

# 2020 LYNN MUNICIPAL HARBOR PLAN AMENDMENT AND DESIGNATED PORT AREA MASTER PLAN

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Economic Development and Industrial Corporation  
Lynn City Hall – Room 405  
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## **1.0 Executive Summary**

The 2019 Lynn Waterfront Open Space Master Plan (2019 Waterfront Open Space MP), the 2019 Lynn Revised Waterfront Master Plan (2019 Revised Waterfront MP), and the 2020 Lynn Municipal Harbor Plan Amendment (2020 Lynn MHP) culminate nearly two decades of planning and investment in transforming the Lynn waterfront (see Figure 1 for the Harbor Planning Area and Figure 2 for the boundary of the Lynn Designated Port Area (DPA)). All three principal plans have looked at critical elements of a successful revitalization program centered on public waterfront open space. The public has provided considerable input in all three plans, and the City has ensured that these separate but related planning efforts have been closely integrated. Together they provide a seamless blueprint that establishes a rational pathway to implement an exciting vision for Lynn's future waterfront.

### **Background on the 2020 Lynn Municipal Harbor Plan (MHP)**

Earlier waterfront revitalization efforts from 2006 – 2010 provided a robust and ambitious plan that envisioned relatively dense development closer to the Lynnway in exchange for a central waterfront park adjacent to the state's Lynn Heritage Park. Other improvements, including a 200-foot wide setback from the shoreline, a new fishing port created by removing landfill, and a new marina sought to completely redefine Lynn's waterfront and the city itself, from its former industrial heydays to a reinvigorated, active waterfront community that was welcoming to a wide range of diverse residents and visitors. The 2010 Lynn Municipal Harbor Plan and Designated Port Area Master Plan (2010 Lynn MHP) was approved by the state with alternative statewide waterfront building dimensions for greater height and density in exchange for increased public open space and a signature waterfront park.

However, the 2010 Lynn MHP was based on economic assumptions that proved over-optimistic. The market could not support the tall, dense buildings that were projected over hundreds of acres along or close to the Lynn waterfront. Challenges also developed in terms of protecting the area identified for a signature waterfront park and the regulatory framework that was key to providing waterfront open space began to unravel. In 2016 the city requested and received authorization from the state through an MHP clarification to allow a project to move forward that complied with the statewide Chapter 91 nonwater-dependent use building dimensions on the site previously identified for the signature waterfront park, provided the city developed a new waterfront open space plan and developed an amended Lynn MHP to incorporate the new open space plan goals and ensure its implementation. Lynn began its 2019 Waterfront Open Space MP the following year and, under Mayor McGee, added a 2019 Lynn Revised Waterfront Master Plan to further inform an MHP amendment.

## Framework and Components of the 2020 Lynn MHP

The 2020 Lynn MHP culminates almost two decades of planning and development efforts to revitalize and diversify the Lynn waterfront, centered around a signature public waterfront park. Like the 2010 Lynn MHP, the 2020 Lynn MHP envisions a reinvigorated, active waterfront community that is welcoming to a wide range of diverse residents and visitors. It is based on the concurrent 2019 Waterfront Open Space MP and the 2019 Revised Waterfront MP and provides a clear pathway to revitalize the Lynn waterfront with a new, mixed-use neighborhood centered around a signature waterfront park and an extensive pedestrian network.

Unlike the 2010 Lynn MHP, the 2020 Lynn MHP uses statewide waterfront standards for building density and height on filled tidelands. Instead of trading increased height and building density for more open space, the 2020 Lynn MHP establishes performance standards that exceed statewide regulations to expand publicly accessible open space and public amenities for all new nonwater-dependent developments and permanently protected open space within the jurisdictional focus area of the MHP (see Figure 2). This approach will create less density and lower building heights in the area between the Lynnway and Lynn Harbor and changes in local zoning encourage a mixed-use neighborhood. Central to the 2019 Waterfront Open Space MP, the 2019 Revised Waterfront MP, and the 2020 Lynn MHP is the creation of open space in a signature waterfront park on reclaimed formerly industrial land, including landfill areas that will be capped, covered, protected, and improved for public use. Walkways, bikeways, and visual connections will radiate from this signature park toward the Lynnway along the waterfront to the west and along interior corridors to the north and to a lesser extent to the east.

Most of the filled tidelands in Lynn were historically intertidal lands between the low and high tide marks, areas known as private tidelands (see Figure 3). Based on colonial ordinances passed in the 1640s, these private tidelands have relatively few public rights compared to tidelands that were historically below the low-tide mark known as Commonwealth tidelands. Without special provisions in the 2020 Lynn MHP, public access on Lynn's extensive private tidelands areas would only extend a maximum of 100' from the shoreline with a 10' wide public path as the only public amenity. The 2020 Lynn MHP will ensure that:

- Any new nonwater-dependent use project parcel within Chapter 91 jurisdiction must provide a water-dependent use zone with a minimum depth of not less than 100' and a total area of not less than the area of a water dependent use zone with a 200' depth, in order to assure that nonwater-dependent buildings are not sited within these areas;
- All areas within the water-dependent use zone will be explicitly for use as publicly accessible open space and related facilities, subject to appropriate management plans to be developed during licensing, and shall be required to provide the standard of public open space required on filled Commonwealth

tidelands under 310 CMR 9.53(2), specifically as provided in the 2019 Waterfront Open Space MP;

- Lateral access connecting the shoreline to inland areas will be required to the extent of Chapter 91 licensing jurisdiction; outside Chapter 91 licensing jurisdiction, these accessways will be supported through project review under the Massachusetts Environmental Policy Act (MEPA) and anticipated policies at the City level to ensure project compliance with the 2019 Waterfront Open Space MP to ensure full access to the Lynn waterfront from multiple points along the Lynnway; and
- Where appropriate and feasible, nature-based shoreline protection (coastal infrastructure which provides natural buffers to coastal impacts such as storm events, wave energy and erosion as well as provide ecosystem services such as coastal habitat) that incorporates increased elevation elements to improve coastal resilience, as described in the 2019 Waterfront Open Space MP shall be required to improve coastal habitat and resiliency.

The 2010 Lynn MHP also included a Designated Port Area (DPA) Master Plan. The DPA Master Plan provided some details of the types of uses the city envisioned within the Lynn DPA, and a reference map that indicated a proposed fishing harbor created by excavating one of the landfill areas. The 2010 DPA Master Plan is no longer consistent with the 2019 Waterfront Open Space MP or the 2019 Revised Waterfront MP and its provisions will be changed in the 2020 Lynn MHP. As was the case with the 2010 Lynn MHP, under the 2020 approach, activities and uses within the Lynn DPA will be governed by statewide regulations at 310 CMR 9.00.

### **Zoning Changes**

The 2020 Lynn MHP is just one component of the overall strategy to implement the 2019 Waterfront Open Space MP and the 2019 Revised Waterfront MP. The City of Lynn approved zoning changes that promote mixed uses and attract a diverse population through provisions that increase access to the waterfront area, expand the types of uses allowed along the waterfront as provided in the 2019 Revised Waterfront MP, and implement measures to minimize conflicts between water-dependent industrial uses and nonwater-dependent uses. Zoning changes also include provisions that are consistent with the 2020 Lynn MHP as required and to update DPA zoning to expand allowable uses and be coincident with the Lynn DPA boundary.

### **Signature Waterfront Park Strategies**

While the 2020 Lynn MHP requires high-quality open space for any new, nonwater-dependent use project along the waterfront, the area identified in the 2019 Waterfront Open Space MP as the signature waterfront open space area must be secured, improved, and protected through other methods. A significant portion of this future signature waterfront park is currently a landfill area, subject to regulation by the

Department of Environmental Protection (DEP). It is anticipated that the landfill area will be capped, covered, prepared for use as a public park, and protected as public open space through a conservation restriction as specified in Administration Consent Order (ACO) #00007125 (see Appendix E), or through other means if the ACO is amended with regard to protecting this area.

Currently, one of the landfill areas identified as a future signature waterfront park in the 2019 Waterfront Open Space MP is part of the Lynn Designated Port Area (DPA). State regulations governing the use of DPAs do not allow permanently protected open space. To implement the 2019 Waterfront Open Space MP, the City of Lynn intends to request that the Massachusetts Office of Coastal Zone Management (CZM) conduct a DPA boundary review to determine whether this area meets the designation criteria for inclusion in the DPA. Should all or portions of this area no longer meet DPA designation criteria, the city may propose that other municipally owned land that meets DPA designation criteria be included within the revised boundary of the Lynn DPA to ensure minimal loss of overall DPA area on the waterfront.

The 2020 Lynn MHP also identifies potential sources of funding to implement the vision for the signature waterfront park described in the 2019 Waterfront Open Space MP.

## **2.0 Lynn Harbor Planning Area Description and Planning History**

### **2.1 Lynn Harbor Planning Area**

The Harbor Planning Area (HPA) in the Lynn MHP Renewal & Amendment is the same as that in the 2010 Lynn MHP, with a minor correction on the northeast corner where a portion of the HPA is shown as crossing the municipal boundary into Nahant; the HPA of the Lynn MHP Renewal & Amendment will be coincident with the Lynn municipal boundary on that edge of the HPA as shown on Figure 1. Although the focus of the 2020 Lynn MHP is the area from the mouth of the Saugus River to the northeasterly border of the Lynn Heritage State Park, also shown in Figure 1, the MHP covers the larger area to be consistent with the 2019 Waterfront Open Space MP and the 2019 Revised Waterfront MP.

The HPA consists of approximately 253 acres, encompassing all properties located to the east of the Lynnway between the mouth of the Saugus River on the south and the Lynnway/Nahant Road/Lynn Shore Drive rotary on the north. This area includes approximately 2.5 miles of shoreline and represents a distinct, integrated planning unit, framed on the west by the region's principal arterial, the Lynnway, and on the east by Lynn Harbor, and includes the majority of the City's waterfront areas.

Within the HPA, the amplifications of the 2020 Lynn MHP will apply only in the MHP focus area, which extends from the mouth of the Saugus River to the northeasterly border of the Lynn Heritage State Park, an area of approximately 241 acres, including approximately 158 acres subject to Chapter 91 licensing jurisdiction. The MHP focus area, shown in Figure 1, includes the Lynn DPA, shown in Figure 2, an area of approximately 43 acres of which approximately 38 acres is within Chapter 91 licensing jurisdiction. The DPA represents approximately 18% of this overall focus area, or 23% of those areas within Chapter 91 licensing jurisdiction.

The functionality of the Lynn HPA is largely defined by the Lynnway. This major vehicular artery provides a visual and physical landward boundary of the Lynn waterfront, even though the area between the Lynnway and the waterfront contains lands that are both within and outside of Chapter 91 licensing jurisdiction. From a planning perspective, the HPA is more effective for overall waterfront planning than only those areas within Chapter 91 licensing jurisdiction in order to: (1) better assess adjacent areas for compatible uses; (2) encourage and/or require lateral access to waterfront areas; and (3) more effectively promote, access, and operate water-dependent and water-dependent industrial activities.

The vast majority of the HPA in Chapter 91 licensing jurisdiction is private tidelands as described in 310 CMR 9.02. See Figure 3 for a delineation of private and Commonwealth tidelands.

## **2.2 Lynn Waterfront History**

The City throughout the colonial period and continuing well into the twentieth century was primarily known as home to a major tannery and shoemaking industry. During most of this period, the waterfront area consisted of high and low marsh and mud flats.

Various industrial activities on the waterfront, including gas manufacturing (from coal), dairy, textile, and electrical manufacturing businesses located along the Lynn waterfront in the late nineteenth and early twentieth centuries. During the second half of the twentieth century, a municipal landfill, a wastewater treatment plant, automobile dealerships, discount retail establishments, scrap iron storage, auto body shops, and fast food restaurants have moved into this area.

## **2.3 Recent Planning Efforts**

Recent plans and documents that relate to the 2020 Lynn MHP Renewal & Amendment include the following:

- 2019 Lynn Revised Waterfront MP – summary below
- 2019 Lynn Waterfront Open Space MP – summary below
- Clarification on the 2010 Lynn MHP & Designated Port Area Master Plan, 2016 (<https://www.mass.gov/files/documents/2016/12/wl/lynn-mhp-clarification-response-12-21-2016.pdf>) – summary below
- Lynn Coastal Resiliency Assessment, 2016 (<http://www.ediclynn.org/documents/Revised%20Waterfront%20Master%20Plan/Lynn%20Coastal%20Resiliency%20Assessment%202016.pdf>):

The City of Lynn Economic Development and Industrial Corporation (EDIC) conducted a community-based process to assess vulnerability and consider adaptation strategies to future climatic conditions along the Lynn shoreline and Saugus River areas. The purpose of the Lynn Coastal Resilience study is to evaluate sea level rise and coastal flooding that could occur under future climate change predictions, and to identify ways that the community can plan to adapt to these changes to improve resiliency.

- RKG Housing Study, 2016  
(<http://www.ediclynn.org/documents/Revised%20Waterfront%20Master%20Plan/Lynn%20Housing%20Study%202016.pdf>)

The 2016 update includes the following components: a detailed profile of the current residential market (for-sale and rental), both city-wide and within defined submarkets; an assessment of current and future demand for ownership and renter housing in the City’s residential submarkets, especially as it relates to low-income household demand, the inventory of price-restricted housing, and the impact associated with expiring use contracts; an assessment of the condition, occupancy, and pricing of Lynn’s housing supply in terms of changing demographics, public and private investment, rehabilitation, and foreclosure activity; a comparative look at demographic and housing characteristics of the Commonwealth’s “gateway cities,” of which Lynn is one; and planning and policy recommendations for strengthening Lynn’s lower-income neighborhoods and encouraging new development in areas with potential to capture some of the region’s housing growth: downtown, the waterfront, the Washington Street corridor, and other locations.

- RKG Economic Study Development Study, 2015  
(<http://www.ediclynn.org/documents/Revised%20Waterfront%20Master%20Plan/Economic%20Development%20Strategy%202015.pdf>)

The objective of this development strategy update was to reflect the socioeconomic and market changes that have occurred since 2005 and recommend any revisions to the City’s strategy. The methodology used in this report included an evaluation of market trends and economic indicators (the quantitative data) coupled with business, employer and stakeholder input (the qualitative data). This report also offers a summary overview of the City’s progress in realizing the strategies put forth in the 2005 plan. The plan reviewed and updated tax base and land use characteristics in the previously identified eight Economic Opportunity Zones (EOZ) and worked with the City and EDIC to identify a ninth EOZ, referred to as the Route 129 Corridor, which includes land parcels along Route 129 from Wyoma Square to the intersection of Franklin and Boston Streets.

- Lynn MHP & Designated Port Area Master Plan, 2010  
(<http://www.ediclynn.org/documents/Revised%20Waterfront%20Master%20Plan/Lynn%20Municipal%20Harbor%20Plan%202010.pdf>) – summary below

- Washington Street Gateway District Plan, 2008  
(<http://www.ediclynn.org/files/Sasaki%20Final%20Report.pdf>)

The Washington Street Gateway District Plan identified ways to create more value between the Downtown and the Sagamore Hill Community by building new mixed-use developments, restoring the older buildings that are contributing to the streetscape and history of Sagamore Hill, and creating infill projects on currently vacant or underutilized land.

- Lynn Master Waterfront Plan, 2007  
([http://www.ediclynn.org/files/LynnFinalReport\\_LowRes\\_9-07.pdf](http://www.ediclynn.org/files/LynnFinalReport_LowRes_9-07.pdf))

The purpose of this plan was to create a vision for the area that would establish the Lynn waterfront as a mixed-use district with connections to downtown and the surrounding communities, through public and private investment.

#### **2.4 2010 Lynn MHP and DPA Master Plan**

Beginning in 2006, the City of Lynn began to develop a vision and master plan for the future use of the City's waterfront with the goal of transforming the area into a vibrant mixed-use district. On September 11, 2007, the Lynn City Council accepted the completed Lynn Waterfront Master Plan and initiated the process of amending the City's Zoning Ordinance to create the legal framework for its implementation. The amended Zoning Ordinance was adopted in March 2008.

Following the adoption of the amendment to the Zoning Ordinance, the City prepared the Lynn Municipal Harbor Plan and Designated Port Area Master Plan and submitted it to the Massachusetts Executive Office of Energy & Environmental Affairs (EEA) in December 2009. It was approved, with conditions, by EEA Secretary Ian A. Bowles on June 28, 2010, and included substitute provisions for open space and building height with offsets and a DPA Master Plan component.

The goals of the 2010 Lynn MHP were to: (1) enhance the responsiveness of Commonwealth agency actions to the city's land use goals and objectives, harbor conditions, and circumstances; (2) ensure that tidelands licensing actions pursuant to the provisions of M.G.L. C. 91 on individual properties and projects are taken in the context of the city's objectives and goals for the development of the larger waterfront area; and (3) establish development and design standards specifically tailored to respond to the conditions of Lynn Harbor and the city's objectives and goals as substitutes for the general, state-wide standards specified at 310 CMR 9.00.

The objectives of the 2010 Lynn MHP were to:

1. enhance the physical and visual connection of the larger City with its waterfront
2. create a unified series of public spaces along a waterfront promenade
3. create a landmark open space within the waterfront for the staging community events and celebrations
4. create a mixed-use neighborhood designed to maximize the benefits to be derived from its unique waterfront location (e.g., views and water/land interface)
5. ensure that the future development of the waterfront functions as an extension of, rather than a departure from, the City's existing urban fabric
6. configure and align development blocks so as to promote energy conservation through the siting of buildings
7. expand the range of transportation options available to residents through the introduction of a water-based option
8. coordinate the goals of the City to promote the beneficial development of its waterfront with the goals and policies of the Commonwealth of Massachusetts to protect the interests of all Commonwealth citizens with regard to the use of public trust lands (i.e., tidelands)

The 2010 Lynn MHP sought to implement these objectives through two substitute provisions. First, a substitute provision for open space allowed for greater building density as long as: (1) a developed/building area offset ratio of 1 to 1.3 was provided for open space within Chapter 91 jurisdiction; (2) the offset was a minimum size of 0.25 acre; and (3) the open space offset was located in specific areas of the waterfront. The second substitute provision allowed for building heights somewhat greater than allowed under Chapter 91 in a portion of the Gateway District in the South Harbor area and offset by a prohibition on all new or expanded nonwater-dependent use buildings on tidelands within 200 feet of the highwater mark in the South Harbor area.

<b>310 CMR 9.00 Waterways Provision</b>	<b>2010 Lynn MHP Substitute Provision</b>	<b>2010 Lynn MHP Offset</b>
310 CMR 9.51(3)(d): "at least one square foot of the project site at ground level, exclusive of areas lying seaward of the project shoreline, shall be reserved as open space for every square foot of	Greater building density allowed on properties within C.91 licensing jurisdiction	Open space offset on a 1.3-to-1-square-foot ratio (open space to building footprint) with open space created in areas delineated as "Parks and Promenades" in Figure 9 of the 2010 Lynn MHP.

tideland area within the combined footprint of buildings containing nonwater-dependent use on the project site;....”		The open space must be created in a contiguous area of at least 0.25 acres in size and be maintained as green, “park-like” space
310 CMR 9.51(3)(e): “new or expanded buildings for nonwater-dependent use shall not exceed 55 feet in height if located over the water or within 100 feet of the landward of the high water mark; at greater landward distances, the height of such buildings shall not exceed 55 feet plus ½ foot for every additional foot of separation from the high water mark;....”	For a portion of the Gateway District (South Harbor), starting at locations 200 feet from the high water mark, heights are not to exceed 55 feet and then may increase no more than 1.5 feet for each additional foot of separation away from the 200 foot line to a maximum height of 240 feet	Building height offset is a prohibition on all new or expanded buildings for nonwater-dependent uses on tidelands within 200 landward feet of the highwater mark

The 2010 Lynn MHP also included a Designated Port Area (DPA) Master Plan. The DPA Master Plan provided some details of the types of uses the city envisioned within the Lynn DPA, and a reference map that indicated a proposed fishing harbor created by excavating one of the landfill areas. The 2010 DPA Master Plan is no longer consistent with the vision and goals for the 2019 Open Space Plan or the 2019 Revised Waterfront MP and so has been updated as part of the 2020 Lynn MHP. As with the 2010 Lynn DPA Master Plan, no modifications to the existing Chapter 91 requirements for areas within a DPA are requested for the 2020 Lynn DPA Master Plan. Section 3.6 demonstrates compliance with the regulatory requirements for DPA Master Plans at 301 CMR 23.05(2)(e).

## 2.5 2016 MHP Clarification

In November 2016, the City requested a clarification to the 2010 Lynn MHP as a result of a proposed project, known as the 8.7-acre Minco development, located at the innermost bend of the harbor and west of the Lynn Heritage State Park. The site included an area designated in the 2010 Lynn MHP specifically for a Lynn Waterfront Signature Park. A clarification was required to ascertain (1) whether the proposed Minco development was required to provide offsets even though it did not make use of the dimensional modifications provided in the 2010 Lynn

MHP substitute provisions, and (2) if it could be built in an area designated for the Lynn Waterfront Signature Park.

The City submitted its clarification request for the 2010 Lynn MHP to EEA on November 8, 2016. The request was noticed in the Environmental Monitor on November 23, 2016 with a public comment period that ended on December 9, 2016. EEA Secretary Matthew A. Beaton issued his clarification on December 21, 2016 (see Appendix D).

In his clarification, Secretary Beaton concurred with the City that as proposed the Minco development appeared eligible for review under the standards in the Chapter 91 Waterways regulations (310 CMR 9.00) without any MHP/DPA Plan substitutions for greater density/lot coverage and associated open space. Provided that the Minco project could be properly licensed under Chapter 91, the Secretary determined that the Minco development project could also be sited within a portion of the open space area identified in the approved MHP/DPA Plan as the Lynn Signature Waterfront Park without conflicting with the 2010 Lynn MHP. However, because the Minco development project had repercussions for other development activity and its required open space, the City was required to address this issue before any additional development projects could be licensed under the provisions of the approved 2010 Lynn MHP.

Specifically, to take advantage of lot coverage and open space substitute provisions, the Secretary required the City to undertake and complete the development of a new Lynn Waterfront Open Space Master Plan, to better define the City's vision for open space along the waterfront and to provide greater detail on feasibility and implementation. The planning effort also was required to include important specifics on managing and integrating the Commonwealth's recreational assets abutting, and/or in the vicinity of, the Lynn Harbor waterfront. This effort, in cooperation with EEA and DCR, was required to include a more refined layout and organization of open spaces, based on a program of specific uses and circulation requirements. This open space master planning effort also was required to consider appropriate alternative designs and layouts for the public spaces to be created along the Lynn Harbor waterfront, based on a robust public input and stakeholder engagement process, with details on implementation strategies to ensure the areas identified as open space and other aspects of the plan are realized.

Recognizing that the updated open space layouts were likely to differ from those depicted in the 2010 Plan, the Secretary's clarification also required that the City must prepare an amended MHP to incorporate the findings of the open space master plan, as well as all proposed modifications to the City's goals and objectives for the development of the waterfront which have evolved since the

2010 plan approval, and specifying the implementation commitments the City will undertake to assure the success of the amended plan.

## **2.6 2019 Waterfront Open Space MP and the 2019 Revised Waterfront MP**

In response to the Secretary's decision, the City initiated the 2019 Waterfront Open Space MP process in 2017 and began its 2019 Revised Waterfront MP in 2018. The 2019 Waterfront Open Space MP and the 2019 Revised Waterfront MP both envision a mixed-use neighborhood with a focus on open space along the waterfront that was a component of the 2010 Lynn MHP. Although separate planning efforts, the two plans were developed in collaboration with and complement each other, and both master plans inform and frame the 2020 Lynn MHP.

### **2019 Waterfront Open Space MP**

The overall project goals of the 2019 Waterfront Open Space MP are to:

1. Establish a cohesive vision for connected open spaces along the waterfront
2. Safeguard public access to and along the waterfront from the G.E. Bridge to Nahant
3. Provide open space design guidelines for future development along the waterfront in order to ensure open spaces are appealing and accessible to all members of the public
4. Plan for climate resiliency in all developments

The 2019 Waterfront Open Space MP locates public parks, plazas, and a continuous promenade along the waterfront, and provides design and programming guidelines for each of those areas. The locations for open spaces and the continuous promenade are based on both public input and an analysis of existing land uses, regulatory, and ownership conditions that informed where open spaces could feasibly and most readily be implemented. While the 2010 MHP relied on the eventual assemblage of privately-owned parcels to achieve significant public open space, the 2019 plan does not propose changes to parcel boundaries and road networks. Rather the plan assumes that developers of individual land parcels will be responsible for following the plan's open space design guidelines.

The creation a signature waterfront park protected from private development and preserved as public open space is also a primary objective of the 2019 Waterfront Open Space MP. The plan identifies the waterfront's landfill area as an ideal location for a signature park that could connect the waterfront and could be permanently protected once the landfill is capped and covered.

Analyzing the waterfront's critical flood risks, the plan emphasizes the need to prepare for increased storm surge and higher tides. The plan identifies where the waterfront is most vulnerable to flooding and proposes coastal resilience strategies to improve the waterfront's deteriorating seawall and use park space to protect against flooding caused by climate change.

Two park spaces in the north and south of the waterfront, the DCR fishing pier and Lynn Heritage State park are undergoing design development as the first key open spaces and promenade segments to be implemented by the plan. The construction of these initial projects is intended to serve as a catalyst for the broader vision of the plan and link with proposed residential projects on neighboring sites.

Public participation efforts for the 2019 Waterfront Open Space MP include:

- May 2, 2017 – Public Meeting #1 – Review of Existing Conditions and Issues
- June 19, 2017 – Public Meeting #2 – Review of Site Opportunities and Constraints Plan
- May 24, 2017 – Site Walk #1
- May 30, 2017 – Site Walk #2
- April 30, 2018 – Public Meeting #3 – Review of the Draft 2019 Waterfront Open Space MP
- June 4, 2019 – Public Meeting #4 – Review of the Final Draft 2019 Waterfront Open Space MP
- September 10, 2019 – Public Meeting #5 – public hearing and approval by the Lynn City Council

### **2019 Revised Waterfront MP**

The objectives of the 2019 Waterfront MP include:

1. Create a flexible planning framework that enables the implementation of the 2019 Waterfront Open Space MP
2. Maximize the success and impact of activities already underway
3. Create a mixed-use district that provides public access to the waterfront for everyone and works for housing, retail, commercial, and industrial uses
4. Connect the downtown and surrounding neighborhoods to the waterfront area
5. Ensure a balance between new residential development, job creation, and public benefits
6. Clean up and develop areas that have been seriously underutilized
7. Identify options to buffer conflicted uses so they can comfortably function in proximity

The 2019 Revised Waterfront MP builds off the 2019 Waterfront Open Space MP to create a flexible planning framework for how future development can grow on the waterfront while implementing open space goals. The plan assesses the obstacles to the implementation of the 2007 Lynn Waterfront Master Plan and identifies required updates so the plan can meet the current market, existing land use, regulatory, and ownership conditions. 2019 Revised Waterfront MP uses updated economic data that points to a lower density of development than was foreseen in 2010 that will be unable to support the large-scale development prototypes and realigned parcel blocks envisioned in the 2010 Lynn MHP. Stakeholder interviews and existing condition studies also emphasized that industrial and utility uses in the central area of the waterfront will remain in place long term while near term residential development has the potential to grow in the north and south of the HPA focus area. Based on these findings the 2019 Revised Waterfront MP proposes a flexible approach to land use and regulations that can encourage creative mixed-uses to emerge alongside existing industrial areas and facilitate new development at a scale capable of contributing to a connected public realm and waterfront.

Throughout the planning process, public input emphasized the desire to create an implementable and enforceable plan that would ensure public open space and public benefits for all Lynn residents. To achieve this and avoid relying on a future build-out to achieve public benefits, the plan prioritizes flexible and incremental growth in which new development is encouraged but also required to implement pieces of the 2019 Waterfront Open Space MP.

Based on the connections proposed in the 2019 Waterfront Open Space MP, the 2019 Revised Waterfront MP identifies key infrastructure improvement opportunities that can enhance access and connectivity. The plan underscores projects that can maximize multiple benefit solutions such as improved traffic safety and flood protection, while also capitalizing on available funding sources.

Public participation efforts for the 2019 Revised Waterfront MP include:

- September 26, 2018 – Public Meeting #1 – Introduction to the Project
- December 10, 2018 – Public Meeting #2 – Review of Draft 2019 Revised Waterfront MP Options
- March 19, 2019 – Public Meeting #3 – Review of the Draft 2019 Revised Waterfront MP and introduction to the 2020 Lynn MHP
- June 20, 2019 – Public Meeting #4 – Review of the Final Draft 2019 Revised Waterfront MP in conjunction with the Draft 2020 Lynn MHP
- September 10, 2019 – Public Meeting #5 – public hearing and approval by the Lynn City Council

### 3.0 2020 Lynn MHP Amendment

#### 3.1 Goals and Objectives

The goals of the 2020 Lynn MHP and the supporting objectives are below. These goals and objectives include those developed for the 2010 Lynn MHP (see Section 2.4) and updated in the 2019 Waterfront Open Space MP and the 2019 Revised Waterfront MP (see Section 2.6). While the 2010 Lynn MHP goals and objectives continue to be implemented, the framework and strategy for implementing them has changed in the 2020 Lynn MHP, as detailed in Sections 3.4, 3.5, and 3.6.

*Goal #1: Provide clear Chapter 91 licensing guidance to the Massachusetts Department of Environmental Protection (DEP) that activates the Lynn Waterfront with contemporary, mixed-use development and significant waterfront open space*

Objective 1.1: eliminate previous “trade-off” approach with substitute provisions and offsets and use a simplified approach that establishes performance standards for public use and enjoyment

Objective 1.2: ensure public benefits are concurrent with each development instead of aggregated for future implementation

*Goal 2: Implement the goals and objectives of the 2010 Lynn MHP (see Section 2.4), the 2019 Waterfront Open Space MP, and the 2019 Revised Waterfront MP (see Section 2.6) to the maximum extent possible*

Objective 2.1: identify and include enforceable strategies in the 2020 Lynn MHP to provide as much of the public open space as feasible identified in the 2019 Waterfront Open Space MP, and to ensure that the types of public amenities envisioned in the 2019 Waterfront Open Space MP are provided

Objective 2.2: ensure that the 2020 Lynn MHP provides implementation strategies for the type of uses and activities envisioned in the 2019 Revised Waterfront MP

Objective 2.3: provide a strategy for implementing open space provisions in the 2019 Waterfront Open Space MP that are not enforceable through an MHP, specifically the cap/cover/permanently protected approach for the landfill areas

Objective 2.4: ensure local zoning is adopted to be consistent with the 2020 Lynn MHP

*Goal 3: Renew the 2010 Lynn MHP for an additional ten years to allow an appropriate timeframe for implementation*

The 2020 Lynn MHP represents a long-range plan to transform a large, underutilized, industrial and formerly industrial area. The transition is seen as occurring incrementally, with individual developers improving properties within the HPA and a waterfront open space network gradually taking shape. The City requests that the 2020 Lynn MHP be in effect for a period of 10 years

### **3.2 Public Participation**

The overall 2020 Lynn MHP has involved three distinct but integrated planning efforts: the 2019 Waterfront Open Space MP, the 2019 Revised Waterfront MP, and the 2020 Lynn MHP itself. Public input and participation is a core element in the development of all three planning components. Planning issues and strategies were presented and discussed at each public meeting and feedback, questions, and concerns encouraged to help formulate the 2020 Lynn MHP. Summaries of public meetings are included as Appendix B.

For the 2019 Waterfront Open Space MP, the planning team met with representatives from a number of state and city departments, local interest groups, and the general public to gain insight and to record ideas on how to best provide open spaces and a public waterfront promenade and held a series of meetings and site walks with the general public, local business groups, and other local stakeholders. In addition, surveys in English and Spanish were circulated that sought responses regarding where people currently go to on the waterfront, how people accessed the waterfront, what they currently do on the waterfront, what they would like to do in the future on the waterfront, and what temporary activities would they like to see occur on the waterfront in the summer. The comments shared, ideas generated, and survey responses received were collated and used to inform the Master Plan proposals.

The meetings, walks, and survey responses allowed attendees to become more familiar with the existing waterfront conditions and of the challenges and opportunities the project faced. Critically, however, the meetings, walks, and surveys provided opportunities for dialogue and discussion among the public, the City, and the Master Plan Team. The discussions provided necessary feedback regarding what residents and stakeholders want to have on the waterfront, but also their concerns regarding who would own, maintain, and sustain new open spaces. The Master Plan proposals are based on the ideas generated as part of this public engagement process.

From the public consultation process, the public communicated a strong desire to be able to walk, bike, or exercise along the waterfront and would like public transportation and free parking along the waterfront. In addition, providing places for food trucks, events, markets, performances or other activities was expressed. Permanent structures that would provide food concessions, cafés, or

restaurants were also mentioned. An overarching theme discussed was to ensure that the waterfront felt like a welcoming place for all members of the public without feeling like a private enclave. A number of ideas regarding the use of the physical surface of the water were expressed. People mentioned the desire for kayak access, improved boat ramps, and better fishing access. The use of the marinas was also discussed. Currently there are two private marinas, and one marina owned by the City. Some people mentioned that it would be a good idea to provide temporary boat slips to attract boaters from the wider region to enjoy the Lynn waterfront.

2019 Revised Waterfront MP built off the public feedback and process of the 2019 Waterfront Open Space MP. The planning team conducted meetings with local landowners and stakeholders, representatives from community groups, city and state departments, and the greater public to better understand existing conditions, assets, opportunities and desired uses in the planning area. A steering committee composed of city and state officials and local stakeholders also guided the plan.

The public expressed the desire for improved connections, safe intersections and multimodal access to the waterfront with destinations such as community meeting spaces, hotels, art venues, and cinemas alongside public open spaces that are lacking elsewhere in Lynn. Other priorities mentioned for the waterfront include job creating uses, improved infrastructure, and climate resilient buildings and open space. A chief concern was that that new development would not provide any public benefits, it would create an exclusive inaccessible neighborhood, and open space would not be protected from new development.

The 2020 Lynn MHP public process began as part of the 2019 Revised Waterfront MP. Public meetings provided an introduction into what MHPs and waterfront regulations are and how an MHP Amendment could help implement the 2019 Waterfront Open Space MP and 2019 Revised Waterfront MP. Meetings with landowners, community groups, and the greater public went into further detail on the mechanics of an MHP Amendment and gathered public feedback regarding goals for the waterfront and the best strategies to achieve them.

As noted above, public participation efforts for the 2019 Waterfront Open Space MP include the following:

- May 2, 2017 – Public Meeting #1 – Review of Existing Conditions and Issues
- June 19, 2017 – Public Meeting #2 – Review of Site Opportunities and Constraints Plan
- May 24, 2017 – Site Walk #1
- May 30, 2017 – Site Walk #2

- April 30, 2018 – Public Meeting #3 – Review of the Draft 2019 Waterfront Open Space MP
- June 4, 2019 – Public Meeting #4 – Review of the Final Draft 2019 Waterfront Open Space MP
- September 10, 2019 – Public Meeting #5 – public hearing and approval by the Lynn City Council

Public participation efforts for the 2019 Revised Waterfront MP include the following:

- September 26, 2018 – Public Meeting #1 – Introduction to the Project
- December 10, 2018 – Public Meeting #2 – Review of Draft 2019 Revised Waterfront MP Options
- March 19, 2019 – Public Meeting #3 – Review of the Draft 2019 Revised Waterfront MP and introduction to the 2020 Lynn MHP
- June 20, 2019 – Public Meeting #4 -- Review of the Final Draft 2019 Revised Waterfront MP in conjunction with the Draft 2020 Lynn MHP
- September 10, 2019 – Public Meeting #5 – public hearing and approval by the Lynn City Council

For the 2020 Lynn MHP, public meetings and comment periods were conducted on the following dates:

- December 10, 2018 – An informal presentation on municipal harbor planning as part of the public meeting on the 2019 Revised Waterfront MP
- March 19, 2019 – MHP Public Discussion #1 – Introduction to municipal harbor planning, in conjunction with Public Meeting #3 of the 2019 Revised Waterfront MP
- April 25, 2019 – MHP Steering Committee Meeting #1 – Overview of Issues and Proposed Framework
- May 7, 2019 – MHP Public Discussion #2 – Proposed Framework for the 2020 Lynn MHP
- May 29, 2019 – MHP Public Discussion #3 – Draft 2020 Lynn MHP
- June 10, 2019 – Commencement of the City of Lynn’s Public Comment Period for the Draft 2020 Lynn MHP
- June 20, 2019 – MHP Public Discussion #4 – Review of the Draft 2020 Lynn MHP in conjunction with the Final Draft 2019 Revised Waterfront MP
- July 8, 2019 – Conclusion of the City of Lynn’s Public Comment Period for the Draft 2020 Lynn MHP
- September 10, 2019 – Public Discussion #5 – public hearing and approval of 2020 Lynn MHP by the Lynn City Council, with the deletion of references to zoning changes

- December 3, 2019 – public hearing and review of 2020 Lynn MHP zoning changes by Lynn City Council
- February 11, 2020 – public hearing and final approval of 2020 Lynn MHP zoning changes by Lynn City Council

### **3.3 Proposed Developments within the Harbor Planning Area**

There are twelve key projects and proposals that are underway or being considered within or adjacent to the HPA.

#### *Minco Site*

The Minco Site, also referred to as North Harbor, is an 8.7-acre site located on the north side of the HPA next to Lynn Heritage State Park. The development will consist of 331 residential units and will connect Lynn Heritage State Park to the Clocktower Business Center with a linear waterfront park 20 feet off the shoreline and a waterfront path that ranges from 4 to 10 feet wide. The project broke ground in December 2019.

#### *South Harbor*

Joseph O'Donnell has submitted a development proposal for the 17-acre South Harbor site, located in the southwest corner of the HPA. The proposed development consists of 3 builds ranging from 7 stories on the waterfront to 8 stories along the Lynnway. The project includes a total of 828 residential units, retail and restaurant space, and 935 parking spaces. As currently proposed, the development complies with all Chapter 91 numerical standards for height and open space requirements.

#### *Lynnway Mart*

Patrick McGrath has proposed a development for the 8.4-acre Lynnway Mart site located along the Lynnway between Walmart and the South Harbor site. The proposal consists of 4 7-story buildings with a total of 550 residential units and 10,000 square feet of commercial space. A portion of the site is in Chapter 91 jurisdiction, but it is separated from the water's edge by the South Harbor development. The current proposal received a Chapter 91 license in June 2020 and received its MEPA certificate in January 2020.

#### *The Porthole Restaurant*

Patrick McGrath has proposed a waterfront development on the former site of the Porthole Restaurant on the north side of the HPA. The proposed 8-story 74-

unit residential development is being designed to comply with Chapter 91 standards. Demolition of the Porthole Restaurant is currently underway.

### *Garelick Farms*

Garelick Farms dairy manufacturing plant closed in the fall 2018 leaving 17 acres open for development with approximately 10 acres in Chapter 91 jurisdiction. The site has been under a purchase and sale agreement with A.W. Perry real estate firm since April 2019. The firm has proposed reusing existing structures and parking areas for light manufacturing and warehouse use in the short term and converting the site into larger mixed-use development in the future.

### *The Launch*

The non-profit placemaking firm Beyond Walls has proposed “The Launch”, a temporary ferry terminal amenities structure and waterfront park on the City-owned 3-acre site located next to the Lynn Ferry Terminal. A portion of the site within Chapter 91 jurisdiction is within the Lynn DPA, which is generally reserved for water-dependent industrial uses. If located at the proposed site and within Chapter 91 jurisdiction and the Lynn DPA, this project would be subject to DEP review and approval.

### *CZM Coastal Resiliency Grant*

The City submitted an application to CZM for funds under the FY 21 Coastal Resiliency Grant program to assess the shoreline along the landfill areas for seawall redesign and retrofit. If awarded, this grant will assist in promoting climate resiliency in the HPA and may provide guidance to DEP for nature-based shorelines under the amplification for engineering and construction standards (310 CMR 9.37(3)(c)). See Appendix F for information on the grant application.

### *Harbor Dredging Feasibility Study*

In seeking to facilitate the best and highest use of Lynn Harbor the City of Lynn is working on a plan to provide a contiguous dredged channel in and out of the harbor. Currently, vessels come into and out of the harbor via the channel that runs the length of the Nahant Causeway and ends near our Blossom Street Terminal. This proposed project would create a navigable channel approximately 40 feet wide and 8 feet deep, running approximately 5,000 feet generally parallel to the shoreline. The dredge work will most likely occur just outside the HPA and the Lynn DPA boundaries but has the potential to affect much of the waterfront area of the HPA.

To improve navigation and port operations, the City has been working with the United States Army Corp of Engineers (USACE) on a plan that would extend the channel to the Saugus River at the Point of Pines. This action would create an uninterrupted loop into and out of the Harbor facilitating water-related activity in the Revere/Saugus/Lynn area. It would support our existing marinas and save private as well as commercial vessels time and fuel costs. In addition, it could create access for land-based developers in and around our South Harbor site and the Designated Port Area.

To date, the federal government has funded over \$100,000 for an initial appraisal of this plan, which was completed in May of 2013. The initial appraisal was the first of four steps, which also includes a feasibility study, design / construction and perpetual maintenance. In 2019 the federal government provided an additional \$225,000, matched by the City's \$225,000 to conduct the required feasibility study which is currently on-going. This study will build upon the 2013 study, looking into the economics of the proposed project and how sediment sampling will affect costs. Recent work also includes the identification of the preferred coordinates of the proposed channel.

#### *Amitié Submarine Cable System*

Edge Cable Holdings USA, LLC, of Menlo Park, CA, has proposed a subsea transatlantic data cable, the western terminus of which will be located in Lynn. The Amitié Submarine Cable System includes a subsea cable that will extend from Bude, Cornwall, United Kingdom and Gironde, France, to the Lynnway Roundabout at the intersection of the Lynnway, Nahant Road, and Lynn Shore Drive. From there it will extend through existing conduits to an existing data center on Commercial Street. The cable landing in Massachusetts will employ a new conduit installed using a trenchless technology and will extend approximately 0.8 mile from the shore. The remaining approximately 33 miles of new cable in Massachusetts waters are proposed to be installed and buried using a marine plow towed by an installation vessel resulting in temporary impacts to Land Under the Ocean in Lynn. Temporary construction activities on land will mostly be limited to the Lynnway Roundabout and is anticipated to take approximately 1 to 2 months. No new aboveground structures are proposed.

#### *General Clarence Ransom Edwards Bridge – Route 1A*

The General Edwards Bridge is a four-lane structure that carries Route 1A over the Saugus River. Built in the 1930s, it connects Revere and Lynn and serves as a major gateway to the Lynn waterfront. The current alignment of the General Edwards Bridge lies just outside the Harbor Planning Area and forms its most northwesterly border.

Although any replacement of the General Edwards Bridge is not likely to occur for several years, MassDOT is beginning to study the options for replacement of the bridge. One concept may use the original bridge alignment at this location (for the bridge that existed prior to the General Edwards Bridge), which is directly adjacent along the east side of the existing structure and would fall partly within the Harbor Planning area on land owned by DCR. This land is identified in the 2019 Lynn Waterfront Open Space Mater Plan as public waterfront parking, pathways, and a waterfront pedestrian plaza.

Any use of DCR property for a new bridge alignment will likely require Article 97 review under the Massachusetts Environmental Policy Act (MEPA), a replacement of public open space of equivalent value and utility, and a two-thirds affirmative vote of the legislature. If this proposed alignment is used, anticipated impacts/equivalent replacement could include a parking area and access the adjacent DCR fishing pier and the Harborwalk, with an equivalent level of universal accessibility to the waterfront. If displaced, the proposed waterfront pedestrian plaza would need to be replaced. Potential options could include a lateral Harborwalk accessway running under the bridge and parallel to the Saugus River, connecting with pedestrian access networks on the northerly side of Route 1A. Any impacts and/or potential Article 97 remedies mentioned here are based on this current Harbor plan and the preliminary study information for the General Edwards Bridge replacement known at this time.

The replacement of the General Edwards Bridge represents a potentially significant opportunity to open up the Lynn Waterfront to the north side of Route 1A and to provide pedestrian and bicycle connections across the bridge to significant open space areas to the south, such as Revere Beach, Belle Isle Marsh, Rumney Marsh, the East Boston Greenway, Deer Island, and Constitution Beach. When more details are known about the proposed General Edwards Bridge replacement, the City may request an MHP amendment to ensure the bridge is designed to make full use of its potential to expand public waterfront access and to integrate the Lynn Waterfront with regional open space networks. It is expected that the City and MassDOT will maintain information sharing and coordination throughout the process of the MHP related development and bridge replacement planning and design, to plan for and best minimize inter-related impacts.

### *Northern Strand*

The Executive Office of Energy and Environmental Affairs (EOEEA), in partnership with the City of Lynn and Town of Nahant, is advancing design and engineering plans for a two-way separated bike path called the Northern Strand Extension. The project will create a 1.9 mile long 10-ft wide two-way separated bike path within existing rights-of-way linking the current terminus of Northern Strand

path in Lynn with the sea at Nahant beach. The project is an extension of the 11.5 mile Northern Strand Trail starting at its southern extent in Everett and running along an abandoned railroad right-of-way through Malden, Revere, Saugus, and terminating in Lynn at Western Avenue. Separately the Lynn Community Path is envisioned as a linear park and will continue along the abandoned rail right-of-way from the Northern Strand terminus at Western Avenue approximately 1,600 linear feet to Neptune Street. Construction of the Northern Strand and Lynn Community Path is expected to be completed fiscal year 2021.

On June 26, 2020, EOEEA submitted a 25% Highway Design package for the Northern Strand Extension to the Massachusetts Department of Transportation (MassDOT) for consideration by the Boston Metropolitan Planning Organization (MPO) for funding through the Transportation Improvement Program (TIP).

Once completed the Northern Strand Trail and the on-street extension through Lynn will connect areas of cultural, economic, social and natural significance along the multi-community corridor and provide non-motorized transportation and recreational alternative for people of all ages and abilities. The project will significantly enhance public access to the Lynn waterfront and Lynn Municipal Harbor plan Project Area.

#### *DCR Proposed Plan for the Lynnway*

DCR is working with the ongoing Gear Works development on the north side of the Lynnway to adjust intersections at Harding Street and the so-called jug handle. More extensive planning will build off of recommendations from the Lynn Transit Action Plan currently in development.

### **3.4 Changes to the 2010 Lynn MHP – Regulatory Approach**

The 2010 Lynn MHP includes substitute provisions for building height and lot coverage that are offset by increased levels of open space in designated areas and by a 200' water-dependent use zone in the South Harbor area. Based on revised economic development analyses, the substitute provisions for building height and lot coverage are no longer needed to implement Lynn's vision for a mixed-use waterfront with a signature waterfront park. The 2020 Lynn MHP proposes to remove these substitute provisions and offsets and will instead default to the Chapter 91 dimensional standards for building height and lot coverage. These standards for new or expanded nonwater-dependent use structures are provided in the Waterways regulations as follows:

310 CMR 9.51(3)(d): "at least one square foot of the project site at ground level, exclusive of areas lying seaward of the project shoreline, shall be

reserved as open space for every square foot of tideland area within the combined footprint of buildings containing nonwater-dependent use on the project site;....”

310 CMR 9.51(3)(e): “new or expanded buildings for nonwater-dependent use shall not exceed 55 feet in height if located over the water or within 100 feet landward of the high water mark; at greater landward distances, the height of such buildings shall not exceed 55 feet plus ½ foot for every additional foot of separation from the high water mark;....”

Figure 5 shows the properties that would be required to provide 50% open space when redeveloped.

To implement the 2019 Waterfront Open Space MP to the maximum extent feasible within the scope of municipal harbor plans, the 2020 Lynn MHP includes one substitute provision and three amplifications under 301 CMR 23.05(2)(b), 301 CMR 23.05(2)(c)(3), and 310 CMR 9.34(2)(b)(2). These four provisions: (1) increase the area of the water-dependent use zone, thereby increasing the amount of the waterfront available for public use; (2) require additional public amenities within the water-dependent use zone that are consistent with public amenities required on Commonwealth tidelands under 310 CMR 9.53 and with the 2019 Waterfront Open Space MP; (3) require lateral pedestrian access to the shoreline within Chapter 91 jurisdiction to ensure full access to the Lynn waterfront from multiple points along the Lynnway; and (4) where appropriate and feasible, require nature-based shoreline protection as described in the 2019 Open Space Plan to improve coastal habitat and resiliency. Unlike substitute provisions, amplifications do not require offsets. A summary of the amplifications appears below and the details of how they implement the 2019 Waterfront Open Space MP is in Sections 4.1 – 4.5.

<b>Summary of Substitute Provision</b>		
<b>Regulatory Provision</b>	<b>Summary of Regulatory Standard</b>	<b>2020 Lynn MHP</b>
Water Dependent Use Zone (310 CMR 9.51(3)(c))	Maximum WDUZ setback of 100’ from the project shoreline (310 CMR 9.51(3)(c))	A minimum WDUZ setback of 100’ from the project shoreline, with a total WDUZ area equal to or greater than the area of a 200’ WDUZ setback. No offset is required if it either maintains or increases the WDUZ

		required under 310 CMR 9.51(3)(c)
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<b>Summary of Amplifications</b>		
<b>Regulatory Provision</b>	<b>Summary of Regulatory Standard</b>	<b>2020 Lynn MHP Amplification</b>
Open space (310 CMR 9.51(3)(d) and Pedestrian Access Network (310 CMR 9.52(1)(b)(1))	The vast majority of the waterfront land in the focus area of the HPA is private tidelands. The open space requirement for private tidelands at 310 CMR 9.51(3)(d) states only that “at least one square foot of the project site at ground level, exclusive of areas lying seaward of a project shoreline, shall be reserved as open space for every square foot of tideland area within the combined footprint of buildings containing nonwater-dependent use on the project site” without any direction as to the use of this open space or its availability to the public. Similarly, pedestrian access networks on private tidelands are not required to have public amenities, such as benches, plazas, lighting, etc. (310 CMR 9.52(1)(b)(1))	Applies Commonwealth tidelands standards at (310 CMR 9.53(2) and (2)(b)) for public use to private tideland areas within the expanded WDUZ and in permanently protected public open space, with specific guidance from the 2019 Waterfront Open Space MP, and public safety access ways that are consistent with the 2019 Waterfront Open Space MP. Specifically, this amplification requires that these areas be designed to “maintain substantial public activity on the site on a year-round basis, with public parks, plazas, and observation areas that also have public amenities that may include seating, lighting, trash receptacles, restrooms, and children’s play areas, as appropriate and consistent with the 2019 Waterfront Open Space MP

<p>Pedestrian Access Network (310 CMR 9.52(1)(b)(2))</p>	<p>Requires appropriate connecting walkways that allow pedestrians to approach the shoreline walkways from public ways or other public access facilities</p>	<p>Specifies locations, with a process for substitute locations, for public access walkways to connect the Lynnway to the project shoreline through the signature waterfront park area; for portions of the lateral access ways outside of Chapter 91 licensing jurisdiction, consistency with the EEA-funded 2019 Waterfront Open Space MP and the 2020 Lynn MHP lateral access way plan is recommended through the exercise of the EEA Secretary’s discretionary provisions for a public benefits determination under 301 CMR 13 if on filled tidelands or through other review under the Massachusetts Environmental Policy Act</p>
<p>Engineering and Construction Standards (310 CMR 9.37(3)(c))</p>	<p>In evaluating coastal or shoreline engineering structures, DEP shall require non-structural alternatives where feasible</p>	<p>Emphasizes using nature-based shoreline approaches, incorporating increased elevation where appropriate, as indicated in the 2019 Waterfront Open Space MP and Lynn coastal resiliency grant application to improve coastal habitat and resiliency</p>

### 3.5 Changes to the 2010 Lynn MHP – Building Massing and Open Space

The 2010 Lynn MHP anticipated high density high-rise construction for the waterfront. Based on these assumptions the plan accommodated approximately

6,200,000 square feet of mixed-use development. The plan retained 40.7 acres of filled tidelands for dedicated open space, including areas owned by DCR, of which 6.3 acres were set aside as a signature park.

The 2019 Lynn Waterfront Plan revisited the scale, type, and mix of uses likely to be supported on Lynn's waterfront under current and projected market conditions and land ownership. Based on this analysis the 2020 Lynn MHP accommodates a total build-out of approximately 4,900,000 square foot, a 21% reduction from the 2010 Lynn MHP. The amplifications of the 2020 Lynn MHP designate approximately 22 acres of filled tidelands as open space. The signature waterfront park proposed for the site of the waterfront's landfill amounts to 32.1 acres, of which 16.3 acres is currently in the Lynn DPA. The potential combined publicly accessible waterfront open space, including DCR parks, the expanded WDUZ, and the entire proposed signature waterfront park totals approximately 57.5 acres. See Figure 10 for a breakdown of the 2020 Lynn MHP open space metrics.

### **3.6 Changes to the 2010 Lynn MHP – 2020 Lynn Designated Port Area Master Plan**

The boundary of the Lynn DPA is shown on Figure 2.

Lands located within a DPA are to be reserved for uses consistent with the DPA-use policies of the Massachusetts Office of Coastal Zone Management and the provisions of the Massachusetts Waterways Regulations (310 CMR 9.32(b), 9.12(2)(b), 9.36(5) and 9.02). The 2010 Lynn MHP included a Designated Port Area (DPA) Master Plan that provided additional details of the types of uses the city envisioned within the Lynn DPA and a reference map that indicated a proposed fishing harbor created by excavating one of the landfill areas, boat yards, and parking. The plan envisioned water-dependent industrial uses that included:

- commercial passenger vessel operations (e.g., the existing EDIC pier and Blossom Street ferry pier and related terminals);
- commercial fishing and fish processing;
- boat yard, boat storage, dry dock;
- boat construction, maintenance, and repair; and
- a marine terminal.

In addition, the 2010 Lynn DPA Master Plan envisioned supporting DPA uses that included a fish market, convenience retail, marine tourism, a public boat ramp at the Blossom Street ferry terminal, and a food service establishment with seating for up to 20 people, provided such supporting uses do not occupy more than 25 percent of the area of a lot.

With the signature waterfront park now proposed for some areas that had been envisioned for these water dependent industrial uses and supporting DPA uses, both within and outside of the current Lynn DPA boundary, the 2010 Lynn DPA Master Plan is no longer consistent with the 2019 Waterfront Open Space MP or the 2019 Revised Waterfront MP.

In addition to the potential DPA boundary review described in Section 5.2, near-term plans for the Lynn DPA are focused on further development of the ferry terminal and parking area and a proposed dredge project described below. A new ferry terminal may include a waiting area, information area, and ticketing facility. Supporting DPA uses in accordance with 310 CMR 9.02, such as an appropriately scaled restaurant and other amenities, may also be accommodated as part of this proposed terminal, and may be located on an upper floor area to preserve the ground level capacity for water-dependent industrial uses within the Lynn DPA.

Next to the Lynn ferry terminal, the non-profit placemaking firm Beyond Walls has proposed “Lynn Launch”, a temporary ferry terminal amenities structure and waterfront park on the City-owned 3-acre site. A portion of the proposed location is within Chapter 91 jurisdiction and the Lynn DPA, which is generally reserved for water-dependent industrial uses. If located as currently proposed, this proposed project would be subject to DEP review and approval.

The 2020 Lynn MHP must meet the MHP standards for a DPA Master Plan at 301 CMR 23.05 (2)(e), which states that “[i]f the Plan includes a DPA Master Plan, such Master Plan must preserve and enhance the capacity of the DPA to accommodate water-dependent industrial use and must prevent substantial exclusion by any other use eligible for licensing in a DPA pursuant to 310 CMR 9.32.” The 2020 Lynn DPA Master Plan complies with these provisions as described below:

- **23.05(2) (e) (1) – the master plan shall ensure that an extensive amount of total DPA land area in close proximity to the water will be reserved for water-dependent industrial uses.... The master plan shall further ensure that commercial uses and accessory uses thereto will not, as a general rule, occupy more than 25 percent of the total DPA land area covered by the master plan**

Although the southwest portion of the Lynn DPA is a landfill area that has been proposed for capping, and therefore may not support a wide variety of water-dependent industrial uses, it is still reserved for water-dependent industrial uses. Combined with the ferry terminal site, the energy facility, the EDIC pier, and the lobster processor, the Lynn DPA satisfies this provision with only 17% of the area covered by the DPA

Master Plan being used by Supporting DPA Uses. The City will update this calculation with each future change in use. The 2020 Lynn DPA Master Plan will continue to adhere to this provision by continuing to follow Chapter 91 DPA provisions that require at least 75% of a DPA project site be reserved for water-dependent industrial uses. Temporary uses will be allowed as described in 310 CMR 9.02.

- **23.05(2) (e) (2) – the master plan shall set forth reasonable arrangements...to prevent commitments of space or facilities that would significantly discourage present or future water-dependent industrial activity, especially on waterfront sites; the arrangements shall include, but are not limited to, appropriate limits on the type, location, density, scale, duration, operation, or other relevant aspects of commercial uses, in order to ensure that such uses will mix compatibly with and not significantly alter the predominantly maritime industrial character of the DPA; the plan may also specify reasonable limitations on any uses in the DPA, if necessary to mitigate undue conflict with existing residential uses on properties abutting the DPA**

By adhering to the existing Chapter 91 standards for licensing in DPAs, the 2020 Lynn DPA Master Plan ensures that the needs of water-dependent industrial facilities will be accommodated and not discouraged.

Both the 2010 Lynn MHP and the 2020 Lynn MHP envision a mixed-use waterfront and both have provisions to mitigate conflicts among proposed mixed-uses and water-dependent industrial uses in the Lynn DPA. Specifically, the 2020 Lynn MHP includes local zoning that implements a provision of the 2010 Lynn MHP establishing a 100-foot setback from the Lynn DPA boundary for nonwater-dependent uses and adds light manufacturing to existing allowable uses in an area that includes the Garelick Farms property to encourage a broad range of uses.

- **23.05(2)(e)(3) – the master plan shall identify any industrial or commercial uses allowable under the municipal zoning that shall qualify as a Supporting DPA Use, provided such uses comply with provisions of the definition set forth in 310 CMR 9.02...**

Local zoning allows for the following supporting DPA uses, or accessory to a water-dependent industrial uses:

- Convenience retail
- Electronic transmission lines
- Fish markets
- Food service establishments

- Microbreweries
- Public boat ramps
- Marine tourism
- Non-Habitable structures, Antennas (special permit)
- Places of assembly for commercial recreation (special permit)
- Theaters, Cinemas (Limited Seating) (special permit)

Existing supporting DPA uses, or accessory to water-dependent industrial uses, within the Lynn DPA include electronic transmission lines, light manufacturing, and a public boat ramp.

The 2020 Lynn DPA Master Plan removes the 2010 Lynn DPA Master Plan 20-seat limit for food service establishments. The size and location of any food service establishment located within the DPA shall be established through Chapter 91 licensing and shall include reasonable measures to preserve the capacity for water-dependent industrial uses within the DPA.

There are three proposed changes to local zoning that will more closely align the zoning code with the 2020 Lynn MHP and allowable DPA uses. These three changes include:

- Changing the DPA zoning area so its boundary matches the state DPA boundary (local DPA zoning currently extends beyond the area of the state DPA boundary);
- Implementing a provision of the 2010 Lynn MHP that created a 100-foot buffer zone around the Lynn DPA for nonwater dependent uses, to minimize conflicting uses; and
- Adding light manufacturing to allowable DPA uses, to clarify that existing light manufacturing activities located within the Lynn DPA as Supporting DPA Uses are allowable under municipal zoning.

**23.05(2)(e)(4) – the master plan shall set forth a strategy to guide the ongoing promotion of water-dependent industrial use...; the strategy shall include, but not be limited to: (a) recommendations for capital improvements or other economic or operational benefits to be provided by projects involving Supporting DPA Uses...; (b) recommendations to preserve or enhance the infrastructure of navigation channels, truck routes and rail lines, and other transportation facilities providing user access to the working waterfront and its backlands from both the water and land sides; and (c) commitments to maintain a surrounding land development pattern that provides an appropriate buffer between industrial uses in the DPA and**

## **community uses that require separation therefrom to avoid significant operational conflict**

Local zoning allows the following water-dependent industrial uses within the Lynn DPA:

- Boat construction, maintenance, and repair
- Boat yards, boat storage, and dry docks
- Commercial fishing and fish processing
- Commercial passenger operations
- Marine terminals

Existing water-dependent industrial uses or facilities in the Lynn DPA include a ferry terminal, an energy marine terminal, and a lobster processor. The 2019 Waterfront Open Space MP, the 2019 Revised Waterfront MP, and the 2020 Lynn MHP promote water-dependent industrial uses through appropriate zoning that precludes adjacent incompatible uses by implementing a provision in the 2010 Lynn MHP that requires all nonwater-dependent uses to be set back 100 feet from the DPA boundary and encourages additional light industrial uses in an area adjacent to the DPA to promote a broader range of mixed uses (see Section 4.6). Other uses adjacent to but outside the DPA, such as a wastewater treatment plant, provide additional buffers to minimize conflicting uses. In addition, the proposed waterfront promenade uses a route landward of the Lynn DPA so as not to diminish the capacity of the DPA for water-dependent industrial uses, although the 2019 Waterfront Open Space MP also includes conceptual waterfront pedestrian areas if the Lynn DPA boundary were to change.

The plans also promote land and sea access through navigation channels, and pier infrastructure. Efforts to protect and improve access to and from the Lynn DPA include working with the U.S. Army Corps of Engineers to ensure adequate waterside access by dredging navigations channels. For the bulkhead areas, Lynn will pursue a variety of funding sources, potentially including but not limited to the state Seaport Economic Council; the Executive Office of Energy & Environmental Affairs; other public agencies; water-dependent industrial, supporting DPA, and temporary uses located within the Lynn DPA; and nonprofit funding to improve bulkheads, resiliency, and the capacity to accommodate water-dependent industrial uses.

With regard to improving navigation to the Lynn DPA, Lynn has proposed that the U.S. Army Corps of Engineers undertake a harbor dredging feasibility study to determine the cost and challenges of a dredge project from the mouth of the Saugus River northeasterly to the end of the

dredged channel near the EDIC pier and ferry terminal. See Section 3.3 on pp. 24 – 25 for a description of the proposed project.

The City is also pursuing funding to restore ferry service from the Lynn ferry terminal on Blossom Street Extension within the DPA to downtown Boston. A two-year pilot program with seasonal service began in 2014. Total passengers carried in 2014 were 13,322 and 14,577 in 2015. Limited seasonal service was restored in 2017 but has since ended. In April 2019 the city requested that the state provide interim ferry service while the city works with the Massachusetts Department of Transportation to release a Request for Proposals to procure a vessel for year-round, long-term service.

Under the 2020 Lynn DPA Master Plan, all activities within the Lynn DPA must adhere to all DPA provisions in 310 CMR 9.00. As described above, conformance with these standards will ensure that this plan meets all the criteria identified by CZM Director Lisa Berry Engler in her April 8, 2019, letter to James Cowdell, Executive Director of the Economic Development Corporation of Lynn, “to preserve and enhance the capacity of the DPA to accommodate water dependent industrial use and prevent substantial exclusion of those areas by other allowable DPA uses.” This plan will also meet the criteria in 301 CMR 23.05(2)(e) with an effectiveness that is equal to or greater than the provisions in the 2010 Lynn DPA Master Plan.

#### 4.0 Implementation Strategy - Municipal Harbor Plan

##### 4.1 2020 Lynn MHP Implementation Strategy Summary

The primary method for implementing the 2020 Lynn MHP is through the use of amplifications under 301 CMR 23.05(2)(b) and local zoning that must be consistent with this plan in order for it to be in effect. A summary of the amplifications is provided in the table below and discussed further in Sections 4.2, 4.3, 4.4, and 4.5.

<b>Summary of Substitute Provision</b>		
<b>Regulatory Provision</b>	<b>Summary of Regulatory Standard</b>	<b>2020 Lynn MHP</b>
Water Dependent Use Zone (310 CMR 9.51(3)(c))	Maximum WDUZ setback of 100' from the project shoreline (310 CMR 9.51(3)(c))	A minimum WDUZ setback of 100' from the project shoreline, with a total WDUZ area equal to or greater than the area of a 200' WDUZ setback. No offset is required if it either maintains or increases the WDUZ required under 310 CMR 9.51(3)(c)

<b>Summary of Amplifications</b>		
<b>Regulatory Provision</b>	<b>Summary of Regulatory Standard</b>	<b>2020 Lynn MHP Amplification</b>
Open space (310 CMR 9.51(3)(d) and Pedestrian Access Network (310 CMR 9.52(1)(b)(1))	The vast majority of the waterfront land in the focus area of the HPA is private tidelands. The open space requirement for private tidelands at 310 CMR 9.51(3)(d) states only that "at least one square foot of the project site at ground level, exclusive of areas lying seaward of a project shoreline, shall be reserved as open space for every square foot of tideland area	Applies Commonwealth tidelands standards at (310 CMR 9.53(2) and (2)(b)) for public use to private tideland areas within the expanded WDUZ and in permanently protected public open space, with specific guidance from the 2019 Waterfront Open Space MP, and public safety access ways that are consistent with the 2019 Waterfront Open Space MP.

	<p>within the combined footprint of buildings containing nonwater-dependent use on the project site” without any direction as to the use of this open space or its availability to the public. Similarly, pedestrian access networks on private tidelands are not required to have public amenities, such as benches, plazas, lighting, etc. (310 CMR 9.52(1)(b)(1))</p>	<p>Specifically, this amplification requires that these areas be designed to “maintain substantial public activity on the site on a year-round basis, with public parks, plazas, and observation areas that also have public amenities that shall include seating, lighting, trash receptacles, restrooms, and children’s play areas, as appropriate and consistent with the 2019 Waterfront Open Space MP</p>
<p>Pedestrian Access Network (310 CMR 9.52(1)(b)(2))</p>	<p>Requires appropriate connecting walkways that allow pedestrians to approach the shoreline walkways from public ways or other public access facilities</p>	<p>Specifies locations, with a process for substitute locations, for public access walkways to connect the Lynnway to the project shoreline through the signature waterfront park area; for portions of the lateral access ways outside of Chapter91 licensing jurisdiction, consistency with the EEA-funded 2019 Waterfront Open Space MP and the 2020 Lynn MHP lateral access way plan is recommended through the exercise of the EEA Secretary’s discretionary provisions for a public benefits determination under 301 CMR 13 if on filled tidelands or through other review</p>

		under the Massachusetts Environmental Policy Act
Engineering and Construction Standards (310 CMR 9.37(3)(c))	In evaluating coastal or shoreline engineering structures, DEP shall require non-structural alternatives where feasible	Emphasizes using nature-based shoreline approaches, incorporating increased elevation where appropriate, as indicated in the 2019 Waterfront Open Space MP and Lynn coastal resiliency grant application to improve coastal habitat and resiliency

As noted above in Section 2.1, these amplifications apply only in the area from the mouth of the Saugus River to the northeasterly border of the Lynn Heritage State Park. They meet the approval standards for a municipal harbor plan under 301 CMR 23.05(2)(b) as they:

- Do not contradict the corresponding provisions of 310 CMR 9.00, and they do not require that which is prohibited nor prohibit that which is required under 310 CMR 9.00 (301 CMR 23.05(2)(b)(1));
- Do not significantly alter the substantive nature of the requirement, narrow the range of factors that may be considered, or otherwise unreasonably affect the ability of DEP to exercise discretion in the interpretation and application of all relevant provisions of 310 CMR 9.00; and
- Are consistent, or may be modified at DEP’s discretion to be consistent, with the provisions of any memoranda of understanding with other state agencies that, as provided in 310 CMR 9.00, and may govern the manner in which DEP licenses and permits will incorporate the requirements of other statutes and regulations that preserve public rights in waterways and otherwise promote state tidelands objectives.

**4.2 Substitute Provision for Water Dependent Use Zones (WDUZs) (310 CMR 9.51(3)(c))**

To fully implement the 2019 Waterfront Open Space MP, the 2020 Lynn MHP includes a substitute provision of 310 CMR 9.51(3)(c), which governs the size of the water-dependent use zone (WDUZ), or the nonwater-dependent use building setback from the shoreline. Since most of the filled land in this MHP is private tidelands, only the area within the WDUZ must be publicly accessible, as provided by a management plan, unless the area is subject to a permanent conservation restriction.

The maximum WDUZ under the Waterways regulations is 100'. To provide sufficient space along the water's edge for public access and public activation, given the history and pattern of development in Lynn, water-dependent use zones for all new or expanded nonwater-dependent use projects shall have a minimum depth of not less than 100' and a total area of not less than the area of a water dependent use zone with a 200' depth. This substitute provision more than doubles the size of the water-dependent use zone for any new or expanded nonwater-dependent use. Schematics of a representative water-dependent use zone under this amplification are shown in Figures 5 and 6.

310 CMR 9.51(3)(c) states that, for alternative setback distances for water-dependent use zones, "sufficient space along the water's edge will be devoted exclusively to water-dependent activity and public access associated therewith, as appropriate for the harbor in question." Given the historical uses and limited access to the Lynn waterfront, this substitute provision more than doubles the size of the publicly accessible water-dependent use zone, which, in addition to the DCR parks and the proposed signature waterfront park, will create a public waterfront destination to encourage more people to discover, visit, and use the Lynn waterfront. With significantly more area for the water-dependent use zone than is required under 310 CMR 9.51 (3)(c), this substitute provision is consistent with the MHP standards at 301 CMR 23.05(2)(c) and (2)(d) by more effectively promoting the relevant state tidelands objectives and as such requires no offset under 301 CMR 23.05(2)(d).

This substitute provision implements the following goals of the 2019 Waterfront Open Space MP discussed in Section 2.6.

*Goal 1: Establish a cohesive vision for connected open spaces along the waterfront*

*Goal 2: Safeguard public access to and along the waterfront from the G.E. Bridge to Nahant*

#### **4.3 Amplification for Open Space (310 CMR 9.51(3)(d)) and Pedestrian Access Network (310 CMR 9.52(1)(b)(1))**

The vast majority of the waterfront land in the focus area of the HPA is private tidelands. The open space requirement for private tidelands does not have to be open to the public and/or could be roadways or parking areas (310 CMR 9.51(3)(d)). Similarly, pedestrian access networks on private tidelands are not required to have public amenities, such as benches, plazas, lighting, etc. (310 CMR 9.52(1)(b)(1)). This amplification applies Commonwealth tidelands standards at (310 CMR 9.53(2) and (2)(b)) for public use to private tideland areas within the expanded WDUZ and in permanently protected public open space

solely for publicly accessible open space and related facilities, with specific guidance from the 2019 Waterfront Open Space MP. Specifically, this amplification requires that these areas be designed to “maintain substantial public activity on the site on a year-round basis, with public parks, plazas, and observation areas that also have public amenities that may include seating, lighting, trash receptacles, restrooms, and children’s play areas, as appropriate and consistent with the 2019 Waterfront Open Space MP

To ensure the Lynn waterfront provides high-quality public areas, all areas within the water-dependent use zone as amplified under this MHP or permanently protected public open space shall be licensed as publicly accessible open space and related facilities using the public activation standards for Commonwealth tidelands under 310 CMR 9.53(2) and specifically to provide the types of public amenities described in the 2019 Waterfront Open Space MP, including public pedestrian access ways that can provide emergency access if necessary that are consistent with the 2019 Waterfront Open Space MP.

Appendix A includes pp. 83 – 119 and pp. A-8 – A-10 of the 2019 Waterfront Open Space MP for additional information and guidance on the types, locations, and size of pathways, public plazas, lighting, materials, public amenities, plantings, roadway connections, and climate resiliency measures that are required for all expanded water-dependent use zones and permanently protected public open space areas. Additional guidance as needed may be provided in other sections of the 2019 Waterfront Open Space MP.

Note that the schematics in Appendix A shown on p. 86, “Promenade Plan”, p. 96, “Public Plazas Plan”, and p. 98, “Connections Plan”, indicate public walkways, plazas, pedestrian connections, and other publicly accessible open space within the current boundary of the Lynn DPA. Although it is anticipated that some or all of these proposed publicly accessible areas will be implemented in the long-term, they will not be implemented without changes in the existing Lynn DPA boundary (see Section 5.2) and other potential changes in the Lynn DPA. In the event there are no changes to the Lynn DPA that allow publicly accessible open space in these areas, waterfront walkways will be located landward of the Lynn DPA boundary using the open space standards in the 2019 Waterfront Open Space MP.

If feasible, the 2020 Lynn MHP also anticipates that public amenities, including a boardwalk or overlook area, be constructed in the wetland area on the South Harbor site (Figure 6). The 2019 Waterfront Open Space MP provides some guidance in terms of a developing a public park, a promenade, boardwalks for sensitive areas, and appropriate plantings (p. 29, p.69, and p. 116). The management plan that will be required as part of the Chapter 91 license shall

provide details on the location of walkways, benches, overlooks, and other public amenities, based on an assessment of the wetland area.

This amplification is consistent with 301 CMR 23.05(2)(b) because it expands the types of amenities that will be available to the public, provides sufficient flexibility to DEP to exercise discretion in licensing, and neither requires that which is prohibited nor prohibits that which is required.

This amplification implements the following goals of the 2019 Waterfront Open Space MP discussed in Section 2.6.

- Goal 1: Establish a cohesive vision for connected open spaces along the waterfront*
- Goal 2: Safeguard public access to and along the waterfront from the G.E. Bridge to Nahant*
- Goal 3: Provide open space design guidelines for future development along the waterfront in order to ensure open spaces are appealing and accessible to all members of the public*
- Goal 4: Plan for climate resiliency in all developments*

#### **4.4 Amplification for Pedestrian Access Networks (310 CMR 9.52(1)(b)(2))**

This section of the Waterways regulations generally requires a pedestrian access network, including “appropriate connecting walkways that allow pedestrians to approach the shoreline walkways from public ways....” This amplification requires multiple lateral access to the waterfront from the Lynnway as shown on Figure 7. In the event one or more of the specific accessways shown in Figure 7 cannot be implemented for lateral access, alternative access points with an equivalent or greater pedestrian utility and an equivalent type of geographic location shall be determined.

Appendix A includes pp. 83 – 119 and pp. A-8 – A-10 of the 2019 Waterfront Open Space MP for additional information and guidance on the types, locations, and size of pathways, public plazas, lighting, materials, public amenities, plantings, roadway connections, and climate resiliency measures that are required for all expanded water-dependent use zones and permanently protected public open space, including lateral access points. Additional guidance may be provided in other sections of the 2019 Waterfront Open Space MP.

This amplification adds clarity to and is consistent with 310 CMR 9.52(1)(b)(2) by identifying specific lateral access points or alternatives that are equally effective in order to provide sufficient public access to the Lynn waterfront. By describing the types of anticipated lateral access ways, this amplification provides sufficient flexibility to DEP to exercise discretion in licensing. Because 301 CMR

9.52(1)(b)(2) requires this type of lateral accessway, providing guidance on where the lateral access ways should be located neither requires that which is prohibited nor prohibits that which is required.

For portions of the lateral access ways outside of Chapter 91 licensing jurisdiction, consistency with the EEA-funded 2019 Waterfront Open Space MP and the 2020 Lynn MHP lateral access way plan is recommended through the exercise of the EEA Secretary's discretionary provisions for a public benefits determination under 301 CMR 13 if on filled tidelands or through other review under the Massachusetts Environmental Policy Act.

This amplification implements the following goals of the 2019 Waterfront Open Space MP discussed in Section 2.6.

- Goal 1: Establish a cohesive vision for connected open spaces along the waterfront*
- Goal 2: Safeguard public access to and along the waterfront from the G.E. Bridge to Nahant*
- Goal 3: Provide open space design guidelines for future development along the waterfront in order to ensure open spaces are appealing and accessible to all members of the public*

#### **4.5 Amplification for Engineering and Construction Standards (310 CMR 9.37(3)(c))**

The Waterways regulations at 310 CMR 9.37(3)(c) state that “in evaluating coastal and shoreline engineering structures, the Department shall require non-structural alternatives where feasible....” The 2019 Waterfront Open Space MP describes the use of nonstructural nature-based shorelines for some areas along the Lynn waterfront, with additional information on possible areas for the use of nature-based shorelines to be determined through additional analysis (e.g., through the successful award of a CZM coastal resiliency grant, see Appendix F). To provide additional coastal resiliency, the amplification also encourages appropriate increases in shoreline elevation. See Figure 8 for an example of a nature-based shoreline with an elevated area along the water's edge, and additional guidance on pp. 116-119 of Appendix A.

This amplification adds clarity to and is consistent with 310 CMR 9.37(3)(c) by highlighting the intent in the 2019 Waterfront Open Space MP to promote nature-based shorelines and increased elevation for coastal resiliency where appropriate. It also provides sufficient flexibility to DEP to exercise discretion in licensing, and neither requires that which is prohibited nor prohibits that which is required.

This amplification implements the following goals of the 2019 Waterfront Open Space MP discussed in Section 2.6.

*Goal 4: Plan for climate resiliency in all developments*

#### 4.6 Amendments to the City of Lynn Zoning Ordinance

Amendments to the Zoning Ordinance and Zone Map ensure the zoning code implements and is consistent with Goal #1 of the 2020 Lynn MHP, which states:

Provide clear Chapter 91 licensing guidance to the Massachusetts Department of Environmental Protection (DEP) that activates the Lynn Waterfront with contemporary, mixed-use development and significant waterfront open space.

The zoning changes passed on December 3, 2019 and February 11, 2020 advance this goal by:

- Making uses within and outside the Lynn DPA consistent with Chapter 91 (#1 below)
- Providing greater flexibility for mixed-use development (#2-9 below)
- Altering allowable building heights to be consistent with 310 CMR 9.51(3)(e) (#10-12 below)
- Minimizing conflicts between water-dependent industrial uses within the Lynn DPA and other uses outside the Lynn DPA by establishing a 100-foot buffer area around the perimeter of the DPA (#13 below)

Number 13 below in the list of zoning changes does not specifically implement the provisions of the 2020 Lynn MHP but is consistent with it and reflects provisions of the 2019 Revised Waterfront MP.

The amendments adopted on December 3, 2019 and February 11, 2020 include:

1. Amended the Zoning Map by extending the existing Waterfront Zone 1A District and eliminating the Designated Port Area District outside of the state Designated Port Area as depicted in Figure 9.

*Purpose: Reduces the DPA Zoning District to match the state DPA boundary, allowing non-water dependent uses and public open spaces in the areas outside the DPA.*

2. Amended the Zoning Map by extending Waterfront Zone 3 to include additional parcels as depicted in Figure 9.

*Purpose: Enables greater flexibility for parcels near the waterfront's industrial core and Waste-Water Treatment Plant by allowing the following uses that are a part of Waterfront Zone 3: light manufacturing, boat construction maintenance*

*and repair, commercial fishing and processing, fish markets, fitness centers, and ice establishments.*

3. Decreased the first-floor retail frontage requirement from 70% to 50% for multifamily residential high rises in WF1, WF1A, WF3, and WF4 (Section 4 Use Regulations, Footnote 7).

*Purpose: Helps activate ground floors by reducing the frontage requirement to a more feasible scale.*

4. Allowed residential uses on the first floor of W2 (Section 4 Use Regulations, Footnote 8).

*Purpose: Helps activate ground floors in an area where ground floor retail is less feasible.*

5. Increased the maximum size of retail in WF1, WF1A, WF3, and WF4 from 5,000 square-feet to 25,000 square feet. (Section 4 Use Regulations, Footnote 14)

*Purpose: Helps new retail growth on the waterfront by adjusting the maximum size of retail to a feasible scale based on market conditions.*

6. Allowed artist live/work spaces by right and assisted living facilities by special permit in the WF1, WF1A, WF2, and WF3 Districts. (Section 4.4 USES/DISTRICTS Table of Use Regulations)

*Purpose: Encourage new growth on the waterfront with a wider range of allowed uses. See Figure 11 for permitted waterfront uses.*

7. Allowed light manufacturing by right in the DPA District. (Section 4.4 USES/DISTRICTS Table of Use Regulations)

*Purpose: Reinforces DPA regulations in zoning by ensuring that existing light manufacturing activities within the Lynn DPA that are Supporting DPA Uses are allowable under municipal zoning. See Figure 11 for permitted waterfront uses.*

8. Expanded allowed uses in the W3 to include the following: boat construction, maintenance and repair, research and development, commercial fishing/fish processing, fish market, fitness center, hotels, ice establishment, light manufacturing, truck repair facility, warehousing, and by special permit places of assembly for commercial recreation (Section 4.4 USES/DISTRICTS Table of Use Regulations)

*Purpose: Encourage new growth on the waterfront with a wider range of allowed uses in the industrial area. See Figure 11 for permitted waterfront uses.*

9. Allows truck repair facilities and warehousing in existing buildings of a determined size within the W3 District. (Section 4.4 USES/DISTRICTS Table of Use Regulations, Section 5 CLASSIFICATION OF USES)

*Purpose: Enables the reuse of existing buildings within the industrial area of the waterfront while preventing new construction and the proliferation of warehouses and truck repair facilities in the area.*

10. Increased the maximum height in WF2 to 8 stories or 100 feet (Section 8 TABLE OF DIMENSIONAL REQUIREMENTS)

*Purpose: Alters allowable building heights to be consistent with 310 CMR 9.51(3)(e). See Figure 11 for waterfront dimensional requirements.*

11. Added the Chapter 91 height requirement in the TO District for buildings containing non-water dependent use(s) to not exceed 55 feet in height within 100 feet landward of the high water mark and shall not exceed a height of 55 plus one half (.5) feet for each additional foot of separation from the high water mark.

*Purpose: Makes zoning consistent with Chapter 91 height requirements*

12. Removed zoning height and density allowances related to 2010 Lynn MHP substitute provisions.

*Purpose: Makes zoning consistent with the 2020 Lynn MHP.*

13. Added a 100-foot setback requirement from the boundary of the DPA for all nonindustrial uses, excluding walkways and open space intended for public passage and enjoyment.

*Purpose: To minimize potential conflicts between water-dependent industrial uses in the DPA and nonwater-dependent and nonindustrial facilities in other areas of the waterfront, by creating a buffer between the DPA and neighboring uses. The provision allows for a waterfront promenade to continue around the boundary of the DPA.*

## **5.0 Implementation Strategy – Other**

### **5.1 Conservation Restrictions**

It is the intent of the City of Lynn, working with DEP, CZM, EEA, and property owners to cap, cover, permanently protect, and improve for public access and public activation the landfill areas within the HPA. Permanent protection of conservation land will be implemented through a conservation restriction as specified in Administration Consent Order (ACO) #00007125 (see Appendix E), or through other means if the ACO is amended with regard to protecting this area.

### **5.2 Designated Port Area (DPA) boundary review**

The City may request that CZM conduct a DPA boundary review to determine whether parcels within the DPA continue to meet the designation criteria for a DPA.

### **5.3 Potential sources of funding for open space development and maintenance**

To support the implementation strategy for open space development, a combination of sources between the City of Lynn, state agencies, and the property owners, should be advanced in a public private partnership (P3). The primary responsibility to cap, cover, permanently protect, and improve the landfill for public access is the responsibility of the property owners. In support of these measures and to improve access and activation, potential public funding sources to explore include:

- City of Lynn municipal funds (CIP and/or bonds)
- DCR Gateway Parks Program and the Partnerships Matching Funds Program
- EEA Division of Conservation Services funds, including PARC grants for land acquisition; Land and Water Conservation Grant Funds (in conjunction with the National Park Service); or Conservation Land Tax Credits
- Tax Increment Financing (TIF) or District Improvement Financing (DIF) to self-finance through development or a service district
- MassDevelopment Infrastructure Investment Incentives Act (I-Cubed), tying together development, infrastructure, and open space improvements

### **5.4 Potential sources of funding for publicly-owned shoreline infrastructure**

Improvements along the shoreline include provision of public access and stabilization of shoreline erosion. To support implementation of these

improvements, a combination of sources between the City of Lynn, state agencies, and the property owners should be advanced in a public private partnership (P3). Potential funding sources for the shoreline improvements are similar to those listed above for the open space development and maintenance. For shoreline stabilization, potential public funding sources to explore include:

- Coastal Zone Management (CZM) Coastal Resilience Grant Program
- EEA Municipal Vulnerability Preparedness Program (MVP) Action Grant Program
- FEMA Pre-Disaster Hazard Mitigation Grant Program
- NOAA Regional Coastal Resilience Grants Program
- HUD Community Development Block Grant Program

## **5.5 Climate Resiliency**

The Lynn Coastal Resiliency Assessment (2016), prepared with funding from CZM, evaluates City of Lynn assets most vulnerable to climate threats and in need of measures to address their resiliency, particularly coastal surge flooding, tidal back-up flooding, and stormwater flooding that flood roadway systems, public utilities, and public facilities. To support implementation of these improvements, a combination of sources between the City of Lynn, state agencies, and the property owners, should be advanced in a public private partnership (P3). Potential funding sources to address climate resiliency are similar to those listed above for shoreline infrastructure. For climate resiliency, potential additional funding sources include:

- Integrate climate resilience improvements into roadway or utility improvements from private investments for development, and partner with potential state funding, like I-Cubed, Local Infrastructure Development Program (23-L), MassWorks, Economic Development Fund, Urban Renewal Program, or the State Revolving Fund (SRF)
- City of Lynn municipal funds (CIP and/or bonds), or potential fees

## **6.0 2020 Lynn MHP Consistency with Plans of Commonwealth Agencies**

An MHP must include all feasible measures to achieve consistency with plans or planned activities of all state agencies owning real property or responsible for the implementation or development of plans and projects within harbor planning area.

### **6.1 Massachusetts Executive Office of Energy & Environmental Affairs (EEA)**

EEA has been directly involved in waterfront planning in Lynn for many years. The two principal efforts in recent years are Secretary Matthew A. Beaton's MHP Clarification in December 2016, and funding for and involvement in the 2019 Waterfront Open Space MP as part of the Commonwealth's Gateway Cities program. The 2020 Lynn MHP is consistent with both the 2016 clarification and the 2019 Waterfront Open Space MP in terms of improving the amount and quality of open space and promoting climate resiliency.

### **6.2 Massachusetts Department of Conservation & Recreation (DCR)**

DCR has been actively involved in improving its open space properties along the Lynn waterfront and directly participated in the 2019 Waterfront Open Space MP. The 2020 Lynn MHP supports several aspects of DCR's objectives to improve the quality and quantity of open space areas along the Lynn waterfront. See Section 3.3. for a description of DCR's efforts regarding the Lynnway.

### **6.3 Massachusetts Office of Coastal Zone Management (CZM)**

CZM has been involved in municipal harbor planning in Lynn for over a decade. As indicated in Section 8, the 2020 Lynn MHP is consistent with all applicable CZM policies. CZM has also reviewed draft versions of the 2020 Lynn MHP to ensure consistency with MHP standards.

### **6.4 Massachusetts Department of Environmental Protection (DEP)**

DEP is directly involved in the Lynn waterfront area in two principal areas: (1) the current use and future capping, covering, and permanently protecting landfill areas for public open space; and (2) the development of a municipal harbor plan and any associated licensing through the Chapter 91 Waterways program. Conformance with DEP's Waterways regulations is covered in Section 7.

### **6.5 Massachusetts Executive Office of Housing & Economic Development (EOHED)**

EOHD has played an important role in Lynn's economic revitalization. Former Housing and Economic Development Secretary Ash served as a member the Lynn Economic Advancement and Development Team - launching a number of

commercial and housing projects and encouraging growth on the waterfront. The 2020 Lynn MHP is consistent with EOHEED goals for new development in Lynn that balances growth with public benefits.

#### **6.6 Massachusetts Department of Transportation (DOT)**

DOT has been involved in improving infrastructure and the transit network in Lynn for several years. In 2014, 2015, and 2017 DOT supported summer ferry service between Lynn and Boston. DOT is under agreement to open a new River Works commuter rail station that can connect to the waterfront at South Harbor. DOT has initiated a Lynn Transit Action Plan Study which will focus on strategies to enhance the quality, capacity, and reliability of public transportation in Lynn. The 2020 Lynn MHP implements several of DOT's goals to bring improved connectivity in Lynn. DOT has also reviewed relevant portions of the 2020 Lynn MHP, in particular the project description for the General Clarence Ransom Edwards Bridge (see Section 3.3 above).

## **7.0 2020 Lynn MHP Consistency with Massachusetts Waterways Regulations**

As required by 301 CMR 23.05(3), the 2020 Lynn MHP must be consistent with state tidelands policy objectives and associated regulatory principles set forth in the state Chapter 91 Waterways regulations at 310 CMR 9.00. As promulgated, the Waterways regulations provide a uniform statewide framework for regulating tidelands projects. Municipal Harbor Plans and associated amendments present communities with an opportunity to propose modifications to these uniform standards through the amplification of the discretionary requirements of the Waterways regulations or through the adoption of provisions that, if approved, are intended to substitute for the minimum use limitations or numerical standards of 310 CMR 9.00. The substitute provisions of Municipal Harbor Plans, in effect, can serve as the basis for a waiver of specific use limitations and numerical standards affecting nonwater-dependent use projects, and thereby reflect local planning goals in decisions involving the complex balancing of public rights in and private uses of tidelands. While the 2010 Lynn MHP included substitute provisions, there are none in the 2020 Lynn MHP, although there are four amplifications.

The 2020 Lynn MHP is consistent with the relevant primary state tidelands policy objectives as described below.

### **Categorical Restrictions on Fill and Structures – 310 CMR 9.32**

None of the proposed site uses or improvements are categorically restricted in previously filled or flowed tidelands. As noted, the proposed Lynn Launch project will require CZM and DEP review if located in the Lynn DPA to determine compliance with this provision.

### **Environmental Protection Standards – 310 CMR 9.33**

310 CMR 9.33 states all projects must comply with the applicable environmental regulatory programs of the Commonwealth. It is likely that the regulatory programs specifically applicable to projects covered under the 2020 Lynn MHP include:

- The Massachusetts Environmental Policy Act (MEPA);
- The Massachusetts Wetlands Protection Act/Lynn Conservation Commission;
- Massachusetts Historical Commission Act; and
- Coastal Zone Management Federal Consistency Review.

### **Conformance with Municipal Zoning and Harbor Plans standards – 310 CMR 9.34**

Local zoning will be consistent with the 2020 Lynn MHP and shall conform with the amplifications for nonwater-dependent uses.

### **Standards to Preserve Water-Related Public Rights – 310 CMR 9.35**

The Waterways regulations at 310 CMR 9.35 are designed to preserve the public's rights to navigation, free passage over and through the water and access to Town landing, and to ensure that public open spaces are properly managed and maintained. All projects within the 2020 Lynn MHP will comply with the appropriate components of this section.

### **Standards to Protect Water-Dependent Uses – 310 CMR 9.36**

The regulations at 310 CMR 9.36 are designed to protect any water-dependent uses occurring at or proximate to the site. This includes water-dependent uses within the five years prior to the filing of the license application.

The 2020 Lynn MHP protects existing water-dependent uses and promotes new such uses, including public access, public activation, and water-dependent industrial uses within the Lynn DPA. An amplification promotes a WDUZ that is at least twice as large as would be required under 310 CMR 9.51(3)(c) for all new or expanded nonwater-dependent projects.

### **Engineering Construction Standards – 310 CMR 9.37**

All structures will be designed and constructed in a manner that is structurally sound and will be certified by a Registered Professional Engineer. An amplification of this standard focuses on non-structural alternatives where feasible, in order to promote coastal habitat and resiliency. To provide additional coastal resiliency, the amplification also encourages appropriate increases in shoreline elevation.

### **Nonwater-dependent Uses on New Pile Supported Structures – 310 CMR 9.51(3)(a)**

Nonwater-dependent structures on new pile-supported structures generally shall not extend beyond the footprint of existing, previously authorized pile-supported structures or pile fields. No new pile-supported structures are proposed under the 2020 Lynn MHP.

### **Nonwater-dependent Facilities of Private Tenancy – 310 CMR 9.51(3)(b)**

For nonwater-dependent uses on pile-supported structures, 310 CMR 9.51(3)(b) prohibits Facilities of Private Tenancy on any pile supported structure on flowed tidelands, or on ground floor of any filled tidelands within 100 feet of a project shoreline. The 2020 Lynn MHP includes no nonwater-dependent use structures on pile-supported structures.

### **Water-dependent Use Zone – 310 CMR 9.51(3)(c)**

For the water-dependent use zone, the MHP must specify alternative setback distances and other requirements that ensure that new or expanded buildings for nonwater-dependent use are not constructed immediately adjacent to a project shoreline, in order that sufficient space along the water's edge will be devoted exclusively to water-dependent use and public access associated therewith, as appropriate for the harbor in question.

To actively encourage the public to access and use the Lynn waterfront, the statewide standards for a water-dependent use zone is insufficient, given the history and development patterns in Lynn. An amplification more than doubles the size of the WDUZ for any new or expanded nonwater-dependent use project.

#### **Lot Coverage – 310 CMR 9.51 (3)(d)**

The lot coverage standard at 310 CMR 9.51(3)(d) ensures that, in general, buildings for nonwater-dependent use will be relatively condensed in footprint and will provide an amount of open space to accommodate water-dependent activity, and associated public access, commensurate with that occupied by buildings containing nonwater-dependent uses. For developable parcels, the 2020 Lynn MHP adheres to the statewide standard of one-square-foot of open space to one-square-foot of building footprint. In addition, the 2020 Lynn MHP includes an expanded 16.3-acre WDUZ and a 32.1-acre (as envisioned) signature waterfront park that when combined with DCR parkland totals 57.5 acres, more than 41% more publicly accessible open space than was proposed in the 2010 Lynn MHP. See Figure 10 for a breakdown of the 2020 Lynn MHP open space metrics.

#### **Building Height – 310 CMR 9.51(3)(e)**

The building height standard at 310 CMR 9.51(3)(e) ensures that, in general, new or expanded buildings for nonwater-dependent use will be relatively modest in size, as appropriate for the harbor in question, in order that wind, shadow, and other conditions of the ground-level environment will be conducive to water-dependent activity and public access. The 2020 Lynn MHP adheres to the statewide standard for building heights.

#### **Utilization of Shoreline for Water-dependent Purposes – 310 CMR 9.52**

This section of the Waterways regulations requires that “a nonwater-dependent use project that includes fill or structures on any tidelands shall devote a reasonable portion of such lands to water-dependent use, including public access in the exercise of public rights on such lands.” The 2020 Lynn MHP includes an amplification of this provision to promote lateral access to the waterfront in Lynn from multiple points along the Lynnway.

#### **Activation of Commonwealth Tidelands for Public Use – 310 CMR 9.53**

Under 310 CMR 9.53, a nonwater-dependent use project "...that includes fill or structures on Commonwealth tidelands...must promote public use and enjoyment of such lands to a degree that is fully commensurate with the proprietary rights of the Commonwealth therein, and which ensures the private advantages of use are not primary but merely incidental to the achievement of public purposes." In addition, the project "...shall attract and maintain substantial public activity on the site on a year-round basis, through the provisions of water-related public benefits of a kind and to a degree that is appropriate for the site, given the nature of the project, conditions of the waterbody on which it is located, and relevant circumstances."

While most of the areas within the HPA is not Commonwealth tidelands and not normally subject to this provision, the 2020 Lynn MHP includes an amplification to apply this standard to all areas within the expanded water-dependent use zone, as provided in a separate amplification, for new or expanded nonwater-dependent use projects. Specific activation measures are included in the 2019 Waterfront Open Space MP and should be referenced for licensing guidance.

#### **Implementation Strategies – 301 CMR 23.05(4)**

Pursuant to 301 CMR 23.05(4), the Plan must include enforceable implementation commitments to ensure that, among other things, all measures will be taken in a timely and coordinated manner to offset the effect of any plan requirement less restrictive than that contained in 310 CMR 9.00. Changes to local zoning in Lynn will be consistent with statewide Chapter 91 dimensional standards for nonwater-dependent use projects and with the amplifications in the 2020 Lynn MHP.

**8.0 2020 Lynn MHP Consistency with Policies of the Massachusetts Office of Coastal Zone Management**

As specified at 301 CMR 23.05(1), a municipal harbor plan shall be approved only upon a written determination by the Secretary of the Executive Office of Energy and Environmental Affairs that, among other findings, the plan is consistent with all policies of the Massachusetts Office of Coastal Zone Management (CZM) as described in CZM’s Policy Guide dated October, 2011. The following is a summary of these policies as they relate to the actions contemplated in the 2020 Lynn MHP and an assessment of the MHP's compliance with them.

<b>CZM Policy</b>	<b>Consistent or Not Applicable</b>	<b>Discussion</b>
<p><b>Coastal Hazards Policy #1 (enforceable)</b></p> <p>Preserve, protect, restore, and enhance the beneficial functions of storm damage prevention and flood control provided by natural coastal landforms, such as dunes, beaches, barrier beaches, coastal banks, land subject to coastal storm flowage, salt marshes, and land under the ocean.</p>	<p>Consistent</p>	<p>The 2020 Lynn MHP includes an amplification highlighting the use of engineered “natural” landforms, where possible, to increase coastal habitat and resiliency.</p>
<p><b>Coastal Hazards Policy #2 (enforceable)</b></p> <p>Ensure that construction in water bodies and contiguous land areas will minimize interference with water circulation and sediment transport. Flood or erosion control projects must demonstrate no significant adverse effects on the project site or adjacent or downcoast areas.</p>	<p>Consistent</p>	<p>Any construction in water bodies is anticipated to improve water circulation and sediment transport and will not adversely affect adjacent or downcoast areas.</p>
<p><b>Coastal Hazards Policy #3 (enforceable)</b></p> <p>Ensure that state and federally funded public works projects proposed for location within the coastal zone will:</p> <ul style="list-style-type: none"> <li>• Not exacerbate existing hazards or damage natural buffers or other natural resources.</li> <li>• Be reasonably safe from flood and erosion-related damage.</li> </ul>	<p>Consistent</p>	<p>With its substitute provision for a WDUZ with a greater depth and focus on use of nature-based shorelines for resiliency, the 2020 Lynn MHP: (1) does not exacerbate existing hazards or damage natural buffers or other natural resources; (2) is reasonably safe from flood and erosion-related damage; (3) does not promote growth and development in hazard-prone or buffer areas, especially in</p>

<ul style="list-style-type: none"> <li>• Not promote growth and development in hazard-prone or buffer areas, especially in velocity zones and Areas of Critical Environmental Concern.</li> <li>• Not be used on Coastal Barrier Resource Units for new or substantial reconstruction of structures in a manner inconsistent with the Coastal Barrier Resource/Improvement Acts.</li> </ul>		<p>velocity zones and Areas of Critical Environmental Concern; (4) will not be used on Coastal Barrier Resource Units for new or substantial reconstruction of structures in a manner inconsistent with the Coastal Barrier Resource/Improvement Acts.</p>
<p><b>Coastal Hazards Policy #4</b></p> <p>Prioritize acquisition of hazardous coastal areas that have high conservation and/or recreation values and relocation of structures out of coastal high-hazard areas, giving due consideration to the effects of coastal hazards at the location to the use and manageability of the area.</p>	<p>Consistent</p>	<p>The 2020 Lynn MHP substitute provision for a WDUZ with a greater depth, in conjunction with future plans to cap, cover, permanently conserve, and improve existing coastal landfills, increase coastal open space and ensure that structures will be located away from high-hazard areas.</p>
<p><b>Energy Policy #1 (enforceable)</b></p> <p>For coastally dependent energy facilities, assess siting in alternative coastal locations. For non-coastally dependent energy facilities, assess siting in areas outside of the coastal zone. Weigh the environmental and safety impacts of locating proposed energy facilities at alternative sites.</p>	<p>Consistent</p>	<p>Siting options for the LNG facility within the Lynn DPA were considered but rejected as infeasible.</p>
<p><b>Energy Policy #2</b></p> <p>Encourage energy conservation and the use of renewable sources such as solar and wind power in order to assist in meeting the energy needs of the Commonwealth.</p>	<p>Consistent</p>	<p>The 2020 Lynn MHP applies statewide Chapter 91 building dimensions to any new or redeveloped nonwater-dependent use structure and so no energy conservation or renewable provisions are included in building offset. However, energy conservation and the use of renewables will be encouraged through other means, such as the building code.</p>
<p><b>Growth Management Policy #1</b></p> <p>Encourage sustainable development that is consistent with state, regional, and local</p>	<p>Consistent</p>	<p>The 2020 Lynn MHP is a primary tool for implementing state and local plans for the City of Lynn.</p>

plans and supports the quality and character of the community.		
<p><b>Growth Management Policy #2</b></p> <p>Ensure that state and federally funded infrastructure projects in the coastal zone primarily serve existing developed areas, assigning highest priority to projects that meet the needs of urban and community development centers.</p>	Consistent	The 2020 Lynn MHP limits the amount of development that can occur in the HPA based on statewide Chapter 91 building dimensions. Regardless of funding source, the 2020 Lynn MHP promotes infrastructure projects that serve existing developed areas and meets the needs of urban and community development centers.
<p><b>Habitat Policy #1 (enforceable)</b></p> <p>Protect coastal, estuarine, and marine habitats—including salt marshes, shellfish beds, submerged aquatic vegetation, dunes, beaches, barrier beaches, banks, salt ponds, eelgrass beds, tidal flats, rocky shores, bays, sounds, and other ocean habitats—and coastal freshwater streams, ponds, and wetlands to preserve critical wildlife habitat and other important functions and services including nutrient and sediment attenuation, wave and storm damage protection, and landform movement and processes.</p>	Consistent	The 2020 Lynn MHP includes an amplification for nature-based shoreline structures, where feasible, to promote coastal habitat and resiliency. The WDUZ substitute provision helps to protect a wetland area for public enjoyment.
<p><b>Habitat Policy #2 (enforceable)</b></p> <p>Advance the restoration of degraded or former habitats in coastal and marine areas.</p>	Not Applicable	The 20-19 Lynn MHP includes an amplification for nature-based shoreline structures, where feasible, to promote coastal habitat and resiliency. The WDUZ substitute provision helps to protect a wetland area for public enjoyment.
<p><b>Ocean Resources Policy #1 (enforceable)</b></p> <p>Support the development of sustainable aquaculture, both for commercial and enhancement (public shellfish stocking) purposes. Ensure that the review process regulating aquaculture facility sites (and access routes to those areas) protects significant ecological resources (salt marshes, dunes, beaches, barrier beaches, and salt ponds) and minimizes adverse effects on the coastal and marine</p>	Not Applicable	The 2020 Lynn MHP has no aquaculture component.

environment and other water-dependent uses.		
<p><b>Ocean Resources Policy #2 (enforceable)</b></p> <p>Except where such activity is prohibited by the Ocean Sanctuaries Act, the Massachusetts Ocean Management Plan, or other applicable provision of law, the extraction of oil, natural gas, or marine minerals (other than sand and gravel) in or affecting the coastal zone must protect marine resources, marine water quality, fisheries, and navigational, recreational and other uses.</p>	Not Applicable	The 2020 Lynn MHP does not include any extractive activities.
<p><b>Ocean Resources Policy #3 (enforceable)</b></p> <p>Accommodate offshore sand and gravel extraction needs in areas and in ways that will not adversely affect marine resources, navigation, or shoreline areas due to alteration of wave direction and dynamics. Extraction of sand and gravel, when and where permitted, will be primarily for the purpose of beach nourishment or shoreline stabilization.</p>	Not Applicable	The 2020 Lynn MHP does not include any extractive activities.
<p><b>Ports &amp; Harbors Policy #1 (enforceable)</b></p> <p>Ensure that dredging and disposal of dredged material minimize adverse effects on water quality, physical processes, marine productivity, and public health and take full advantage of opportunities for beneficial re-use.</p>	Applicable	. As currently conceived, the proposed dredging project for Lynn Harbor (see Section 3.3) is not within the Lynn HPA or the Lynn DPA; however, if implemented, this dredge project will comply with Ports and Harbor Policy #1
<p><b>Ports &amp; Harbors Policy #2 (enforceable)</b></p> <p>Obtain the widest possible public benefit from channel dredging and ensure that Designated Port Areas and developed harbors are given highest priority in the allocation of resources.</p>	Applicable	As currently conceived, the proposed dredging project for Lynn Harbor (see Section 3.3) is not within the Lynn HPA or the Lynn DPA; however, if implemented, this dredge project will comply with Ports and Harbor Policy #2
<p><b>Ports &amp; Harbors Policy #3 (enforceable)</b></p>	Consistent	The 2020 Lynn MHP includes provisions that require adherence to

<p>Preserve and enhance the capacity of Designated Port Areas to accommodate water-dependent industrial uses and prevent the exclusion of such uses from tidelands and any other DPA lands over which an EEA agency exerts control by virtue of ownership or other legal authority.</p>		<p>all DPA use standards in 310 CMR 9.00 and proposes that a future DPA Boundary Review be conducted; if any area is found to be inconsistent with the DPA designation criteria and removed from the DPA, this MHP proposes that it is replaced with an equivalent amount of adjacent land that meets the designation criteria in order to preserve and enhance the capacity of the Lynn DPA.</p>
<p><b>Ports &amp; Harbors Policy #4 (enforceable)</b></p> <p>For development on tidelands and other coastal waterways, preserve and enhance the immediate waterfront for vessel-related activities that require sufficient space and suitable facilities along the water’s edge for operational purposes.</p>	<p>Consistent</p>	<p>The 2020 Lynn MHP supports vessel activity in the Lynn DPA, such as the proposed dredge project and efforts to restore ferry service.</p>
<p><b>Ports &amp; Harbors Policy #5</b></p> <p>Encourage, through technical and financial assistance, expansion of water-dependent uses in Designated Port Areas and developed harbors, re-development of urban waterfronts, and expansion of physical and visual access.</p>	<p>Consistent</p>	<p>The 2020 Lynn MHP includes a DPA master plan that preserves and enhances water-dependent industrial uses. The 2020 Lynn MHP promotes the re-development of the Lynn waterfront, primarily as publicly accessible open space outside of the DPA.</p>
<p><b>Protected Areas Policy #1 (enforceable)</b></p> <p>Preserve, restore, and enhance coastal Areas of Critical Environmental Concern, which are complexes of natural and cultural resources of regional or statewide significance.</p>	<p>Not Applicable</p>	<p>The 2020 Lynn MHP is not within an ACEC. However, it is proximate to the Rumney Marsh ACEC</p>
<p><b>Protected Areas Policy #2 (enforceable)</b></p> <p>Protect state designated scenic rivers in the coastal zone.</p>	<p>Not Applicable</p>	<p>The 2020 Lynn MHP does not include a designated scenic river.</p>
<p><b>Protected Areas Policy #3 (enforceable)</b></p> <p>Ensure that proposed developments in or near designated or registered historic places respect the preservation intent of</p>	<p>Consistent</p>	<p>There are no properties listed in the National or State Registers of Historic Places located within the HPA. One property, the Creighton-Champion Building (currently the Clock Tower</p>

<p>the designation and that potential adverse effects are minimized.</p>		<p>Business Center) at 330 Lynnway, is recorded in the Massachusetts Historical Commission's Massachusetts Cultural Resource Information System database as Inv. No. LYN.1431. There are no current plans to redevelop this structure. Any redevelopment of the site would require compliance with the 2020 Lynn MHP WDUZ substitute provision.</p>
<p><b>Public Access Policy #1 (enforceable)</b></p> <p>Ensure that development (both water-dependent or nonwater-dependent) of coastal sites subject to state waterways regulation will promote general public use and enjoyment of the water's edge, to an extent commensurate with the Commonwealth's interests in flowed and filled tidelands under the Public Trust Doctrine.</p>	<p>Consistent</p>	<p>Even though most of the area within the Lynn HPA is private tidelands, the 2020 Lynn MHP includes a substitute provision to ensure that the WDUZ areas and any areas subject to a permanent conservation restriction meet general Commonwealth tidelands standards for public activation and specific recommendations in the 2019 Waterfront Open Space MP.</p>
<p><b>Public Access Policy #2 (enforceable)</b></p> <p>Improve public access to existing coastal recreation facilities and alleviate auto traffic and parking problems through improvements in public transportation and trail links (land- or water-based) to other nearby facilities. Increase capacity of existing recreation areas by facilitating multiple use and by improving management, maintenance, and public support facilities. Ensure that the adverse impacts of developments proposed near existing public access and recreation sites are minimized.</p>	<p>Consistent</p>	<p>The focus of the 2020 Lynn MHP is to improve public access to an area that has largely been inaccessible to the adjacent downtown area and to encourage pedestrian and bicycle access through a series of waterfront and lateral access ways. The MHP also helps connect DCR's properties in the South Harbor area to the Lynn Heritage State Park.</p>
<p><b>Public Access Policy #3 (enforceable)</b></p> <p>Expand existing recreation facilities and acquire and develop new public areas for coastal recreational activities, giving highest priority to regions of high need or limited site availability. Provide technical assistance to developers of both public and private recreation facilities and sites that</p>	<p>Consistent</p>	<p>The focus of the 2020 Lynn MHP is to improve public access to an area that has largely been inaccessible to the adjacent downtown area and to encourage pedestrian and bicycle access through a series of waterfront and lateral access ways. The MHP also helps connect DCR's properties in the South Harbor area to the Lynn</p>

<p>increase public access to the shoreline to ensure that both transportation access and the recreation facilities are compatible with social and environmental characteristics of surrounding communities.</p>		<p>Heritage State Park. Technical assistance will continue to be provided as needed.</p>
<p><b>Water Quality Policy #1 (enforceable)</b></p> <p>Ensure that point-source discharges and withdrawals in or affecting the coastal zone do not compromise water quality standards and protect designated uses and other interests.</p>	<p>Consistent</p>	<p>Existing or new point source discharges in the HPA will not compromise water quality standards and will protect public access and relevant DPA uses.</p>
<p><b>Water Quality Policy #2 (enforceable)</b></p> <p>Ensure the implementation of nonpoint source pollution controls to promote the attainment of water quality standards and protect designated uses and other interests.</p>	<p>Consistent</p>	<p>Any nonpoint source pollution controls to promote the attainment of water quality standards and protect designated uses and other interests will be required.</p>
<p><b>Water Quality Policy #3 (enforceable)</b></p> <p>Ensure that subsurface waste discharges conform to applicable standards, including the siting, construction, and maintenance requirements for on-site wastewater disposal systems, water quality standards, established Total Maximum Daily Load limits, and prohibitions on facilities in high-hazard areas.</p>	<p>Consistent</p>	<p>Any subsurface discharge activities that may occur will conform to applicable standards.</p>

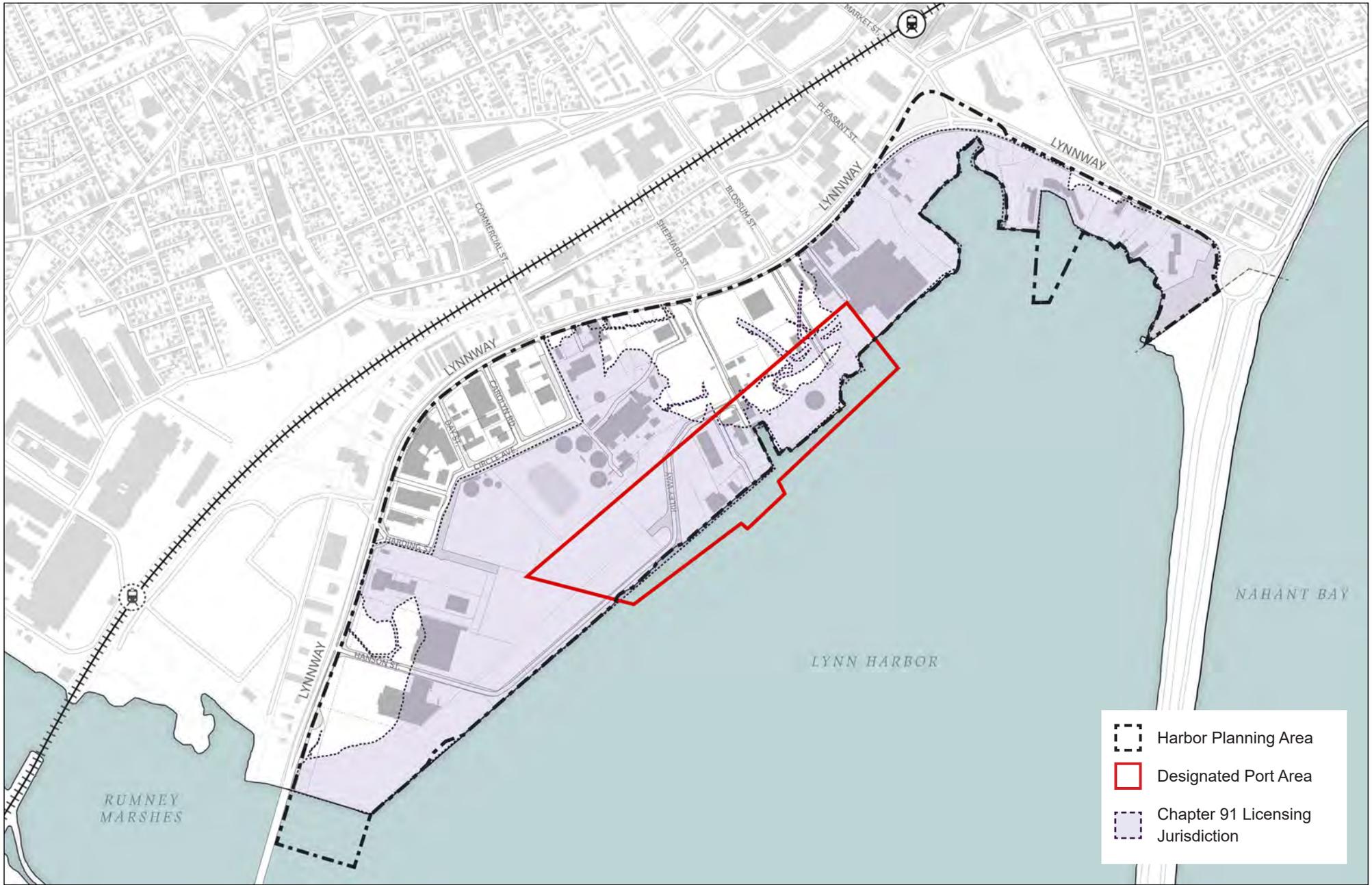
## FIGURES



**FIGURE 1**  
2020 LYNN MHP HARBOR PLANING AREA

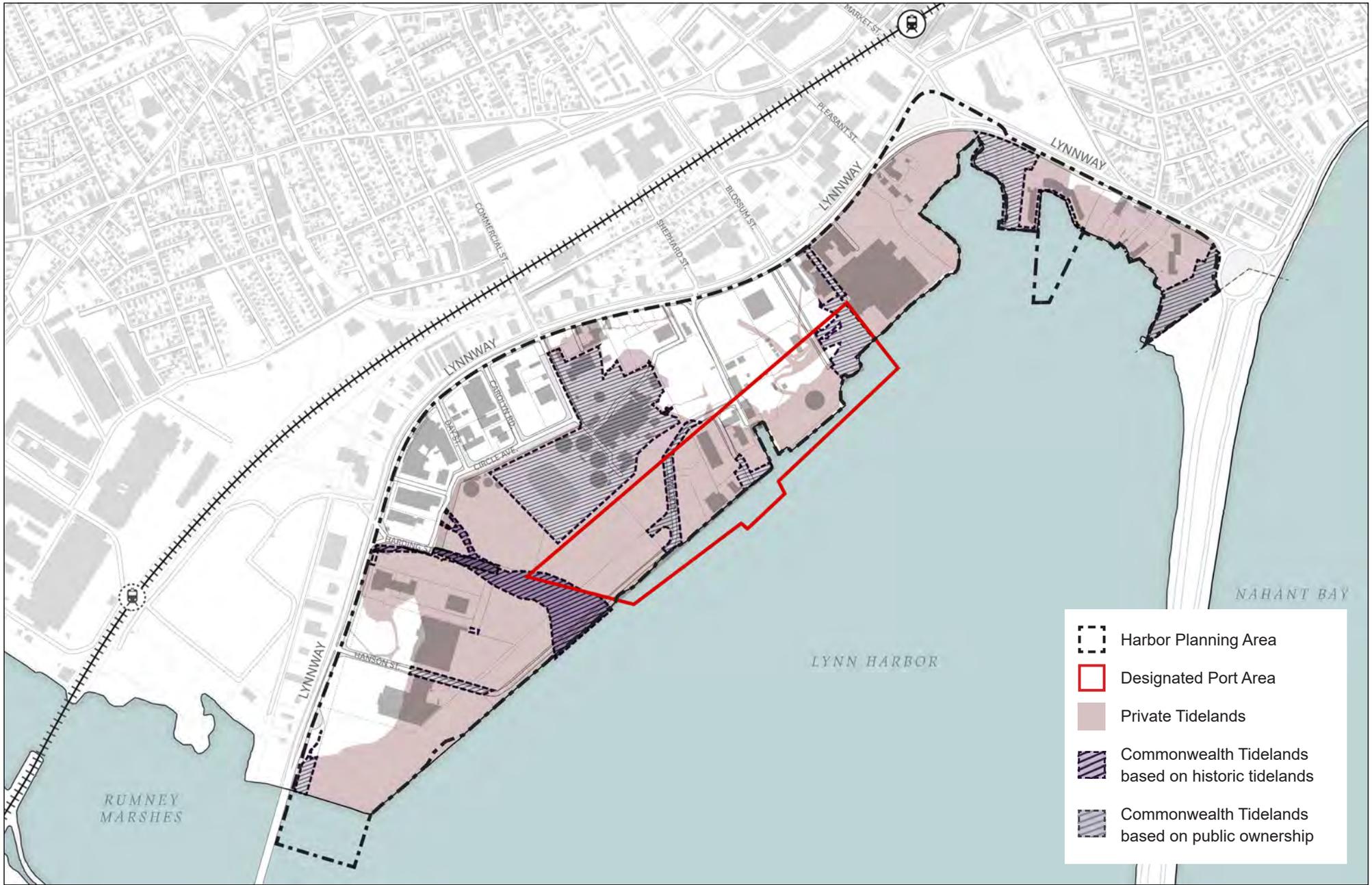
  Harbor Planning Area  
  MHP Focus Area





**FIGURE 2**  
DESIGNATED PORT AREA

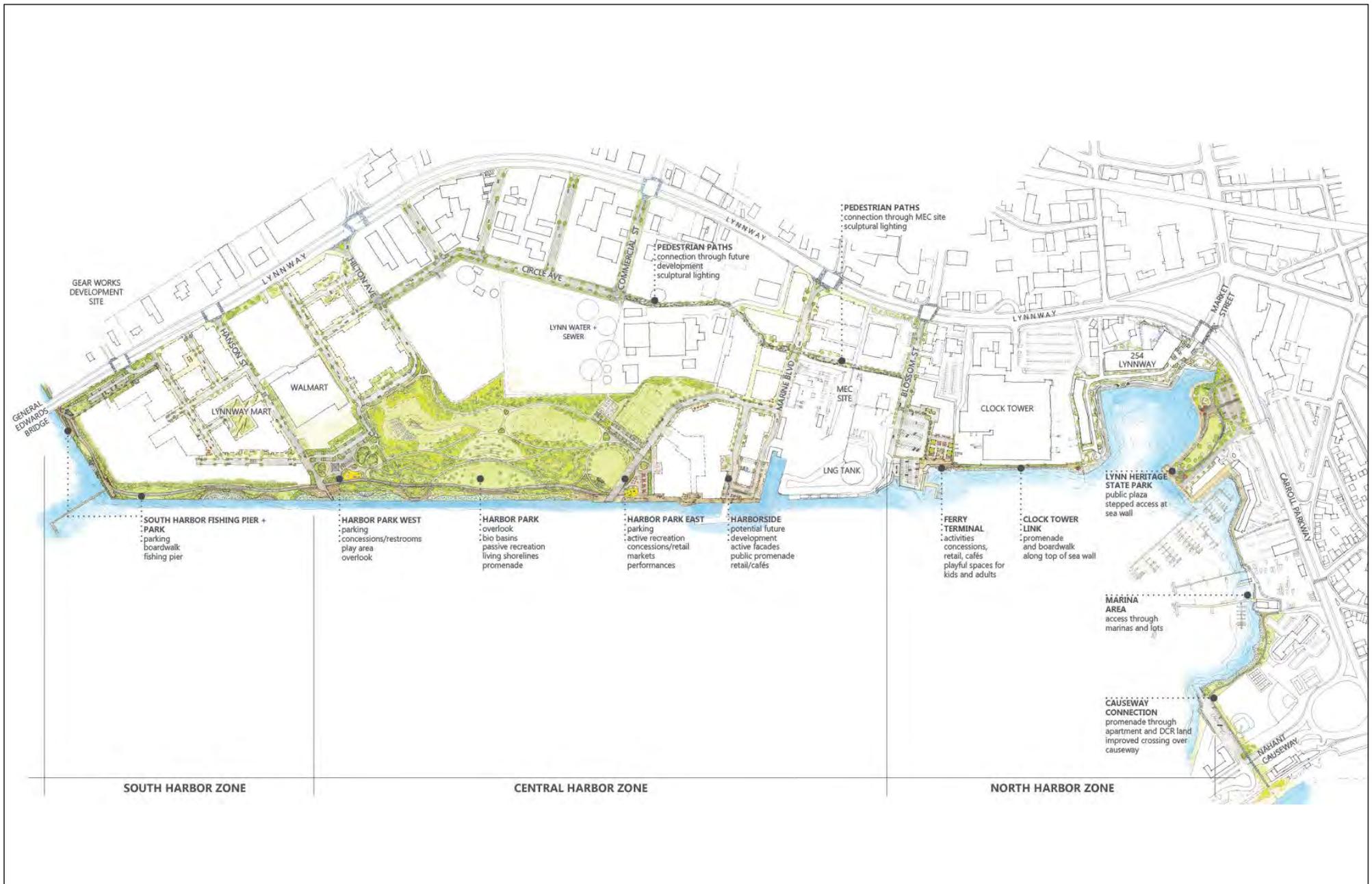




**FIGURE 3**  
PRIVATE AND COMMONWEALTH TIDELANDS

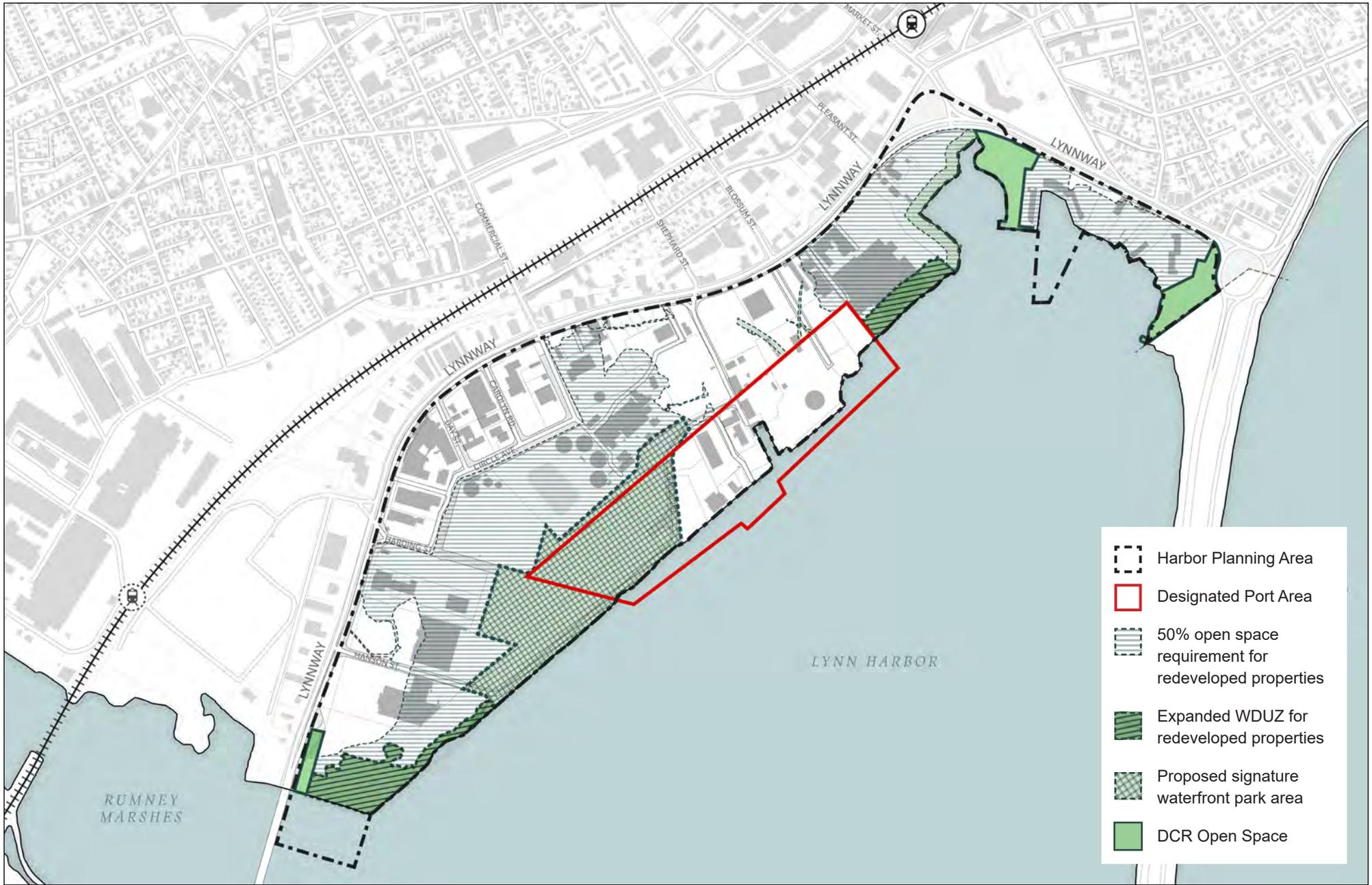
0' 400' 1200'





**FIGURE 4**  
2019 LYNN WATERFRONT OPEN SPACE MASTER PLAN

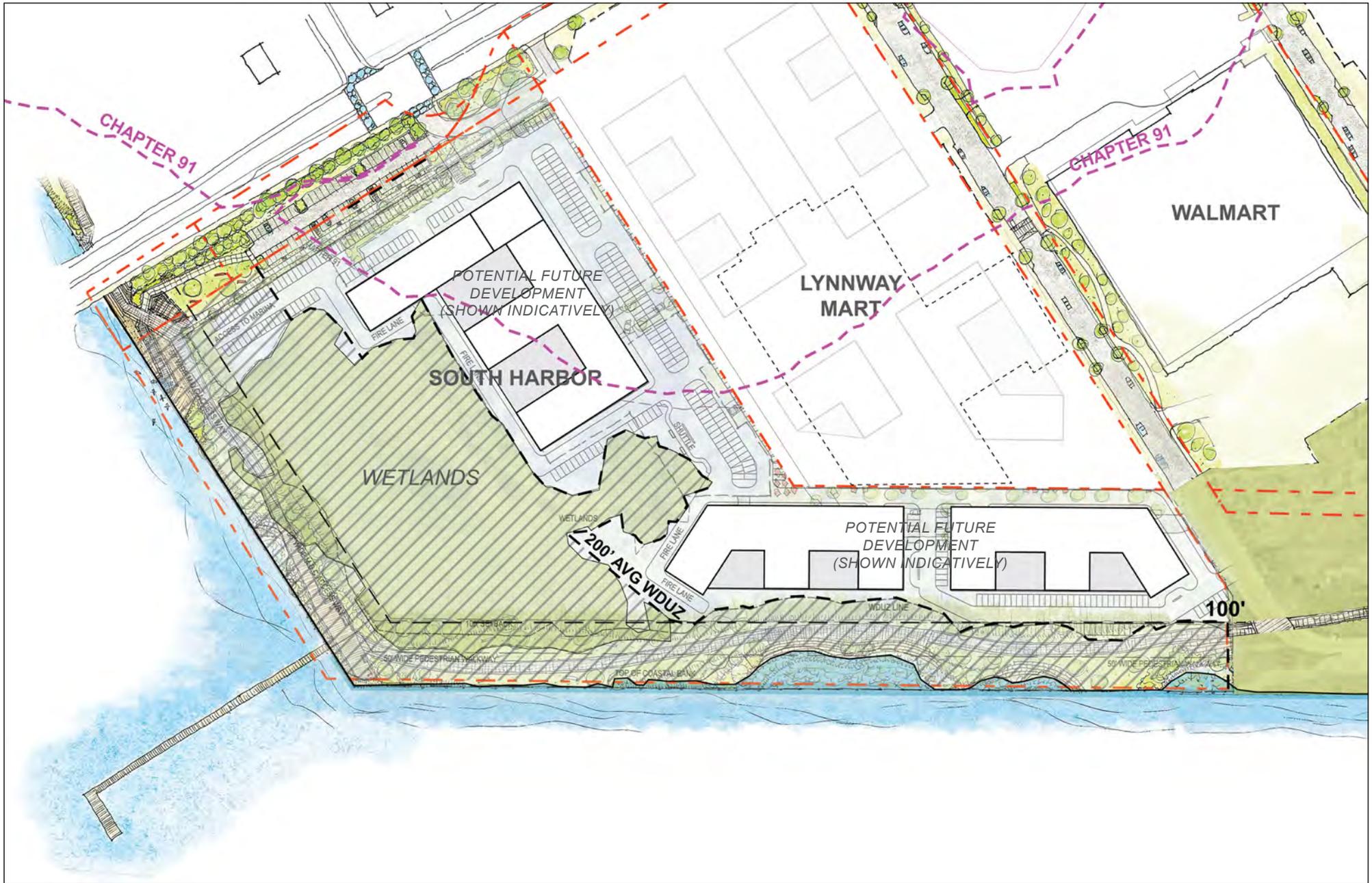




**FIGURE 5**  
2020 LYNN MHP PROJECTED OPEN SPACE

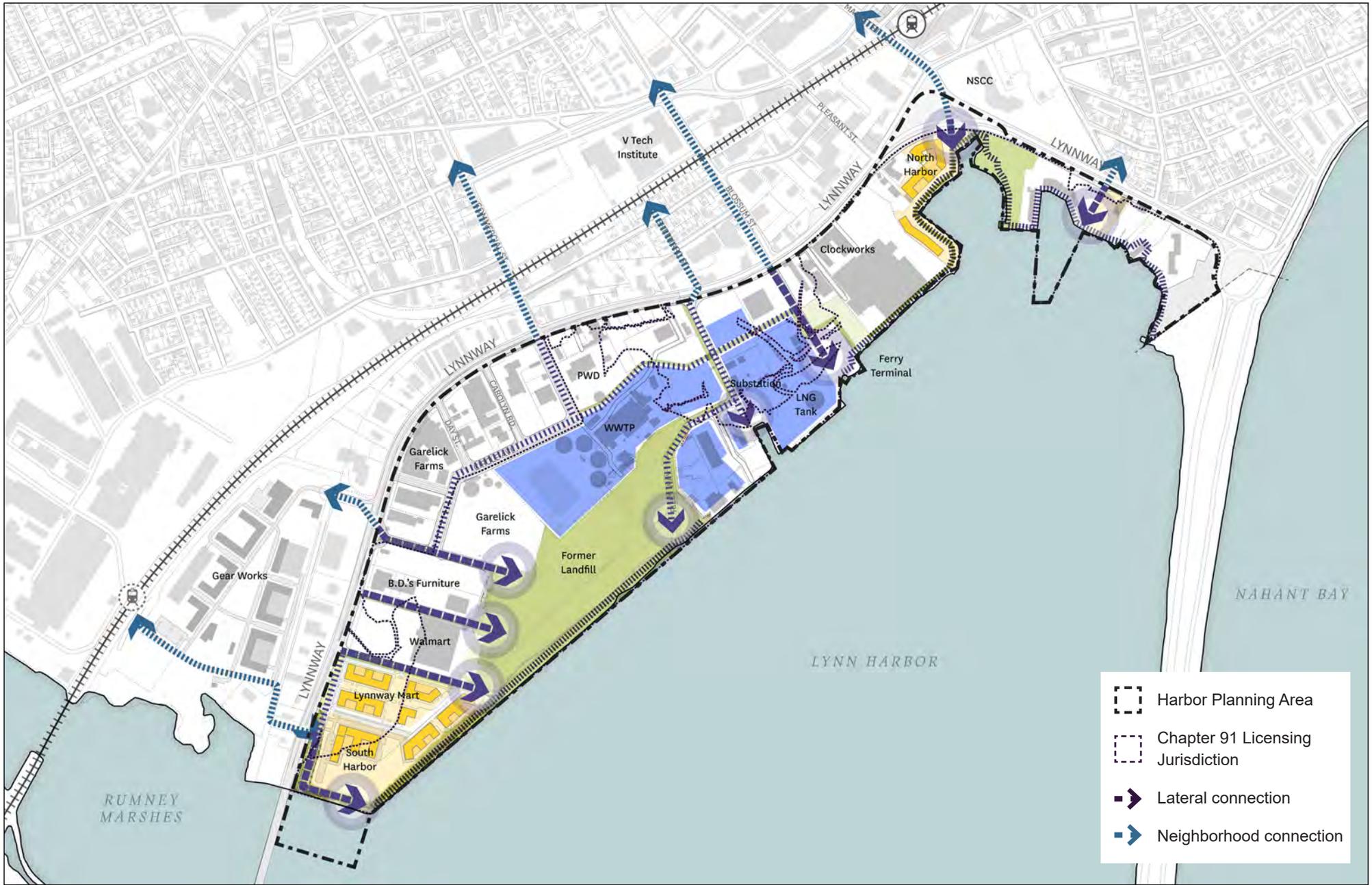
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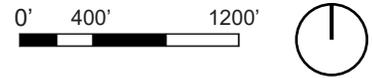


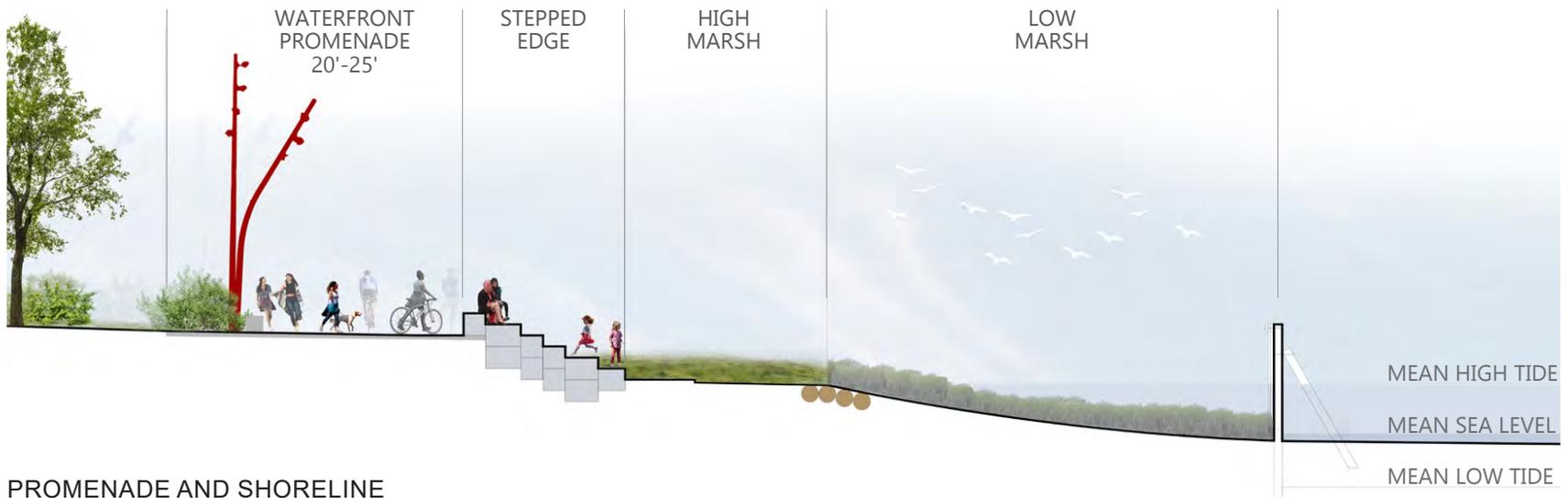
**FIGURE 6**  
 POTENTIAL SOUTH HARBOR EXPANDED WDUZ  
 WITH PROPOSED DEVELOPMENT



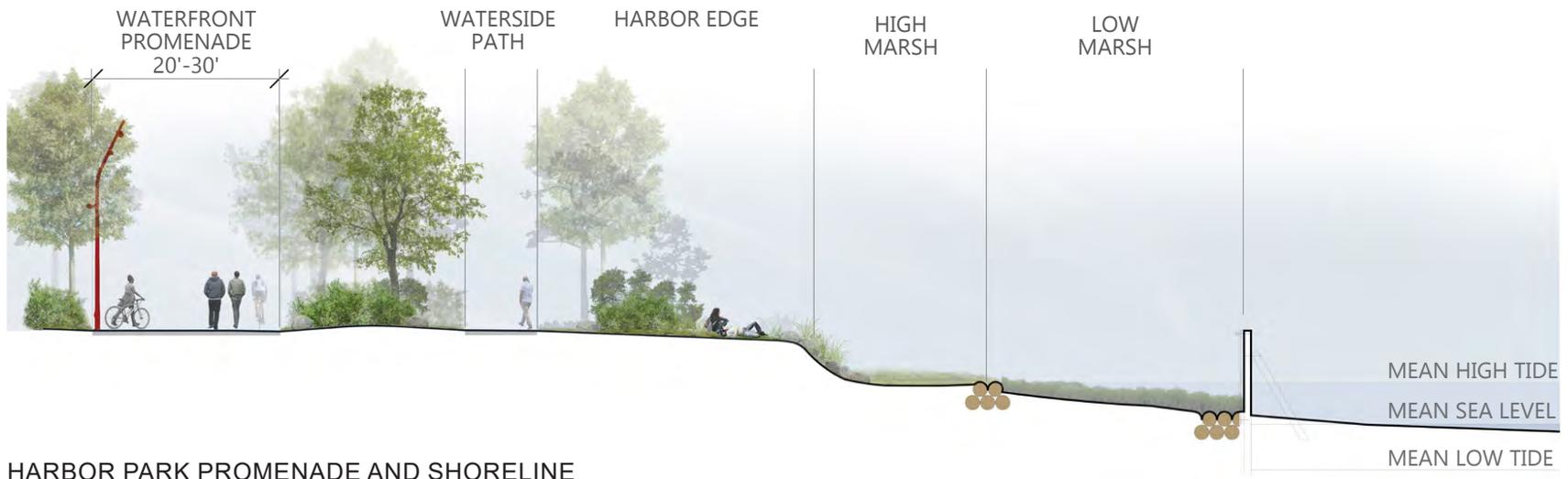


**FIGURE 7**  
 CONNECTIONS TO THE WATERFRONT  
 BASED ON THE 2019 LYNN WATERFRONT OPEN SPACE MASTER PLAN



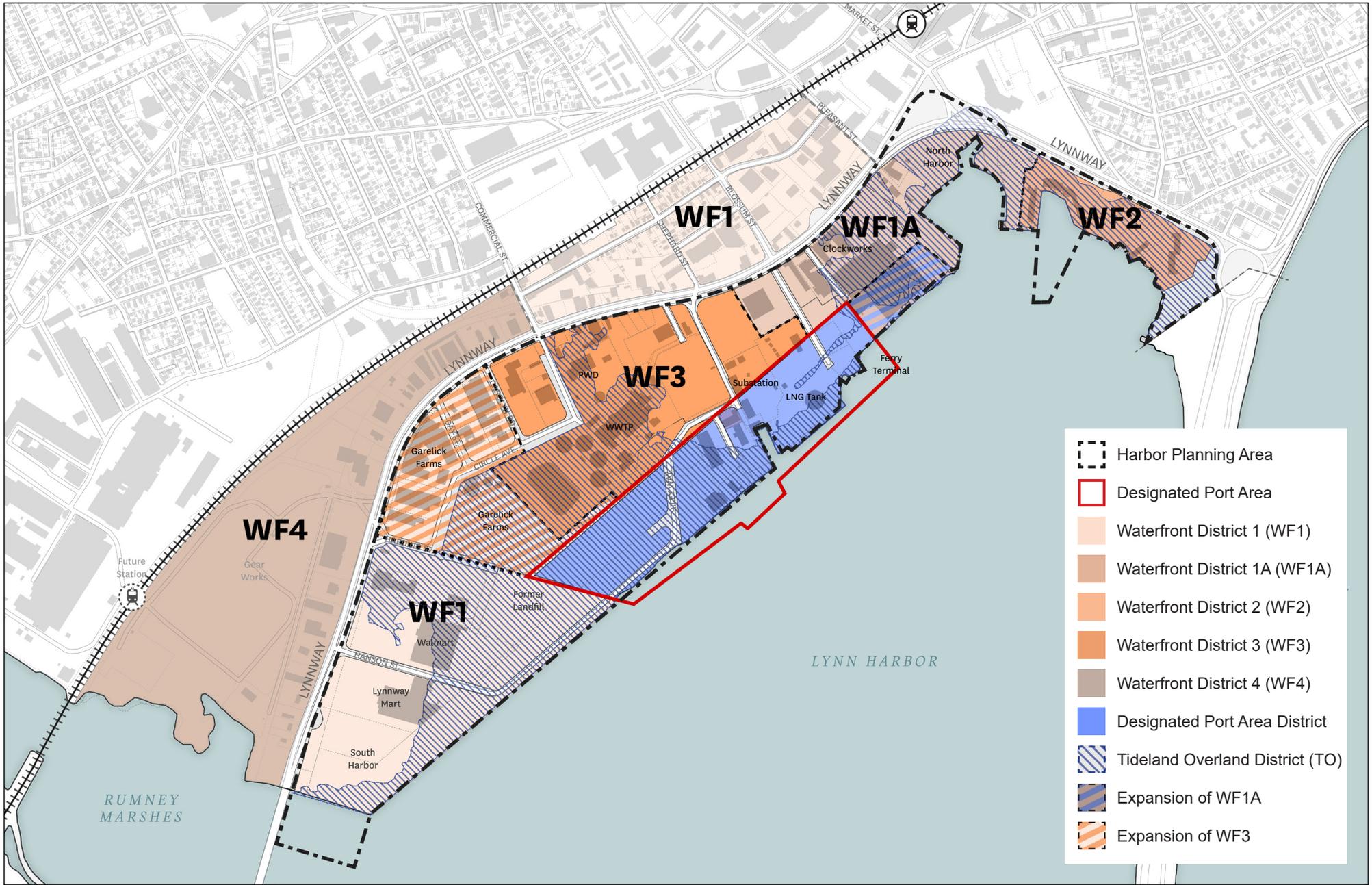


PROMENADE AND SHORELINE



HARBOR PARK PROMENADE AND SHORELINE

**FIGURE 8**  
2019 LYNN WATERFRONT OPEN SPACE MASTER PLAN LIVING SHORELINE EXAMPLES



**FIGURE 9**  
2020 ZONING DISTRICT BOUNDARY AMENDMENTS TO THE CITY OF LYNN ZONE MAP



**FIGURE 10**  
**2020 LYNN MHP OPEN SPACE METRICS**

<b>2020 Lynn MHP Open Space</b>	acres
Harbor Planning Area	253.0
DCR Parks Total	9.1
2020 WDUZ	16.3
Signature Park (includes 16.3 acres in the DPA)	32.1
<b>Total open space including DCR parks, 2020 WDUZ, and Signature Park</b>	<b>57.5</b>

# FIGURE 11

## ZONING USE REGULATIONS AND DIMENSIONAL REQUIREMENTS

### Additional uses permitted by 2020 Zoning Ordinance Amendments

<b>Districts WF1, WF1A, WF2, and WF3</b>	
<ul style="list-style-type: none"> <li>• artist live/work spaces</li> <li>• assisted living facilities (special permit)</li> </ul>	
<b>District WF3</b>	
<ul style="list-style-type: none"> <li>• boat construction, maintenance and repair</li> <li>• research and development</li> <li>• commercial fishing/fish processing</li> <li>• fish market</li> <li>• fitness center (as part of hotel or multifamily)</li> </ul>	<ul style="list-style-type: none"> <li>• hotels</li> <li>• ice establishment</li> <li>• light manufacturing</li> <li>• places of assembly for commercial recreation (special permit)</li> <li>• truck repair facility</li> <li>• warehousing</li> </ul>
<b>DPA District</b>	
<ul style="list-style-type: none"> <li>• industrial manufacturing</li> </ul>	

### Dimensional Requirements

District	Maximum Height	Minimum Height
WF1	240 feet, 20 stories	36 feet, 3 stories
WF1A	100 feet, 8 stories	36 feet, 3 stories
WF2	100 feet, 8 stories*	48 feet, 4 stories
WF3	240 feet, 20 stories	36 feet, 3 stories

\*changed from 60 feet, 5 stories

**APPENDIX A**  
GUIDANCE FROM THE 2019 LYNN WATERFRONT  
OPEN SPACE MASTER PLAN



# DESIGN GUIDELINES



Landmark waterfront park



Engaging public promenade



Well-designed city streets

## PUBLIC REALM GOALS

- Create continuous public access along the waterfront from the South Harbor to the Nahant Causeway.
- Create public parks with a range of passive and active uses that are welcoming and easily maintained.
- Create inviting public plazas that allow for flexible uses, and are appropriate for a variety of ages.
- Create an inviting and welcoming waterfront for all members of the public.
- Provide public access to the waterfront along well-designed City streets, pedestrian/ bicycle ways and a wide paved waterfront promenade.
- Strengthen the views to the water and the ocean.
- Locate parking lots away from the water's edge wherever feasible.
- Provide public parking within walking distance of each public plaza.
- Use resilient, low maintenance materials (paving, site furniture, lighting, and signage) that are appropriate for a marine environment and that can withstand inundation.
- Select salt tolerant plants appropriate for their elevation, proximity to the salt water, public enjoyment, and biodiversity.
- Specify durable materials that can withstand salt spray, periodic flooding, storm surges, and future rising tides.

# PUBLIC REALM GUIDELINES

## Overview

These Design Guidelines provide the requirements for private landowners and public agencies designing places within the public realm. The public realm guidelines address the 1) **Promenade**, 2) **Public Parks + Public Plazas**, 3) **Street + Pedestrian Path Connections**, 4) **Site Components**, and 5) **Plantings**. A consistent design framework will ensure that the Lynn waterfront evolves in a cohesive way over time. Acknowledging and celebrating the changing character, constraints, and land uses in the various parts of the waterfront is important. These guidelines allow for flexibility, within a unified context, to ensure that the waterfront develops its own identity and feeling.

## General Public Realm Guidelines

All developments and improvements to land within the waterfront area must comply with these guidelines. While site conditions and uses will vary, the consistent treatment of the overall framework will ensure a unified identity for the waterfront.

## GENERAL GUIDELINES

- Design all paths and connections to be ADA compliant.
- Incorporate resiliency and sustainability in all improvements. The majority of the waterfront consists of low-lying, filled tidelands. The waterfront parks, plazas, and promenade are subject to periodic flooding.
- Design all shoreline treatments to tolerate periodic flooding and to be durable enough to be returned to public use quickly.
- Select high-quality metal materials with appropriate finishes that limit corrosion caused by the coastal conditions.
- Improve the waterfront in ways that can be easily maintained by the property owner, the City, or the State.
- Adhere to applicable City, State and Federal regulations. These guidelines are in addition to existing zoning or other regulations.



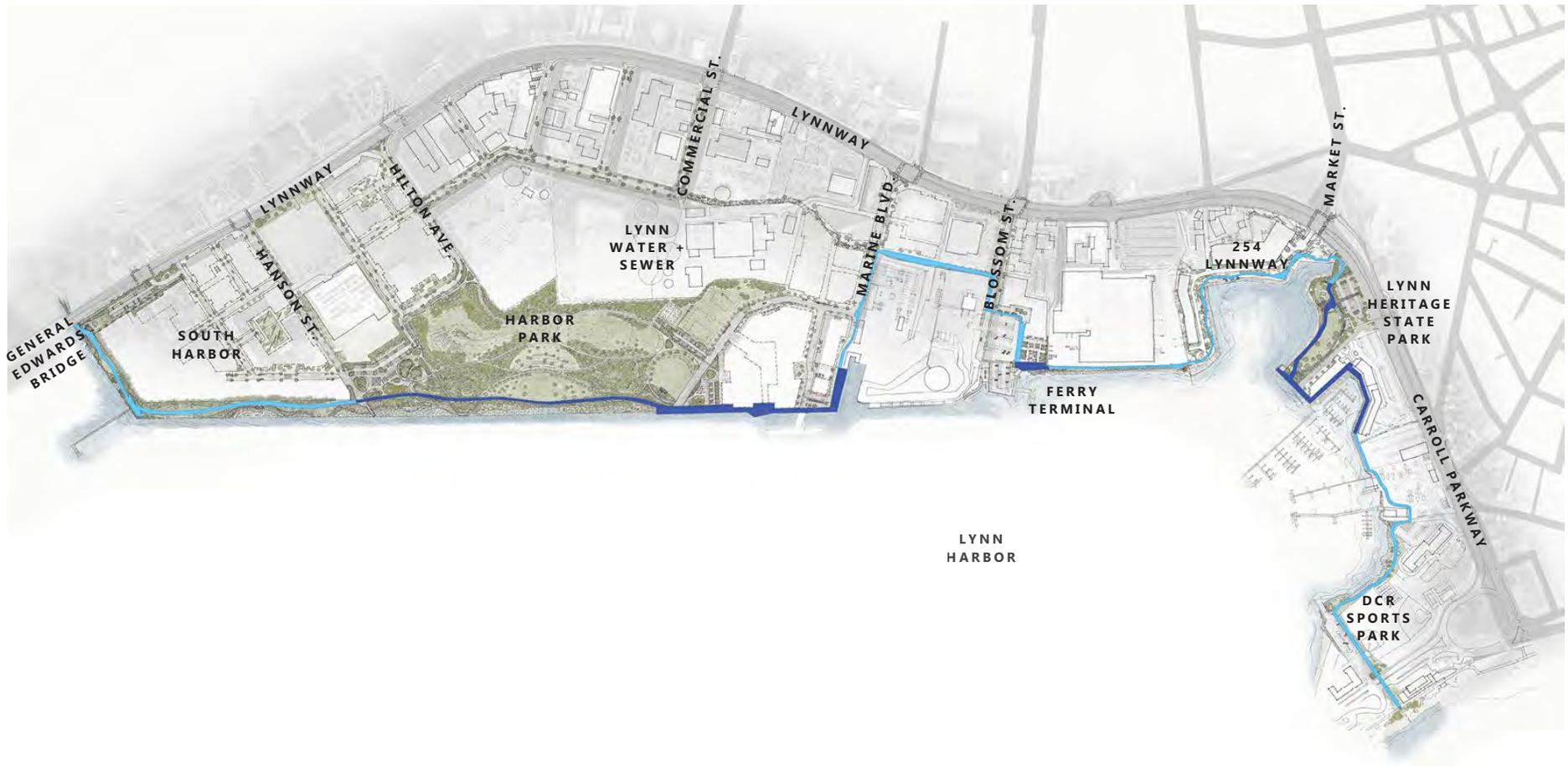
Mixture of parks, plazas, and a promenade at the waterfront



Parks and plazas that engage with the water



Waterfront areas designed to be flooded and returned to use



Promenade Plan: Promenade Route Through Waterfront Area (15'-20' and 20'-30' promenade)

- 15'-20' promenade
- 20'-30' promenade

# PROMENADE

## Overview

Providing a safe, ADA compliant promenade for pedestrian and bicycle access is important. The promenade is the central, unifying element for the parks and plazas in the waterfront zone. The promenade will travel through zones that vary in character and provide access to public parks, plazas, streets and parking lots; however, it must have a cohesive character throughout its length.

Overlooks and small gathering spaces will be located along the promenade. There will be opportunities for exercise, walking, enjoyment of nature such as bird watching and fishing, public gatherings, events, performances, play areas, retail or concessions, restrooms, and social interaction.

The promenade will be built in segments, through phased public projects and private developments as part of Chapter 91 obligations. By following these guidelines, the designers will create a cohesive promenade. Completing the missing portions of this waterfront walkway is of utmost importance.

## Promenade Description

The style of the promenade will be consistent for its entire length. The general parameters of the width, layout, and paving design allow for variation based on site conditions, programs, and constraints. Generally, the promenade will vary in width from 15' to 30' depending on site conditions. In some areas, it will be as narrow as 8' to 10' where physically constrained.

When required, the promenade will be a wooden boardwalk. A wooden boardwalk might be used over the wetlands at South Harbor, at Lynn Heritage State Park, and possibly along the Clock Tower link.

Otherwise in the paved sections of the promenade, the paving style and color will be consistent. Adjacent plazas and overlooks may have different characteristics and activities.

The promenade will be 15' to 20' wide for most of the South Harbor Site, the inland portions of the Central Harbor Area promenade, the Clock Tower parcel, the 254 Lynnway development, and the final segments that will pass through the marina and up to the Nahant Causeway. The last segment is private and needs to be embraced and allowed by the private owners.

The promenade will generally be 20' to 30' wide within the Harbor Park, through the Harbor-side Area, the ferry terminal, and Lynn Heritage State Park. The paving design on the 20'-30' promenade will be chosen on a project by project basis, as approved by the City of Lynn.



Provide fun activities along edges of promenade



Provide places to sit along promenade with water views



15'-20' wide promenade with saw cut concrete paving



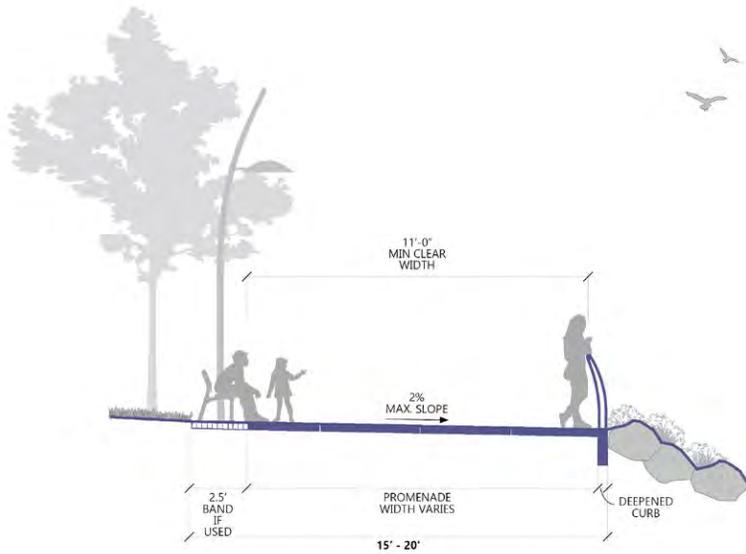
Banding for the 15'-20' wide promenade



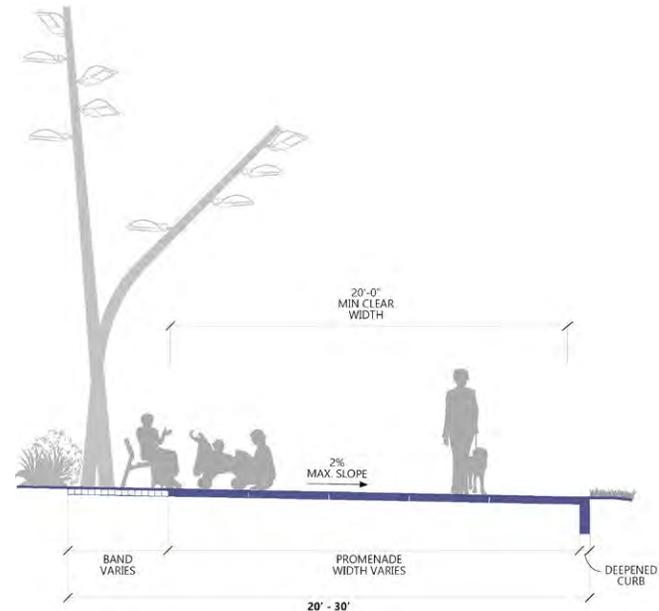
Hardwood wood boardwalk at water's edge

## G U I D E L I N E S

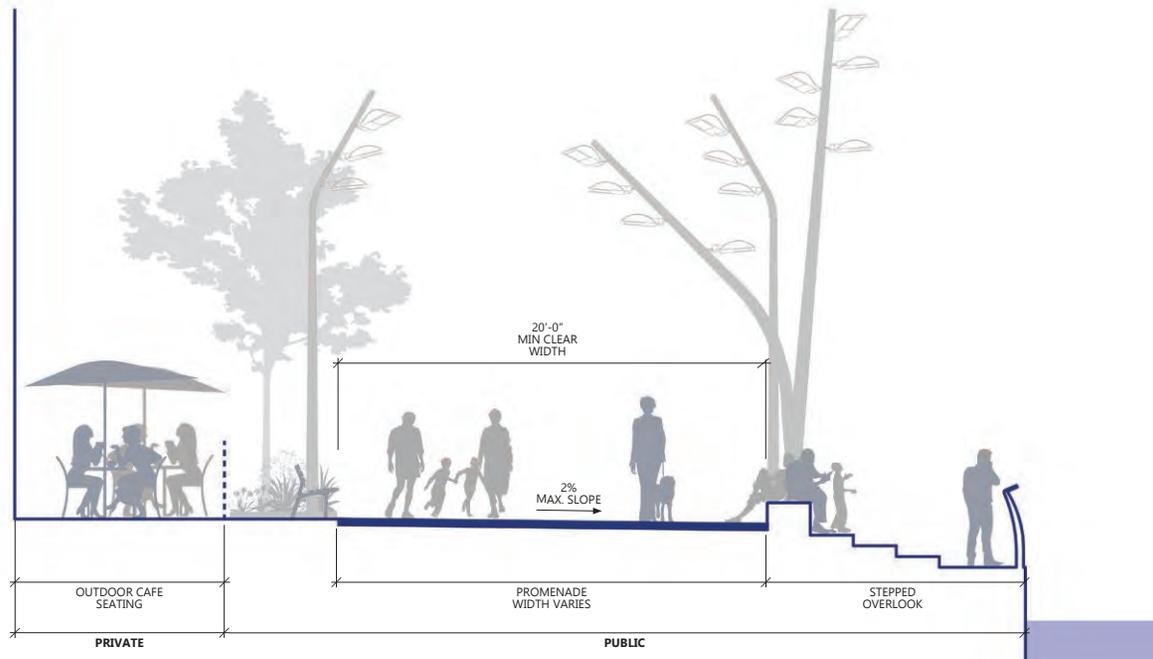
- Connect the promenade to public parks and plazas as well as inland amenities or destinations wherever such connections can occur.
- Ensure that access to the promenade is inviting and welcoming for all members of the public. In no way can private developments restrict, deter, or create unwelcoming access to the promenade.
- Encourage an appreciation of Lynn's maritime and industrial history with interpretive exhibits along the promenade.
- Provide opportunities for people of all ages and mobility levels to enjoy the waterfront and incorporate varied, engaging activities.
- Provide opportunities for food and drink concessions, retail or rental opportunities, restrooms, and parking areas at suitable locations.
- Provide a range of seating options, including benches with and without backs, seat walls that provide water views and stairs or accessible ramps at the edges of the promenade.
- Locate light fixtures along the promenade, using a consistent light fixture from specifications provided along the entire promenade. Provide special feature lights at key locations.
- Locate benches, trash receptacles, bicycle racks, lighting and mile markers all from specifications provided within a consistent zone along one side of the promenade.
- Take advantage of adjacent activity areas such as restaurants or cafés, seating areas or overlooks to create interest and make the promenade an inviting destination in its own right.



Typical 15'-20' Wide Promenade Section



Typical 20'-30' Wide Promenade Section



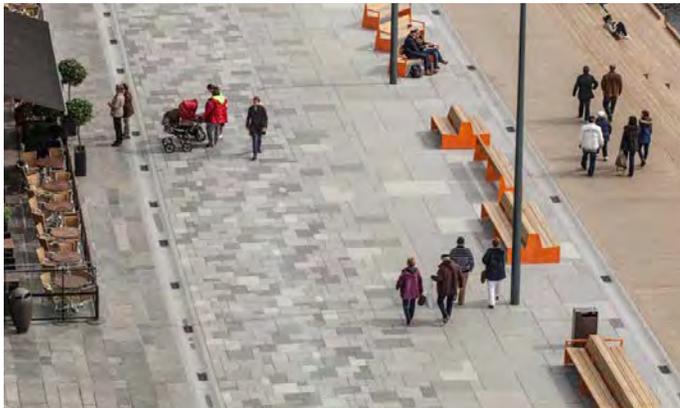
Typical 20'-30' Wide Promenade Section Through Plaza at Developments



Potential 20'-30' promenade paving



Alternative smaller paver size at the 20'-30' promenade



Alternative band design at the 20'-30' promenade

## MATERIALS + LAYOUT GUIDELINES

- Pave the 15' to 20' promenade with cast-in-place concrete, with saw cut joints.
- Locate all site furnishings, lighting, and vertical elements within a paving band, positioned on the landward side of the 15' to 20' wide promenade path. Use a high quality, warm-colored precast paver, in a small unit size for the band. Consider wet-mortar pavers in areas of inundation.
- Provide a flush, deepened granite curb with a concrete base on the seaward-facing edge of the promenade. The deepened edge reduces scouring in cases of inundation.
- Maintain the clear width minimums shown in the sections on the preceding page. The clear width minimum of the promenade must remain free of obstacles.
- Pave the 20' to 30' wide promenade with the same concrete used for the 15' to 20' wide promenade. It is acceptable to use a wider band or swathes of concrete pavers or other suitable paving material to increase visual interest in the 20' to 30' promenade sections. Seek to provide visual continuity between each promenade type by using a similar pattern, style or color of the paving.
- Use paving patterns or changes in paving type, to visually indicate the edges of the minimum clear width zone in the 20'-30' promenade zone.
- Use hardwood decking in cases where a boardwalk is required due to site constraints.
- On the inland portion of the promenade along Marine Boulevard and the future easement through MEC and private land, create an engaging, fun, and interactive path, with creative lighting, through the inland industrial area.
- In cases of a 8' to 10' wide promenade, provide a narrow paver band on both sides, in the same material as the 15' to 20' paver band. The path paving material may vary as required.

## NODES + OVERLOOKS GUIDELINES

- Locate small nodes and small seating areas along the promenade and at intersections.
- Locate overlooks along the promenade to take advantage of attractive views and to provide places for people to gather or rest.
- Vary the size, paving, and design at nodes and overlooks.
- Consider the stylistic relationships between nodes or overlooks in the same waterfront zone and use a harmonious choice of materials.
- Establish a hierarchy for the paving of each node or overlook (i.e. the promenade paving can stop at the edges of the node or overlook).
- Adhere to the minimum clear widths required of that portion of the promenade if the node or overlook extends over the promenade.



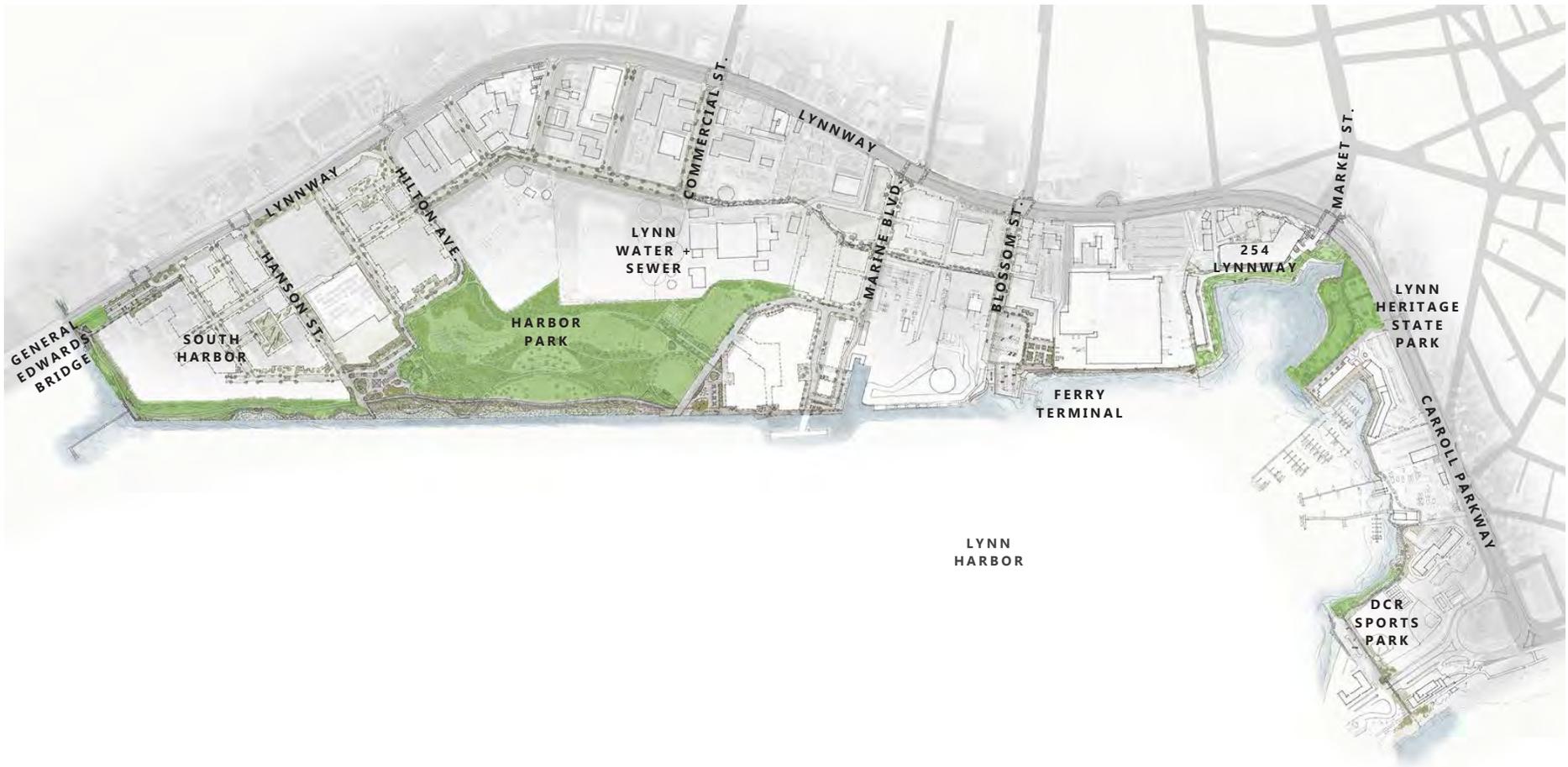
Node paving hierarchy + different seating options



Overlook with views of water



Places to rest along the promenade with lighting



**Public Parks Plan:** Public Park Locations Within the Waterfront Area

■ Public Parks

## PUBLIC PARKS AND PLAZAS

### Overview

The Lynn waterfront will consist of a series of parks and plazas connected by a promenade. Flexibly designed paved plazas will provide places for play or splash pads, markets or events, performances or music, concessions and cafés, and seating. Parks will provide for passive and active recreation, walking and exercise, sightseeing and enjoyment of nature, and large-scale events. The parks and plazas here should be inviting and engaging for all members of the public and provide amenities that are enjoyable at various times of day. This section provides specific guidelines for 1) the **Public Parks** and 2) the **Public Plazas**.

## PUBLIC PARKS

Parks are essential components of any successful waterfront redevelopment. They provide much needed semi-natural areas for public enjoyment. They can help defend the waterfront zone and downtown Lynn against storm surges and rising tides by providing temporary water storage after storm events. Because

the Lynn waterfront is located almost entirely within a flood plain, resiliency is a critical design consideration. When waterfront parks are designed in tandem with improvements to the sea edge, they can be an essential part of a City's defense against coastal flooding.

The new public parks proposed in this Open Space Master Plan will provide much needed recreational space for Lynn residents. Their success will derive from the program of uses, ongoing maintenance and the quality and nature of the physical street connections that link existing neighborhoods to the waterfront.

A variety of public parks are proposed here. The largest park will be on the 30 acre landfill. After this site is regraded and recapped in several years, there will be two large public plazas at each end, large lawns, significant new trees, a performance lawn, a network of bio swales and basins to store and treat park runoff and a series of overlooks along this part of the promenade.

Smaller parks are proposed in three parcels controlled by DCR: 1) a linear park at South Harbor, 2) the renovated Lynn Heritage State Park, and 3) the existing land at the end of

the Nahant Causeway. Smaller, incidental open spaces exist at various points along the waterfront, such as behind the apartments adjacent to the North Harbor marina. Privately owned open spaces subject to Chapter 91 will be made open to the public. One example is the waterfront linear park at the 254 Lynnway development.



Large waterfront park with a range of activities



Design parks to be usable after flooding



Performance areas integrated into everyday park experience



Play areas and splash pads incorporated in to park spaces

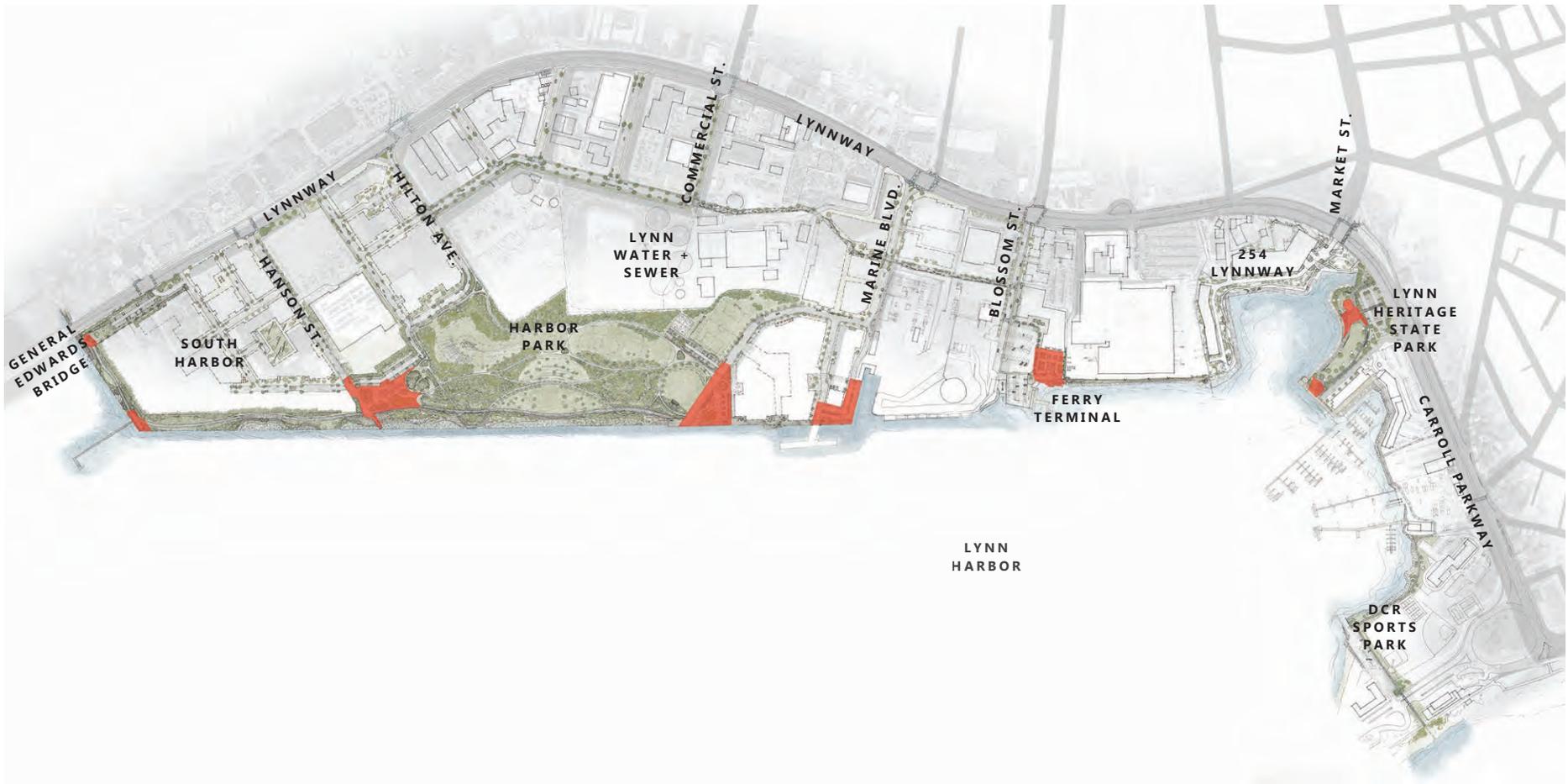


Program of uses to attract a local and regional audience

## PUBLIC PARK DESIGN + LAYOUT GUIDELINES

- Adhere to City and State regulations, such as Ch. 91 regulations or DPA boundaries.
- Design adjacent developments to engage with the edges of public parks.
- Invite and welcome all members of the public.
- Provide a range of amenities and activities such as children's play equipment, splash pads, outdoor exercise equipment, and benches and tables for senior citizens.
- Design parks to be easily maintainable by City or State maintenance departments and use specified site furnishings and planting materials.
- Build parks to withstand periodic salt water flooding without significant damage.
- Incorporate closed loops in pathway networks to promote walking and use.
- Connect park pathways to amenities and plazas as well as to the promenade and adjacent circulation systems and connections.
- Plant ample and appropriate trees to provide shade, enclosure and habitat.
- Provide sufficient hardscape to allow for a variety of uses.
- Install a variety of seating options and arrangements that promote both impromptu interaction as well as areas for solitude.





**Public Plazas Plan:** Public Plaza Locations Within the Waterfront Area

■ Public Plazas

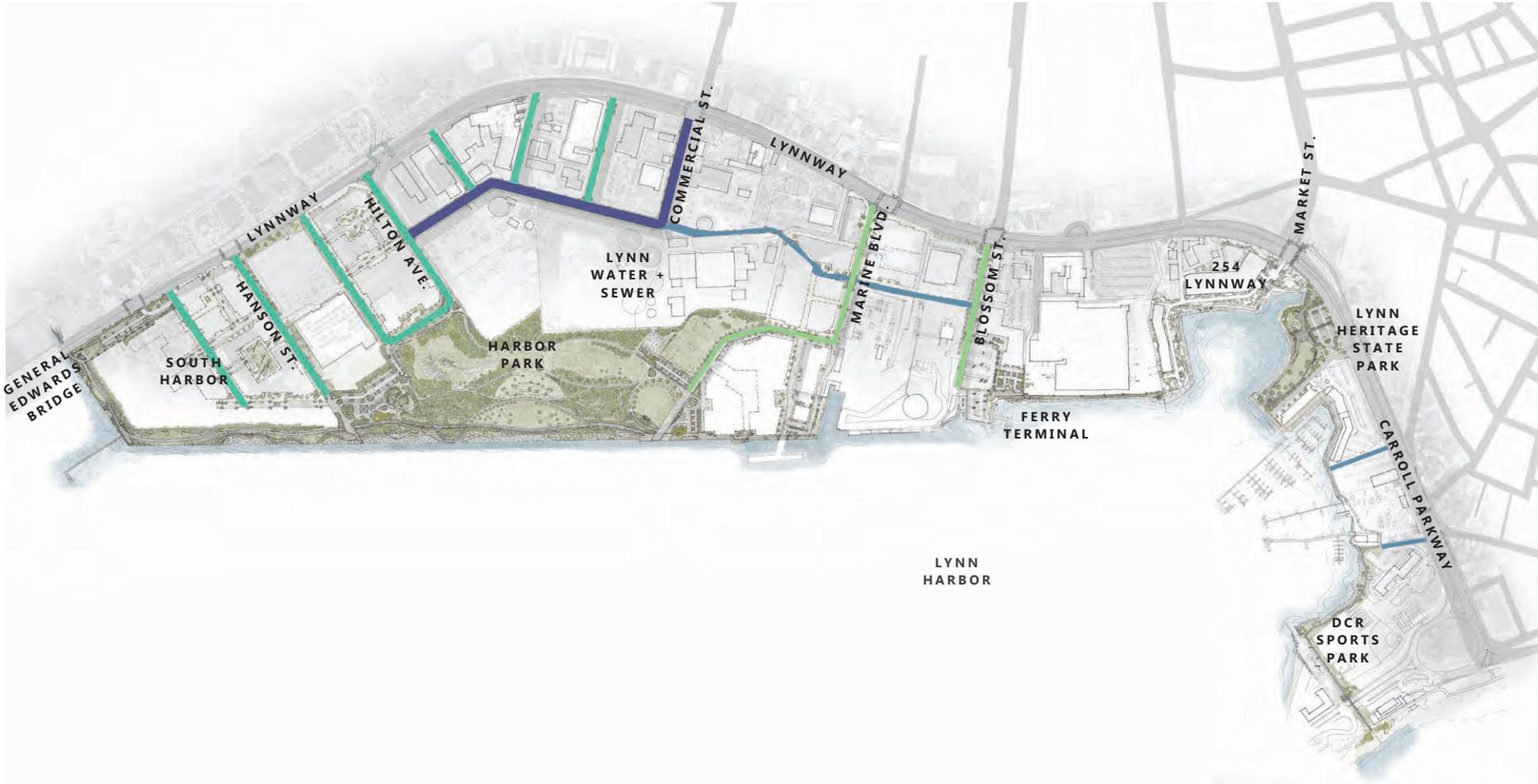
## PUBLIC PLAZAS

Public plazas will be major destinations along the Lynn waterfront. Each destination should have a range of activities in order to attract a variety of age groups at different times of day. The plazas should be distributed across the length of the waterfront. Typically, the plazas will be at the terminus of major street connections from the City to the waterfront. Each plaza will be primarily a paved surface, with shade trees, seating, focal points and a diverse program of uses. The plazas will vary in size depending upon their location and site uses. Historic markers and street art or public art will enliven these spaces.

Plazas are proposed in the following locations: 1) adjacent to the General Edwards Bridge, 2) at the beginning of the DCR fishing pier, 3) at the west end of Harbor Park at the terminus of Hanson Street, 4) at the east end of Harbor Park at the end of Marine Boulevard, 4) at the EDIC-owned parcel off of Marine Boulevard, 5) at the future ferry terminal at the end of Blossom Street, 6) at the north end of Lynn Heritage State Park, and 7) at the south end of Lynn Heritage State Park at the beginning of the boardwalk.

## PUBLIC PLAZA DESIGN + LAYOUT GUIDELINES

- Site plazas to be accessible from the nearest connection to downtown Lynn.
- Where possible, locate a tall focal point within the plaza that can be seen from a distance from the main promenade.
- Design plazas to be welcoming to all members of the public, provide opportunities for public gathering, sightseeing, and provide views to the harbor and along the shoreline to adjacent waterfront uses.
- Use high-quality salt resistant materials for all waterfront plazas.
- Locate outdoor seating at plaza edges to engage with adjacent restaurants and cafés, and commercial and retail developments.
- Position site furnishings such as trash receptacles, bicycle racks, and seating appropriately to allow for a flexible plaza design that promotes gatherings of people for events like markets or performances.
- Provide shade in the form of trees or shade structures.



**Connections Plan:** Street and Pedestrian Path Connections Within the Waterfront Area

- Typical Streets
- Wide Streets
- Narrow Streets
- Pedestrian Paths

# STREET + PEDESTRIAN PATH CONNECTIONS

## Overview

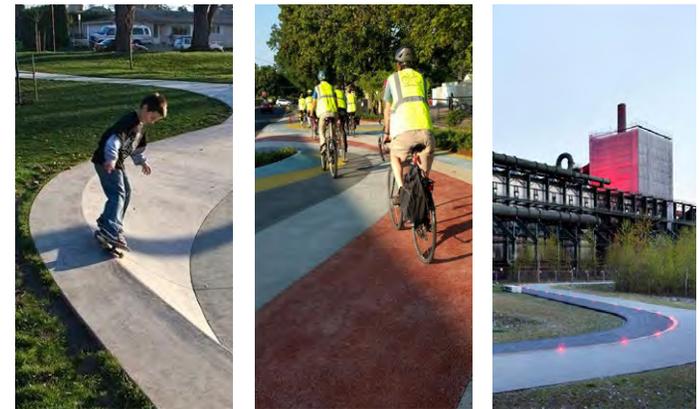
This Master Plan suggests potential new street locations and street hierarchy. The plan also suggests new pedestrian and bicycle-only connections where vehicular traffic is unsuitable or unfeasible. Designers and Engineers should seek to create livable, welcoming, and engaging streetscapes. These guidelines establish recommended dimensions for vehicle travel lanes, parking spaces, bicycle lanes, sidewalks and building setbacks.

## CONNECTION GUIDELINES

- Locate all street furniture, lighting, and street tree planting within a consistent band along the roadside edge of the sidewalk. Use a consistent family of light fixtures and street furniture for all streets, as specified; however, flexibility is permitted along pedestrian paths.
- Provide a minimum clear width for pedestrian movement within the sidewalk zone. The minimum clear width varies per street type.
- Create active building fronts that engage the streetscape, particularly at street corners, and locate all parking lots to the rear or within the footprint of all buildings.
- Provide bicycle lanes within the streets when space permits. The minimum bicycle lane width varies per street type.
- Provide separate pedestrian paths when additional connections are required. The design of the paths should relate to the specific site context. Consider creative lighting, colorful paving or site furniture, particularly in industrial areas. Maintain clear widths and ADA accessibility.
- Make existing street upgrades in conjunction with new private developments. Improve streets as part of each individual development review and permitting process.



Streets as livable, sustainable transportation corridors

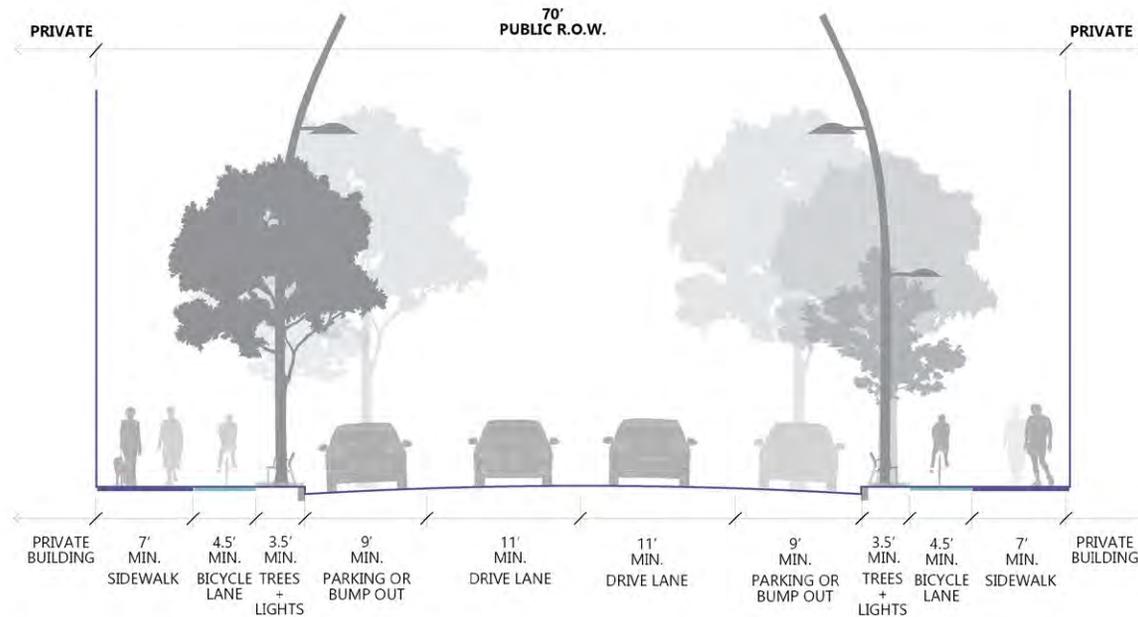


Fun, welcoming, and creatively designed pedestrian paths



Engaging building fronts

# “TYPICAL STREET” DESIGN + LAYOUT



Typical Street Section - NTS

## GUIDELINES

- If R.O.W. space is insufficient, compatible uses can be combined into one zone.
- Consider locating street crossings at street bump outs to reduce road crossing width.
- Locate street level uses such as entrances to buildings or outdoor seating for cafés/restaurants within the building setback.
- Promote views between the inside and outside of ground floor uses to contribute to an active streetscape.
- Use structural soils, soil cells, and elongated tree pits for tree health and infiltration.
- Use markings and changes in paving treatment to signal differences in bike and pedestrian zones.

### Typical Street Dimensions:

- Reduce pavement as much as possible.
- Zero lot building setbacks unless a permitted cafe or public amenity.
- 7' wide sidewalks, minimum.
- 4.5' wide bicycle lanes, minimum.
- 3.5' wide tree planting, lighting, street furniture strip.
- 9' wide parking and planting bump out.
- 11' drive lanes.

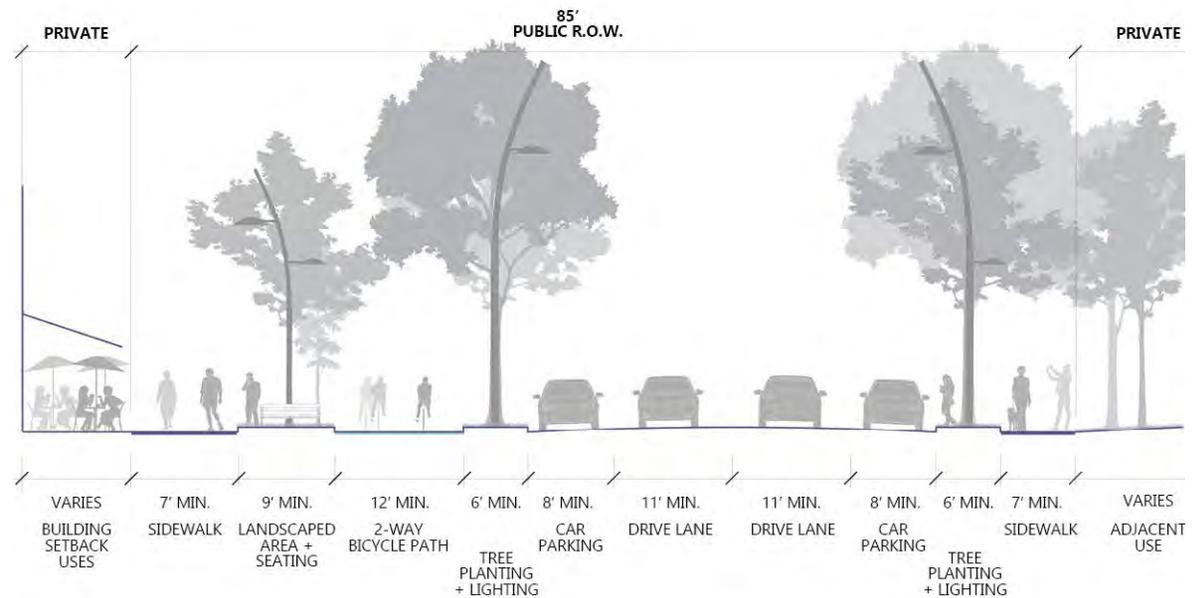
### Potential Typical Street Locations:

- South Harbor/Lynnway Mart Development
- Hanson Street
- Harding Street
- Hilton Avenue
- Hersey Street
- Day Street
- Carolyn Road
- Commercial Street

# “ WIDE STREET ” DESIGN + LAYOUT

## GUIDELINES

- Provide wide and creatively designed sidewalks next to a planted linear area with seating, lighting, art, and site furniture.
- Promote interaction between pedestrian movement and linear park with active ground floor uses.
- Section assumes development primarily on one side of R.O.W. If development occurs on both sides of R.O.W., consider relocating 2-way bicycle lane to appropriate side, or providing separate, protected on-street bicycle paths.



Wide Street Section - NTS

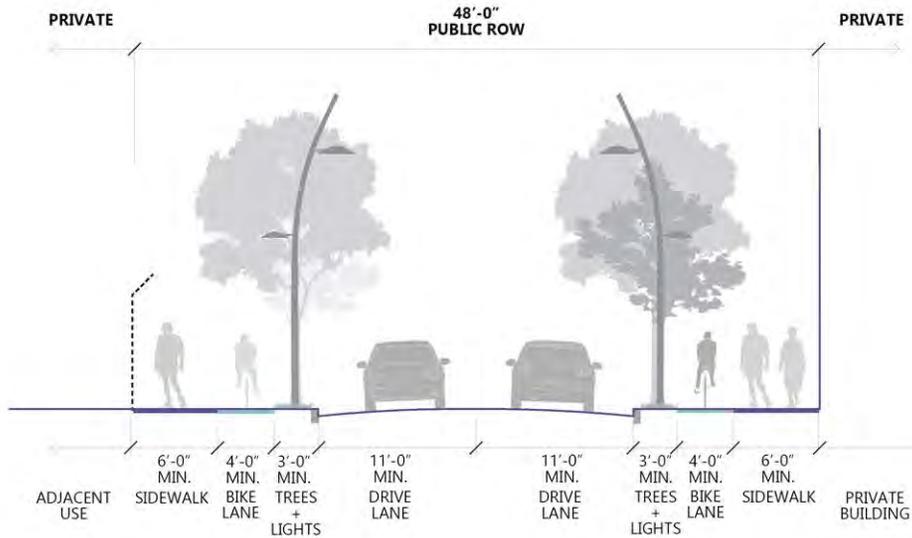
### Wide Street Dimensions:

- Reduce pavement as much as possible.
- Zero lot building setbacks unless a permitted cafe or public amenity.
- 7' wide sidewalks, minimum, wider preferred.
- 9' wide landscaped band with planting and furniture, minimum.
- 12' wide, 2-way bicycle path or two 5' wide, protected bike lanes.
- 6' wide band for lighting and tree planting on each side of street.
- 8' wide on-street parking lane, both sides of street.
- 11' drive lanes.

### Potential Wide Street Locations:

- Circle Avenue
- Commercial Street

# “NARROW STREET” DESIGN + LAYOUT



## GUIDELINES

- Locate light poles, trees, and site furnishings in same band.
- Section assumes alternative configurations are feasible, dependent upon site conditions and development locations.
- Use structural soils, soil cells, and elongated tree pits for tree health + infiltration.
- Use markings and changes in paving treatment to signal differences in bike and pedestrian zones.

## Narrow Street Section - NTS

### Narrow Street Dimensions:

- Building setbacks where appropriate.
- 6' wide sidewalks, minimum.
- 4' wide bicycle lanes, minimum.
- 3' wide band for lighting and tree planting on each side of street.
- 11' wide drive lanes.

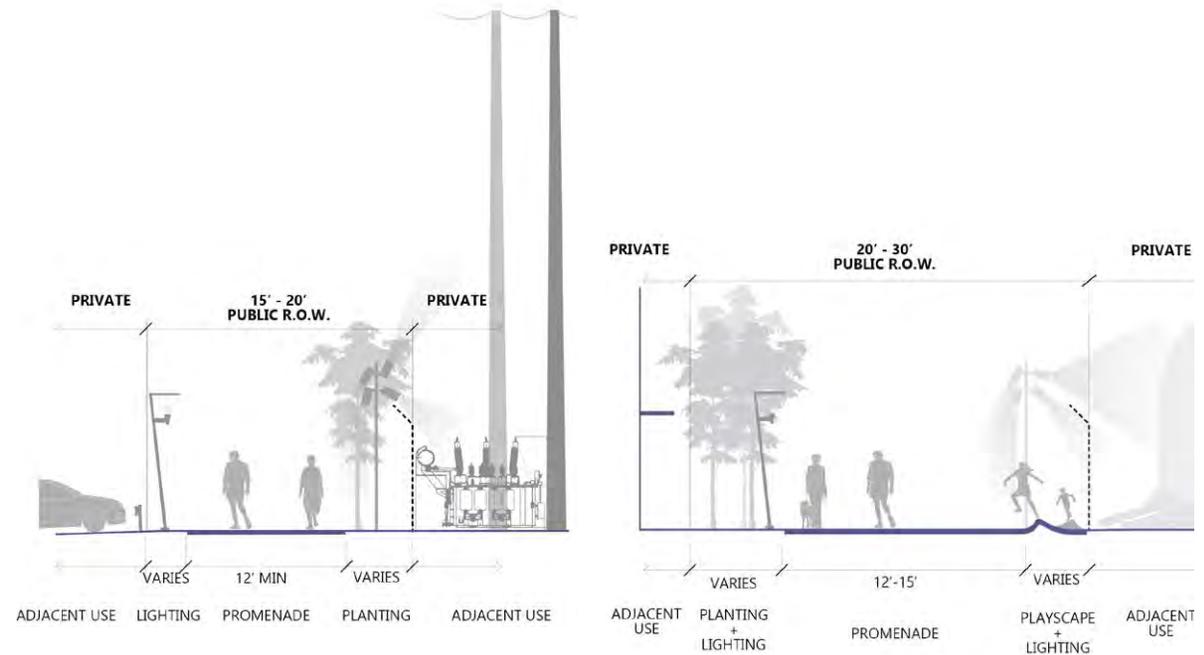
### Potential Narrow Street Locations:

- Marine Boulevard
- Blossom Street

# “PEDESTRIAN PATH” DESIGN + LAYOUT

## GUIDELINES

- Provide pedestrian paths when connections are required, but streets are not feasible.
- As paths may be sited in industrial areas or locations with poor passive surveillance, provide clear sight lines, colorful furniture or paving, and creative lighting of ground and adjacent structures.
- Design paths to be ADA compliant and usable for pedestrians and bicyclists. Consider other amenities to attract users such as skateboarders or roller-bladers.
- Provide access to adjacent uses where appropriate.



## Potential Pedestrian Path Sections - NTS

### Pedestrian Path Dimensions:

- Building setbacks where appropriate.
- 12' wide pedestrian path, minimum.
- Furniture, lighting, and planting areas vary in width.

### Potential Pedestrian Path Locations:

- From Commercial Street/Circle Avenue intersection to Marine Boulevard.
- From Marine Boulevard to Blossom Street.

# SITE COMPONENTS

## Overview

Site components, such as seating, light fixtures, trash receptacles, bollards, and bicycle racks, as well as railings, shade structures, public art, and water features, will all contribute to creating a sense of place and will be integral to the character of the waterfront. These components will be located along the promenade and within the public parks and plazas and should reinforce the design of these spaces. A common style should be used, as specified herein.

## Site Furniture Guidelines

Site furniture consists of benches, trash receptacles, bollards, dog waste receptacles, and bicycle racks. These Guidelines describe the specific furnishings to be used along the promenade and provide general guidance on the approach to the site furnishings for the public parks and public spaces. Greater flexibility is permitted for the design of the individual parks and plazas, whereas the promenade must have a cohesive approach for its entire length. Within each area of use, the site furniture should belong to a “family” of furnishings so that each element relates to the others.



Custom seating options at edges with views towards the water



Movable furniture where appropriate



Provide a variety of seating options for interaction and viewing

# SITE FURNITURE GUIDELINES

- Provide metal materials with corrosion-resistant finishes appropriate for a marine environment such as color galvanization.
- Use site furniture with tamper-proof stainless steel fittings that are embedded or anchored into the ground. Movable furniture can be used at areas where the furniture can be stored at night.
- Along the promenade, provide seating for nine people every 150 feet on average. Use benches or seat walls and steps. Use hardwood for the seating surface, if possible.
- Use side-opening trash receptacles that meet City of Lynn Standards.
- Provide bicycle racks at intersections of the promenade and public plazas and parks. The quantity of bicycle racks should be relative to the specific uses in that area.
- Use the specified benches, trash receptacles, and bicycle racks on the promenade.
- Use specified site furnishings, appropriate to the portion of the waterfront or the public park or plaza.
- Arrange seating to promote interaction and provide areas of solitude.
- Maximize views from seating areas of the water and along the shoreline.
- In public parks and public plazas, the seating should generally be permanently fixed, but in City-approved areas, movable furniture may be used if storage is available.
- Locate all site furniture on the 15' to 20' promenade within the paving band on the inland side of the promenade.
- Consider flexible alternative layouts on wider portions of the promenade to maximize engagement between people and with the shoreline.
- Place removable bollards at ends of vehicular access points to restrict unauthorized vehicular traffic from entering the plazas, parks, or promenade. The Bollard type may vary for each public plaza or park.
- Provide Dog Waste Receptacles and Trash Receptacles at main entry points to the promenade in locations readily accessible to maintenance staff.



Seat walls at different angles to provide seating options



Areas for solitude and relaxation



Steps for seating and to engage the water's edge

## REQUIRED PROMENADE SITE FURNITURE



**BENCH:** 69” Neoliviano Series, Landscape Forms (or approved equal)

**Acceptable Additional Option:** 24” backed bench, 59” backless bench, or 118” Backless Bench

**Mounting:** Embedded or Surface Mounted

**Notes:** Exterior hardwood seat surface. Additional seating options are permitted along the wider portions of the promenade.



**BICYCLE RACK:** Ride Bike Rack from Landscape Forms (or approved equal)

**Mounting:** Surface Mounted or Embedded

**Notes:** Powder-coated finish, Mercury Color



**TRASH RECEPTACLE:** Chase Park Litter Receptacle, Landscape Forms (or approved equal)

**Mounting:** Surface Mounted or Embedded

**Notes:** Powder-coated finish, Mercury Color. Coordinate with City of Lynn regarding preference for side loading option and/or provision of recycling option.

**DOG WASTE RECEPTACLE:** Mutt Mitt (or approved equal)

**Mounting:** Embedded

**Notes:** Green Color



**BOLLARD:** Custom designed, 4' diameter (or approved equal)

**Mounting:** Removable, with embedded footing.

**Notes:** Color galvanized and finished steel, light gray color finish. Use at entry points to promenade to prevent unauthorized vehicular access.



# PROMENADE COMPONENTS



**BARRIER RAIL:** Custom designed, curved inward sloping profile with metal top rail

**Mounting:** Surface Mounted or Embedded

**Notes:** Color galvanized and finished steel, light gray color finish, not easily climbable, horizontal infill bars on inward sloping profile. Posts have a 5” wide base and a 3” wide top dimension.



Inward sloping barrier rail with horizontal infill bars



Handrails use matching profile to barrier rail

## BARRIERS + RAILINGS GUIDELINES

- Provide promenade barrier railings of a consistent design, including locations where the promenade runs through plazas, nodes, or overlooks.
- Use durable materials that are appropriate for a marine environment. Use tamper-resistant stainless steel attachments, and metals with corrosion resistant finishes.
- Meet all code requirements such as climb-ability and head entrapment issues.
- The infill material between each post may vary as appropriate,
- Consider hardwood leaning rails at appropriate locations.

### Barriers and Railings

Barrier Railings will be required in various locations along the Lynn waterfront where there is a drop of 30” or greater and as required by the Massachusetts Architectural Access Board (MAAB). Similarly, Railings are required for all stairs and ramps and as specified by the MAAB. The Barrier Railing used along the promenade must be of a consistent type and design in order to create a cohesive appearance along the entire waterfront. Barrier Railings and other Railings within the public parks and plazas may vary.

# SHADE STRUCTURE DESIGN GUIDELINES

- Provide shade structures at suitable locations along the waterfront.
- Use a similar design theme for shade structures along the promenade appropriate to their location.
- Locate shade structures within public parks and public plazas that vary in style, design and material, but follow a central theme appropriate to each park or plaza.
- Design and fabricate all shade structures to withstand the marine environment, be able to withstand local coastal wind loads, and be easily maintainable.
- Shade shelters should have bird proof components.

## Shade Structure

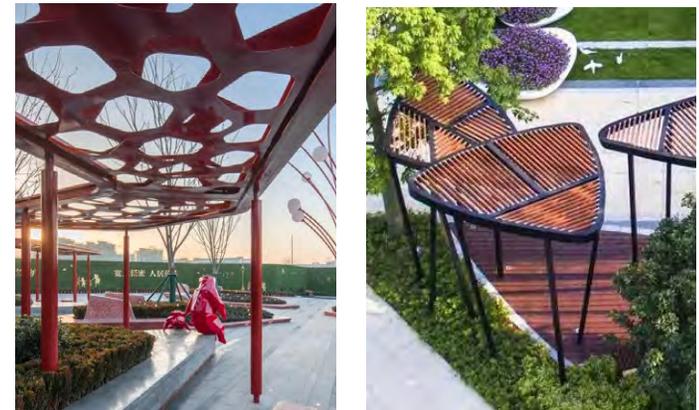
Shade structures should be located in appropriate locations throughout the project area. While trees can provide shade, shade structures may be more appropriate or desired in other locations. In general the shade structures should be durable, attractive, functional and easily maintained. The design of shade structures should relate to their surroundings and use.



Shade structures at viewpoints



Mixture of materials in a similar style



Opportunities for color and unique form



Artist's mural in Lynn completed as part of Beyond Walls



Temporary art installation on the Rose Kennedy Greenway



WaterFire installation on the watersheet in Providence, RI

## PUBLIC ART GUIDELINES

- Provide public art throughout the waterfront area.
- Locate the public art at intersections of key routes, paths, or where it can be seen from a distance.
- Provide art that is durable and suitable for the marine environment and the public realm.
- Consider creative design of public spaces including lighting, water, and materials to create interest and excitement within the public spaces.

### Public Art

Public art can take many forms, such as stand alone objects commissioned by artists or playful and creative use of physical objects incorporated into the design of public spaces. The creative use of water and lighting can also provide interest and artistic expression. Public art can be provided both on a permanent basis with objects being fixed to the ground or they can take the form of temporary artistic interventions. Providing a variety of forms of art within the public realm can help create a dynamic and engaging experience.

In appropriate locations, permanently fixed, public art should be provided within the public parks and plazas and along the promenade. These permanent art installations should be located at intervals throughout the waterfront area. In addition, the creative use of materials, water, or lighting should be considered within the public parks, plazas, and promenades. Furthermore, programmed temporary art installations should also be considered in order to provide additional opportunities for the public to engage with art.





Sensitively lit park spaces



Vary light types



Use lighting to create interest, highlight features, set mood

## LIGHTING DESIGN GUIDELINES

- Use the latest LED lights with energy efficient, long lasting bulbs and materials.
- Use lighting to foster a safe and inviting waterfront, to strengthen the visual connections to the waterfront, and to connect different parts of the waterfront.
- Use a consistent light fixtures for easy maintenance and ensure compliance with the City of Lynn standards for lighting.
- Use standardized light fixtures along the promenade to create a cohesive appearance.
- Use a clear hierarchy of lighting appropriate to each location.
- Specify light levels appropriate to the different types of activity, typically with a Kelvin temperature of 3000.
- Select light fixture finishes that are appropriate for an urban and marine environment.
- Minimize light pollution and over-lighting, consider creative use of light, spotlighting, or patterns of light where appropriate and highlight significant objects in the landscape.

### Lighting Design

Lighting will affect how the public uses and navigates the waterfront and will contribute to the general waterfront experience. Safe levels of lighting are required along the waterfront streets and pedestrian paths, along the promenade, and within the public parks and public plazas.

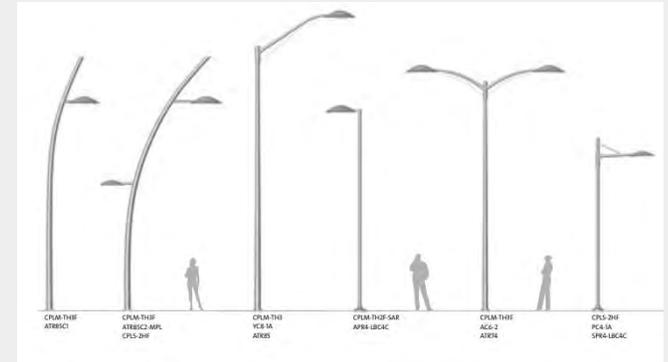
This section provides guidelines for the specific LED light fixtures for the street and pedestrian connections and along the promenade. The lighting at the approaches to the public parks and public plazas will vary at each location. Each project proponent should agree upon the proposed light levels with the relevant overseeing authority.

# REQUIRED PROMENADE LIGHTING TYPES

**TYPICAL STREET + SIDEWALK LIGHTS:** Philips Capella Series (or approved equal)

**Location:** This range of light types should be used as appropriate for each public street within the project area. Exact locations to be reviewed and agreed by the City of Lynn, per project.

**Notes:** Additional feature lights can be used to create an inviting streetscape experience.



**TYPICAL PROMENADE LIGHTING:** Philips Lumec, Domus DMS50 (or approved equal)  
Bracket (Arm): MJ-1A; Pole: SPR5V (Steel, Straight, Round, 5" O.D., 0.25" wall thickness);  
Luminaire height: 16 ft high; Color: BKTX (Textured Black).

**Location:** This is the typical light fixture for the whole of the promenade.

**Notes:** The light pole spacing will be determined at the time of design for each portion of the promenade in response to specific site requirements, but should typically be 100' on center.



**SPECIAL PROMENADE LIGHTING:** Structura Reed Series (or approved equal)

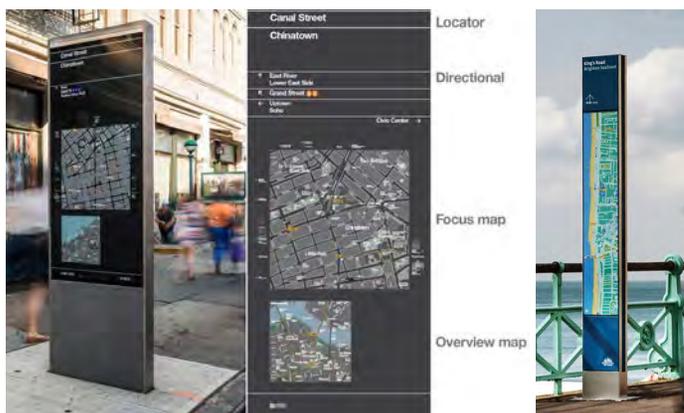
**Location:** This light pole and fixture should be used along the promenade when it crosses into public plazas, nodes and overlooks.

**Notes:** The pole color should be a rust color provided by the manufacturer. The light pole height and spacing will be determined at the time of design for each portion of the waterfront promenade and should relate to the specific site requirements.





Examples of clear, concise wayfinding signs



Examples of orientation maps



Use standard AIGA and SEG D recreation symbols

# SIGNAGE + WAYFINDING DESIGN GUIDELINES

- Scale all signs appropriately for readability based on their location and intended user. Road sign text shall be larger than pedestrian sign text. Locate road signs on the right side of roadways.
- Locate signs at logical decision making points and provide critical information.
- Group pedestrian signs with site furniture to reduce clutter, particularly on the promenade. Combine signs to reduce pole usage and avoid redundant messaging.
- Locate signs near light fixtures for uniform illumination.
- Use symbols whenever feasible to address language barriers.
- Consider contrasting colors and legibility for night and day time use.

## Wayfinding Guidelines

The project area should have a clearly designed, well organized and cohesive wayfinding system. The wayfinding system will help establish the character and improve the usability of the whole of the waterfront. A coordinated wayfinding system should be designed for the whole of the waterfront area, and implemented on a per project basis.

## Wayfinding Sign Types

**Orientation Signs:** Usually contain maps, identify landmarks and destinations, and locate the user within a larger context. Typically contains a “you are here” point.

**Directional Signs:** Indicate the direction to landmarks. Serve as a guide to the circulation system.

**Identification signs:** Locate at amenities, landmarks, and destinations to identify and explain site amenities.

**Regulatory Signs:** Use symbols to indicate rules, regulations, and suggested site use or activities.

YOU ARE AT:



## Rymill Park / Murlawirrapurka

→ Park Lands Trail 1 min

↗ Rundle Street 5 mins  
Adelaide Botanic Gardens †† 7 mins





Seasonal interest, variety of tree types



Appropriate plants for land subject to flooding



Shade trees and planting in public spaces

## PLANTING

### Overview

A variety of natural forces will affect the plant choices for public streets, parks, plazas, and the sea edge. The land is generally filled tideland, much of which was home to industrial uses or landfills. Soil contamination is likely across significant portions of the area. Furthermore, the waterfront within the flood zone, is subject

to coastal storm surges, excessive winds and rising tides. Salt spray is another factor that must be addressed in any planting design.

These planting design guidelines include a representative list of appropriate plant types for the waterfront zones provided.

## PLANTING DESIGN GUIDELINES

- Select plants that are readily available from regional plant nurseries, are disease resistant and transplant well in 2” to 6” caliper sizes.
- Select plants that will not require irrigation after the 12-month maintenance period and will thrive in an urban coastal environment with minimal maintenance.
- Avoid planting trees in monocultures except when massing.
- Select plants suitable for their specific location and environmental conditions.
- Plant native salt resistant plants, particularly near the sea edge or sensitive areas.
- Use plants to attract wildlife as well as create wildlife habitats as appropriate.
- Select plants that have seasonal interest.
- Use plants to create welcoming spaces for park and plaza visitors.

## Tree + Coastal Planting

There are numerous micro-climates and planting conditions within the Lynn waterfront. These guidelines provide only a starting point for designers and do not represent an exhaustive list of potential plants. Two specific categories of planting have been described: tree planting and coastal planting. Tree planting relates to both street trees as well as park trees. Coastal planting addresses plants that are salt resistant and are proven to thrive in areas that are subject to coastal flooding or within the tidal zone.

The possibility of inundation must be considered when choosing trees and other plants for individual sites (see drawing appendix for Weston and Sampson City of Lynn Coastal Resilience Assessment inundation map projections).

Street trees must be able to handle frequent drought, spatial constraints, shallow and compacted soil, and frequent salt application in winter. Park trees typically have more soil volume and more moisture availability. Parks offer opportunities for larger, more slow-growing specimens. Park trees within the waterfront should be able to withstand frequent exposure

to wind and salt spray.

## Coastal Zone Categories

The three coastal planting categories, **Tidal Zone**, **Inundation Zone**, and **Salt-Spray Zone**, include plants that can survive in a wide-ranging set of environmental conditions. Some plants will be subject to periodic coastal flooding or be located within the tidal zone.

Within the **Tidal Zone**, there is a low marsh, which exists below the standard high tide mark and gets flooded almost daily. The high marsh areas get inundated during the highest tides, but not consistently on a daily basis. Different grass species inhabit different elevations within these areas. The species listed here are reflective of the major monocultures most often observed in the salt marshes of the Northeast.

The **Inundation Zone** plants will be planted just above the normal Tidal Zone, and have been proven to have a tolerance for soil salt. In nature, these plants can be found across barrier beach communities. For example, plants listed here are commonly found on Plum Island, a barrier beach on the North Shore.



Large scale park planting



Appropriate coastal edge planting



Low maintenance planting approaches



Planting at public gathering areas



Tidal zone planting



Coastal planting

The **Salt-spray Zone** group contains common coastal wind-breaking trees and screening plants. These plants are common fixtures in many shoreline settings for their hearty growth habits, and resistance to salt spray, but are not suited to inundation.

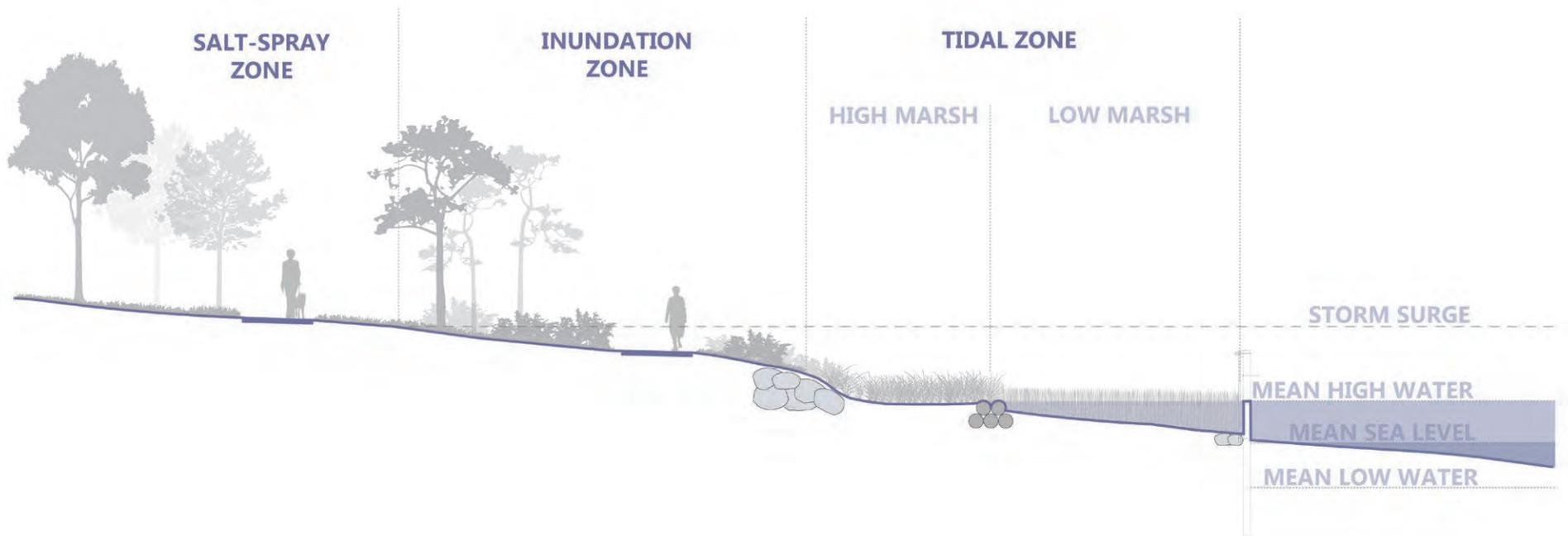
It should be noted that the plants listed here have demonstrated varying degrees of salt tolerance. No plant is truly salt tolerant. Likewise this list is not comprehensive for all available plant species that could be considered. Specific research on salt tolerance should be undertaken on any plant selection within the project area.

One of the most important considerations for plantings is the existing or amended soils that

they grow in. Efforts should be made to make sure that the planting loam gives these plants nutrients to insure their long term growth.

### **Tree + Planting List**

Refer to the Appendix for a complete list of appropriate plant species for use in the project area



Coastal Planting Zones Section - NTS

# PLANTING LIST - STREET + PARK TREE PLANTING

BRR for the City of Lynn

<b>Scientific Name</b>	<b>Common Name</b>	<b>Location</b>
<i>Acer campestre</i> 'Deborah'	Deborah Hedge Maple	Street
<i>Acer x freemanii</i> 'Celebration'	Celebration Maple	Street
<i>Acer saccharum</i> 'Green Mountain'	Sugar Maple	Street
<i>Acer tataricum</i>	Tatarian Maple	Street
<i>Aesculus x carnea</i> 'Briotti'	Horse Chestnut	Park
<i>Betula nigra</i> 'Heritage'	Heritage River Birch	Park
<i>Carpinus caroliniana</i>	American Hornbeam	Park
<i>Catalpa speciosa</i>	Catalpa	Park
<i>Celtis occidentalis</i> 'Prairie Pride'	Prairie Pride Hackberry	Park
<i>Cercidiphyllum japonicum</i>	Katsura Tree	Street/Park
<i>Cladrastis kentukea</i>	Yellowwood	Park
<i>Gymnocladus dioicus</i>	Kentucky Coffee Tree	Park
<i>Liquidambar styraciflua</i>	Sweetgum	Street/Park
<i>Liriodendron tulipifera</i>	Tuliptree	Street/Park
<i>Malus*</i> (many varieties)	Crabapple	Street/Park
<i>Prunus virginiana</i>	Choke Cherry	Street
<i>Ostrya virginiana</i>	American Hophornbeam	Park
<i>Quercus bicolor</i>	Swamp White Oak	Park
<i>Quercus coccinea</i>	Scarlet Oak	Street/Park
<i>Quercus phellos</i>	Willow Oak	Park
<i>Sophora japonica</i> 'Princeton Upright'	Scholar Tree	Street
<i>Sorbus thuringiaca</i> 'Fastigiata'	Upright Oakleaf Mountain Ash	Street
<i>Ulmus parviflora</i> 'Ohio'	Ohio Chinese Elm	Street
<i>Ulmus parviflora</i> 'Pathfinder'	Pathfinder Chinese Elm	Street
<i>Ulmus</i> 'Pioneer'	Pioneer Elm	Street
<i>Zelkova serrata</i>	Zelkova	Street

# PLANTING LIST - COASTAL PLANTING

BRR for the City of Lynn

Scientific Name	Common Name	Location	Type
<i>Distichlis spicata</i>	Seashore Saltgrass	Tidal Zone Low Marsh	Herbaceous
<i>Spartina alterniflora</i>	Saltmarsh Cordgrass	Tidal Zone High Marsh	Herbaceous
<i>Spartina patens</i>	Salt hay	Tidal Zone High Marsh	Herbaceous
<i>Amelanchier canadensis</i>	Shadbush	Inundation Zone	Tree
<i>Ammophila breviligulata</i>	American Beachgrass	Inundation Zone	Herbaceous
<i>Arctostaphylos uva-ursi</i>	Bearberry	Inundation Zone	Shrub
<i>Baccharis halimifolia</i>	Groundselbush/Sea Myrtle	Inundation Zone	Shrub
<i>Clethra alnifolia</i>	Sweet Pepperbush	Inundation Zone	Shrub
<i>Iva frutescens</i>	High Tide Bush	Inundation Zone	Shrub
Juniper Spp.	Chinese/Common/Shore/Creeping	Inundation Zone	Shrub/tree
<i>Myrica (Morella) pennsylvanica</i>	Northern Bayberry	Inundation Zone	Shrub
<i>Panicum virgatum</i>	Switchgrass	Inundation Zone	Herbaceous
<i>Platanus occidentalis</i>	Sycamore, Buttonwood	Inundation Zone	Tree
<i>Prunus maritima</i>	Beach Plum	Inundation Zone	Shrub
<i>Rosa virginiana</i>	Virginia Rose	Inundation Zone	Shrub
<i>Rhus aromatica</i>	Fragrant Sumac	Inundation Zone	Shrub
<i>Rhus glabra</i>	Smooth Sumac	Inundation Zone	Shrub
<i>Rhus typhina</i>	Staghorn Sumac	Inundation Zone	Shrub
<i>Solidago sempervirens</i>	Seaside Goldenrod	Inundation Zone	Herbaceous
<i>Vaccinium angustifolium</i>	Lowbush Blueberry	Inundation Zone	Shrub
<i>Vaccinium corymbosum</i>	Highbush Blueberry	Inundation Zone	Shrub
<i>Abies balsamea</i>	Balsam Fir	Salt-Spray Zone	Tree
<i>Abies concolor</i>	White Fir	Salt-Spray Zone	Tree
<i>Acer rubrum</i>	Hedge, Striped, Red Maple	Salt-Spray Zone	Tree
<i>Aesculus x carnea 'Briotti'</i>	Horsechestnut	Salt-Spray Zone	Tree
<i>Betula spp.</i>	Sweet, Yellow, River, Gray Birch	Salt-Spray Zone	Tree

# PLANTING LIST - COASTAL PLANTING

BRR for the City of Lynn

Buxus microphylla	Japanese Boxwood	Salt-Spray Zone	Shrub
Carya ovata	Shagbark Hickory	Salt-Spray Zone	Tree
Celtis occidentalis	Hackberry	Salt-Spray Zone	Tree
Chamaecyparis thyoides	Atlantic White Cedar	Salt-Spray Zone	Tree
Comptonia peregrina	Sweetfern	Salt-Spray Zone	Shrub
Fagus sylvatica European	Beech	Salt-Spray Zone	Tree
Gymnocladus dioicus	Kentucky Coffeetree	Salt-Spray Zone	Tree
Hydrangea arborescens	Wild Hydrangea	Salt-Spray Zone	Shrub
Hydrangea quercifolia	Oakleaf Hydrangea	Salt-Spray Zone	Shrub

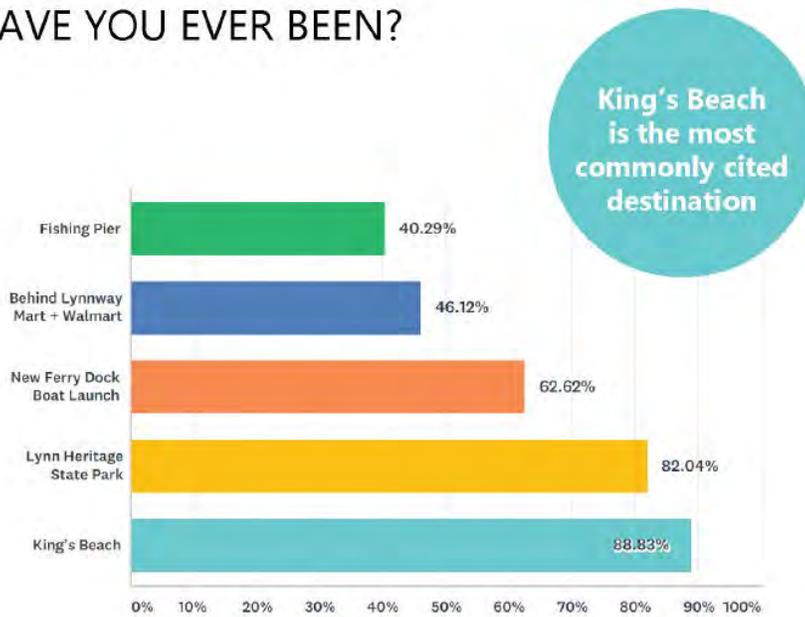
**APPENDIX B**  
2019 LYNN WATERFRONT OPEN SPACE MASTER PLAN  
PUBLIC PROCESS SURVEY RESULTS

# 2019 LYNN WATERFRONT OPEN SPACE MASTER PLAN PUBLIC PROCESS SURVEY RESULTS

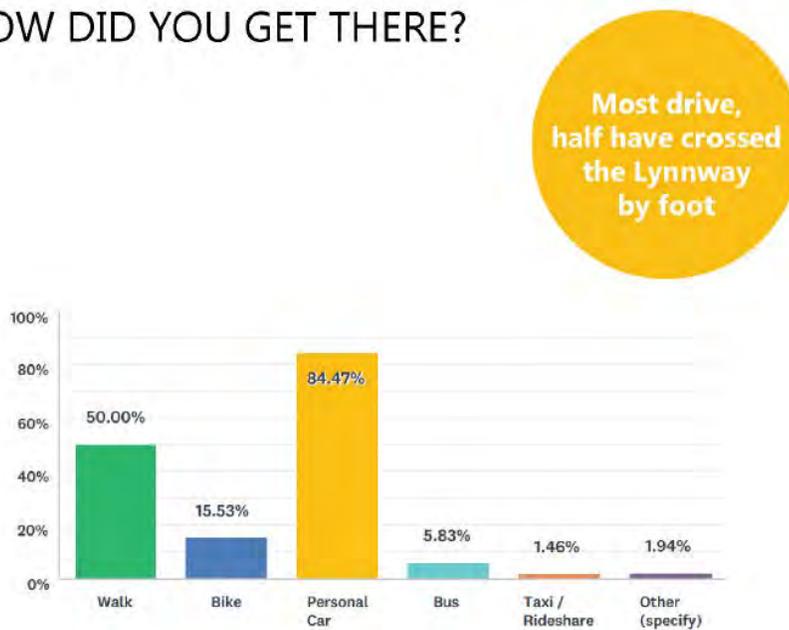
Brown, Richardson and Rowe for the City of Lynn

Winter 2017 - 259 Responses

## HAVE YOU EVER BEEN?



## HOW DID YOU GET THERE?

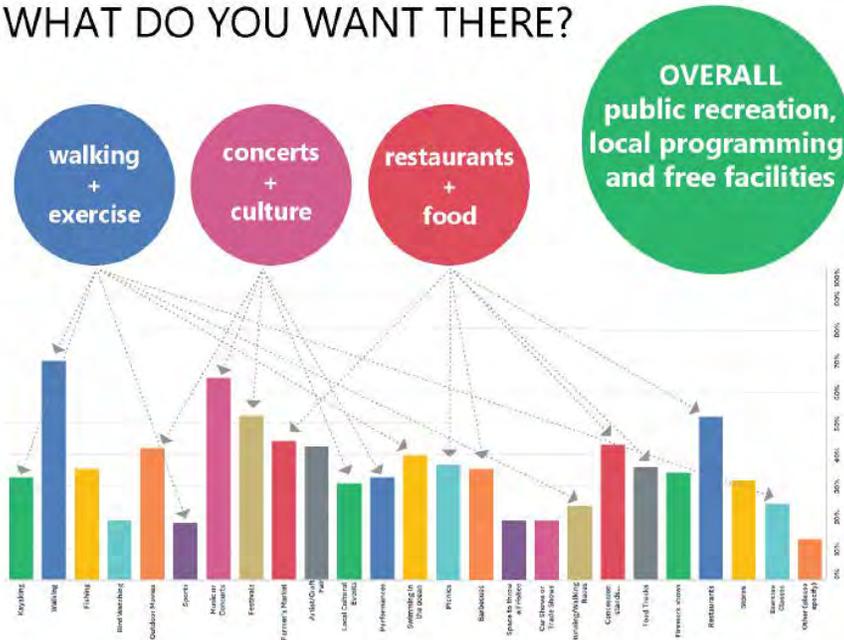


# 2019 LYNN WATERFRONT OPEN SPACE MASTER PLAN PUBLIC PROCESS SURVEY RESULTS

Brown, Richardson and Rowe for the City of Lynn

Winter 2017 - 259 Responses

## WHAT DO YOU WANT THERE?



## WHAT COULD THE CITY DO RIGHT AWAY?

143 offered ideas for temporary events and installations

- Swimming Lynn Activities
- Heritage state Park Walking
- Festivals Concerts Kayaking
- Movies Food Trucks Music
- Farmers Market Craft
- Fishing Kite Flying

**APPENDIX C**  
**2019 LYNN REVISED WATERFRONT MASTER PLAN**  
**PUBLIC MEETING NOTES**

## Property and Stakeholder Interviews

Lynn City Hall, Room 302

### Attendees

- Michael Procopio—Procopio Companies, working downtown development
- Lou Miniciucui—Minco Development
- Omar Guerrero—Business owner/developer
- Brad Saunders—GEI, representing Belmont Capital
- Jacquelyn Eichel—Lynn Yacht Club and Volunteer Yacht Club
- Gordon Hall—Hall Management
- Bruce Haskell—Langdon Environmental, representing Charter Environmental
- Marge Ansara—Lynnway Liquors
- David Zeller—Zeller Insurance
- Ken Goode—MassDevelopment
- Ann-Marie DiGregorio—National Grid
- Mike Guerin—National Grid
- Jaime Figueroa
- Darren Cyr—City Council President
- Mike Murray—City of Lynn Community Development
- Representative from the office of Brendan Crighton
- Three other members of the public

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### Introduction by MLI

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#### National Grid Property

- Current planned improvements: Ongoing monitoring responsibility, improvements to the liquid natural gas facility, working on improvement projects with partners (actively engaged), preplanning for site improvements at 76 Marine and 440 Lynnway with demo over next few weeks

MLi: Do your parcels and use require licenses from CZM?

- Need to check, but we do not anticipate long term use changes
- No planned changes to Marine Boulevard as a part of work because this is a public way not owned by National Grid.

#### Charter Environmental Property

- Working on a permitting process to repair the landfill cap so that the landfill is stabilized. This type of repair

likely limits land use to open space as opposed to development.

- Can't speak to the Open Space Master Plan process or how this project relates.
- Timeframe – in MEPA process. Anticipate state permits by early next year. First quarter of 2019 to start capping.
- We're coordinating with the Open Space Master Plan team on cap height (significant height, over 20 ft)
- We can follow up on long term use at a later date
- The site can be capped to allow for open space.

#### Minco/Beacon Chevrolet Property

- Started permitting process 3-4 years ago so it's hard to say when construction will start. Sorting out some of our licensing – gone through MEPA (certificate). Waiting on Chapter 91 and water quality certification. Expect to have water quality response within the next month.
- Proposal Overview: 8 acres with 320-ish units contained in two buildings. Western building will hold approximately 100 units with the eastern holding the remaining 200 units.
  - Linear park that hugs the shoreline. It's about 20-ft off the waterline – 4-10-ft wide path with benches and trees. Intent is to make connection from the Lynn Heritage State Park to the Clocktower Property and eventually to connect to ferry landing. \$5-7m linear parkway with reconstruction of revetment/bulkhead
- Another party will do the Clocktower portion of the linear park. They agreed to complete the connection for the City once there was a connection point on both sides of the property. No knowledge of redevelopment plans at Clocktower property
- Intersection Improvement: Massworks bid went out on Friday with \$1.1m street improvements and water and sewerage plus approximately \$2,000-3,000 for engineering inspection. Work will start in coordination with the City.
  - Enhancement to lighting, walkways, and accessibility

#### 210 Blossom Street Property

- Own adjacent property to Clocktower, the ferry terminal and on the corner of Blossom Street. Property consists

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- of two parcels we've owned for 20 years—50,000 on Blossom and 11,000 sq.ft. closer to the water.
- We have been trying to pursue a hotel for years because there is no hotel in Lynn. There has been some recent interest from outside developers. We're looking for a hotel operator that values transportation connections importance and have a lot of confidence that the ferry will be restored in the next 1-2 years. There is also easy access the train station and bus. The transportation factor is strong and it's just about changing the image of Lynn.
- We're interested in a multiuse type of structure/hotel. There have been several discussions—Red Roof Inn (not preferred). There is no conference facility in Lynn. We'd prefer a place that can hold a meeting of 300 people in an upscale location. One of the concepts was a hotel on the first 4-5 floors, a couple of condo floors, a complete function facility for 500 on 7<sup>th</sup> floor, and an entertainment/banquet space on the 8<sup>th</sup> floor.
  - We were rezoned up to 8 stories and are unaffected by Chapter 91. From a permitting process this could happen now with City approval.
- There is a very small slice of undevelopable land just outside the DPA which is nonconforming. I have heard from the mayor and EDIC that if a hotel developer stepped forward we could potentially use this small sliver (abutting) because it is outside of the DPA.
- There are several hundred shared parking space available with the ferry through the City.

### South Harbor Property

- Years of studying this property with different design components.
- Now initiated concept planning for a series of buildings ranging from five floors of residential over two floors to at total of 10 stories closer to the Lynnway. The project will be at least 100-ft from the water to avoid the water depended use area. The proposal is consistent with current zoning. The unit mix hasn't been determined.
- There's a strong push to see this proposal through and we will start permitting at the end of this year. The concept plans have been provided to EDIC.
- We expect the waterfront park and to extend to the DCR fishing pier and are coordinating an easement exchange with DCR and the City.
- CZM is fully aware of what is going on in this area. There's nothing here that's not anticipated.

- South Harbor will have likely a parking ratio of 1.49 space per unit.
- Zoning is 1 space per until
- Minco Property will have 1.5 spaces per until because this ratio has been successful in the North shore. The demand is probably less here (we have 1.3 space per unit for a200 unit project in Revere). Our project will be 60% one bedrooms. There is high demand for one bedroom units in our market research. People are moving here specifically for the train and the ferry.
- A stakeholder asked where does this project terminates and what public access would come across or through those parcels?
  - MLi: Not sure about what has been planned for those parcels.
- A stakeholder said I'm here to get information on the plan. It's been a lot of years with a lot of promises without a lot of delivery. The area needs a better introduction that includes investment in the bridge to Revere.
- A stakeholder said the Sasaki plan covered more area. Do you know why your study doesn't?
  - MLi: I'm unsure. The scope includes proposed changes to the Lynnway. We are considering this and advising on how we might align our work with the previous study.
- A stakeholder said there are three "opportunity zone" parcels in all of Lynn and they're all in the scope. They're great incentives for developers. Whatever money you put in to improve you don't have to pay in taxes. In your plans you incorporate an offering for opportunity development.
  - BB: There are a total of four census tracts that qualify. This primarily covers the waterfront along with the additional tract on north and south. We still don't have the final determination on how the treasury will dispense benefits. This may be capital gains tax benefits or opportunity zone funds. We're waiting to hear more feedback on deployment.
- A stakeholder asked, let's suppose someone wants to do something tomorrow, is your charge to be an impediment? Does life on the waterfront come to a halt during this study?
  - MLi: This is above my pay grade, but I would venture to say no. There are projects that requirement Chapter 91 licenses that will be held up until the Municipal Harbor Plan (MHP) is amended so we are trying to speed this process up.

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### Discussion Comments & Questions

- MLi: What is your expected parking ratio?

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- Another stakeholder said that the City is reasonable and fair, but development gets bogged down at the State level.
  - Another stakeholder said that the MHP's stickiness factor is the open space. The sticky point with Ch 91 is the requirement that the open space be the same parcel of the development despite the large number of developers on this site. The state is hard on fast on set aside open space on the same parcel. Difficult to do. Getting them off of that is not an easy task.
  - MLI: We feel the Open Space Master Plan can be a great benefit for this plan and create a more flexible plan.
- 

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**Present**

Jim Cowdell (JC), Mary Jane Smalley (MJS)—  
EDIC/Lynn  
Mayor Thomas McGee (TM), Bob Finelli (BF),  
Charles Gaeta (CG), Andy Hall (AH), John  
Moberger (JM), Jim Perry (JM)—City of Lynn  
Dan Cahill (DC)—Massachusetts House of  
Representatives  
Kennan Lagreze (KL), Matthew Littell (MLi), Andrew  
Nahmias (AN)—Utile

**Lynn Revised Waterfront Master Plan—Steering  
Committee #1**

Lynn City Hall, Room 302

**Presentation by Utile on the existing conditions and  
proposed regulatory strategy.**

**Questions & Comments**

- The City dump is active. How will you phase the open space with this included?
  - MLi: We will work with CZM to come up with a creative strategy.
- Value capture associated with an amended Municipal Harbor Plan (MHP) on the development parcels is incentive because developers do not have to deal with the design / execution of the waterfront.
- National Grid is doing a complete rework of their substation. We've advocated for connectivity between the developments and to the Lynnway including bike access behind the substation through to the ferry. They haven't pushed back.
- What's the process for boundary change?
  - MLi: CZM approval but this needs to happen through a MHP Amendment. We recommend tweaking our scope so that we can fulfill the obligations to that plan and speed up the amendment.
- I like how you've reconfigured the DPA but if there's an ability to allow access that's preferred.
- One of the good things that came out of the Sasaki plan is the community engagement. The Sasaki plan failed in a few ways:
  - Lynnway is the great divide. The connectivity is key.
  - We want a plan that is implementable and doable and doesn't sit on a shelf
- MLi: We want to get the City best positioned to apply for infrastructure investment funding.

**Lynnway**

- Is there an ability to gain more open space out of the Lynnway?
- Can we align the construction on Commercial street with streetscape improvements? The Blossom Street connection is critical
- Need to think creatively about how to make the Lynnway not an edge.
- The Market intersection is a real challenge and dangerous to cross

- This plan needs to provide a reason to cross the Lynnway which the Open Space Master Plan is starting to provide.
  - MLi: The phasing could build momentum from each end with a conservation easement on the landfill later.
- Challenge will be getting buy in from the public – downsizing the Lynnway will be perceived as gridlocking traffic.
- There will also be issues on the legislative side – implementing Lynnway improvements on MassDOT instead of DCR is preferred.
- MLi: Safety is a major selling point.
- There's been a number of fatalities on this roadway
- MLi: We wouldn't recommend the option to return to traditional Chapter 91 without the MHP. Getting all of the past plans in line increases the odds that you can get development implemented.
- Substantial amount of reuse potential north of Lynnway with improvements.
- It was a boulevard at one time. It was intimately connected to the Brickyard which was "renewed" in the 1960s.
  - There used to be businesses on both sides
  - Reclaim the character

**Action by:** KL to check on status of mudflat parcels in front of South Harbor. Utile to provide proposal to the City to fold an MHP amendment into this proposal.

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## Property and Stakeholder Interviews

Lynn City Hall, Room 302

### Attendees

- Steve Solomon—Solomon Metals Corp. 580 Lynnway
- Joe Mulligan—MassDevelopment Lynn TDI Fellow
- Alice Brown—Boston Harbor Now
- Rich Gorham—GE Aviation
- Charlie Patsios—Gear Works developer
- Marge Ansara—Lynnway Liquors
- One other member of the public

### Introduction by MLI

#### Solomon Metals Corporation (580 Lynnway)

- Wants to retain current business in a way that does not inhibit progress and hold up development moving forward in the area

#### Gear Works

- 1262 unit development designed by Elkus Manfredi
- Goal to increase connectivity to the waterfront. Creating connection from the development and the Lynnway to the River Works station which will become public.
- Would like to extend under the Lynnway to DCR and fishing pier. Extend ferry service to the project.
- Current construction putting in site infrastructure and road access from the Lynnway

#### Ferry Terminal

- 2014/2015 and 2017 help tests on service and ridership. Resulted in considerable use but tests had questionable data tracking ridership and fares
- There is potential for the ferry connection between Lynn and Boston but it should not be seen as a hinge for development. The service can be better integrated with a plan that creates more density near the terminal
- Only 7% of all riders that want to go to a given destination (that is near a ferry terminal) will use the ferry to get there. Lynn is not a tourist draw like Salem which features ferry service. It takes a long time to ferry through Lynn harbor.
- Challenges with comparing ferry service to rail transportation. MBTA wants to convert more lines to

regional rails which would have more frequent service and less expense than current Commuter Rail service.

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### Discussion Comments & Questions

#### Garlick Farms

- Will close at end of October and will then be put on the market
- CP: Could become a roadway from the Lynnway to the waterfront connecting to the main open space.

#### National Grid:

- BB: Secretary Nash and Congressman are in discussion with NGrid about improvements and new substation
- CP: Rather than looking at the smaller opportunities if you get NGrid resolved all others will follow. NGrid and Garlick Farms sites are the powerball that make the win and gives access to the waterfront. The GE site is a good model for how GE electric acted in good faith to create a comprehensive development not just a ton of new dollar stores. The hope is that the project will unlock the opportunity of waterfront projects.
- Topic: Inclusionary zoning and job creation
  - JM: Lynn has the opportunity for smaller development. A plan can transcend traditional planning practices to include inclusionary zoning, environmental planning, and become inclusive not just a plan creating affluent enclaves.
  - CP: Creating jobs that pay is more important than inclusionary zoning. The city does not need more affordable housing. It needs more jobs. Like Wikituna, marine construction, or ship metal recycling
  - SS: Metal and ship recycling is no longer feasible, but creation of jobs is the game changer. Are there types of businesses that you can line up that will build the foundation for growth? Flexibility is important. We must bring

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businesses that will then hire people and create activity and the catalyst for development.

- Topic: Modes of transportation
  - CP: People want different modes of transportation. With a blue line extension riders could pay half as much and have a better schedule.
- JM: There are many reports and developments to bring together. The recent Mayor's report on the Lynnway, the River Works station, new work Downtown, and Kittelson's Rail trail project. How do you stitch them together?
- CP: We need a plan to unlock the waterfront. Right now its just someone looking at a private property and telling them what they should do with it without having a larger vision.
- JM: There are land and uses that constrain the area.
- CP: The LNG tank and WTTP are not going anywhere. Whatever other industry that might come, like a fuel farm, should not be disruptive.
- JM: The uses in the middle (the DPA, WTTP, and NGrid) are stubborn. You should focus on the South Harbor and GE site first. The North Harbor site is already in the works. The middle area is all set. All that is left are the breadcrumbs.
- CP: The McGrath and O'Donnell properties should be combined to make one great site. Rather than having a hamburger (McGrath site) and a filet mignon (O'Donnell). Combined they are one big filet mignon.
- CP: When running a proforma, I found that construction and labor costs are the same as Boston but the rent is not the same. More incentives and a speedier permitting process is needed.
- PM: Lynn could grow into the next Seaport. Lynnport
  - JM: Seaport looks like a glorified office park in Canada. It has problems with urbanity. Lynn does not have form based zoning to help avoid that. The plans I have seen so far do not work. The designs do not match the character of Lynn and the waterfront.
  - MLi: This plan will not rewrite current zoning. The city can hire a design reviewer, but we cannot control the form and design of new projects. We can create a framework that opens up development and helps implement the open space plan. One of the failures of Seaport is the qualities of its open space. It is divided and open space is all privately managed.
- JM: How is this different from the Sasaki plan?

- MLi: We will be respecting property lines, and looking at projects underway to see the big picture and make a flexible framework. The MHP amendment is key. It has created a bottleneck preventing new development. Freeing that up and working off the open space master plan will really make sure the plan can be implemented.

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## Lynn Revised Waterfront Master Plan—Public Meeting #1

Lynn Housing Authority Meeting Room

65 members of the public in attendance

Introduction by Jim Cowdell from EDIC/Lynn

### Focus40 Plan overview by Scott Hamway from MassDOT

- Focus40 is the 25-year investment plan to position the MBTA to meet the needs of the Greater Boston region in 2040. Final draft by the end of the year. We organized the plan around programs and priority places. The programs section is a list of investments by mode of transportation plus higher-level ideas. Lynn was identified as an urban gateway since it is beyond the end of the subway but could support commuter rail investment. Lynn will score better on our investment evaluation. We are planning to do a targeted transit plan for Lynn.
- The Focus40 public comment period ends on October 22, 2018. Visit <https://www.mbtafocus40.com/> to comment.
- MassDOT is also midway through the MBTA Rail Vision Plan which is evaluating commuter rail schedules.
- Question (Q): Is the website available in multiple languages?
  - SH: Spanish and English

Presentation by Matthew Littell and Andrew Nahmias from Utile on the existing conditions.

### Questions & Comments

Questions from members of the public are labeled “Q” and comments are labeled “C” below.

Q: A recurring problem from these master plan processes is that there isn't sufficient multilingual outreach to our diverse populations. I would like to hear your plan to address this.

- We're building off the public engagement of past plans, including the recent Open Space Master Plan, we don't have the budget to do extensive outreach, but we could look for ways to hold meetings in different formats and locations and looking into a broader advertisement.

Q: (1) Have you had outreach from National Grid? I see them doing work regularly, and they're the most significant player on the Lynnway. As a public utility, they have a responsibility to support a public planning effort. (2) We don't really use the waterfront in the way the Designated

### Present

Jim Cowdell, Mary Jane Smalley—EDIC/Lynn  
Peter Capano, Brian Field, John Walsh, Richard Starbard, Meaghen Hamill representing Mayor Thomas McGee, Sheri Washington representing Senator Brendan P. Crighton, Marvin Hyppolite representing Congressman Seth Moulton—Elected Officials  
Scott Hamway, Alexandra Markiewicz—MassDOT  
Kennan Lagreze, Matthew Littell, Andrew Nahmias—Utile

Port Area (DPA) intends. It was eliminated in Beverly. Maybe there's a way to shrink the DPA because of a lack of marine uses.

- (1) We're extremely aware of how important they are and have reached out to them.
- (2) The State tends to be very conservative about conceding DPA area. There are ways to nuance use and to thread the needle with open space. We have already started discussions with the Massachusetts Department of Environmental Protection (MassDEP) MassDEP wants to ensure there are places reserved for marine industrial uses in the future, but we can try to balance this desire with the public opinion.

Q: If you do an amendment could retail and other uses be allowed in the DPA? We should try for diverse business and retail uses near the waterfront.

- I don't know if we can eliminate the DPA. Under certain circumstances, other uses are allowances for supporting uses. It's a possibility, and we will investigate.

C: We should invest in training the younger population with scholarship money in future forms of energy production.

Q: Are there plans for housing?

- There are private development intentions on the South Harbor parcel and a permit for the Minco site. We haven't yet addressed housing. We are certainly looking at housing as playing an important role in this plan.

C: Lynn doesn't have a function hall or meeting space with enough parking. It would help us grow as a City if this was planned either through a hotel development or another project type.

C: The council does not support a hotel.

Q: What is the plan to reach out to National Grid?

- We have reached out and will continue to reach out.

Q: How much of the landfill is in the DPA?

- Approximately 40% of the landfill.

Q: Does the DPA restrict you from having a continuous walkway between both ends of the site?

- Lateral access across the DPA is typically not permitted because they conflict with industrial uses. However, there are ways to provide alternative access and some short pieces of lateral access.

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Q: I drive the Lynnway every day, and there's a unique smell on a regular basis. How will that affect development on the waterfront?

- One of the very early goals is to create appropriate buffers between new uses and traditional industrial uses.

Q: Who adopts this plan and what's the procedure?

- The City Council will vote to adopt the plan. Then the portion of the plan associated with the MHP amendment must get ratified by MassDEP.

Q: How much leeway does the city council have to negotiate with developers to get funding for public investment?

- You should speak directly with your elected officials. The ability to leverage private development for public funding varies from community to community. Part of our study looks at this at a high level to try to understand what sorts of public benefits are feasible. Part of that public benefit will be baked into this MHP and will likely include a few key open spaces.

Do you have a slide about the impacts of this proposal?

This planning area is surrounded by the lowest income census tracts in the city. There's a growing concern about how economic development will affect these families.

- Impacts are not officially a part of our scope. They require in-depth marketing analysis. Our economic development consultant can generally guide the team at a very high level.

Q: Will any of the plans include improvements to public transportation in this area?

- We're looking at intersection designs in this project, but most of the public transit is off this site. The ferry is a win/win as a desirable use for a DPA, so we do not foresee advocating for a change to the ferry terminal.

Q: Is the waterfront contaminated?

- There are some known contaminants in the landfill area, and there are discussions to cap it. I'm not sure if the State has studied this extensively.

Q: Do you think there's a scenario where development occurs with National Grid and the Wastewater Treatment Plant staying in place?

- We're assuming both are not moving. The most productive path is to think about ways of navigating around these uses.

Q: Have you worked with another community who's worked around utility companies like National Grid?

- I haven't worked for National Grid but have worked for other utility companies. They're not the most flexible organization and protect their assets very carefully. I can't predict how malleable they will be, but there are some interesting and achievable ideas for moving through the land they control.

Q: I live in Silsbee Street. My rent is \$585. Should I move?

- I couldn't predict, no.

C: I have concerns about climate resiliency and the impact of temperature changes to the ocean. We can't control the climate so how will we address this?

- The Lynn Coastal Resiliency Assessment was recently completed. It's a document to guide developers on how to construct the first two stories of buildings in the floodplain. We're trying to pull all the recent planning work together so that we can have a vibrant waterfront. Our dream and vision are for a continuous boardwalk. The whole purpose of tonight is to take the first step.

Q: Do you see the South Boston Seaport as a model or cautionary tale? A recent Globe Spotlight story highlights the racial inequity in the Seaport. This resonates with Lynn where we had a signature park that was replaced by a market rate development.

- One of the reasons we need an MHP Amendment is because of the project you are referencing. It's holding up future development due to the open space requirements under the existing MHP.
- I view the Seaport as a cautionary tale. One of its failures was the creation of public space that doesn't really feel public and welcoming. We want to find ways for public space through the design and open space tools that we have at our disposal in this plan.

**Break out tables where small groups can ask follow-up questions and submit written comments.**

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## Lynn Revised Waterfront Master Plan—Public Meeting #2

Lynn Museum

### 49 members of the public signed-in attendance

### Presentation by Matthew Littell from Utile reviewing the conceptual planning framework for the waterfront.

#### Questions & Comments

Questions from members of the public are labeled “Q” and comments are labeled “C” below.

C: I like the idea of the Lynn waterfront; it is a reason for why I moved here. But there is nothing. I am familiar with East Boston and the activity there is exciting. Millennium Park in West Roxbury is another great example of a landfill park.

Q: Where is the parking for the people who can't bike or walk the distance to the water? North Shore Community College should allow parking on the weekends.

- We will look into key parking areas. The Open Space Master Plan also laid out important access and parking areas that are easy to find and close to the waterfront.

Q: Who is going to own the open space? The state? The city? The developers?

- There will be various open spaces with different owners. Some amount of developer owned open space will be required under Chapter 91 regulations to provide public access to the water. The state might help develop some of the larger open spaces like the landfill.

C: Affordable housing is needed in Lynn. What do you expect for the housing so far?

- We have been asked by the City to look at the waterfront and see if some of the private development there can provide affordable housing. According to our market analysis advisor the profit margins for these projects are very slim and probably not enough to support meaningful amounts of affordability. The question of how much we can rely on private development to subsidize affordable housing is not clear, but this conversation about affordable housing in Lynn is not over.

Q: How many units do you expect in these new developments?

- In the project proposals in the south there is an estimated 1,200 units. The GE site is 1,500 units.

Q: What is the income bracket for the housing being developed?

- We believe they are all above average median income. They are all market rate.

Q: How do you connect the rest of the city to the waterfront? You do not want to create an other side of the tracks community. Could there be more walkover bridges form the neighborhood? Right now, you cannot walk across the Lynnway, you must run across.

- I do not recommend walkover bridges. They are costly and can be dangerous. There are specific key intersections that can be improved. There are things that we can do to make them more comfortable for pedestrians such as curb extensions that make the walk shorter. DCR did a study to improve all the intersections on the Lynnway but that will take time. There might be opportunities to improve a select number of intersections to begin this process.

Q: How do you envision the process playing out? How long will it take? Is it a 5, 10, 15 year master plan?

- The waterfront will grow in phases, not all at once. There are development proposals in the south and the north that will happen first in the next 2-5 years. The other phases might be longer and in the 10-15 year range. It is hard to predict the market and on how these developments will perform. This plan is meant to be flexible, encourage growth, and provide guidance to amend the Municipal Harbor Plan and zoning to reflect this vision.

Q: Is the plan taking into account climate change, sea level rise, and flooding?

- Yes. A lot of it must be covered by private developers to protect their projects. A major issue is the disrepair of the seawall and how, who, and when it gets repaired. The landfill repair project includes reinforcing at the bottom of the mound but it does not include the shoreline.

C: We need affordable housing. I understand that current numbers don't work. I urge you not to stop looking. The state is realizing more money needs to be spent and there are other financing mechanisms that should be able to support affordable housing.

Q: Is there an infographic showing how much tax revenue will be brought in by new developments? If you can show that it could make people feel more comfortable.

- Yes, that would be a very useful piece of information. That would be a helpful thing to calculate, because in addition to the public benefits of open space that

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development can bring another thing is the additional tax revenue that could be brought to the city to support other things such as schools and roads not immediately in the waterfront area.

Q: Why don't we push to get the ferry? We paid so much money for the ferry terminal, but it is doing nothing. It should run throughout the day like in Salem, not just commuting hours. There should be a restaurant there for when boats come in.

- It would be fabulous to get the ferry in. There are various factors limiting ridership. This planning effort can help the city make a stronger case to bring it back.

C: Rents have gone up 20-25% over the last 2, 2.5 years. People are having a hard time living here.

Q: The Gearworks site is a gated community. We are committed to not seeing another high-end city on the other side of the tracks. Is there anything to ensure that the Riverworks station remains public and not just privatized?

- The GE site is not part of our study area and the framework of the plan has been determined before we started, but what we are looking at, with the tools and area that we have, is how we can make the intersections and crossings easier and more accessible for everyone, so the waterfront can remain public and open to everyone.

Q: Is there a plan to address the algae in Lynn Harbor?

- We do not know of a plan.

Q: Can we have zoning for higher buildings? Could we have an affordable housing requirement to provide affordable housing off-site? Is there a tradeoff model to provide for height in exchange for affordable units?

- Zoning currently allows for tall buildings, but at a certain point it is not feasible for developers. The Minco development for example uses a wood frame construction that is efficient. Going any taller and construction costs get significantly higher. The 2007 plan had a vision for high-rises along the waterfront but there has not been any market demand for that. Greater density and height might not make a difference to the development community, because of the additional to cost to develop larger and higher.
- We will make zoning recommendations. Height is regulated by local zoning as well as state level Chapter 91 regulations regarding proximity to the water.

Q: Will this be developed be one entity? How many?

- Right now there are 3 different proposed projects in south and north harbor.

Q: Is any of that land publicly owned?

- No. DCR owns a portion of land alongside the private development in the south that will be swapped so it can remain public and on the water's edge.

Q: What are the subsidies you will require? Tax subsidies?

- By subsidies we mean the contributions private developments will make to subsidize public benefits as part of their permitting process, such as public open space amenities.

Q: I went on the open space walks. We did not have a clue these waterfront views existed. We were saddened to see the condition of Lynn Heritage State Park. When our children were young it used to be a vibrant park. With kayaks and festivals. Now it is falling apart. Are there plans to improve the park?

- Yes. As an extension to the Open Space Master Plan there is a plan to make improvements to the park. Is it owned by the state.

C: Public park space is a critical piece of this plan. It should be prioritized because it gives a vision for what can be there. The plan should address parks and the key intersections we can start to improve to bring people across the Lynnway. On the point of heights, as long as we are not precluding options for developers, I think we are heading in the right direction. As long as we are not being too restrictive the market will take care of that issue, the market always does.

- You captured the spirit of what we want to do with this plan. We want to create a plan that is flexible. Firm enough to ensure that open space and certain public benefits are implemented, but also flexible enough to permit and attract growth.

Q: For the developments in the south will there be enough revenue from to support schools? Police?

- The developments are just proposals at the moment, but you raise a great point. They do traffic impact analysis and they do have to pay for utilities that need to be brought to the site. Lynn Water and Sewer has the capacity for more growth and will benefit from the revenue new developments can bring especially after the closing of Garelick Farms.

C: There is a plan for new clean energy development in Lynn and there could be cost reductions for housing and taxes.

Q: Has there been any talk about districting in Lynn? Are we considering another ward for the waterfront?

- We haven't discussed it but is something we can bring up with the City.

### **Break out period where individuals can ask follow-up questions.**

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**Lynn MHP Amendment—Public Meeting #1  
Lynn Revised Waterfront Master Plan—Public Meeting  
#3**

Lynn Housing Authority

**53 members of the public signed-in attendance**

**Presentation by Matthew Littell from Utile, Tom Skinner from Durand & Anastas, and Dave Andrews from Brown, Richardson, and Rowe reviewing the Revised Master Plan, the Lynn Waterfront Open Space Plan, and introducing the MHP Renewal and Amendment.**

**Questions & Comments**

Questions from members of the public are labeled “Q” and comments are labeled “C” below. Responses from Matthew Littell are labeled “ML” and responses from Dave Andrews are labeled “DA.”

Q: Does the plan include the GE site?

- ML: No, it does not. The study area is from the waterfront to the Lynnway

Q: With all the new units in the Gear Works development doesn't it need more entries?

- ML: We are not involved in the vehicular traffic studies, but are encouraging improved pedestrian connections

Q: Will the park really be public? Is the signature park now just a linear park?

- DA: The landfill provides land area that can serve as public park. The landfill needs to be capped. The license from the State for the land fill cap project requires a conservation restriction on the site prohibiting development and preserving it for recreational use only. The result will depend on the final grading for the area, but the open space plan has identified active uses at the edges of the proposed park area. The land will be set aside, but the park will be a future project that has its own design and public process.

Q: This new “flagship park” will it be passive or active use? Will it just be a green field? Will it become just like the last plan and get replaced by development?

- DA: The landfill cap project license from the State will prohibit any development. Passive and active uses will be determined by the slope of the site. Steep slopes will prevent some recreational uses such as soccer fields. Determining the park uses will be part of the public process when the project begins.

Q: What is the timeline for the Harbor Park project?

- DA: It depends on the process behind capping the landfill and will then be up to the City and the State.

There is not funding or clear ownership of the park yet, but we are trying to ensure it for the future.

Q: The number of pedestrian crossings labeled on the Lynnway is disconcerting. Are you doing any traffic studies?

- ML: The various private developments will need to do their own traffic studies. We are trying to identify key pedestrian connections that should be prioritized when development occurs, and improvements are made along the Lynnway.

Q: Will it be possible to cross the Lynnway underneath the General Edwards Bridge?

- DA: The grade is not low enough to go under the bridge. The head height and clearance does not work. It is best to go up to the Lynnway and cross there

Q: Is there any talk about bringing more boat activity down the harbor?

- ML: We can look into it

Q: In the harbor there are no places to drop a boat in the water. Is there a plan to put in more dockage for transient berthing?

- ML: We will take a look and take an inventory of what is there

Q: Public use is contentious around the fishing pier. Will there be anything in the plan to facilitate public use?

- Yes, it will be part of the plan

Q: What about mixed-income developments? How we attract affordable development to the City? Why can't inclusionary zoning be used to ensure affordable housing?

- ML: Although the planned developments are very large, margins are so small they cannot support affordable housing. Zoning must be used in combination with other planning mechanisms. Affordable housing and mixed income development requires subsidy and cooperation between the City and developers. Zoning can sometimes provide incentive for the inclusion of affordable units in exchange for height or density bonuses, but in this area it is difficult because there is plenty of land. One way to get developments to benefit the public is through open space and ensuring developments contribute to creating public connections between the City and the water.

Q: Is there a way to show the impact new development will bring to the City? Such as the net impact of tax revenue? It would be helpful for public to see.

- ML: Yes, that is something we will look into

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C: Public officials should be present to give additional responses

Q: In terms of retail around the State, how are other communities thriving? Do you envision that in the City? It would be nice to have bowling, a movie theatre, or more boating in Lynn.

- ML: The plan will not create a bowling alley, but zoning can be made to be flexible and permissive of these uses

Will there be zoning for mixed-use and public uses?

- ML: Yes, it is supported in the planning framework. The plan will encourage a level of mixed use, but we need to be careful what and where it is. The industrial area around the Waste Water Treatment Plant for example will be there in the long term. The Garelick site, could support a creative combination of industry and mixed uses. Keeping zoning flexible and not too prescriptive can encourage new types of growth in these areas. East Boston's waterfront is a good example of a location with a lively mix of uses, light industrial maritime activity with creative maker-space, food and art destinations.

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**Lynn MHP Amendment—  
Advisory Committee Meeting**  
Lynn City Hall, Room 301

**Presentation by Utile and Durand & Anastas on the  
MHP Renewal and Amendment and proposed  
implementation strategy.**

**Questions & Comments:  
DPA Boundary Review**

TS: When can the DPA boundary review occur?

- MLI: A DPA boundary review is not a part of the MHP Amendment, but the Amendment will identify the review as a critical next step in ensuring the implementation of the Open Space Plan and something the City would like to pursue
- KG: We are working on it. DCR has been in touch with DEP and CZM regarding the timing of the landfill cap repair and a future DPA boundary change. Chapter Environmental, who is undertaking the landfill cap repair, is also involved in the process

TS: How does the continuous harborwalk factor into the DPA and the boundary review?

- MLI: The Open Space Master Plan proposes an inland route for the harborwalk around the DPA
- KG: The route goes through a portion of National Grid property and they are aware of the proposal

MH: The Waste Water Treatment Plant is in a good location to be incorporated into the DPA and swap with the landfill

**Zoning Changes**

JC: A buyer for the Garelick Farm's is interested in zoning changes for the site. The zoning changes they are requesting must align with the comprehensive vision of the MHP and Waterfront Master Plan and should be reviewed as part of the MHP process.

CC: Will a certain percentage of the waterfront be required to be affordable, artist/live work, or for non-profit?

- MLI: The margins are so slim for development that inclusionary zoning would be extremely difficult at the moment and we do not want to make zoning so restrictive that development cannot occur. Our position is to keep zoning as flexible as possible to keep the door open to new uses in the future.

MH: Will you create a zoning change to allow more flexible uses such as restaurants on upper floors?

- MLI: We will look into any upper floor restrictions

**Present**

Kurt Gaetner—EEA  
Jim Cowdell (JC), Mary Jane Smalley (MJS), Ted Smith (TS)—EDIC/Lynn  
Bob Fennell (BF)—LWSC  
John Moberger (JM)—LDCCD  
Andrew Hall (AH)—DPW  
Carolyn Cole (CC)—DTLCD  
Meaghen Hamill (MH)—Mayor's Office  
Matthew Littell (MLi), Andrew Nahmias (AN)—Utile  
Tom Skinner (TS)—Durand & Anastas

**Schedule**

JC: Ideally we would like to present the Waterfront Master Plan, MHP amendment, and zoning changes as one package to City Council for approval.

MLi: One timing concern is the end of the year deadline for developers to qualify for Opportunity Zone benefits. A project does not need to be fully permitted, but the proper zoning must be in place for a project to acquire funding.

MLi: We will hold a public meeting on May 7<sup>th</sup> outlining the MHP amendment. We will have an additional meeting at the end of May presenting the final draft of the MHP Amendment and the Waterfront Master Plan

KG: June 4<sup>th</sup> is the final public meeting for the Open Space Master Plan that will present the final draft of the plan

**Action by:** Utile to review zoning restrictions for upper story uses. Utile to meet with the potential Garelick Farm's site developer to review proposed zoning changes. Utile to meet with DCR, Gearworks site team, BRR, and South Harbor and Lynnway Mart developers to discuss potential intersection improvements at the future South Harbor DCR park and Gearworks intersection.

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## Lynn MHP Amendment—Public Meeting #2

Lynn Housing Authority

### 15 members of the public signed-in attendance

### Presentation by Matthew Littell and Andrew Nahmias from Utile, and Tom Skinner from Durand & Anastas on the proposed framework for the MHP Renewal and Amendment.

#### Questions & Comments

Questions from members of the public are labeled “Q” and comments are labeled “C” below. Responses from Matthew Littell are labeled “ML” and responses from Tom Skinner are labeled “TS.”

Q: What is a light industrial use? Does that include auto uses?

- ML: In the zoning light industrial does not include auto-uses but allows for light manufacturing uses such as assembly or a research laboratory. There are examples of areas like the East Boston waterfront that keep a healthy mix of industrial uses with public and commercial uses like breweries or artist spaces. The waterfront plan identifies a buffer area to the light industrial zone on the waterfront. The area has the potential to be a destination on the waterfront with a mix of light industrial and public uses.

Q: Does the plan allow hotels?

- ML: Yes. Hotels are currently not allowed in the W3 district, but we would like to keep that option open.

C: There needs to be a blue line extension

Q: Will there be a cycle path through the site? Are there standards for cycle paths?

- ML: Yes, the Open Space Plan identifies streets with cycle paths. The Open Space Plan Design Guidelines provide standards and dimensions for different types of streets.

Q: How do you envision the path along the waterfront of the South Harbor site?

- ML: The Open Space Plan does not designate the specific location for the path, but specifies dimensions for the path, the types of lighting and benches, and provides guidelines on materials.
- TS: The MHP will provide direct references to the Design Guidelines

Q: What will the WDUZ be like? Is it open space? Make sure the intent is clear.

- ML: The WDUZ will require the waterfront pathway with the dimensions specified by the Open Space Plan
  - TS: We will specify that the WDUZ is public open space
- Q: Have you considered a mini-wildlife zone?
- ML: The Open Space Plan has indicated some naturalized areas for open space, such as the harbor park
- C: A management plan is required as part of licensing. One requirement can be making sure existing wildlife is not disturbed.

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This memorandum represents our understanding of the events which transpired and the actions which were taken. If they do not conform to a recipient's understanding, prompt written notice must be communicated to the writer. If no corrections or objections are made, this memorandum will be relied upon as a factual interpretation of this meeting.

Architecture  
& Planning

115 Kingston St.  
Boston, MA 02111  
(617) 423-7200  
utiledesign.com

## Lynn MHP Amendment—Public Meeting #3

Lynn Housing Authority

### 12 members of the public signed-in attendance

### Presentation by Matthew Littell and Andrew Nahmias from Utile, and Tom Skinner from Durand & Anastas on the proposed framework for the MHP Renewal and Amendment.

#### Questions & Comments

Questions from members of the public are labeled “Q” and comments are labeled “C” below. Responses from Matthew Littell are labeled “ML,” responses from Andrew Nahmias are labeled “AN,” and responses from Tom Skinner are labeled “TS.”

Q: How does the plan work with developers and current project proposals?

- ML: Projects such as South Harbor, the Porthole restaurant site, and Garelick Farms site are in different stages. The plan balances the flexibility required to create mixed-use development opportunities while ensuring the open space plan is enforced through the MHP and zoning.

Q: Is the Ferry Launch project part of the plan?

- AN: The project is mentioned in the MHP, but the site is partially within the DPA. and public open spaces are not normally permitted in a DPA.
- TS: The portions of the project that are located within the DPA it would be subject to DEP review, potentially as a temporary use under Chapter 91

Q: How do regulations roll out after the plan?

- ML: The plan will provide enough guidance for projects to move forward without being too restrictive. The open space plan cannot be implemented all at once but the MHP and zoning changes will help ensure that individual projects implement pieces of the plan over time. Additional steps and regulatory changes such as a DPA boundary review and conservation restriction will also be needed.

Q: When will zoning changes be made?

- ML: Zoning changes will be approved by City Council with the MHP amendment

C: Local zoning should state Chapter 91 height standards alongside other zoning height restrictions on the waterfront to minimize confusion between zoning and Chapter 91 standards

C: Call out that the amplifications only apply to the focus area designated in the plan

Q: Will the wetland be protected?

- ML: The wetland area will be subject to a management plan and must adopt the Open Space Design Guidelines
- TS: we will clarify that it is protected as a wetland in the MHP

Q: How will you provide a buffer between DPA uses and surrounding areas?

- ML: We will look into incorporating a buffer in the zoning

Q: There is a potential bike connection from the Lynn Community Path to the future River Works station. Will there be public access to the waterfront at the Gear Works project? Will there be a connection under the General Edwards bridge to the waterfront?

- AN: The Gear Works project is required to provide public access along the waterfront and from the River Works station to the Lynnway. The Open Space Plan team has looked into connecting the waterfronts under the bridge and have determined that it is extremely difficult. Instead they are focusing with DCR and the neighboring developers on the intersection between the Lynnway, the future Gearworks and South Harbor development entrances. The intersection has the potential to connect the River Works station and waterfront to the DCR park, fishing pier, and harbor waterfront.

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This memorandum represents our understanding of the events which transpired and the actions which were taken. If they do not conform to a recipient's understanding, prompt written notice must be communicated to the writer. If no corrections or objections are made, this memorandum will be relied upon as a factual interpretation of this meeting.

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**APPENDIX D**  
CLARIFICATION OF THE 2010 DECISION ON THE  
LYNN MHP AND DPA MASTER PLAN,  
DECEMBER 21, 2016

**Executive Office of Energy and Environment  
Office of Coastal Zone Management**

***Notice of clarification of the  
2010 Decision on the  
Lynn Municipal Harbor Plan and Designated Port Area Master Plan  
in accordance with 301 CMR 23.06***

On November 8, 2016, the City of Lynn submitted a request to the Environmental and Energy Affairs Secretary for a clarification of the 2010 Decision approving the Lynn Municipal Harbor Plan and Designated Port Area Master Plan. The clarification is in regards to the lot coverage/open space substitution for the proposed Minco development project site. The request was noticed in the Environmental Monitor on November 23, 2016 with a public comment period that ended on December 9, 2016. The Secretary's written clarification is attached to this Notice.



*The Commonwealth of Massachusetts*  
*Executive Office of Energy and Environmental Affairs*  
*100 Cambridge Street, Suite 900*  
*Boston, MA 02114*

Charles D. Baker  
GOVERNOR

Karyn E. Polito  
LIEUTENANT GOVERNOR

Matthew A. Beaton  
SECRETARY

Tel: (617) 626-1000  
Fax: (617) 626-1081  
<http://www.mass.gov/envir>

December 21, 2016

Mr. James M. Cowdell, Executive Director  
Economic Development & Industrial Corporation of Lynn  
Lynn City Hall  
3 City Hall Square, Room 307  
Lynn, MA 01901

Dear Mr. Cowdell:

The Executive Office of Energy and Environmental Affairs (EEA) has received the City of Lynn's ("City") request for a clarification of the lot coverage/open space substitution granted in the Secretary's June 28, 2010 Decision on the Lynn Municipal Harbor Plan and Designated Port Area Master Plan ("Decision"). The request was noticed in the *Environmental Monitor* on November 23, 2016, for a public comment period that ended on December 9, 2016.

The purpose of the Commonwealth's Municipal Harbor Planning program is to allow for cities or towns to develop local objectives, standards, and policies for guiding public and private utilization of land and water within Chapter 91 jurisdiction. Municipal Harbor Plans (MHP) may contain siting and design criteria for projects on the waterfront and off-setting and mitigation elements that when approved by the state, serve as substitute provisions for Chapter 91 licensing decisions.

A principle objective of the Lynn Municipal Harbor Plan and Designated Port Area Master Plan ("MHP/DPA Plan") was to improve public access and create meaningful public spaces, including several large municipal parks, and a continuous public promenade along Lynn Harbor, as well as to promote development consistent with the vision of the City's Waterfront Master Plan, which was developed with significant public input. In the Decision, the approved open space substitution was found to further these goals by allowing significantly denser development of a project site within tidelands jurisdiction, provided the increase in nonwater-dependent uses would be

offset by areas of open space greater than that required under the Waterways regulations. Based on years of work developing the Lynn Waterfront Master Plan, the City's MHP/DPA Plan specifically identified the areas to be targeted for the open space substitution requested. In affirming this arrangement, the Decision states that "In the application of the open space substitution for the Chapter 91 standards at 310 CMR 9.51(3)(d), DEP shall ensure that the sites used for the enhanced open space areas are located within areas delineated as 'Parks and Promenades' in Figure 9 of the Plan." Figure 9 of the City's MHP/DPA Plan shows the specific locations of public open space, parks, and promenades.

The City's request for clarification provides information and context on the evolution of the City's open space planning and discusses a specific project (Minco development) that is located in part of an area designated in the MHP/DPA Plan as the location of the "Lynn Waterfront Signature Park", a major open space area identified, as a result of significant public input, in both the Waterfront Master Plan and the MHP/DPA Plan as a key component for the redevelopment of the waterfront. The City's request states that the Minco development project does not need the lot coverage/open space substitution in the MHP/DPA Plan and meets the baseline requirements of the Chapter 91 Waterways regulations (310 CMR 9.00).

I received fourteen comment letters during the public comment period for this clarification. Most of the comments expressed concern about the City's adherence to the open space and development objectives described in these two documents, and the perceived discrepancies between the current development proposal and the City's plans for the waterfront. Comments also raised concerns with the need for public input regarding the changes to the open space priorities laid out in these plans. Comments from the state legislative delegation for Lynn expressed strong support for both the development—provided the project is in compliance with Chapter 91 standards—and the new efforts to develop an updated Lynn Waterfront Open Space Master Plan.

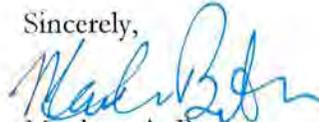
After my review of the City's request, the MHP/DPA Plan, and the Decision, I concur that as proposed the Minco development appears eligible to be reviewed under the standards in the Chapter 91 Waterways regulations (310 CMR 9.00) without any MHP/DPA Plan substitutions for greater density/lot coverage and associated open space. Provided that the Minco project can be properly licensed under Chapter 91, through this clarification I find that the location of the Minco development project may be sited within a portion of the open space area depicted in the approved MHP/DPA Plan without in itself being in conflict with the Decision. Because the Minco development project has repercussions for other development activity and its required open space, the City will have to address this issue before any additional development projects seeking the flexibility of the MHP/DPA Plan's approved substitutions can be licensed. Specifically, in order to take advantage of a lot coverage/open space substitution, the City must first undertake and complete the development of the new Lynn Waterfront Open Space Master Plan. I expect that the updated Waterfront Open Space Master Plan will better define the City's vision for open space along the waterfront, providing greater detail on feasibility and implementation. The planning effort will also include important specifics on managing and integrating the Commonwealth's recreational assets abutting, and/or in the vicinity of, the Lynn Harbor waterfront. This effort, in cooperation with EEA and the Massachusetts Department of Conservation and Recreation, shall include a more refined layout and organization of open spaces, based on a program of specific uses and circulation requirements. Central to this open space master planning effort will be the consideration of appropriate alternative designs and layouts for the public spaces to be created along the Lynn Harbor waterfront, with details on implementation strategies to ensure the areas identified as open

space and other aspects of the plan are realized. I expect that the City's efforts on the Waterfront Open Space Master Plan will include a robust public input and stakeholder engagement process.

As I anticipate that these layouts are likely to differ from those depicted in the Secretary's Decision, upon completion of the Lynn Waterfront Open Space Master Plan, the City must prepare, with extensive public input, an amended MHP, incorporating the findings of the open space master plan and all modifications to the City's goals and objectives for the development of its waterfront which have evolved since the approval of the MHP in 2010, and specifying the implementation commitments it intends to undertake to assure the success of the amended Plan.

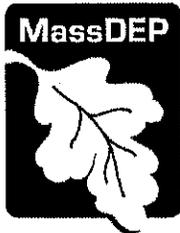
Please note that this clarification applies only to the lot coverage/open space substitution summarized in condition #2 of the Decision, and the other conditions of the Decision shall remain in effect.

This clarification will be noticed in the December 21 *Environmental Monitor*. If you have any questions please do not hesitate to contact Kathryn Glenn, North Shore Regional Coordinator in my Office of Coastal Zone Management, at 978-281-3972.

Sincerely,  
  
Matthew A. Beaton  
Secretary

Cc: Ned Bartlett, Undersecretary, EEA  
Bruce Carlisle, Director, CZM  
Brad Washburn, Assistant Director, CZM  
Kathryn Glenn, North Shore Regional Coordinator, CZM  
Gary Moran, Deputy Commissioner, MassDEP  
Ben Lynch, Chief, Waterways Regulation Program, MassDEP

**APPENDIX E**  
TRANSMITTAL LETTER AND  
ADMINISTRATIVE CONSENT ORDER  
12 , IN T E MATTER OF LYNN  
ARBORPAR , LLC



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Kathleen A. Theoharides  
Secretary

Martin Suuberg  
Commissioner

### CERTIFIED MAIL

July 3, 2019

Robert Delhome  
500 Harrison Avenue, Suite 4R  
Boston, MA 02118

RE: LYNN—Solid Waste Management  
**Lynn HarborPark, LLC**  
Lynn Landfill  
Off Riley Way

FMF Number: 39445

**Administrative Consent Order #00007125**

Dear Mr. Delhome:

Enclosed please find the fully executed copy of the Administrative Consent Order (the ACO) relative to the above-referenced case. The effective date of the ACO is July 2, 2019.

If you have any questions concerning this matter, please contact me at (978) 694-3298.

Sincerely,

Mark G. Fairbrother  
Section Chief  
Solid Waste Management Section

Certified Mail No.: 7015 1520 0002 1414 4184

Enclosure: Administrative Consent Order (#00007125)

cc: Susan Ruch, Deputy Regional Director, MassDEP-NERO/BAW  
Email: [susan.ruch@state.ma.us](mailto:susan.ruch@state.ma.us)

**COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

In the matter of:  
Lynn HarborPark, LLC

Enforcement Document Number:  
00007125  
Issuing Bureau: BAW  
Issuing Region/Office: NERO  
Issuing Program: SW  
Primary Program Cited: SW  
Subpgm(s) Cited: n/a  
Suffix(es): n/a  
FMF/Program ID #39445

**ADMINISTRATIVE CONSENT ORDER**

**I. THE PARTIES**

1. The Department of Environmental Protection ("MassDEP" or "Department") is a duly constituted agency of the Commonwealth of Massachusetts established pursuant to M.G.L. c. 21A, § 7. MassDEP maintains its principal office at One Winter Street, Boston, Massachusetts 02108, and its Northeast Regional Office at 205B Lowell Street, Wilmington, Massachusetts 01887.
2. Lynn HarborPark, LLC ("Respondent") is a Massachusetts limited liability corporation with its principal offices located at 500 Harrison Avenue, Suite 4R, Boston, Massachusetts 02118. Respondent's mailing address for purposes of this Consent Order is 500 Harrison Avenue, Suite 4R, Boston, Massachusetts 02118.

**II. STATEMENT OF FACTS AND LAW**

3. MassDEP is responsible for the implementation and enforcement of: M.G.L. c. 111, §§ 150A and 150A1/2, the Solid Waste Management Regulations at 310 CMR 19.000; M.G.L. c. 21E and the Massachusetts Contingency Plan ("MCP") at 310 CMR 40.0000; and M.G.L. c. 131, § 40 and the Wetlands Regulations at 310 CMR 10.00; and M.G.L. c. 91, and the Massachusetts Waterways Regulation at 310 CMR 9.00. MassDEP has authority under M.G.L. c. 21A, § 16 and the Administrative Penalty Regulations at 310 CMR 5.00 to assess civil administrative penalties to persons in noncompliance with the laws and regulations set forth above.

4. Respondent has proposed to conduct a corrective action closure of a landfill located on the waterfront in the City of Lynn, as detailed more fully in Paragraph 5, below. The proposed closure activities are subject to the statutes and regulations set forth in Paragraph 3, above. Respondent has not violated the foregoing statutes or regulations, but is required to enter into this Administrative Consent Order in order to proceed with its proposed project.

5. The following facts and allegations have led MassDEP to issue this Consent Order:

A. Respondent has obtained rights to access property currently owned by the South Harbor Realty Trust ("Owners") and known as the former South Harbor Realty Trust Property (the "SHRT Property") located off Riley Way Extension in Lynn, Massachusetts designated as Assessor's Parcel 34-752-28 by the City of Lynn. Respondent has also obtained access to adjacent parcels owned by Massachusetts Electric Company (Parcels 34-752-75, 50-752-55 and 50-752-56, referred to herein as the "Mass Electric Parcels"). Historic landfilling and disposal operations have occurred on the SHRT Property and Mass Electric Parcels. Collectively, the foregoing property and parcels are referred to herein as the "Landfill" or "Site."<sup>1</sup>

i. Access to Site is via Riley Way, which is a private way with ownership rights in the abutting landowners. Respondent will access the SHRT Property and the Mass Electric Parcels via Riley Way, through an access agreement with National Grid. In the event that Respondent becomes the owner of Parcels 34-752-55 and 34-752-56, then Respondent will be able to access via Riley Way as of right.

B. Respondent has obtained rights to perform certain activities at the Landfill, including the receipt and placement of grading and shaping materials and construction of a final landfill cover system ("cap") at the site in accordance with the Solid Waste Management Regulations, 310 CMR 19.000, where the Landfill's existing cap has either failed or is non-existent. Respondent is the holder of the first lien mortgage on the SHRT Property and has the legal rights of a mortgagee to undertake work on the parcel to preserve its value.<sup>2</sup> In addition, South Harbor Realty Trust, through its Trustee, has provided consent to Respondent for the submittal of permit applications and approvals related to the proposed project. Respondent and National Grid have entered into an agreement which authorizes Lynn HarborPark to seek necessary permits for the proposed project with respect to the Mass Electric Parcels.

C. The Landfill is an area of land that has been operated since the 1930's for the disposal of solid waste. Closure plans for the landfilled waste on the SHRT Property were

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<sup>1</sup> Respondent's proposed project includes both the SHRT Property and the Mass Electric Parcels. In the event that the Mass Electric Parcels are subsequently dropped from the project, then the terms "Landfill" and "Site" shall mean the SHRT Property. See Paragraph 5.M.

<sup>2</sup> Specifically, Respondent submitted to MassDEP a copy of a December 6, 2018 assignment of mortgage on the Trust parcel, conveyed from Mass Electric to Lynn HarborPark, LLC, and recorded at the Southern Essex Registry of Deed on December 14, 2018 at Book 37218, Page 177. Respondent is currently proceeding to foreclose on the mortgage.

approved by MassDEP on March 15, 1990. The landfilled waste on the SHRT Property was capped by others in the early 1990's. Documentation has not been received by MassDEP demonstrating that the SHRT Property was capped and closed in compliance with the 1990 plans as approved by MassDEP. The Mass Electric Parcels that are part of the Landfill closure are currently being managed under the Massachusetts Contingency Plan (MCP) (RTN: 03-01308 and RTN: 03-32427).

- D. The Landfill has not been maintained in accordance with the Solid Waste Regulations (310 CMR 19.000) and the existing cap has significant damage.
- E. On August 15, 2003, April 28, 2004 and March 3, 2005, MassDEP personnel inspected the Landfill and observed, without limitation, that:
- i. Significant erosion along all the side slopes had exposed the existing flexible membrane liner ("FML") from top to bottom of the slope;
  - ii. The FML was damaged in areas where it was exposed;
  - iii. The top plateau of the capped area on the SHRT period had settled and storm water was ponding on the surface;
  - iv. Several of the landfill gas vents had been broken and were no longer functioning; and
  - v. There were several piles of debris and waste had been illegally dumped throughout the Site.
- F. On June 13, 2005, MassDEP issued a Notice of Noncompliance to the current Owners of the SHRT Property requiring:
- i. A plan to conduct monitoring of surface water, groundwater and landfill gas in accordance with section 310 CMR 19.132 of the Solid Waste Regulations.
  - ii. A Corrective Actions Alternative Analysis ("CAAA") permit application pursuant to section 310 CMR 19.150 of the Solid Waste Regulations that includes:
    - i. An assessment of the condition of the cap including, without limitation the extent and erosion of the cap and the landfill gas venting system.
    - ii. A site plan showing the as-constructed cap.
    - iii. Conceptual design plans for correcting any deficiencies identified.
  - iii. A Corrective Action Design ("CAD") permit application pursuant to 310 CMR 19.151 including detailed design plans and procedures for implementing the necessary repairs of the landfill cap and the landfill gas vent system.
  - iv. An Initial Site Assessment ("ISA") and Comprehensive Site Assessment ("CSA") pursuant to section 310 CMR 19.150 of the Solid Waste Regulations.

There was no response to the Notice of Noncompliance by the Owners of the SHRT Property and none of the required actions were undertaken.

- G. Current conditions of the landfill cap include, but are not limited to:
- i. sloughing and erosion of the sand drainage layer and organic vegetated layer soils on the side slopes,
  - ii. exposure and tearing of the FML capping layer,
  - iii. woody growth on most slopes and portions of the plateau,
  - iv. broken passive landfill gas vents,
  - v. illegal dumping, and
  - vi. standing water in low-lying ponded areas on top of the cap.
- H. On July 31, 2018, Respondent submitted an Environmental Notification Form (“ENF”) pursuant to the Massachusetts Environmental Policy Act Regulations (MEPA, 310 CMR 11.00) for review of a project to include certain activities at the Landfill site, including the receipt and placement of grading and shaping materials and construction of a final landfill cover system (“cap”) in accordance with the Solid Waste Management Regulations, 310 CMR 19.000, where the Landfill’s existing cap has either failed or is non-existent (the “Project”). The MEPA office issued a Certificate, dated October 26, 2018, stating that the proposed Project did not require any further review under the MEPA Regulations and that the filing of an Environmental Impact Report (“EIR”) was not required.
- I. On October 25, 2018, Respondent submitted to MassDEP a “Conceptual Project Approval Letter and Plan” in accordance with the Department’s “Guidelines for Determining Closure Activities at Inactive Unlined Landfill Sites” (July 2001, Addendum dated September 4, 2007), referred to herein as the “Inactive Landfill Closure Guidelines.” As proposed in the Conceptual Project Approval Letter and Plan, the Landfill assessment and closure project will include, but not be limited to, the following:
- i. Accepting approximately 540,000 cubic yards of grading and shaping materials, the tipping fees for which will finance completing the Landfill’s closure and CSA, which materials may include: clean soils, soils meeting MassDEP’s policy “Reuse and Disposal of Contaminated Soils at Massachusetts Landfills (Policy COMM-97-001)”, street sweepings, catch basin cleanings, dewatered dredge materials, and other materials as may be approved by MassDEP;
  - ii. Submitting for review and approval by MassDEP a plan for site preparation permit application including temporary stockpiling of approximately 75,000 cubic yards of grading and shaping materials at the Site prior to approval of a new Corrective Action Design (“CAD”) permit application for completing the closure of the Landfill;
  - iii. Entering into an Administrative Consent Order with MassDEP for performing the proposed activities;

- iv. Posting an appropriate Financial Assurance Mechanism ("FAM") in a form approved by MassDEP in the amount necessary to complete the closure of the Landfill; and
  - v. Posting an appropriate FAM in a form approved by MassDEP in the amount necessary to complete the required post-closure monitoring and maintenance activities at the Landfill.
- J. On March 18, 2019, MassDEP issued a Final Decision approving Respondent's Conceptual Project Plan.
- K. On January 11, 2019, Respondent submitted to MassDEP an application, category BWP SW11 *Permit for Landfill Major Modification* (Application Number: 19-SW11AC-000002-APP) for approval of initial site preparation activities and interim stockpiling of grading and shaping materials at the Landfill.
- L. On April 2, 2019, Respondent submitted to MassDEP a Summary of Estimated Revenue and Corrective Action Costs for the Landfill Cap Repair Project (the "Cost and Revenue Summary"). The submittal also included a Cost Estimate for Post-Closure Maintenance and Monitoring for purposes of estimating a Post-Closure Financial Assurance Mechanism (the "Post-Closure FAM Estimate") for the Landfill in accordance with 310 CMR 19.051.
- M. On April 10, 2019, Respondent submitted a Corrective Action Design ("CAD") application to MassDEP for review and decision. The CAD application includes, but is not limited to, the design plans, specifications and details for completing the closure and an overall project schedule for the major project milestones. The CAD application includes the SHRT Parcel and the Mass Electric Parcels. The inclusion of the Mass Electric Parcels in the final project is contingent upon the outcome of the MCP assessment and work at those parcels. MassDEP anticipates that its decision on the CAD will include appropriate requirements for notification and process in the event that Respondent proposes to drop the Mass Electric Parcels from its project.
- N. On April 17, 2019, MassDEP issued a Final Decision approving Respondent's Site Preparation and Interim Stockpiling Plan.
- O. On May 3, 2019, Respondent provided an updated Post-Closure FAM Estimate.
- P. Respondent and MassDEP are entering into this Administrative Consent Order to establish the requirements for Respondent to complete the closure of the Landfill and implement the post-closure period as described herein including, but not limited to, an enforceable schedule and stipulated penalties for noncompliance with the requirements of this Consent Order. As noted above, Respondent has not violated the foregoing statutes or regulations, but is required to enter into this Administrative Consent Order in order to proceed with its proposed project.

### III. DISPOSITION AND ORDER

For the reasons set forth above, MassDEP hereby issues, and Respondent hereby consents to, this Order:

6. The parties have agreed to enter into this Consent Order because they agree that it is in their own interests, and in the public interest, to proceed promptly with the actions called for herein rather than to expend additional time and resources litigating the matters set forth above. Respondent enters into this Consent Order without admitting or denying the facts or allegations set forth herein. However, Respondent agrees not to contest such facts and allegations for purposes of the issuance or enforcement of this Consent Order.
7. MassDEP's authority to issue this Consent Order is conferred by the Statutes and Regulations cited in Part II of this Consent Order.
8. Respondent shall perform the following actions:
  - A. Respondent shall comply with the requirements of 310 CMR 19.000 including, but not limited to the requirements of 310 CMR 19.043(5) *Standard Conditions*, 310 CMR 19.140 *Landfill Closure Requirements*, and 310 CMR 19.150 *Landfill Assessment Requirements* applicable to the actions required by this Consent Order. This Consent Order extends to the requirements of 310 CMR 19.142, *Landfill Post-Closure Requirements* or 310 CMR 19.151 *Corrective Action Requirements*.
  - B. All engineering work performed pursuant to this Consent Order shall be under the general direction and supervision of a qualified independent professional engineer (the "Engineer of Record") registered in Massachusetts and experienced in solid waste management and design. Any contractual relationship between Respondent and the engineer for work required hereunder shall require the engineer, as a condition of the contract, to implement work consistent with the provisions of this Consent Order and all submittals required by this Consent Order shall be certified by Respondent and the Engineer of Record in compliance with 310 CMR 19.011.
  - C. No later than November 30, 2022, Respondent shall complete the receipt of grading and shaping materials at the Site in accordance with the MassDEP permits and approvals unless another date is approved by MassDEP.
  - D. No later than September 30, 2023, Respondent shall complete installation of the cap in accordance with the Corrective Action Design ("CAD") as approved by MassDEP including, but not limited to, the seeding of the vegetative layer.
  - E. Upon the effective date of MassDEP's Final Decision on the Interim Stockpiling Plan ("ISP"), which was issued on April 17, 2019, Respondent shall institute and perform the measures necessary to stabilize the existing cap pending completion of the final landfill cap system including, but not limited to, preparation and implementation of a Storm Water Pollution Prevention Plan ("SWPPP").

F. Respondent shall implement all measures necessary to control and prevent the generation and emission of dust wherever and whenever necessary at the Landfill, the access road, and any other areas related to or under control of Respondent to prevent nuisance conditions and/or fugitive dust emissions. Water shall not be used for dust control in amounts that produce excessive infiltration, ponding, runoff or erosion.

G. Prior to the receipt of grading and shaping materials at the Landfill, Respondent shall:

a. Establish and maintain a Closure Financial Assurance Mechanism (Closure FAM), in the form of a Trust, in accordance with 310 CMR 19.051, in the amount of Three Million One Hundred Fifty Thousand Dollars (\$3,150,000) to assure completion of all the closure obligations of this Consent Order and approved plans. The Closure FAM shall be reviewed periodically and adjusted as required by 310 CMR 19.051.

b. At least seven (7) days prior to the start of the receipt of grading and shaping materials at the Landfill, Respondent shall notify MassDEP and the City of Lynn of the date that the receipt of grading and shaping materials will begin and shall include with the notice a health and safety plan(s) for performing the closure activities at the Landfill.

H. The Respondent shall establish and maintain a Post-Closure Financial Assurance Mechanism ("Post-Closure FAM") in the form of a Corrective Action Trust Agreement that meets the requirements of 310 CMR 19.051(12)(a). The Respondent shall work with MassDEP to develop the Post-Closure FAM Trust Agreement within thirty (30) days of the Effective Date of this Consent Order. Respondent shall take all necessary steps and actions to ensure that the Trust Agreement is executed on or before May 1, 2020.

a. Fund the Post-Closure FAM Trust through three (3) deposits in the total amount of Six Hundred and Eighty-Six Thousand and Eight Hundred and Twenty dollars (\$686,820.00). Respondent shall make the deposits as follows:

- i. Within one year of the Effective Date of this Consent Order, Respondent shall deposit Two Hundred and Twenty-Eight Thousand and Nine Hundred and Forty dollars (\$228,940.00) into the Post-Closure Trust;
- ii. Within two years of the Effective Date of this Consent Order, Respondent shall deposit Two Hundred and Twenty-Eight Thousand and Nine Hundred and Forty dollars (\$228,940.00) into the Post-Closure Trust; and

- iii. Within three years of the Effective Date of this Consent Order, Respondent shall deposit Two Hundred and Twenty-Eight Thousand and Nine Hundred and Forty dollars (\$228,940.00) into the Post-Closure Trust.
- I. Respondent shall comply with the conditions set forth in the ISP, which was issued on April 17, 2019. Without limiting the foregoing, Respondent shall not accept or stockpile more than 75,000 cubic yards of grading and shaping materials and 10,000 cubic yards of asphalt pavement, brick and concrete ("ABC") materials for road construction at the Landfill prior to MassDEP approval of the Corrective Action Design. Respondent shall manage the materials accepted pursuant to this Paragraph in accordance with the Site Preparation and Interim Stockpiling Plan as approved by MassDEP including, but not limited to, all requirements of MassDEP's approval, any modifications as approved by MassDEP, and 310 CMR 19.000.
  - J. Respondent shall not accept or stockpile grading and shaping material on the Mass Electric Parcels unless and until the MCP remedy on those parcels is complete and MassDEP has issued written approval for the Mass Electric Parcels to be used for the acceptance or stockpiling of grading and shaping material.
  - K. Respondent shall comply with MassDEP's Final Decision on the CAD.
  - L. No later than July 15, 2019, Respondent shall submit to MassDEP for review and approval and subject to the procedures of Paragraph 8.N of this Consent Order an application, category BWP SW22 *Initial Site Assessment and Comprehensive Site Assessment Scope of Work*, ("ISA") complying with 310 CMR 19.150 and that includes, without limitation the following:
    - a. All the information required for the ISA in the Solid Waste Regulations and associated "Landfill Technical Guidance Manual," dated May 1997;
    - b. A scope of work for conducting any additional assessment activities necessary to complete a Comprehensive Site Assessment ("CSA") for the Landfill; and
    - c. A schedule for completion of the CSA and submission of a CSA permit application, category BWP SW23 *Comprehensive Site Assessment*.
  - M. No later than ninety (90) days after closure of the Landfill is completed, Respondent shall submit to MassDEP for review and approval subject to the procedures of Paragraph 8.N of this Consent Order, an application category BWP SW43 *Landfill Closure Completion* for the certification of closure construction of the Landfill. The Closure Certification Report shall be prepared by the Engineer of Record and complies with 310 CMR 19.000 including, but not limited to the requirements of 310 CMR 19.107: *Construction Certification*, and 310 CMR 19.140: *Landfill Closure Requirements*, that, without limitation, shall include

complete "as built" plans of the landfill closure and Quality Control/Quality Assurance documentation<sup>3</sup> of the construction.

- N. No later than ninety (90) days after closure of the Landfill is completed, Respondent shall place a conservation restriction on the future use of the Site limiting future use and activities to active and passive recreation, public access, and open space, which may include flood storage/storm management systems and activities, and which shall not limit or interfere with Respondent's post-closure monitoring and maintenance obligations under this Consent Order.
- a. Upon the effective date of this Consent Order and thereafter, Respondent shall diligently pursue a Conservation Restriction on the Site.
  - b. Respondent shall work diligently with the Conservation Restriction Review Program to ensure that it meets the deadline in this subsection III.8.M.
  - c. Respondent shall provide quarterly updates to MassDEP about the status of its efforts to apply for and obtain the required Conservation Restriction, on or before September 15<sup>th</sup>, December 15<sup>th</sup>, March 15<sup>th</sup> and June 15<sup>th</sup> of every year until such Conservation Restriction has been recorded.
  - d. Respondent is aware and agrees that MassDEP is not required to issue an approval of the Closure Certification Report unless and until the Conservation Restriction is obtained and recorded.
- O. Respondent shall submit all MassDEP applications required by this Consent Order to MassDEP together with all applicable fees required under 310 CMR 4.00. The Respondent shall provide any additional information required by MassDEP on an application, without limitation, including that required by any Notice of Administrative or Technical Deficiency issued by MassDEP pursuant to 310 CMR 4.00, within forty-five (45) days of the date of such notice or request, unless Respondent requests and MassDEP approves, at its sole discretion, an alternative schedule.
- P. Respondent shall provide MassDEP with both electronic and paper copies of all documents and correspondence submitted to MassDEP pursuant to this Consent Order including, but not limited to, that required by Paragraph 8 of this Consent Order.
- Q. Respondent agrees to provide MassDEP, and MassDEP's employees, representatives and contractors, access at all reasonable times to the Landfill for purposes of conducting any activity related to its oversight of this Consent Order.

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<sup>3</sup> QA/QC documentation shall include, but is not limited to, by direct measurement and observation by a representative of the Engineer of Record, demonstration that all soils have been placed in depth and kind to the approved specifications. Wherein the specifications state minimum or maximum all measurements shall individually meet the specification. Wherein materials not meeting the specification are received the QA/QC shall document the disposition of the materials.

Notwithstanding any provision of this Consent Order, MassDEP retains all of its access authorities and rights under applicable state and federal law.

- R. Respondent agrees to maintain and make available to MassDEP, and MassDEP's employees, representatives and contractors, access to records documenting the activities at the Landfill that shall include without limitation records on the shaping and grading materials received at the Landfill including without limitation 21E Bill of Ladings, Materials Shipping Records, and supporting reports and analytical data and the Monthly Reports, Engineer's Reports and Daily Logs required by this Consent Order. Respondent shall also maintain a copy of the health and safety plan and documentation that site personnel have been trained pursuant to the health and safety plan at the Site.
- S. Respondent shall perform routine inspections of the Landfill in accordance with the requirements of this Paragraph 8.R and the approved plans to ensure compliance with this Consent Order:
- a. For every day that construction activities take place, conduct a daily inspection and assessment of the status and condition of the Landfill<sup>4</sup> and construction activities. This shall include, but not be limited to the monitoring of the Landfill for the occurrence of nuisance odors, dust, and noise, and storm water run-off from the Landfill and any necessary corrective actions.
  - b. Maintain at the Landfill a Daily Log that summarizes the daily inspection, and includes, but is not limited to:
    - i. A daily summary that describes, without limitation, the principle activities at the Landfill that day such as, site grading, excavation, storm water system maintenance, and notable construction milestones;
    - ii. A description of any deviations from the approved plans, and the Consent Order;
    - iii. A description of corrective actions, maintenance, or repairs taken, or to be taken, to mitigate or correct problems or potential/actual nuisance conditions;
    - iv. Documentation of all reporting/notifications made to MassDEP, the Board of Health of the City of Lynn and other authorities, agencies, emergency responders, or facilities, as necessary, in accordance with the Notification Requirements of Paragraph 8 of this Consent Order; and

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<sup>4</sup>This includes but is not limited to structures, equipment, devices, storm water management controls, environmental control systems, paved surfaces, fencing, gates, and other areas.

- v. Documentation of any complaints received by Respondent relative to the activities at the Landfill that includes, but is not limited, to the name/identity of the complainant and the complainant's contact information (if provided to Respondent), the date and time of the complaint, the nature of the complaint, and Respondent's response to the complaint including any actions taken by Respondent.
- T. Respondent shall have a qualified employee of the Respondent conduct weekly inspections of the Landfill, including, but not limited to the receipt and placement of grading and shaping materials, construction activities, and project status as described in the approved permit documents.
- U. Respondent shall have the Engineer of Record or his/her qualified direct employee(s) (the "Inspector(s)") conduct routine inspections (the "Engineer's Inspection") of the Landfill, construction activities and project status as described in the approved permit documents. These inspections are not in lieu of any inspections, oversight or reporting necessary to oversee the construction activities at the Landfill for purposes of preparing the certification report required by Paragraph 8.L of this Consent Order and complying with 310 CMR 19.011 *Certification*, 310 CMR 19.106 *Quality Assurance and Quality Control Requirements*, 310 CMR 19.107 *Construction Certification*, and 310 CMR 19.151(4) *Oversight of Corrective Action Implementation*. The Respondent shall not be given prior notice of any inspection pursuant to this Paragraph.
- V. The Inspector(s) shall have adequate training, knowledge and understanding of all applicable regulations, the requirements of this Consent Order and all applicable plans and approvals and shall during the weekly and Engineer's Inspections:
  - a. Thoroughly evaluate the project status and identify actual or potential deviations from the applicable regulations, the requirements of this Consent Order and all applicable plans and approvals;
  - b. Observe the activities at the Landfill including, but not limited to the, receipt and placement of shaping and grading materials at the Site;
  - c. Review the Daily Log;
  - d. Review the shipping documentation (21E BOLs, MSRs) for shaping and grading materials received at the Site since the last Engineer's Inspection; and
  - e. Review data and results from any confirmatory testing samples collected on-site and make determinations as to the removal of grading and shaping materials from the Site.
- W. The Inspector(s) shall prepare a written construction monitoring report of each inspection, as set forth in this Consent Order (the "Construction Monitoring Reports") and shall submit that report to the Engineer of Record in a timely manner. The Engineer of Record shall review the Inspector's reports and shall submit not later than the 15<sup>th</sup> day of each month printed and electronic copies of

the Construction Monitoring Reports for the preceding month directly to MassDEP. Respondent shall also provide copies to the City of Lynn Board of Health. A copy of each Construction Monitoring Report shall also be made available at the Landfill to authorized representatives of MassDEP and the City upon request. Each Construction Monitoring Report shall be signed, dated, and certified in accordance with 310 CMR 19.011(1) by the Inspector, the Site Engineer, and Respondent, and shall, without limitation:

- a. Document the conditions and construction activities at the time of the inspection and the project progress since the previous inspection;
  - b. Provide a summary of any complaints received regarding the Landfill including, but not limited to, the nature of the complaint, the action taken, the complainant (if known), and any recommendations for actions;
  - c. Include a tabular summary by source of the types and quantities of grading and shaping materials received at the Landfill, since the last inspection, that also includes any loads of grading and shaping materials rejected at the Landfill;
  - d. Include the analytical results of any sample(s) collected during the inspection in a tabular format with the laboratory analytical reports and chain-of-custody documents as attachments, provided that the analytical results may be submitted to MassDEP separately no later than forty-five (45) days after the date of the inspection, if not available for submittal with the inspection report;
  - e. Identify any actual or potential deviations from the applicable regulations, the requirements of this approval, and all applicable plans and approvals; and
  - f. In the event a condition of actual or potential deviation is identified, Respondent shall:
    - a. describe the deviation/issue,
    - b. identify the action(s) Respondent took or intends to take to correct the deviation/issue and a schedule for taking the action(s), and
    - c. include photographs documenting the condition of the Landfill and construction progress.
- X. Respondent shall provide MassDEP, within fourteen (14) calendar days of the date of receiving written comments from MassDEP on a Construction Monitoring Report, a written response that includes, without limitation, any information that MassDEP reasonably requires. This provision does not limit MassDEP's right to request information pursuant to 310 CMR 19.000, 310 CMR 40.0000 (the "MCP"), and 310 CMR 30.000, the Massachusetts Hazardous Waste Regulations or any other applicable state, federal, or local law or regulation.

- Y. Respondent shall provide the City of Lynn Mayor's Office and Board of Health with copies of all documents and correspondence submitted to MassDEP within one (1) business day of the date of their submittal to MassDEP. This provision does not relieve Respondent's obligation to comply with a shorter timeframe required by any applicable federal, state, or local laws, regulations, or approvals.
- Z. Respondent may request, and MassDEP may in its sole discretion, extend any deadline established under this Section.

9. Unless submitted via the EEA ePLACE Public Access Portal or except as otherwise provided herein, all notices, submittals and other communications with MassDEP required by this Consent Order shall be directed to:

Susan Ruch, Deputy Regional Director – BAW  
MassDEP – Northeast Regional Office  
Solid Waste Management Section  
205B Lowell Street  
Wilmington, MA 01887

Such notices, submittals and other communications shall be considered delivered by Respondent upon receipt by MassDEP.

10. Actions required by this Consent Order shall be taken in accordance with all applicable federal, state, and local laws, regulations and approvals. This Consent Order shall not be construed as, nor operate as, relieving Respondent or any other person of the necessity of complying with all applicable federal, state, and local laws, regulations and approvals. MassDEP hereby determines, and Respondent hereby agrees, that the deadlines set forth above constitute reasonable periods of time for Respondent to take the actions described.

11. Force Majeure

- A. MassDEP agrees to extend the time for performance of any requirement of this Consent Order if MassDEP determines that such failure to perform is caused by a Force Majeure event. The failure to perform a requirement of this Consent Order shall be considered to have been caused by a Force Majeure event if the following criteria are met: (1) an event delays performance of a requirement of this Consent Order beyond the deadline established herein; (2) such event is beyond the control and without the fault of Respondent and Respondent's employees, agents, consultants, and contractors; and (3) such delay could not have been prevented, avoided or minimized by the exercise of due care by Respondent or Respondent's employees, agents, consultants, and contractors.
- B. Financial inability and unanticipated or increased costs and expenses associated with the performance of any requirement of this Consent Order shall not be considered a Force Majeure Event.

- C. If any event occurs that delays or may delay the performance of any requirement of this Consent Order, Respondent shall immediately, but in no event later than five (5) days after obtaining knowledge of such event, notify MassDEP in writing of such event. The notice shall describe in detail: (i) the reason for and the anticipated length of the delay or potential delay; (ii) the measures taken and to be taken to prevent, avoid, or minimize the delay or potential delay; and (iii) the timetable for taking such measures. If Respondent intends to attribute such delay or potential delay to a Force Majeure event, such notice shall also include the rationale for attributing such delay or potential delay to a Force Majeure event and shall include all available documentation supporting a claim of Force Majeure for the event. Failure to comply with the notice requirements set forth herein shall constitute a waiver of Respondent's right to request an extension based on the event.
- D. If MassDEP determines that Respondent's failure to perform a requirement of this Consent Order is caused by a Force Majeure event, and Respondent otherwise complies with the notice provisions set forth in Paragraph 11.C, above, MassDEP agrees to extend in writing the time for performance of such requirement. The duration of this extension shall be equal to the period of time the failure to perform is caused by the Force Majeure event. No extension shall be provided for any period of time that Respondent's failure to perform could have been prevented, avoided or minimized by the exercise of due care. No penalties shall become due for Respondent's failure to perform a requirement of this Consent Order during the extension of the time for performance resulting from a Force Majeure event.
- E. A delay in the performance of a requirement of this Consent Order caused by a Force Majeure event shall not, of itself, extend the time for performance of any other requirement of this Consent Order.
12. Respondent understands, and hereby waives, its right to an adjudicatory hearing before MassDEP on, and judicial review of, the issuance and terms of this Consent Order and to notice of any such rights of review. This waiver does not extend to any other order issued by the MassDEP.
13. This Consent Order may be modified only by written agreement of the parties hereto.
14. The provisions of this Consent Order are severable, and if any provision of this Consent Order or the application thereof is held invalid, such invalidity shall not affect the validity of other provisions of this Consent Order, or the application of such other provisions, which can be given effect without the invalid provision or application, provided however, that MassDEP shall have the discretion to void this Consent Order in the event of any such invalidity.
15. Nothing in this Consent Order shall be construed or operate as barring, diminishing, adjudicating or in any way affecting (i) any legal or equitable right of MassDEP to issue any additional order or to seek any other relief with respect to the subject matter covered by this Consent Order, or (ii) any legal or equitable right of MassDEP to pursue any other claim, action, suit, cause of action, or demand which MassDEP may have with

respect to the subject matter covered by this Consent Order, including, without limitation, any action to enforce this Consent Order in an administrative or judicial proceeding. Respondent reserves any rights it may have to appeal or defend any such order, claim, action, suit, cause of action, or demand, except that Respondent shall not challenge the validity, terms and binding nature of this Consent Order.

16. This Consent Order shall not be construed or operate as barring, diminishing, adjudicating, or in any way affecting, any legal or equitable right of MassDEP or Respondent with respect to any subject matter not covered by this Consent Order.
17. This Consent Order shall be binding upon Respondent and upon Respondent's successors and assigns. Respondent shall not violate this Consent Order and shall not allow or suffer Respondent's members, managers, employees, agents, contractors or consultants to violate this Consent Order. Until Respondent has fully complied with this Consent Order, Respondent shall provide a copy of this Consent Order to each successor or assignee at such time that any succession or assignment occurs.
18. Respondent shall pay stipulated civil administrative penalties to the Commonwealth in accordance with the following schedule if Respondent violates this Consent Order. For each day, or portion thereof, of each violation, Respondent shall pay stipulated civil administrative penalties in the following amounts:

<u>Period of Violation</u>	<u>Penalty per day</u>
1st through 15th days	\$ 1,000 per day
16th through 30th days	\$ 2,000 per day
31st day and thereafter	\$ 5,000 per day

Stipulated civil administrative penalties shall begin to accrue on the day a violation occurs and shall continue to accrue until the day Respondent corrects the violation or completes performance, whichever is applicable. Stipulated civil administrative penalties shall accrue regardless of whether MassDEP has notified Respondent of a violation or act of noncompliance. All stipulated civil administrative penalties accruing under this Consent Order shall be paid within thirty (30) days of the date MassDEP issues Respondent a written demand for payment. If a court judgment is necessary to execute a claim for stipulated penalties under this Consent Order, Respondent agrees to assent to the entry of such judgment. If simultaneous violations occur, separate penalties shall accrue for separate violations of this Consent Order. The payment of stipulated civil administrative penalties shall not alter in any way Respondent's obligation to complete performance as required by this Consent Order. MassDEP reserves its right to elect to pursue alternative remedies and alternative civil and criminal penalties which may be available by reason of Respondent's failure to comply with the requirements of this Consent Order. In the event MassDEP collects alternative civil administrative penalties, Respondent shall not be required to pay stipulated civil administrative penalties pursuant to this Consent Order for the same violations.

Respondent reserves whatever rights it may have to contest MassDEP's determination that Respondent failed to comply with the Consent Order and/or to contest the accuracy of MassDEP's calculation of the amount of the stipulated civil administrative penalty.

Respondent shall pay all civil administrative penalties due under this Consent Order, including suspended and stipulated penalties, by certified check, cashier's check, or money order made payable to the Commonwealth of Massachusetts. Respondent shall clearly print on the face of its payment Respondent's full name, the file number appearing on the first page of this Consent Order, and the Respondent's Federal Employer Identification Number, and shall mail it to:

Commonwealth of Massachusetts  
Department of Environmental Protection  
Commonwealth Master Lockbox  
P.O. Box 3982  
Boston, Massachusetts 02241-3982

Respondent shall simultaneously mail a copy of the payment to:

Susan Ruch, Deputy Regional Director – BAW  
MassDEP – Northeast Regional Office  
Solid Waste Management Section  
205B Lowell Street  
Wilmington, MA 01887

In the event Respondent fails to pay in full any civil administrative penalty as required by this Consent Order, then pursuant to M.G.L. c. 21A, § 16, Respondent shall be liable to the Commonwealth for up to three (3) times the amount of the civil administrative penalty, together with costs, plus interest on the balance due from the time such penalty became due and attorneys' fees, including all costs and attorneys' fees incurred in the collection thereof. The rate of interest shall be the rate set forth in M.G.L. c. 231, § 6C.

19. Failure on the part of MassDEP to complain of any action or inaction on the part of Respondent shall not constitute a waiver by MassDEP of any of its rights under this Consent Order. Further, no waiver by MassDEP of any provision of this Consent Order shall be construed as a waiver of any other provision of this Consent Order.
20. Respondent agrees to provide MassDEP, and MassDEP's employees, representatives and contractors, access at all reasonable times to the Site for purposes of conducting any activity related to its oversight of this Consent Order. Notwithstanding any provision of this Consent Order, MassDEP retains all of its access authorities and rights under applicable state and federal law.
21. The undersigned certify that they are fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the party on whose behalf they are signing this Consent Order.

22. This Consent Order shall become effective on the date that it is executed by MassDEP.
23. Respondent's obligations under this Consent Order shall cease upon Respondent's completion of all actions and payments required pursuant to Paragraphs 8 and 18 of this Consent Order and MassDEP's issuance of a return to compliance letter stating that Respondent has completed the requirements of said Paragraphs.

Consented To:

**Lynn HarborPark, LLC**

By: LHP Management Company, LLC, its Manager

By: Charter Development Company, LLC, its Manager

By: 

Print Name: Robert L. Delhome, its Manager

Lynn HarborPark, LLC  
500 Harrison Avenue, Suite 4R  
Boston, Massachusetts 02118

Date: June 28, 2019

Federal Employer Identification No.: 84 - 2047408

Issued By:

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

By:



Eric Worrall, Regional Director  
Northeast Regional Office  
205B Lowell Street  
Wilmington, Massachusetts 01887

Date: 7/2/19

**APPENDIX F**

CITY OF LYNN SEAWALL REDESIGN & RETROFIT  
PROJECT APPLICATION, CZM COASTAL RESILIENCY  
GRANT PROGRAM FY 21, PROJECT NARRATIVE AND  
APPENDICES A - C

# LYNN SEAWALL REDESIGN & RETROFIT PROJECT

## 1) COASTAL HAZARDS MANAGEMENT

### Project Area Vulnerability

The City is vulnerable to a number of natural hazards that are expected to be exacerbated by climate change. Throughout the City there are areas vulnerable to inland flooding, and coastal storm surge due to extreme storm events, heat island effect, and storm damage caused by wind and heavy snow during winter storms. Some of these impacts are localized such as coastal storm damage, while others such as heat island effect and storm damage due to high winds and snow are felt citywide.

The project area consists of a stretch of shoreline located in the Lynn harbor front, seaward of a former landfill and eroding roadway (please see Appendix A; for project area graphic). A timber seawall runs the length of the project site, which is in severe disrepair and failing. The area is currently vulnerable to coastal storm surge, rising sea levels, and in-land rain events that are all contributing to erosion the full length of the project area. These impacts are only expected to worsen with the advance of climate change.

The existing landfill, located just landward of the seawall, is currently undergoing repair by Charter Environmental. Once complete the landfill will feature additional material and permanent cap to accommodate open space and recreational amenities, and will be permanently protected as open space with a conservation restriction. The landfill project is expected to be complete in 2023. If erosion continues unchecked, the landfill could be undermined due to its proximity to the project shoreline. This dynamic presents a challenging environmental hazard that will be addressed with the proposed design process. In addition to the landfill, there is underground contamination located on proximity of the project area. The contamination has been addressed through three separate Activity Use Limitation (AUL) restrictions. Preventing further erosion is critical to ensure this contamination doesn't migrate from its current location. Lynn Sewer and Water is also planning on relocating a stormwater outfall as part of their ongoing CSO separation efforts. The outfall is expected to be proximate to the project area. Stabilizing the shoreline will be necessary to ensure long term viability of the outlet structure.

The project area is also part of the larger waterfront vision that has undergone substantial study and planning processes over the last couple of years. This includes the Lynn Waterfront Open Space Master Plan ("Open Space Plan"), Lynn Revised Waterfront Master Plan ("Waterfront Plan"), and Lynn Municipal Harbor Plan ("MHP"). The vision for the harbor front includes opening up access to the public to the water with a number of outdoor plazas, open spaces, and recreational opportunities all connected by a continuous waterfront promenade. In the middle of the harbor a signature open space is envisioned by adaptively reusing the landfill property as an approximately 30 acre public open space. Actions to restore the shoreline and make it more resilient to the effects of climate change are necessary to make sure these public amenities can be implemented, and that they will be available to the community for the long term.

## Hazard Management Approach

To date there has been limited efforts to manage erosion and flood hazards in the project area. The timber seawall has been neglected, and the land seaward has been left to erode as the shoreline infrastructure is failing. The City has taken the first step to better understand how best the shoreline can be restored and protected by proceeding through the community resiliency workshop process promulgated under the Municipal Vulnerability Program (MVP) 2018, and completing a coastal resiliency assessment in 2016.

The project proposal under this grant application seeks to advance plans based on recommendations from both of these processes, and informed by harbor planning processes, to identify specific design approaches to restore the shoreline along the project area. This will be the first step in many necessary to advance to the stage where capital improvements can be made to restore the shoreline. If the City receives funding to develop a preferred design alternative, we expect to seek additional funding assistance to finalize design and engineering of the approach, proceed through the permitting process, followed by implementation.

The harbor planning processes have laid out an approach to redevelopment and reuse that will mitigate climate change impacts by locating new development further from the shoreline. Much of the area along the central and south harbor sections of the plan are currently undeveloped, the Open Space Plan and subsequent plans have made recommendations to set development back further from the shore, and is seeking to codify an expanded WDU zone with the current MHP. The rest of the undeveloped area is intended to be preserved as open space and will include limited development opportunities in the future.

## 2) CLIMATE ADAPTATION

The City of Lynn in partnership with Lynn Economic Development and Industrial Corporation (EDIC) have completed a number of planning process to better understand how the City's harbor front is currently vulnerable to natural hazards, storm events, and while taking into consideration future impacts expected from Climate Change. The City is motivated on a number of fronts to better understand its vulnerability to natural hazards, particularly in the context of climate change. In recent years, the City has suffered from multiple extreme storm events causing severe local flooding, and shoreline erosion caused both by heavy precipitation and storm surge. These flooding events caused significant property damage, impacted transportation infrastructure, including transit operations, and had negative effects on water quality. The City has approximately four miles of coastline exposed to open ocean waves, while the remaining shoreline is semi-protected by natural structures such as coastal dunes, beaches, and manmade structures. Approximately 2.7 miles of coastline features seawalls with varying degrees of deterioration. The timber seawall located along much of the Lynn harbor shoreline is approximately 60 years old and is failed with severe erosion taking place. The City has also identified warming temperatures and heat island effect caused by vast swaths of impervious cover will become a greater public health concern for vulnerable populations.

The vulnerabilities exist now, and are expected to worsen due to climate change. The City has worked through a number of planning processes to prepare for the changing climate, and prioritize investment and actions because the need is so great. Efforts around climate change seek to improve public health and safety, mitigate damage to both public and private property, ensure City services such as water, sewer, public safety and transportation are provided without interruption, and protect critical infrastructure from storms events. The City also seeks to better prepare for climate change in order to facilitate economic development and investment in the City. Much of the City's growth areas, downtown, harbor, and West Lynn are vulnerable to the natural hazards mentioned above. Actions are necessary to ensure the City and the private sector can move forward with redevelopment and infill development in these areas that is climate change resilient.

The City seeks to preserve and restore where possible vulnerable natural resources throughout the City. This includes, among others, natural resources along the Saugus River, Lynn shoreline, and the Strawberry Brook watershed. Environmental justice is an important consideration, much of the City is located in an Environmental Justice neighborhood, and many residents and businesses suffer disproportionately from the effects of climate change. The City of Lynn is a "Gateway" City and many of the most vulnerable neighborhoods adjacent to the waterfront in the city will be the first to benefit from the plans for expanded public access to open space.

#### Lynn Community Resilience Building Workshop

The City of Lynn completed the Lynn Community Building Workshop in 2019 consistent with Commonwealth's Municipal Vulnerability Preparedness grant program requirements. The workshop built off of a number of planning processes underway including the Open Space Plan and Coastal Resiliency Assessment by bringing together a number of stakeholders for an all-day resiliency workshop. The objectives of the workshop were to achieve the following:

- Define top local, natural, and climate-related hazards of concern,
- Identify existing and future strengths and vulnerabilities,
- Develop prioritized action for the community; and
- Identify immediate opportunities to collaboratively advance actions to increase resilience.

The workshop findings were ultimately reported in the Summary Report prepared by Weston & Sampson in April, 2019 (Please see Appendix B for Findings excerpt). The City achieved MVP certification as a result of the process and is currently working along multiple fronts to carry out priority actions from the MVP process. The top five hazards identified during the MVP process include Sea Level Rise, Coastal Storm Surge, and Erosion; Heavy Precipitation and Flooding; High Winds; Winter Storms; and Extreme Heat. Key vulnerable areas included the waterfront, with the high risk of erosion and damage to coastal infrastructure. High priority recommendations include actions to protect the City's waterfront and marina from sea level rise and coastal storm surge. Relevant actions to this project scope include:

- Support Resiliency Measures developed through the planning efforts related to the Waterfront Master Plan, and Waterfront Open Space Master Plan;

- Protect beaches, coastlines, and the landfill from sea level rise, storm surge, and erosion by promoting living seawalls and shorelines, berms, green roofs, and other strategies to increase resiliency;
- Continue ongoing evaluations of the seawall and implement recommendations which could include additional studies, developing an action plan, and repairing the sea wall.

The Lynn Seawall Redesign and Retrofit project seeks to build directly from the results of the Coastal Resiliency Assessment and MVP Resiliency Workshop. The project will gather site specific conditions and advance design alternatives, and result in the refinement of a preferred plan in coordination with relevant State agencies. Ultimately, the City will be in a position to advance an accepted project plan that redesigns the seawall and restores the shoreline through permitting phases.

#### Lynn Coastal Resiliency Assessment

The Lynn Economic Development and Industrial Corporation (EDIC) lead efforts on behalf of the City to complete the Lynn Coastal Resiliency Assessment (LCRA) in 2016. The study was a community-based process assessing the vulnerability of the Lynn shoreline and Saugus River in the context of future climatic conditions, and develop adaptation strategies to make these areas more resilient to climate change. This project was funded with assistance from the Executive Office of Environmental Affairs (EOEEA), through the Coastal Zone Management (CZM) Coastal Resiliency Grant Program. Like many coastal resiliency plans the LCRA identified a number of effects from climate change facing the City's shoreline, including increase in sea levels and the increase in number, duration and intensity of storm events. The region is also experiencing changes in precipitation patterns that generally show an increase in precipitation on an annual basis as well as an increase in the amount of precipitation from heavy rain events. These effects will cause more erosion of the shoreline and loss of coastal land, and more frequent flood events that affect larger areas of land.

The LCRA conducted a shoreline erosion analysis of the area in proximity of the landfill, roughly the length of the roadway access called Riley Way Extension, to determine risk to the landfill and Riley Way Extension itself. The analysis considered sea level rise based on NOAA highest sea level rise projections for 2041 and 2066, finding that waves impacting the area could have wave heights of four to five feet during the 100-year storm event. The analysis documented that the existing seawall is not functional and the shoreline is currently undergoing erosion under current conditions and will be exacerbated by sea level rise. The analysis noted that the landfill is at risk under current conditions. Recommendations for coastal protection offered a range of project types including integrated systems that incorporate both soft and hard elements to protect coastal resources and natural systems, and that feasibility analysis based on the site context is necessary to develop specific design interventions.

#### Lynn Waterfront Open Space Master Plan

As previously noted the Open Space Plan established a bold vision for redevelopment of the waterfront that included substantial enhancement to the public realm to and along the waterfront. Building off of the Coastal Resiliency Assessment and MVP Workshop underway at that of plan development, the Open Space Plan took a closer look at impacts due to sea level rise (See Appendix C for Resiliency Excerpt). The

project team studied coastal processes, and developed site specific tide and storm surge projections for years 2030, 2050, 2070, and 2100. Findings from the analysis indicated that without replacing or repairing the sea wall coastal erosion would continue. The findings found that projections were correlated to NOAA projections that indicate there could be as much as three foot sea levels rise by 2066, resulting in storm surges reaching 14' NAVD88 Elevation. Based on these projections, and the fact that the existing timber sea wall is likely to be overtopped during 100-year storm events now, the Open Space Plan established these three goals for improved resiliency:

- Improve the physical infrastructure of the coastal edge;
- Prepare for inundation;
- Improve public access to and along the coastline.

The Open Space plan recognizes that the level of deterioration of the seawall, and the generally low lying elevation of the waterfront leaves it vulnerable to sea level rise. The plan outlines a strategy to utilize publicly accessible open space that allows for inundation during storm events, and improved access to and enjoyment of the waterfront. This approach emphasizes a hybrid approach that seeks to restore coastal infrastructure where appropriate, while working to integrate habitat value into the function of the structure, demonstrating an integrated approach to combine natural shoreline function and necessary stabilization requirements. The Lynn Seawall Redesign and Retrofit project will take this concept and develop specific designs that achieve the goals of the Open Space Plan for shoreline restoration while coordinating with state agencies to ensure a project design that will be successful proceed through the permitting process for implementation.

### 3) NEED FOR ASSISTANCE

In 2019 the City completed two planning efforts around revitalization of the Lynn harbor front. The Lynn Open Space Master Plan created a comprehensive vision for the waterfront that ensured public access and enjoyment of the area was at the forefront of its transformation. It established a framework of public plazas and open spaces creating a series of destinations along the entire shoreline, and connecting them with a generous public promenade along the entire length of the shore, and stitching the waterfront back together with the rest of the City by providing enhanced connections north and west of the site to the water. The plan also envisions a signature open space property that revitalizes a former landfill to become an approximately 30 acre public open space featuring passive and active recreational activities.

The City is currently working through the final steps of a new Municipal Harbor Plan to codify the public space requirements and design standards, thereby placing much of the responsibility on private property owners in providing these public amenities through redevelopment of their property. That said there are a number of publicly owned properties and infrastructure that need redesign and retrofit to facilitate implementation of the both the Open Space Plan and Municipal Harbor Plan. Among these include the restoration of the shoreline located seaward of the landfill, along with redevelopment of the landfill once capping activities are complete. Much of the shoreline is in deep disrepair and has been experiencing rapid erosion over the past several years. Shoreline infrastructure requires significant

investment to facilitate and create public access as envisioned in the Open Space Plan, and in the context of this project, the long-term reuse of the landfill. The City does not have the technical capacity to assess design alternatives to restore the shoreline and make it more resilient to the effects of climate change. The City seeks to partner with consultants that are able to provide the technical capability to conduct analysis of the project area necessary to identify the appropriate approach to shoreline restoration.

The scale of need to restore the Lynn harbor front under existing conditions, and making it more resilient to the effects of climate change are significant. The City of Lynn does not have the financial capacity to fund necessary improvements to make the area more resilient to the effects of climate change, or provide the kind of capital improvements needed to carry out the Open Space Plan. The City is working through the Municipal Harbor Process to ensure private property owners make the necessary capital improvements to ensure public access and enjoyment of the waterfront. Redevelopment of the harbor consistent with the plan will be a true public private partnership, many of the public investments are necessary to spark private investment. The City seeks funding support from the Coastal Resiliency Grant program to advance plans for restoration of the shoreline, utilizing Community Development Block Grant funds through the Lynn Community Development Department for the 25% match requirement. Without funding assistance the City would not be able to take on the Lynn Seawall Redesign and Retrofit project at this time.

Almost the entire waterfront area of Lynn is located in an Environmental Justice Neighborhood, including the project site (Please see Appendix D: Environmental Justice viewer). Much of the City is an Environmental Justice neighborhood. The waterfront has been envisioned as public open space that serves the entire region, and over time as the waterfront is transformed consistent with the goals of the Open Space Plan, it will be a resource available to environmental justice community members throughout the City. As previously noted, City of Lynn is a "Gateway" City and many of the most vulnerable neighborhoods adjacent to the waterfront in the city will be the first to benefit from the plans for expanded public access to open space.

Although the scope of this project is very technical in nature, the City expects to conduct a public meeting to engage the broader public while reaching out specifically to our partners in order to engage members of environmental justice communities. A robust public engagement process helped develop the goals and objectives enumerated in the Open Space Plan, and the Lynn Waterfront Master Plan. The desire for improved public access to the waterfront, with new and abundant opportunities for open space recreational amenities was clearly stated by the public during the processes related to each of these plans. Our approach is to ensure the public is engaged through throughout the process and remains supportive of implementation of the Open Space Plan.

#### 4) PROJECT DESCRIPTION

The City of Lynn seeks funding support to conduct an alternatives analysis and develop designs for restoration of a section of the existing timber seawall located along the Lynn Harbor. The scope includes the area seaward of the existing landfill running the length of what was formerly Riley Way Extension.

This project area constitutes the shoreline that runs the length of the proposed landfill park as proposed in the Open Space Master Plan. Please see Appendix A for a diagram of the project area, and its context.

The project is being submitted as a Redesign and Retrofit project under the Coastal Resiliency Grant guidelines. There are several dynamic site elements at play along the shoreline including shoreline erosion that has claimed much of the filled tidelands located behind the timber bulkhead that is severely deteriorated and failing. The existing landfill is undergoing cap repairs and is being prepared for adaptive reuse as a signature open space element consistent with the Open Space Plan vision. The landfill is in close proximity to the shoreline and may be vulnerable if erosion of the coastal bank continues unchecked. Underground contaminants have been identified at the site of Riley Way Extension, and nearby properties. Containment efforts will need to be considered as part of the design solution for a redesign of coastal infrastructure, and shoreline restoration. These variables will need to be carefully balanced with restoring natural systems, increasing wildlife habitat, and providing enhanced public access to and through the waterfront.

The approach seeks to gather information and analysis the site context, and evaluate existing infrastructure so as to carefully consider the best design solution that balances many interests, while ensuring implementation will ensure a resilient shoreline well into the future. The project will build off of work conducted during the Open Space Plan that explores redesign and restoration solutions that consider projects out to 2100. It is expected that a hybrid approach will be necessary, with the ability for inundation during current and future storm events. In many ways the project scope includes elements of the Redesign and Retrofit category and Shoreline Restoration category.

Task 1 will include careful sight investigation, coastal monitoring and modeling and the development alternatives analysis for repair and/ or replacement of the seawall. This deep analysis of the site will inform design development for a minimum of three design alternatives for consideration. Analysis during this phase of the project includes the following:

- Geotechnical Report (including boring logs and soil test results), and Stormwater Report;
- Design Basis Memo which will serve as a site investigations report to inform the design process;
- Alternatives Analysis for repair or replacement of the timber bulkhead;
- Site Survey
- Coastal Monitoring and Modeling; to include Wave Data Observations, Bathymetry Survey, Sediment Transport Modeling, Groundwater Observations. This will be synthesized into a memo of findings to inform the design process

Task 2 will focus on developing multiple design alternatives for repair and replacement of the seawall and shoreline restoration. The task includes close coordination with state permitting and funding stakeholders. Key steps in this phase include:

- Development of three schematic level design approaches for the shoreline
- Coordination with state agencies that results in a preferred plan for refinement

Task 3 will turn to advancing a final preferred plan based on previous feedback from and develop a permitting approach. The idea is to develop a plan and permitting roadmap that the City can utilize to receive necessary permits to carry out the work. This stage of the project will include public engagement to inform the public and work underway and begin the discussion on how the coastal edge can be incorporated into the landfill public park. A final report will be submitted laying out the design process, alternatives analysis, and permitting approach for going forward.

#### 5) PUBLIC BENEFIT AND INTERESTS

The project area includes an approximately 60 year old timber bulkhead running the length of the shore. The bulkhead has considerable deterioration and failure. The Open Space Plan documented up to 85' of landward erosion from the bulkhead. It appears based on inspection that this area continues to erode. The project seeks to develop a design response that incorporates a hybrid approach to restoring the shoreline, identifying hard and soft interventions mitigating current erosion while making the area resilient to the effects of sea level rise. The project will set the stage for providing public access to and along the water, mitigating erosion, and supporting design solutions that restore and enhance shoreline habitat. Currently there is no public access along the water in or adjacent to the project site.

The project will also identify the most appropriate design solution needed to ensure the toe of the armored landfill slope is protected from erosion so that it will not be undermined. There have been classified underground contaminants found on the site, and adjacent site that are regulated by Activity Use Limitations. The soil testing plan and alternatives analysis embedded in the scope of the project will take these AUL areas into consideration and play a significant role in informing the approach identified for shoreline stabilization. The project will help to identify approaches to project the structure of the landfill and prevent undermining and mitigate potential exposure of underground contaminants due to further erosion, protecting the health and safety of the public.

#### 6) TRANSFERABILITY

This project is directly transferable to other privately owned property located on the Lynn Harbor front. Roughly a third of the shoreline within the Open Space Plan study area shares the same or very similar site conditions. The process established in this scope of work and the resultant design alternatives can serve as a model for private property owners to implement shoreline restoration and along their property boundaries. The Massachusetts Department of Conservation and Recreation (DCR) is currently advancing plans to restore the fishing pier located at the confluence of the Saugus River into the Lynn Harbor, roughly 600' east of the General Edwards bridge. It is our understanding that DCR also plans to develop a 75' wide linear park leading from General Edwards Bridge to the Fishing Pier to improve access to this public amenity. Most of the shoreline along this stretch shares very similar site conditions with the timber seawall and localized land erosion landward of the seawall. This project can directly inform future efforts to fortify and restore this shoreline as well.

Given the level of deterioration of the timber bulkhead, and the amount of erosion currently underway, the project presents a unique opportunity to explore hybrid approaches that can successfully provide a balance between these two approaches that strengthens natural systems, enhances shoreline habitat,

while mitigating coastal erosion. This approach considers the value of restoring natural systems while preventing erosion that can have long-term effects on existing sites critical to public health like the landfill and containment of underground pollutants.

The City is including in the scope outreach and engagement that at a minimum will make project deliverables available to the public, and by conducting a public meeting to review the design process, preferred plan, and next steps to the public. In this way the City can engage the public in the ongoing efforts to revitalize the waterfront, and continually communicate and inform City residents and its institutions the importance of building resiliency to the effects of climate change generally, and along the vulnerable waterfront.

## 7) TIMELINE

The entire project scope is planned to take place over an eight (8) month period beginning in September as stated in the grant RFR, with a targeted completion date of April 30, 2021. A project kick-off meeting will be conducted by City staff, the project lead, sub-consultants (as required), and inviting representatives of Coastal Zone Management to confirm project scope, timeline, public engagement, confirm expectations of deliverables. This meeting will take place as soon as possible after execution of a grant contract.

### Task 1: Site Investigations: September – December 30, 2020

This task will take place over the first four months of the project, and is heavily reliant on site analysis by the project design team. Deliverables to be completed by December 30, 2020 related to the first Task will include the following items:

- Site Investigation – task deliverables include soil tests with the accompanying geotechnical and stormwater reports, and a site survey for the entire project area.
- Alternatives Analysis of Coastal Stabilization – memo reviewing the design basis for redesign and retrofit of the seawall, concept plans for multiple options to repair or replace the bulkhead, and coastal stabilization alternatives analysis.
- Coastal Monitoring and Mapping – mapping of projected flooding impacts, groundwater monitoring, and memo providing overview of wave data observations, bathymetry survey, sediment transport, and analysis and shoreline impacts.

### Task 2: Schematic Design Development & Stakeholder Review: January – March 30

This task will take place over the first quarter of 2021. It will focus on developing three design alternatives at the schematic level for review and consideration by stakeholders, project team, and City staff. Stakeholder review is intended to engage funding and permitting stakeholders from State agencies to engage early and meaningfully early in the design process. Feedback from this task will move towards a common preferred plan that can undergo additional design and refinement. Deliverable to be completed by March 30, 2021 including:

- Schematic Designs - Minimum of three schematic designs for shoreline restoration that illustrates a range of approaches for consideration.
- Stakeholder Review Meeting – Meeting with project team, City staff, and relevant Commonwealth agencies to review schematic designs. This meeting will inform the advancement of a preferred design approach.

### Task 3: Preferred Approach Development & Public Meeting: March – June 30

This task will take place during the second quarter of 2021. The core elements of this phase of the project will refine the preferred plan approach, develop a permitting approach going forward, hold a public meeting to present findings and the approach, and delivery of a final report. The project team will conduct additional coordination meetings with funding and permitting agencies to review refined plans and permitting approach in order to develop a common understanding for future efforts to permit and ultimately implement the design. Deliverables for this task include:

- Refined Preferred Schematic Design – Following on feedback from stakeholders the project team will further develop a final, preferred design that can be advanced through the permitting stage.
- Stakeholder Review Meeting – Meeting with project team, City staff, and relevant Commonwealth agencies to review schematic designs. This meeting will inform the advancement of a preferred design approach.
- Public Meeting – Presentation to the public outlining the design process, preferred design, how it ties into Open Space Master Plan, ecological and public benefits of the design, and process for moving forward.
- Lynn Seawall Redesign & Retrofit Final Report – the report will document the design process, preferred design, and permitting approach for use in future design and engineering development, permitting and implementation. The Final Report is expected to be a useful tool to inform other municipalities or private property owners with similar site conditions exploring shoreline restoration projects.

### 8) BUDGET

The project scope and budget (please find attachment D enclosed for more detail) emphasizes in-depth site analysis in order to facilitate a strong understanding of the site context, coastal influence from ocean processes, sea level rise, and how these will influence design responses. Our approach is to develop and design approach that responds to the site characteristics of the project area, and objectives as articulated in the Open Space Master Plan. Total project cost is estimated to be \$282,456, with an estimated \$70,846 in financial in-kind match committed from the City of Lynn. It is estimated that in-kind support provided by the City of Lynn Principal Planner will account for approximately \$3,700 of the match. Please see Project Schedule and Attachment B for more detail on sub-tasks and deliverables.

Task 1 (Site Investigations) is budgeted for \$175,736 with \$43,926 of the match primarily provided by financial match by the City Community Development Department, with in-kind services by the City Project Manager.

The design approach has been scoped in order to allow for rigorous analysis of the site context, and development of a range of approaches for shoreline stabilization. This will provide the City and the Commonwealth with choices to explore and ensure an innovative design solution can be cultivated. The project team will build on site analysis to develop a minimum of three schematic design alternatives for consideration, and allows for a design review meeting with Commonwealth agencies, the City and project team. This will ensure a collaborative approach to the design process, seeks to identify a shared understanding for moving the project forward, and specifically identified a preferred design that can proceed through the permitting process expeditiously. Task 2 (Schematic Design Development and Stakeholder Review) is budgeted for \$60,540 with a \$14,760 match. Limited in-kind services will be provided by the City Project Manager.

The final task seeks to refine the preferred design and permitting approach for moving forward. The concept is to get the City ready for future grant opportunities to advance the project through the permitting phase. A public outreach and information session is designed to update City residents, businesses, and stakeholder organizations of progress that has been made, demonstrate how the design is consistent with the Open Space Master Plan, and engage the public in the ongoing transitional process that is ongoing along the waterfront. The final report is expected to inform the final design and permitting of the project, and may serve as a model or reference for other communities and/or property owners might be able to utilize. Task 3 budget (Preferred Approach) is \$46,180 with a \$12,160 match. Additional in-kind services by the City Project Manager are expected to be a bit more than previous tasks to public engagement and outreach.

#### 9) PROJECT MANAGER & PARTNERS

The project team has assembled a number of consultants with a broad range of relevant expertise to carry out the scope of the Seawall Redesign and Retrofit project. Brown, Richardson, and Rowe will be the project lead with Dave Andrews as Project Principal, Project Manager, Althea Northcross as the Project Landscape Architect and Clarissa Rowe, as Principal Advisor. Team members bringing additional, specific expertise include Stantec who will complete much of the site investigation work including soil testing, geotechnical and stormwater reports. They will also provide additional support for Notice of Intent work lead by LEC Environmental. Woods Hole Group will do additional coastal analysis. Foth Engineering Solutions will provide alternatives analysis of coastal infrastructure and develop the design basis for schematic design development. This same team has been working on the Waterfront since the beginning of the Open Space Planning process.

Aaron Clausen, Lynn Principal Planner, will serve as the project manager on behalf of the City of Lynn. Although he is new to the City, he has been a professional planner for nearly 13 years most recently as the Director of Planning and Community Development for Beverly, MA. While in Beverly he led multiple planning projects related climate resiliency and adaptation including the Beverly Coastal Resiliency Plan,

and led the MVP Community Workshop achieving certification. Before leaving Beverly in April of this year he helped develop the scope for a regional climate action plan in partnership with the City of Salem. His approach to broad planning processes, as well as design and engineering projects, is to bring a collaborative spirit and engage the community and relevant stakeholders. Please find enclosed resumes for key team members from the project team.

**APPENDIX F**

CITY OF LYNN SEAWALL REDESIGN & RETROFIT  
PROJECT APPLICATION, CZM COASTAL RESILIENCY  
GRANT PROGRAM FY 21, PROJECT NARRATIVE AND  
APPENDICES A - C

### LEGEND

- +92 PROPOSED LANDFILL
- PROPOSED STORM BASIN
- FLAGGED WETLAND
- APPX EROSION EXTENTS
- APPX PROPOSED LANDFILL PARK
- PROPERTY TITLE HOLDERS
- NGRID PROPERTY LINES
- NEW OUTFALL 2-5 YEARS

THIS DRAWING WAS PREPARED AS A DIAGRAMATIC ILLUSTRATION. ALL SHAPES REPRESENT APPROXIMATE LOCATIONS.

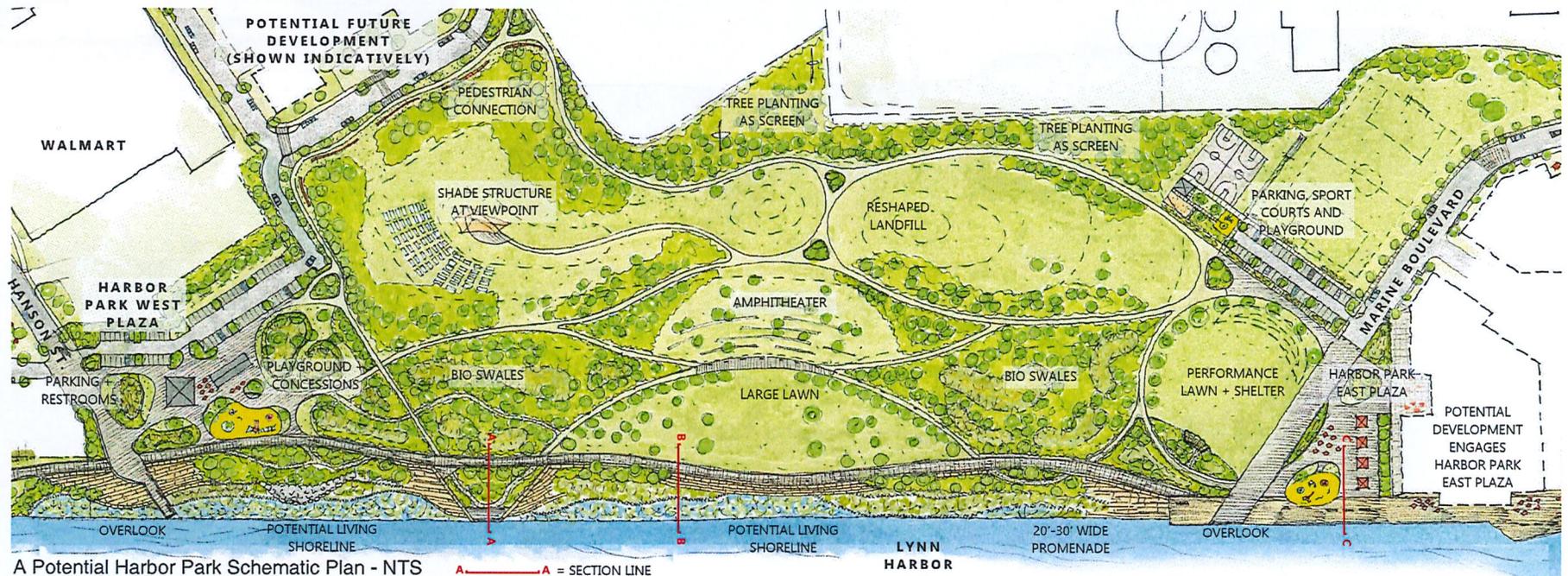


## COASTAL EDGE AT FUTURE LANDFILL PARK SITE CONDITIONS + ABUTTERS PLAN



# HARBOR LANDFILL PARK

- A large-scale public park with tree planting, lawns for passive recreation, walking and exercise trails, and sports fields if feasible.
- A reshaped landfill with additional fill material will create large mounds 80' higher than the promenade, with excellent harbor views.
- Connections to adjacent developments, City streets, and transportation routes.
- Space for large events, concerts, or attractions for a regional audience.
- A public space at either end of the park (Harbor Park West and Harbor Park East), accessed using public streets.
- Harbor Park West will have uses such as vehicle and bicycle parking, restrooms, concession stand, large-scale playground and splash pad, and public gathering spaces and overlooks.
- Harbor Park East should provide a more urban edge and include vehicle and bicycle parking, sport courts, a dog park, a flexibly designed plaza, space for markets, performances, events, and nighttime uses, as well as cafés and restaurants at the edges.
- A 20'-30' wide promenade with feature lighting and benches should run through the park and the public plazas at either end.
- The park should be designed to handle storm surges and flooding. Bio swales and bio basins should be used to quickly drain paths and surfaces as well as provide natural habitat, but will be on the surface and will not puncture the landfill cap.
- The sea edge will be repaired or replaced and raised, as required. Living shorelines or hybrid methods of sea wall design should be considered if appropriate.

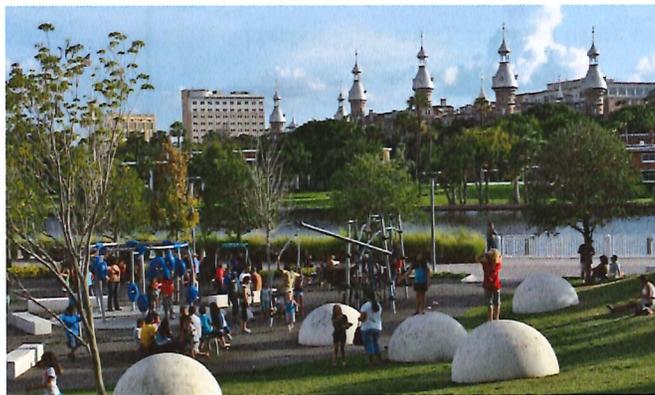




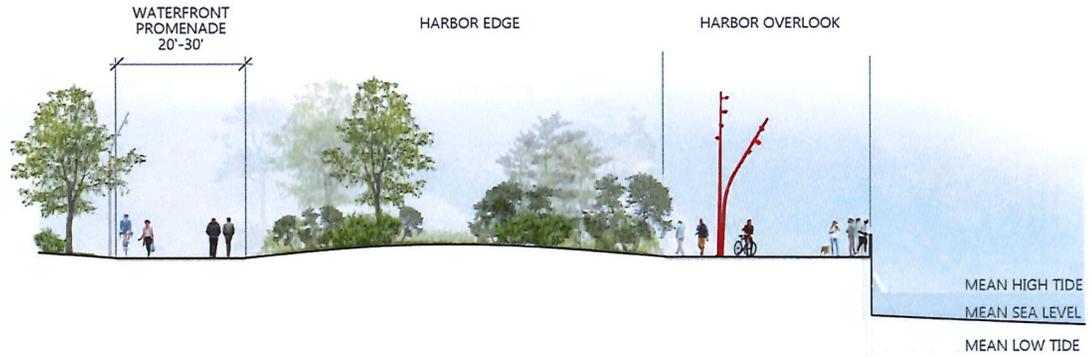
Inviting uses on the waterfront at different times of day



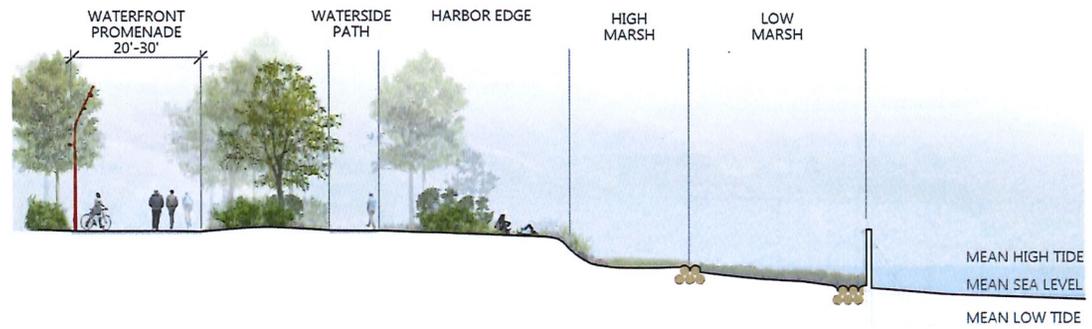
Reshaped landfill for a unique park experience



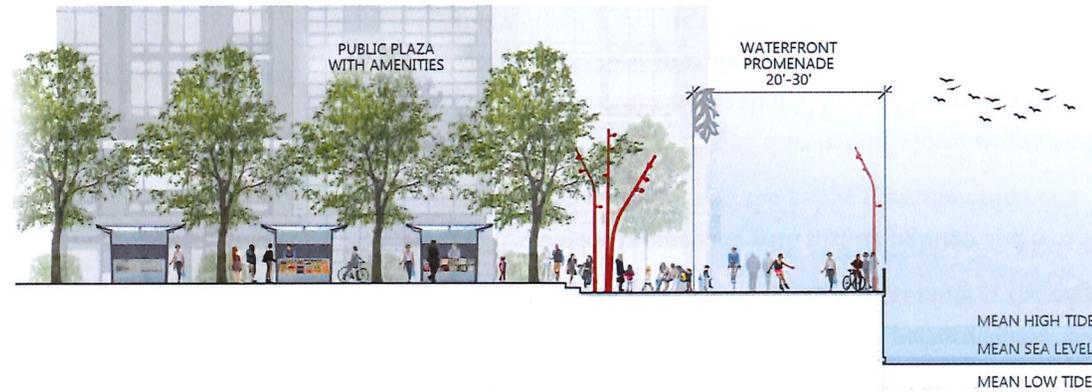
Fun activities for all ages



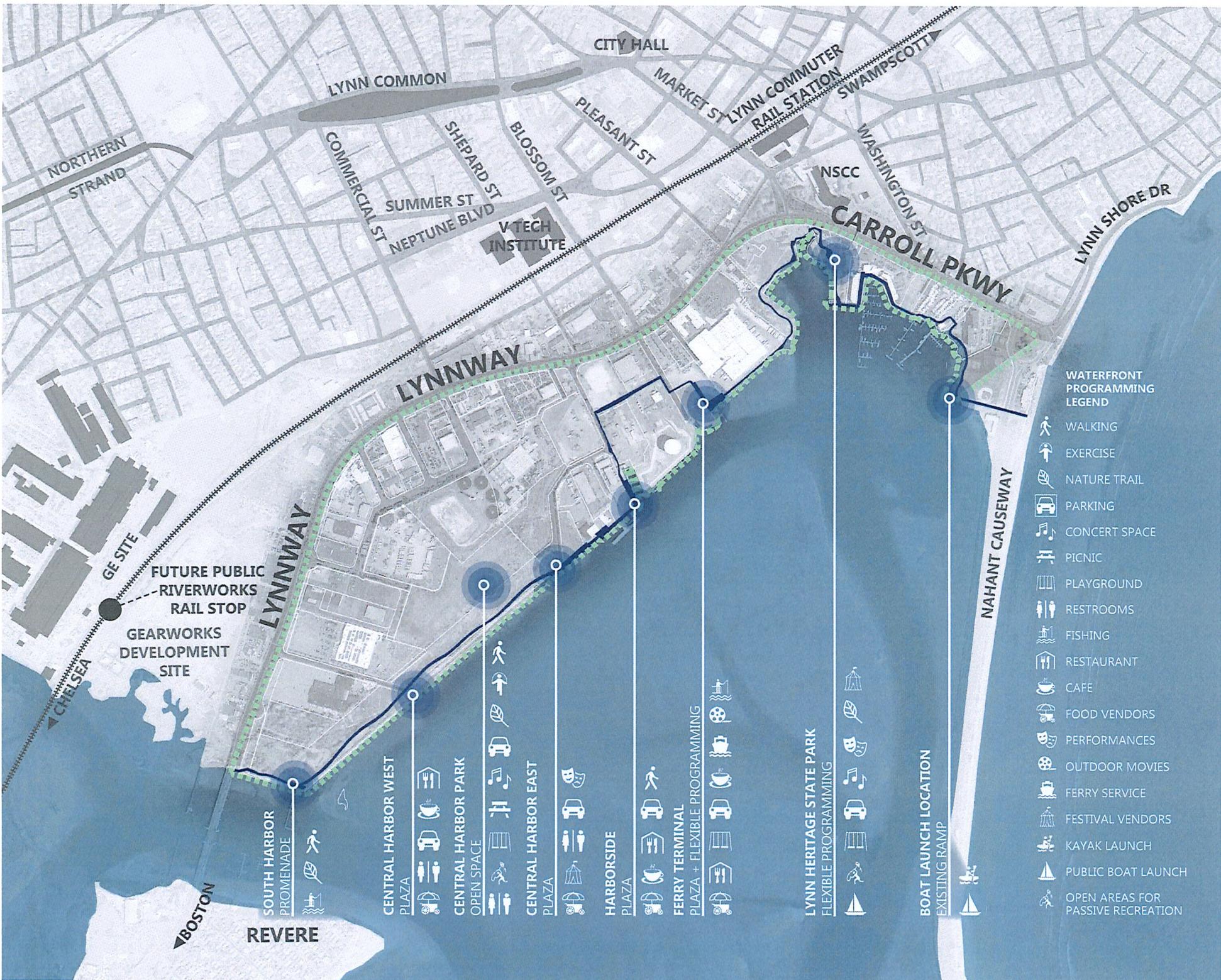
Section AA: Harbor Park West Promenade + Overlook - NTS



Section BB: Harbor Park Promenade + Shoreline - NTS



Section CC: Harbor Park East Public Plaza - NTS



- WATERFRONT PROGRAMMING LEGEND**
- WALKING
  - EXERCISE
  - NATURE TRAIL
  - PARKING
  - CONCERT SPACE
  - PICNIC
  - PLAYGROUND
  - RESTROOMS
  - FISHING
  - RESTAURANT
  - CAFE
  - FOOD VENDORS
  - PERFORMANCES
  - OUTDOOR MOVIES
  - FERRY SERVICE
  - FESTIVAL VENDORS
  - KAYAK LAUNCH
  - PUBLIC BOAT LAUNCH
  - OPEN AREAS FOR PASSIVE RECREATION

BOAT LAUNCH LOCATION  
EXISTING RAMP

LYNN HERITAGE STATE PARK  
FLEXIBLE PROGRAMMING

FERRY TERMINAL  
PLAZA + FLEXIBLE PROGRAMMING

HARBORSIDE  
PLAZA

CENTRAL HARBOR EAST  
PLAZA

CENTRAL HARBOR PARK  
OPEN SPACE

CENTRAL HARBOR WEST  
PLAZA

SOUTH HARBOR  
PROMENADE

GEARWORKS  
DEVELOPMENT  
SITE

FUTURE PUBLIC  
RIVERWORKS  
RAIL STOP

REVERE

BOSTON

LYNNWAY

LYNNWAY

CARROLL PKWY

LYNN SHORE DR

CITY HALL

LYNN COMMUTER  
RAIL STATION

NSCC

V-TECH  
INSTITUTE

LYNN COMMON

NORTHERN  
STRAND

COMMERCIAL ST

SUMMER ST

SHEPARD ST

BLOSSOM ST

PLEASANT ST

MARKET ST

WASHINGTON ST

SWAMPSCOTT

NAHANT CAUSEWAY

GE SITE

CHELSEA

**APPENDIX F**  
CITY OF LYNN SEAWALL REDESIGN & RETROFIT  
PROJECT APPLICATION, CZM COASTAL RESILIENCY  
GRANT PROGRAM FY 21, APPENDIX B

**APPENDIX B**  
MVP COMMUNITY RESILIENCE BUILDING WORKSHOP:  
FINDINGS EXCERPT

## 6.0 TOP RECOMMENDATIONS TO IMPROVE RESILIENCE

After listing vulnerabilities, hazards, and possible actions, participants ranked their recommendations from high to low priority. A summary of findings from the final group matrix is included below.



Figure 11. Participants Created Matrices of Risk and Vulnerabilities at Each Table, Before Consolidating Findings into One Matrix and Ranking Priority Actions

### 6.1 Highest Priorities

- Protect the City's waterfront and marina from sea level rise and coastal surge.
  - Support implementation of resiliency measures developed through planning efforts related to the revised Waterfront Master Plan and the Waterfront Open Space Master Plan.
  - Protect beaches, coastlines, and the landfill from sea level rise, storm surge, and erosion by promoting living seawalls and shorelines, berms, green roofs and other strategies to increase resilience.
  - Protect the City-owned marina with a wave attenuator, living shoreline, or other energy dissipator.
  - Continue ongoing evaluations of the seawall and implement recommendations which could include additional studies, developing an action plan, and repairing the seawall.
  
- Reduce coastal, riverine and stormwater flooding.
  - Restore the Strawberry Brook watershed, and redesign and replace the brook's culvert system to increase water retention, decrease flows, and reduce flooding of the brook and Flax and Sluice Ponds.
  - Promote the installation of green infrastructure to reduce heat and increase water retention and recharge. Design for low impact development incorporating more porous surfaces and incorporating more green space.
  - Design and implement multi-purpose flood storage areas that provide co-benefits of habitat (such as marshes and wetlands), open space, and/or recreation.
  - Evaluate culverts and increase their conveyance capacities.
  - Raise roads and bridges
  - Upgrade and maintain drainage systems, including at Route 1A and Boston Street.
  - Continue combined sewer overflow separation.
  - Restore wetlands and explore options for using wetlands to mitigate flooding and rejuvenating habitat
  - Evaluate the City's planning tools, including ordinances, regulations, zoning and planning documents, and adopt changes that promote the use of green infrastructure, Low Impact Development, and climate change resilience.
  
- Explore and implement opportunities to enhance communication with and provide temporary shelter for vulnerable populations, including those people who are elderly, young, students and...

teachers, low- to moderate-income, transient, homeless, homebound, immigrant, commuting public, infirmed, and disabled. Strategies include:

- Provide and generate increased awareness of places of congregation/cooling/warming during emergencies.
  - Encourage the development of personal emergency and evacuation plans.
  - Develop outreach and support programs to prepare homeless population for effects of natural hazards. Offer gathering points to homeless during serious weather-related events.
  - Provide equipment and resources during extreme heat, extreme cold, and winter storms.
  - Better identify and communicate with vulnerable populations using formats such as RAVE Mobile Safety (an emergency notification system), and expansion of the City's blue light and emergency signage systems.
  - Engage social service agencies such as Greater Lynn Senior Services (GLSS), Lynn public school food service, and Lynn Community Health for education and outreach assistance in emergencies, and for contingency planning.
- Support implementation of resiliency measures developed through planning efforts related to the Northern Strand Community Trail.
  - Study the Saugus River area to evaluate strategies to reduce flooding, erosion and effects of extreme heat and water quality.
  - Develop Area of Critical Environmental Concern Management Plan to enable protection of natural resources and projects in the coastal area (such as seawall or marina repairs).

## 6.2 Moderate Priorities

- Protect Lynn Woods and surrounding area from brush fires through techniques such as brush clearing, clearing undergrowth, removing fallen tree, and maintaining a new water tanker for fire-fighting.
- Comply with MS4 Stormwater Permit and upgrade the storm drainage system to reduce contamination.
- New development utilities should be buried.
- Protect the wastewater treatment plant.
- Relocate the Department of Public Works' fueling station.

## 6.3 Additional Priorities

- Repair and maintain emergency utilization of the parking garage at Market Street.
- Encourage the MBTA to redesign and raise the commuter rail line.
- Encourage MA Department of Conservation and Recreation to study and remove algae on the beaches.

**APPENDIX F**  
CITY OF LYNN SEAWALL REDESIGN & RETROFIT  
PROJECT APPLICATION, CZM COASTAL RESILIENCY  
GRANT PROGRAM FY 21, APPENDIX C

**APPENDIX C**  
LYNN WATERFRONT OPEN SPACE MASTER PLAN:  
RESILIENCY EXCERPT

# LEGEND

## EXISTING COASTAL STRUCTURES

-  BULKHEAD
-  REVETMENT WALL
-  LOOSE RUBBLE

## HISTORIC STORM INUNDATIONS

Weston + Sampson Resiliency Report 2016

-  November 2015 King Tide 7.2' NAVD88
-  October 1991 Perfect Storm 8.7' NAVD88
-  Blizzard of 1978 9.5' NAVD88

*Flooding simulation models based on elevational data are a good indicator of possible flooding hazards and indicate directional trends, though they may not accurately predict exact flooding patterns. This model suggests that historic (and future) flooding will be particularly severe where elevation does not restrict tidal flooding, notably from the Saugus River and Central Harbor, as well as along much of the failed sea wall edge.*



EROSION  
behind bulkhead



UNSTABLE  
rubble walls



BREAK  
in wall



SETTLING  
behind wall

# SEA WALL ISSUES TO CONSIDER

# ENVIRONMENTAL CONSIDERATIONS

## Overview

There a number of significant environmental considerations for any future open space or development in the project area such as ground contamination, the deteriorating sea edge, flood zone and rising tide impacts, and unauthorized dumping.

## Contamination

Past and present industrial uses have contaminated the ground in a number of locations of the waterfront. Most of the project area is filled tidelands, and the quality of the imported fill is unknown, but it likely contains contaminants in some locations. The presence of capped and open landfills also presents challenges for future projects, particularly with regard to soil and water contamination as well as unpleasant smells.

## Deteriorating Sea Edge

The condition of the sea edge is deteriorating in a number of locations. The deterioration of the timber bulkheads, the rip-rap edges, and revetment walls along the waterfront has resulted in erosion of the coastline in a number

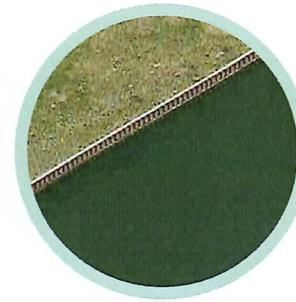
of locations. In the Central Harbor Zone particularly, stone, brick and concrete building debris and other types of rubble have been dumped as a storm water protection method. Future over-topping related to increased storm surges and rising tide levels will compound and accelerate the rates of erosion.

## Flood Zone + Over-topping

The City has been given extensive recommendations for preparing the coast for sea level rise, as described in detail in the 2016 Lynn Coastal Resiliency Assessment. Proper coastal stabilization investment is critical to prepare for increased storm surges and higher tides. The map on the facing page is a model of past storms that have already caused waterfront flooding, especially from the Saugus River. Anticipating climate change and using the park space to enhance resilience are important strategies in this Master Plan.

## Unauthorized Dumping

The lack of maintenance or site access controls have led to unauthorized dumping along the water's edge, especially in the South Harbor and Central Harbor Zones.



BULKHEAD sheet



BULKHEAD timber



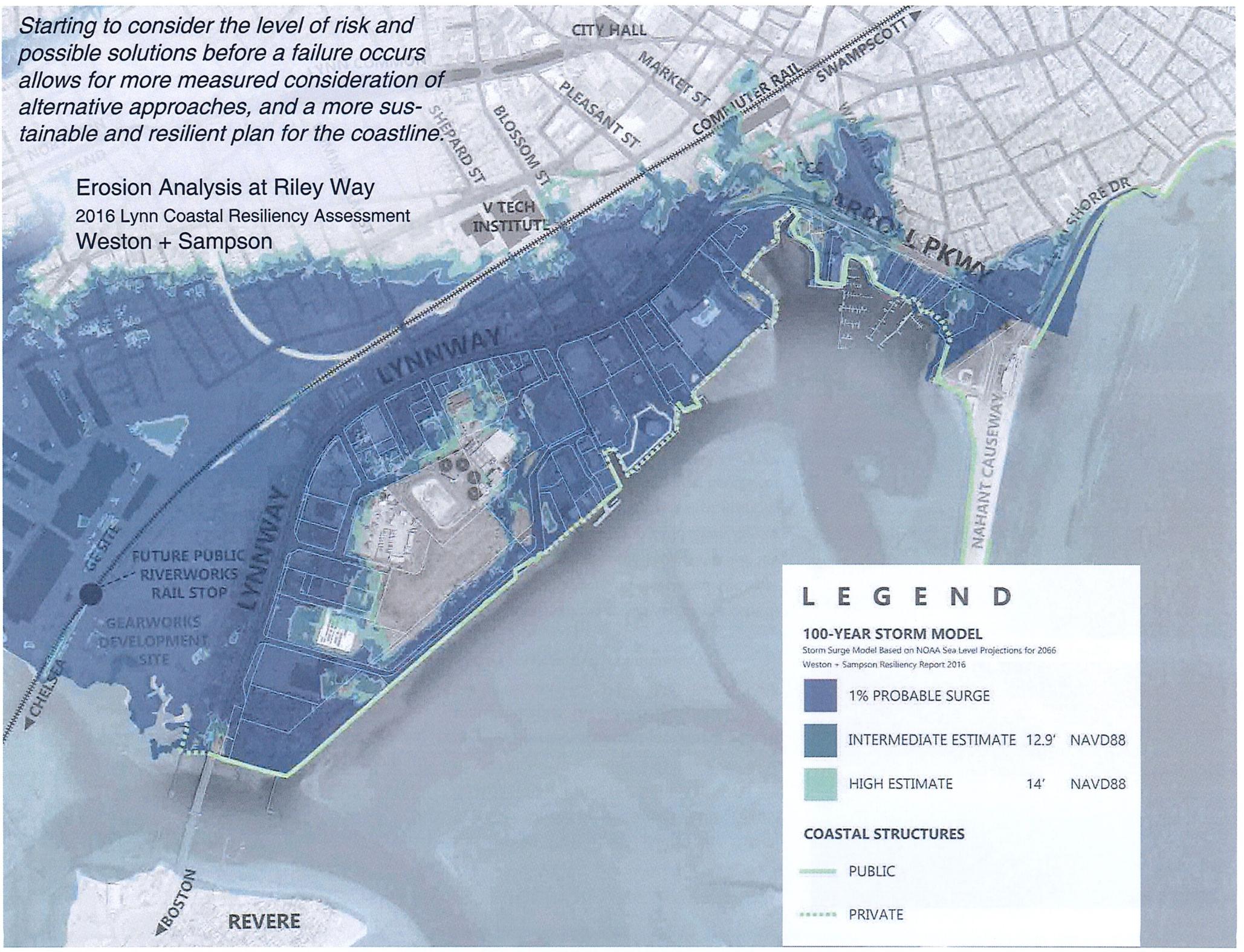
REVETMENT WALL stone / rubble



REVETMENT WALL stone block

Starting to consider the level of risk and possible solutions before a failure occurs allows for more measured consideration of alternative approaches, and a more sustainable and resilient plan for the coastline.

Erosion Analysis at Riley Way  
2016 Lynn Coastal Resiliency Assessment  
Weston + Sampson



# LEGEND

## 100-YEAR STORM MODEL

Storm Surge Model Based on NOAA Sea Level Projections for 2066  
Weston + Sampson Resiliency Report 2016

- 1% PROBABLE SURGE
- INTERMEDIATE ESTIMATE 12.9' NAVD88
- HIGH ESTIMATE 14' NAVD88

## COASTAL STRUCTURES

- PUBLIC
- PRIVATE

## RESILIENCY

The majority of Lynn's waterfront lies within the project area, and significant portions of the of the sea wall along the shoreline, are in poor condition. Furthermore, nearly the entire waterfront area is within FEMA's AE Zone which identifies areas with a high risk of coastal flooding and increased insurance premiums. The deteriorating sea wall condition and low elevation, mean the City is vulnerable to rising tides and increased storm surges caused by climate change. However, the City has a unique opportunity to use the waterfront park spaces to enhance resilience.

The Lynn project area lies within both the Saugus River and Lynn Harbor floodplains, and recent sea level and storm surge reports indicate the Lynn high tide levels and storm surges are increasing. Because of the waterfront's location, the depth to groundwater is shallow. Additionally, the National Oceanic and Atmospheric Administration (NOAA) is projecting as much as a three foot sea level rise by 2066, which could result in storm surges reaching 14.0' NAVD88.

The Woods Hole Group (WHG), as part of

this Master Plan Team, studied the coastal processes for the project area. WHG's coastal modeling found that the dominant forces are perpendicular to coastline and that there were only low levels of sediment movement parallel to the shoreline. The wave height during storm events can increase 2' to 3' high during local storms or ocean swell conditions.

WHG measured wave activity at the mouth of the Saugus River and developed site-specific tide and storm surge projections for the years 2030, 2050, 2070, and 2100. Their figures closely correlate with NOAA's projections and provide the team with detailed figures for planning site improvements in the project area.

Without repairing or replacing the deteriorating sea walls, this coastal erosion will continue. All future coastal infrastructure work including storm water management and sea walls should address climate change and sea level projections. Designers for each project area must seek to improve the resiliency or mitigate against future rising tides and storm surges for each site.



Existing sea edge deteriorating behind Walmart



Hybrid sea edge treatment with stone edge and living shoreline



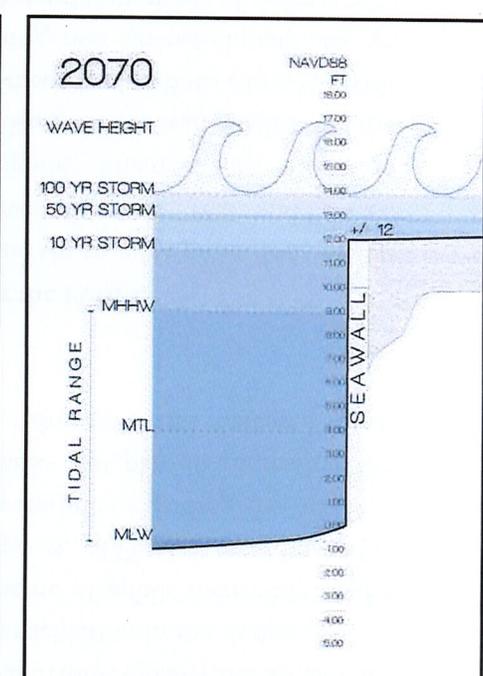
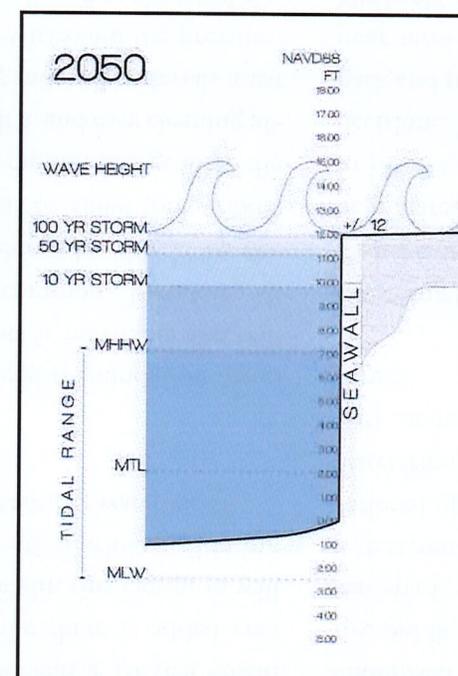
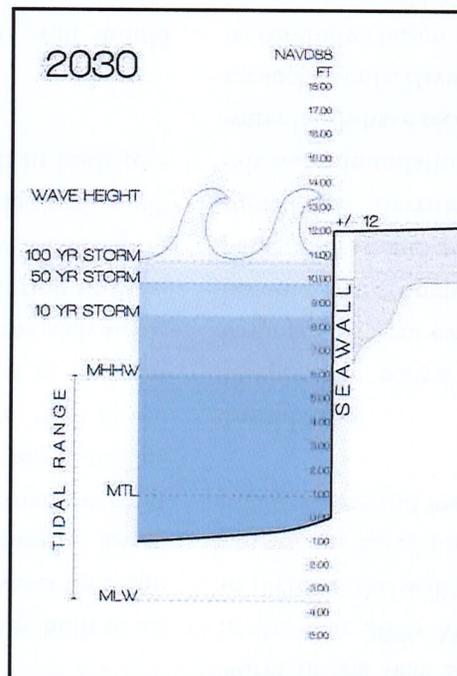
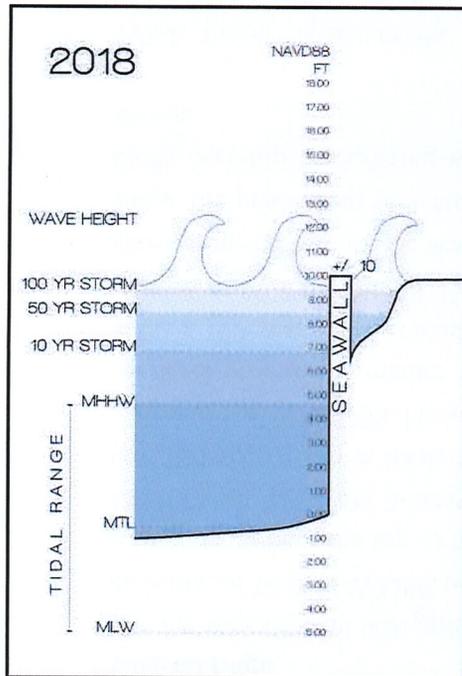
Seasonal color of coastal planting at sea edge

# RESILIENCY GOALS

**Coastal Edge:** Repair, replace, raise, and strengthen the coastal edges, based on updated rising tide and storm surge projections. Construct sea walls to a minimum elevation of 12.0' NAVD88, if possible.

**Inundation:** Design and construct all parks, plazas, and promenades to withstand coastal inundations.

**Public Access:** Create waterfront parks that increase use, enjoyment, and awareness of the role that waterfront parks play in mitigating against climate change.



Currently, the timber bulkhead wall is failing, while the remaining sea wall measures are often in poor condition. Significant erosion is occurring in a number of locations. Most seawalls are currently built to +/- 10.0' NAVD88 elevation. Storm surges during 100-year storms can easily over-top the wall.

In 2030, a sea wall built to an elevation of 12.0' NAVD88, will stop the current erosion and protect the shoreline from rising tides and water levels. However, storm surges in 100-year storm events, may still over-top the wall. Parks, plazas, and promenades should be designed to withstand inundation.

By 2050, a 100-year storm water is predicted to reach 12.0' NAVD88. Storm events will continue to over-top the wall and inundation will become more frequent. According to predictions, tide levels should still be contained by the sea wall.

In 2070, the seawall will protect against tide levels, however a 10-year storm is predicted to reach 11.5' NAVD88. Storm surges will frequently over-top the wall. Before this condition occurs, increasing the wall height or other alterations to the coastal edge are recommended.

**Projected Sea Wall Sections: 12.0' NAVD88 top of wall elevation** *(Projections provided by WHG, refer to Appendix)*

### **Considering Resiliency**

To make the waterfront more resilient, future site improvements within the project area should seek to: 1) improve the physical infrastructure of the coastal edge; 2) prepare for inundation; and 3) improve public access to and along the coastline.

### **Coastal Edge**

The existing sea wall was generally built to an elevation of 10.0' NAVD88, however there are some areas where the top of the wall is lower. WHG's sea level data indicate that a current day 100-year storm is likely to reach an elevation of 9.4' NAVD88. However their future sea level projections predict that in the year 2030, a 100-year storm is likely to reach an elevation of 10.7' NAVD88. Factoring in wave run-up on the face of the sea wall and storm surge, the predictions indicate that waves will likely over-top the existing wall in both scenarios.

While future repairs to the sea wall should increase the height of the wall in response to rising tides and increased storm surges, it is potentially ill-considered and likely cost prohibitive to attempt to build a wall that is higher than the highest sea level rise long term

projections. A balance must be struck with regards to practicability, cost, and public use. In attempt to strike this balance, this Master Plan Report suggests that sea wall repairs increase the wall height to a minimum of 12.0' NAVD88. Based on the WHG projections, an elevation of 12.0' NAVD88 will potentially protect the waterfront parcels from a 100-year storm in the year 2050 and a 10-year storm in the year 2070. While there is added cost to increase the wall height, this elevation will provide increased protection, while facilitating public access and maintaining water views.

### **Inundation**

Despite the added height, inundation from large-scale storm events is inevitable and will become increasingly common. Therefore, all parks, plazas, and promenades should be designed and constructed to allow for periodic salt water inundation, rapid drainage after the water levels have receded, and easy cleaning after such events. Paving and wall materials must be carefully chosen to withstand the pressures from water inundation. Separate electrical circuits for lighting should be provided for lights within inundation zones. Street furniture must be corrosion resistant, and plant materials in close proximity to the water, must be salt tol-

erant.

### **Public Access**

By repairing the coastal edge and preparing for inundation, the public can enjoy new waterfront parks within the City. Inviting and welcoming waterfront parks that increase public use, can potentially transform this previously underused waterfront. Quality design and active public participation in the design process can spark a sense of public ownership of the waterfront spaces, while also providing educational opportunities regarding the role that waterfront parks can play in protecting the City against rising tides and increased storm surges.

### **Planning for the Future**

Rising tide and storm surge projections should be updated every five to ten years and be used to inform ongoing climate change mitigation decisions. Raising the sea wall heights and the park and promenade elevations can assist with near term mitigation against climate change, but more substantial methods of defense may become necessary in the long term.



### LEGEND

-  STREET WITH SIDEWALK
-  STREET WITHOUT SIDEWALK
-  LYNNWAY
-  PROPOSED CONNECTION
-  PROPOSED PROMENADE
-  COMPLETED PROMENADE

## CONNECTIONS

The physical connections from the neighborhoods and downtown to the waterfront will provide visitors with their first impression of this new area of the City. Improvements to the Lynnway/Carroll Parkway street crossings are vital to the safety of pedestrians, bicyclists, and motorists. The streets, sidewalks, and pedestrian paths should be human-scaled and welcoming. Well-designed streets will ensure that the waterfront becomes an extension of the existing city, rather than a separate enclave.

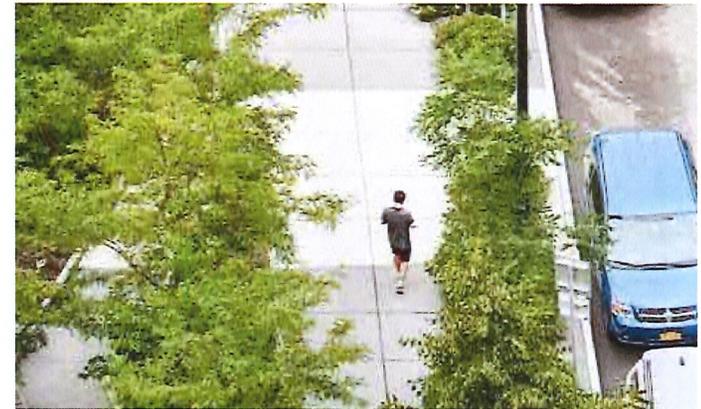
Many streets in the project area need repair. Existing streets often lack sidewalks, are deteriorated, or have crumbling paving. In addition, there are some locations where the connections are incomplete. The connections proposed here will improve the movement of people through the project area, as will an effort on the part of the City, to establish an interconnected street grid rather than disconnected development. All upgrades or new streets should follow the “Complete Streets” principles, where pedestrians, cyclists, and vehicles have equal importance. Green infrastructure should be incorporated into the design of the

streets in an effort to create sustainable transportation corridors.

The City and Utile have begun work on the Lynn Waterfront Master Plan. This Master Plan will also address the Lynnway crossings and make recommendations for improvements. The design of any future roads, Lynnway/Carroll Parkway crossings, or right of way dimensions is outside the scope of this Open Space Master Plan Report. Instead, this Open Space Master Plan Report suggests the character and nature of these street connections. It is intended that these suggested characteristics will influence other Master Plan efforts and any future projects in the project area.



Streets as gateways into the waterfront



Engaging pedestrian zones along key streets



Green Infrastructure incorporated into street design