and fenestration of buildings found in the adjacent New Bedford Whaling National Park and may be reflect on historical precedents. Following the NPS requirements of new development within a historic setting, development should be identifiable and not an attempt to replicate the National Parks genuine historic properties.
- This site is the boundary edge of the Park and may be subject to review by the New Bedford Historic Commission.
- Based on the ownership and age of the property and its current structures it is assumed that Massachusetts Historic Commission will also review any proposed development on the property.

- Pedestrian scaled lighting, street trees, and landscaping should complement the design and allow for a feeling of safety and comfort. Other amenities such as benches, refuse receptacles, and areas for the continued display of public art should be considered as well.
- The pedestrian realm shall extend from the western edge to both north and south edges and as deep as the "accessory use zone" exists, to provide a sense of place and safety for visitors as the entrance will also be heavily traveled by commercial traffic.
- The inclusion of 3D Modelling, perspective vignettes and other forms of presentations that go beyond two dimensional site plans within a proposal should be considered, in order to illustrate the pedestrian / public experience at the site and from the neighboring downtown.

Relevant Legislative Language

Below are links to relevant legislative language related to the piers. More detail can be found in the Appendix.

Acts of 2018, Chapter 228, Section 58(a & b)

<https://malegislature.gov/Laws/SessionLaws/Acts/2018/Chapter228>

310 CMR 9.12(3) Accessory Use Definition

<https://www.mass.gov/doc/310-cmr-900-waterways-regulations/download>

Section 73 of Chapter 24 of the Acts of 2021

<https://malegislature.gov/Laws/SessionLaws/Acts/2021/Chapter24>

Section 182C of Chapter 6 of the General Laws

<https://malegislature.gov/Laws/SessionLaws/Acts/2020/Chapter116>