



**US Army Corps  
of Engineers**®  
New England District  
696 Virginia Road  
Concord, MA 01742-2751

# PUBLIC NOTICE

**Comment Period Begins:** October 18, 2011  
**Comment Period Ends:** November 18, 2011  
**File Number:** 2011-1529  
**In Reply Refer To:** Ted Lento  
**Phone:** (978) 318-8863  
**E-mail:** ted.lento@us.army.mil

The District Engineer has received a permit application from the applicant below to conduct work in waters of the United States as described below.

**APPLICANT** Boston Harbor Industrial Development LLC, 655 Summer Street, Boston, MA 02210

**ACTIVITY** Rehabilitation of the Pappas Commerce Center from an industrial park to a mixed-use urban center that includes construction of a new rock revetment in front of the existing bulkhead; construction of a new outfall to mitigate storm water run-off; a pedestrian pier and an overlook platform for recreational access to the waterfront and installation of a wind turbine seaward of the high tide line of the Reserved Channel in Boston Harbor. A detailed description and plans of the activity are attached.

## **WATERWAY AND LOCATION OF THE PROPOSED WORK**

This work is proposed in the Reserved Channel along Pappas Way, Boston, Massachusetts 02633 at 42° 20' 21.54" N, 71° 02' 15.54" W

## **AUTHORITY**

Permits are required pursuant to:

- Section 10 of the Rivers and Harbors Act of 1899  
 Section 404 of the Clean Water Act  
 Section 103 of the Marine Protection, Research and Sanctuaries Act).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment

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and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

**ESSENTIAL FISH HABITAT**

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

This project will impact 0.69 acres of Essential Fish Habitat (EFH) for 30 species including alewife, blueback herring, rainbow smelt, Atlantic menhaden, American eel, American lobster, blue mussels, soft-shell clams, and quahog. This habitat consists of intertidal and sub-tidal waters of Boston Inner Harbor. Loss of this habitat may adversely affect these species; therefore an expanded EFH assessment has been provided to the NMFS. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

**SECTION 106 COORDINATION**

Based on his initial review, the District Engineer has determined that the proposed work may impact properties listed in, or eligible for listing in, the National Register of Historic Places. Additional review and consultation to fulfil requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the permit review process.

**ENDANGERED SPECIES CONSULTATION**

The New England District, Army Corps of Engineers has reviewed the list of species protected under the Endangered Species Act of 1973, as amended, which might occur at the project site. It is our preliminary determination that the proposed activity for which authorization is being sought is designed, situated or will be operated/used in such a manner that it is not likely to adversely affect any Federally listed endangered or threatened species or their designated critical habitat. By this Public Notice, we are requesting that the appropriate Federal Agency concur with our determination.

The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved **Coastal Zone Management Programs**. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

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The following authorizations have been applied for, or have been, or will be obtained:

- ( X ) Permit, License or Assent from State.
- ( X ) Permit from Local Wetland Agency or Conservation Commission.
- ( X ) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact Ted Lento at (978) 318-8863 or (800) 362-4367 if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

**THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.**



**Karen K. Adams**  
**Chief, Permits and Enforcement Branch**  
**Regulatory Division**

If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at [bettina.m.chaisson@usace.army.mil](mailto:bettina.m.chaisson@usace.army.mil). You may also check here ( ) and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

**PROPOSED WORK AND PURPOSE**

The basic project purpose is to rehabilitate the Pappas Commerce Center (PPC) from an industrial park to a mixed-use urban center.

The overall project purpose is to stabilize, protect and maintain the existing shoreline to provide support for Pappas Commerce Center including Pappas Way (a public way), address public safety concerns, provide public access to and activation of the waterfront, and improve the quality of storm water runoff discharging into the Reserved Channel by upgrading the existing storm water management system to comply with current standards. The proposed wind turbine would provide a visually prominent, publically accessible source of renewable energy that activates the public space and supplements the needs of the PCC, including the new lighting at the Pappas Way pier, overlook, and public walkway. The turbine is a component of the Project's overall plan to achieve a LEED Silver rating for the PCC. Leadership in Energy and Environmental Design (LEED) is an internationally recognized green building certification system, providing third-party verification that a building or community was designed and built using strategies intended to improve performance in metrics such as energy savings, water efficiency, CO<sub>2</sub> emissions reduction, improved indoor environmental quality, and stewardship of resources and sensitivity to their impacts.

The work includes the discharge of dredged or fill material for rehabilitation of the existing bulkhead; construction of a new rock revetment; drainage improvements with a new outfall to mitigate storm water runoff; a pedestrian pier and an overlook platform for recreational access to the waterfront and installation of a wind turbine which is further described as follows:

- ◆ Approximately 1,146 linear feet of shoreline will be stabilized with stone of varying sizes that would require the placement of fill material within an 8,955 s.f. intertidal area and a 24,887 s.f. sub tidal area. The proposed shoreline stabilization plan calls for the construction of a composite sheet pile cutoff wall installed immediately adjacent to the seaward side of the existing steel sheet pile bulkhead. The shoreline stabilization sheet pile will be installed with traditional landside or barge mounted construction equipment (e.g., crane) using standard vibratory, hammer, or pressing techniques. A flowable cementitious fill will be placed between the existing steel sheet pile bulkhead and the new composite sheet-pile cutoff wall and capped with a concrete cap and short handrail system. A new stone armor revetment will be constructed immediately seaward of the new composite sheetpile cutoff wall using large stones and boulders to protect the bulkhead from wave energy. The stone armor revetment will be installed just below the proposed cement cap and extend approximately 30 to 40-feet seaward (varies) at a 1.3: to 1.5:1 slope.

- ◆ Approximately 665 linear feet of shoreline will be stabilized with stone of varying sizes that would require the placement of fill material within a 16,245 s.f. intertidal area. Improvements to a section of existing rock revetment and construction of a new rock armored revetment, using large stones and boulders, along the seaward face of the new composite sheet pile cutoff wall to protect the bulkhead from wave energy. This involves redressing an approximately 665-foot section of failing existing riprap to restore stability to the shoreline that fronts the small upland park. Stone and boulder sizes will be matched with those to be placed in front of the new

composite sheet pile cutoff wall to be consistent along the entire length of the project shoreline. To limit turbidity and affects to water quality the revetment will be placed into position by a long arm excavator or clamshell-type bucket staged in the upland. Work within the intertidal area will be conducted to the extent practicable during phases of low tide to further limit turbidity.

◆ Fill material will be placed within a 67 s.f. intertidal area for work associated with extending an existing stormwater outfall through the reconstructed steel sheet pile bulkhead at the north end of the project site and the installation of a new stormwater outfall at the southern end of the site. An existing stormwater outfall will be extended through the reconstructed steel sheet pile bulkhead at the north end of the project site and the installation of a new stormwater outfall at the southern end of the site. The outfalls will discharge treated stormwater runoff just above the mean low water elevation (elev. 1.30-ft BCB). Both outfalls will be fitted with a new concrete headwall and tide gate. The pipes and headwall structures will be supported with approximately ten 16-inch diameter pilings. The pilings will be installed using standard landside pile driving or vibratory techniques. Stone riprap will be installed above each outfall to stabilize the shoreline and at the base of the outfalls to minimize scouring and erosion in the intertidal zone.

◆ A total of thirty 16-inch diameter steel piles will be installed to support the pedestrian pier and separate pile supported overlook platform that will provide recreational access to the waterfront. The pedestrian pier will also be used to provide access for servicing a proposed 100 kW wind turbine generator that is intended to supplement power for lights to be installed on the pier and walkway along the bulkhead (see discussion below). The pedestrian pier will have a 3,062 s.f. deck area seaward of mean high water line and will require approximately 24 16-inch diameter steel piles; the pile supported overlook platform will have a deck area seaward of mean high water of approximately 2,144 s.f. and will require approximately 6 16-inch diameter steel piles. The overlook platform will be partially installed over the proposed revetment. In total the new piles will occupy approximately 58.8 s.f. of intertidal and subtidal habitat. Prior to installing the new pile supported structures and stabilizing the shoreline a number of existing dilapidated piles (estimated at ~30) will be removed from the shoreline area. The existing piles will be cut at the mud line and left in place, and will then be covered by the rock revetment. The new piles will be installed by percussion hammer to the point of refusal.

◆ Installation of a wind turbine. The proposed monopole has a diameter of approximately 9-feet and will extend approximately 43-feet below the mudline or until it hits bedrock. The monopole will be approximately 118-feet tall as measured from the platform of the proposed pile supported pedestrian pier (which is slightly above the high tide elevation of 11.9-feet BCB); the top of the turbine blades will add an additional approximately 37-feet to bring the total maximum height of the structure to roughly 155-feet above the platform. Fill material would be placed below the high tide line within an area of approximately 63.5 s.f. for the foundation that supports the turbine. Electrical connections will occur by strapping the conduit from the turbine to the underside of the pile supported pedestrian pier and eventually into a buried conduit where it enters landside; in-water trenching is not proposed.

◆ Temporary Crane Trestle. To support construction of the wind turbine foundation, a temporary crane trestle will be constructed between Pappas Way and the sub-tidal location of the foundation. The 25-foot wide, 90-foot long, 2,250 s.f. trestle will be supported by eight 30-inch

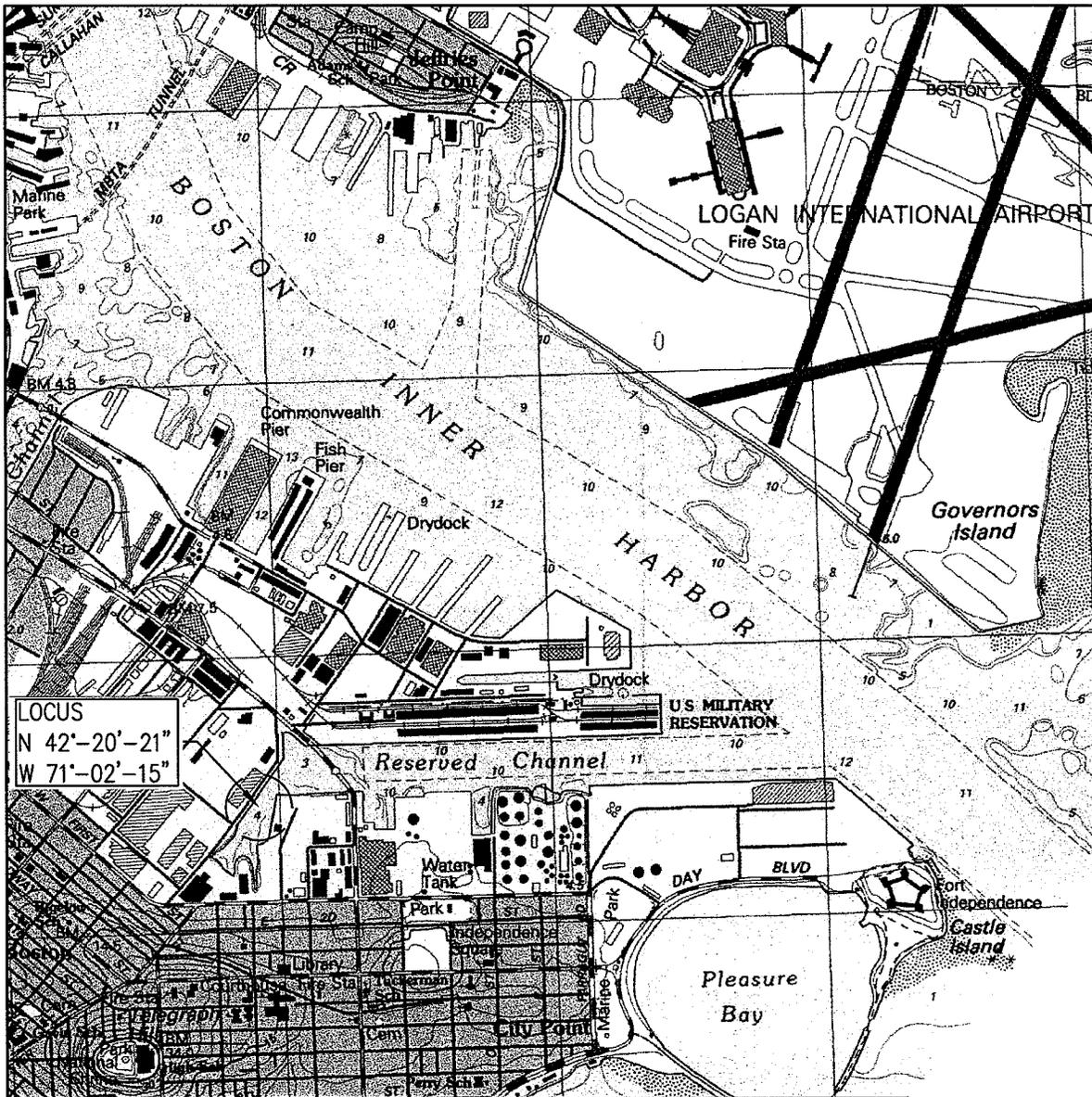
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pilings. The trestle will be framed with steel girders and a wood deck. The pilings will be installed using standard landside pile driving or vibratory techniques. The location of 4 pilings will be covered by the rock revetment after the trestle is removed; 4 pilings will be driven and removed from the sub-tidal area. Dredging or excavation is not required to construct the trestle. The trestle will be in place for approximately 3 months.

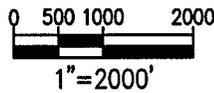
The work is described on the enclosed plans entitled "BOSTON HARBOR INDUSTRIAL DEVELOPMENT, LLC" on 12 sheets revised 9/13/2011.

**MITIGATION**

The applicant has provided an expanded Essential Fish Habitat Assessment that maintains the proposed rock revetment will provide improved habitat for aquatic resources than the existing mud/silt inter- and sub-tidal environment. The Applicant therefore considers the revetment to constitute in-place mitigation for impacts associated with the displacement of existing inter- and sub-tidal habitat. Based on consultation with the City of Boston Conservation Commission, the Applicant also proposes to remove significant timber debris from within an approximately 2.8 acre intertidal and coastal beach/bank area along Chelsea River immediately east of Condor Street in East Boston. Removal of significant timber debris will enhance the habitat value of the mitigation area by removing rotting wood, treated and degrading wood, and metal fasteners from the substrate.



**PLAN**



SOURCE: U.S.G.S. QUADRANGLE "BOSTON - MA."

REVISED:  
09-13-11

PURPOSE:  
TO LICENSE AND MAINTAIN PROPOSED  
STRUCTURES AND RELATED  
IMPROVEMENTS IN RESERVED CHANNEL,  
BOSTON, SUFFOLK COUNTY, MA

**VICINITY MAP**

APPLICATION BY:  
BOSTON HARBOR INDUSTRIAL  
DEVELOPMENT, LLC  
PREPARED BY  
COASTAL ENGINEERING CO., INC.  
260 CRANBERRY HIGHWAY  
ORLEANS, MA 02653

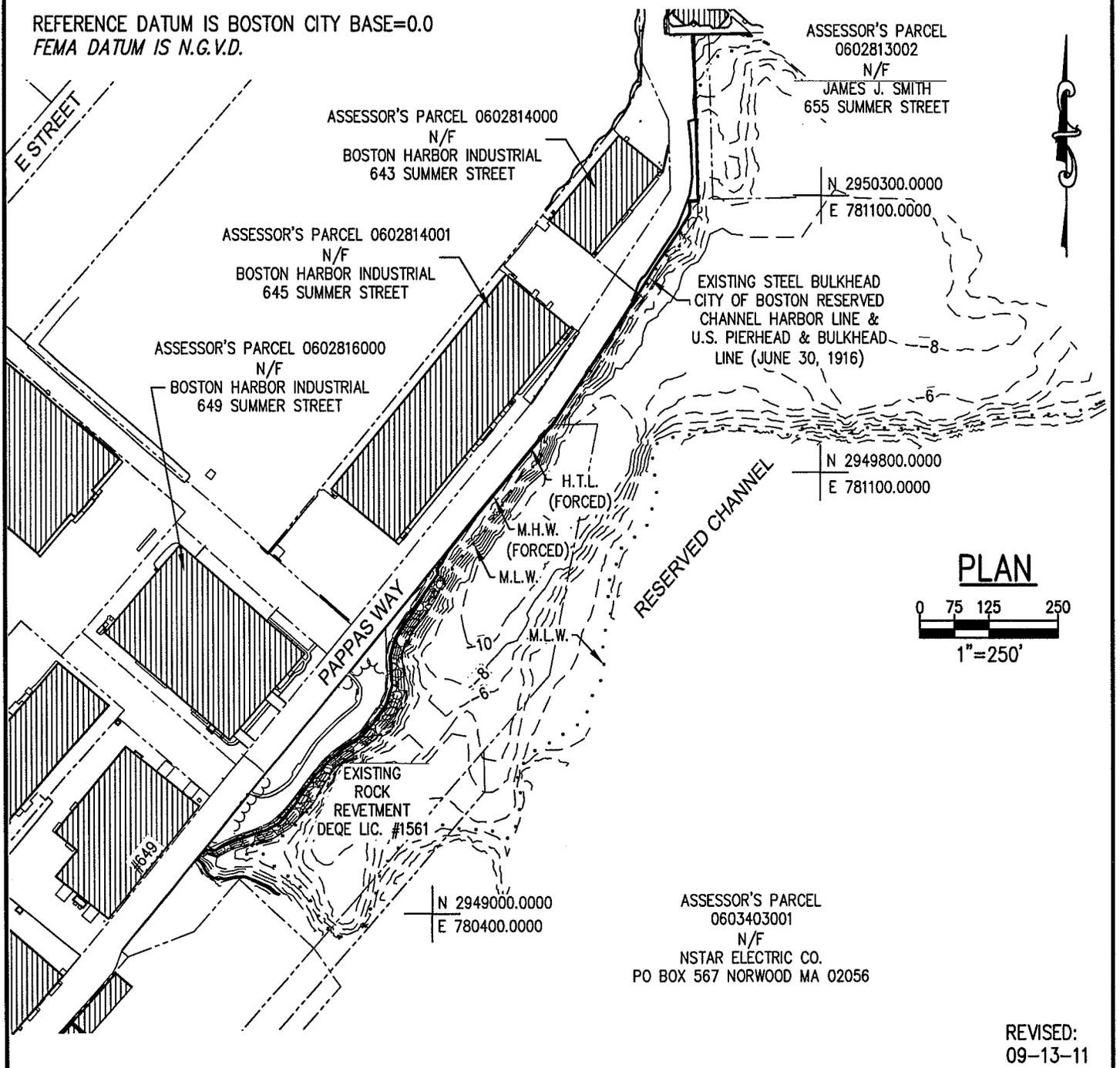
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DRAWING: C17334 ACOE-CH-91 C3D.dwg

JULY 1, 2011

SHEET 1 OF 12

REFERENCE DATUM IS BOSTON CITY BASE=0.0  
 FEMA DATUM IS N.G.V.D.



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DRAWN BY: KES  
 C17334.00

DRAWING: C17334 ACOE-CH-91 C3D.dwg

### EXISTING CONDITIONS

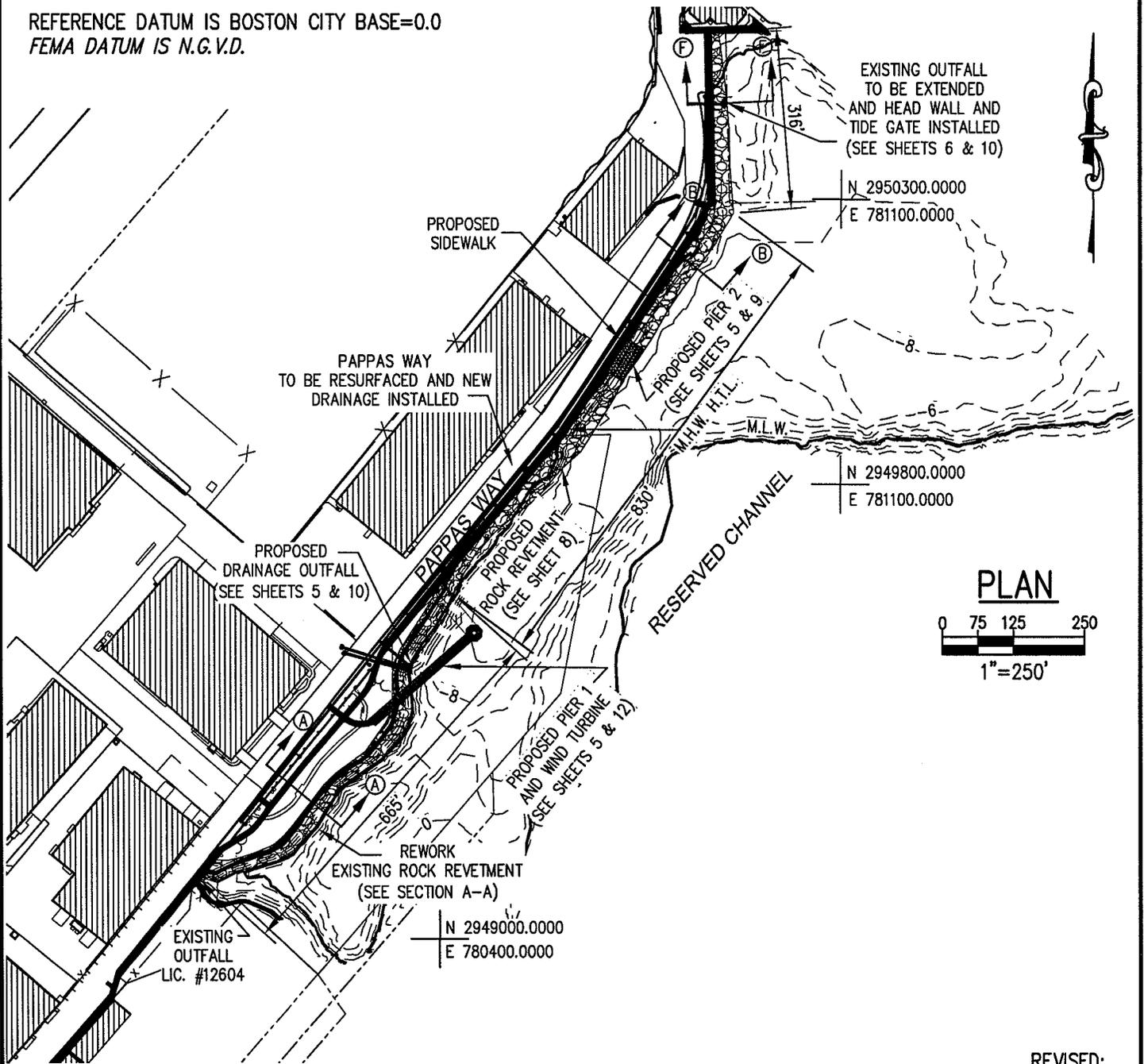
APPLICATION BY:  
 BOSTON HARBOR INDUSTRIAL  
 DEVELOPMENT, LLC

PREPARED BY  
 COASTAL ENGINEERING CO., INC.  
 260 CRANBERRY HIGHWAY  
 ORLEANS, MA 02653

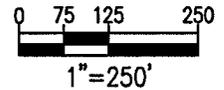
JULY 28, 2011

SHEET 2 OF 12

REFERENCE DATUM IS BOSTON CITY BASE=0.0  
 FEMA DATUM IS N.G.V.D.



**PLAN**



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 09-13-11

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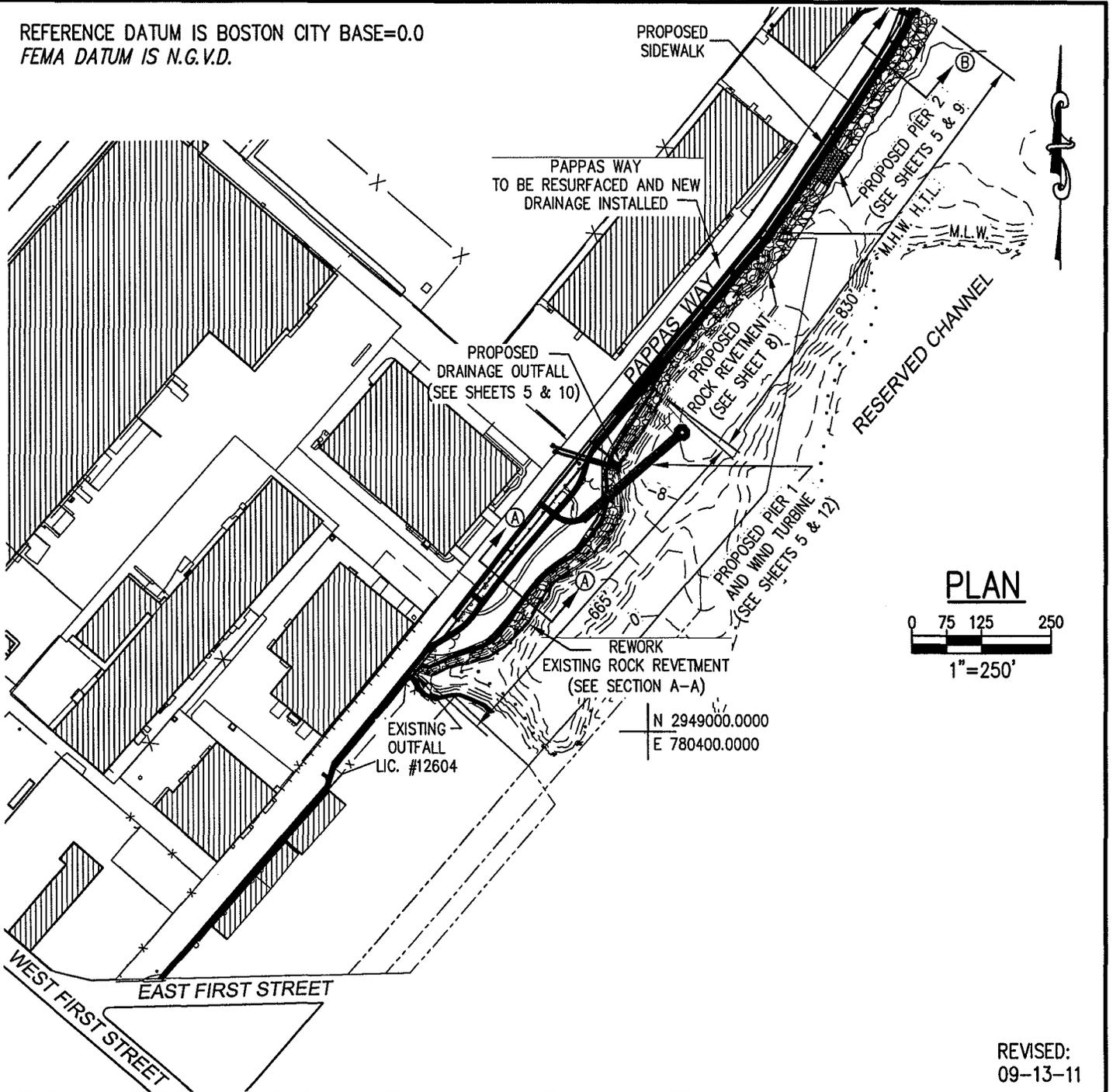
**PROPOSED  
 ROCK REVETMENT**

APPLICATION BY:  
 BOSTON HARBOR INDUSTRIAL  
 DEVELOPMENT, LLC  
 PREPARED BY  
 COASTAL ENGINEERING CO., INC.  
 260 CRANBERRY HIGHWAY  
 ORLEANS, MA 02653

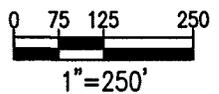
JULY 28, 2011

SHEET 3 OF 12

REFERENCE DATUM IS BOSTON CITY BASE=0.0  
 FEMA DATUM IS N.G.V.D.



**PLAN**



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REVISED:  
 09-13-11

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 IMPROVEMENTS IN RESERVED CHANNEL,  
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 DRAWN BY: KES  
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 DRAWING: C17334 ACOE-CH-91 C3D.dwg

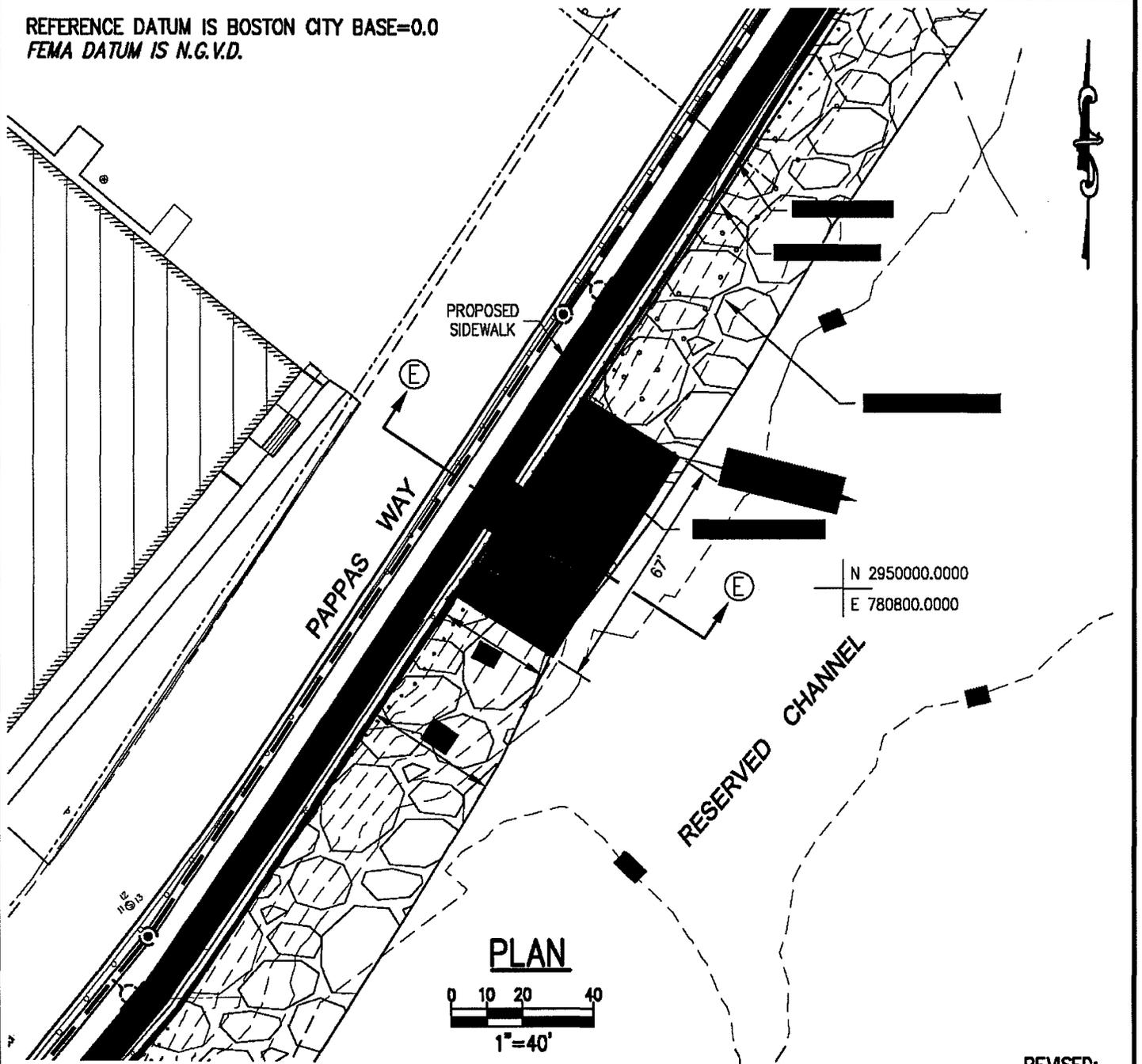
**PROPOSED  
 ROCK REVETMENT**

APPLICATION BY:  
 BOSTON HARBOR INDUSTRIAL  
 DEVELOPMENT, LLC  
 PREPARED BY  
 COASTAL ENGINEERING CO., INC.  
 260 CRANBERRY HIGHWAY  
 ORLEANS, MA 02653

JULY 28, 2011 SHEET 4 OF 12



REFERENCE DATUM IS BOSTON CITY BASE=0.0  
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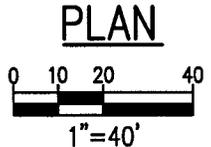
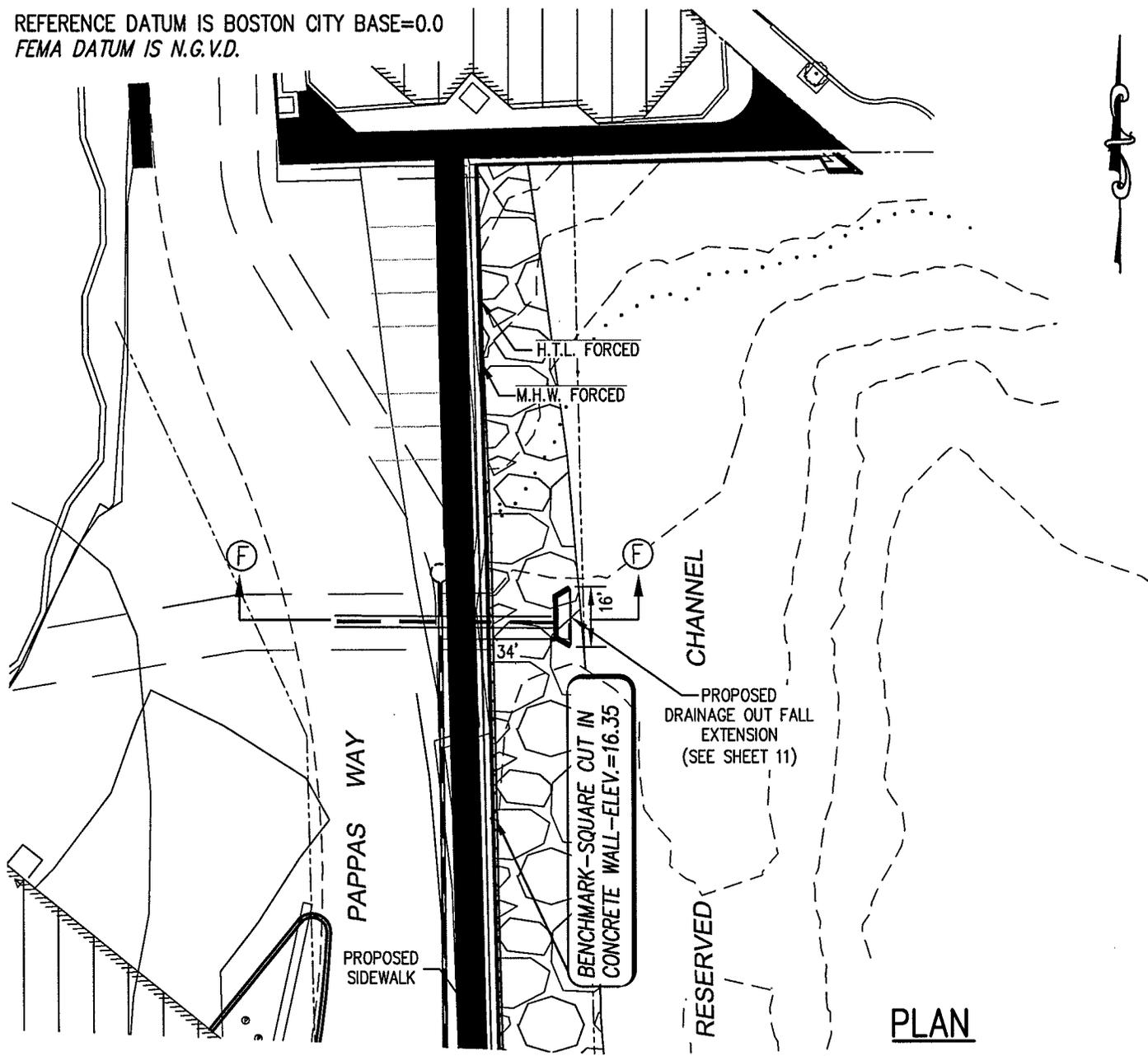
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C17334.00  
DRAWING: C17334 ACOE-CH-91 C3D.dwg

### PROPOSED PIER 2

APPLICATION BY:  
BOSTON HARBOR INDUSTRIAL  
DEVELOPMENT, LLC  
PREPARED BY  
COASTAL ENGINEERING CO., INC.  
260 CRANBERRY HIGHWAY  
ORLEANS, MA 02653

JULY 28, 2011 SHEET 6 OF 12

REFERENCE DATUM IS BOSTON CITY BASE=0.0  
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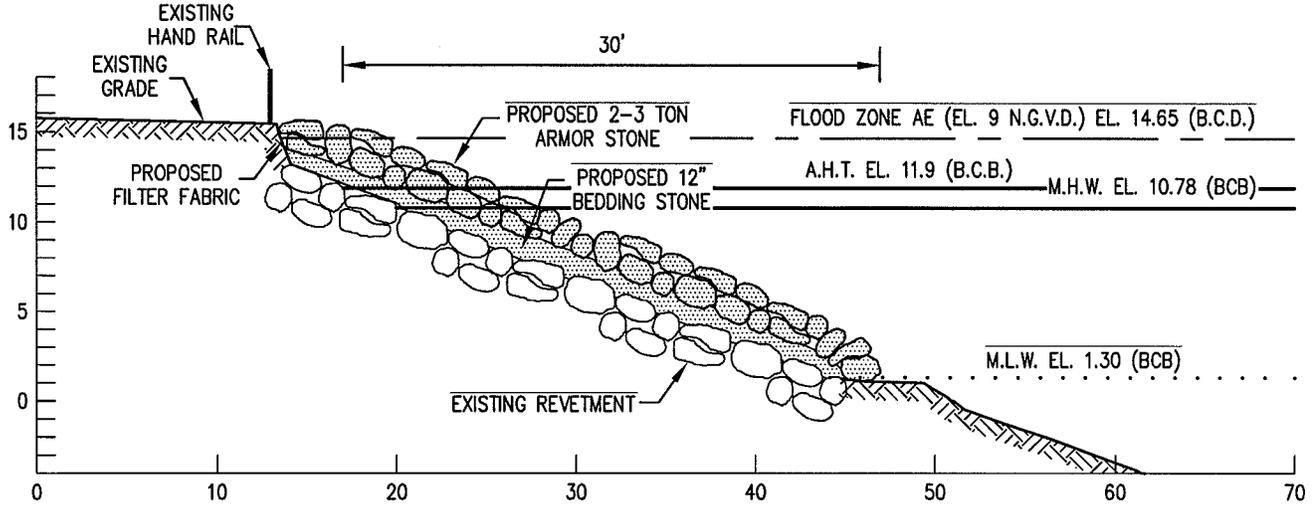
### PROPOSED OUTFALL EXTENSION

APPLICATION BY:  
BOSTON HARBOR INDUSTRIAL  
DEVELOPMENT, LLC  
PREPARED BY  
COASTAL ENGINEERING CO., INC.  
260 CRANBERRY HIGHWAY  
ORLEANS, MA 02653

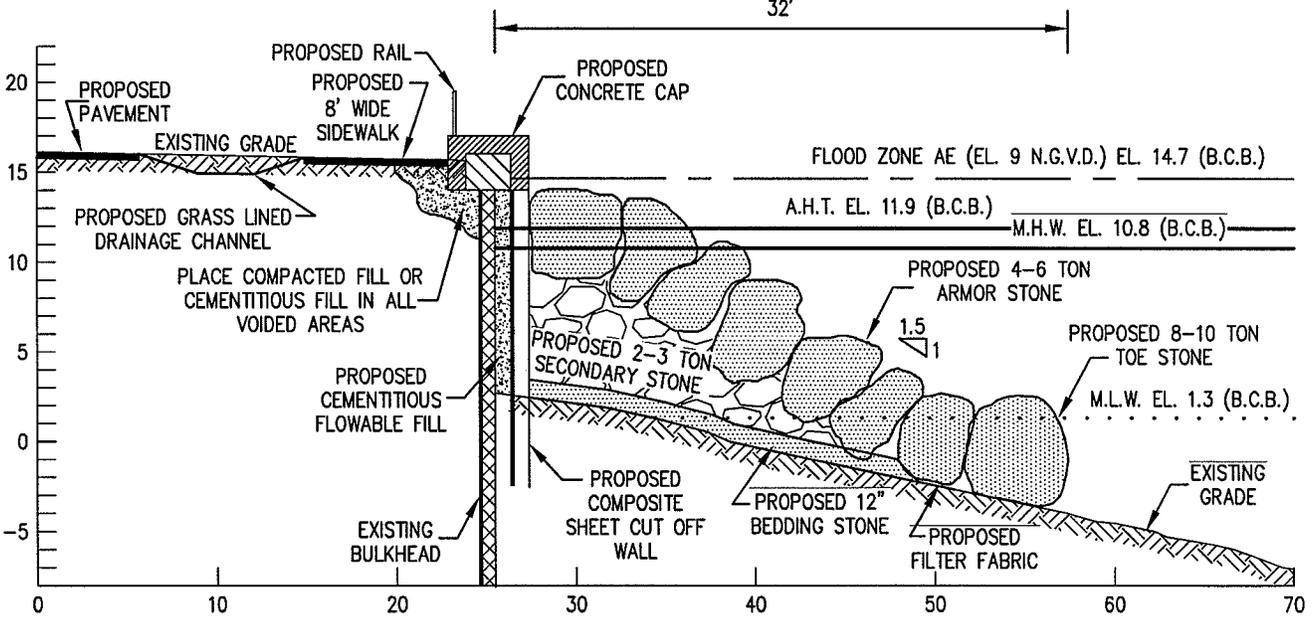
JULY 28, 2011

SHEET 7 OF 12

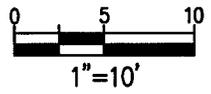
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**SECTION A-A**



**SECTION B-B**



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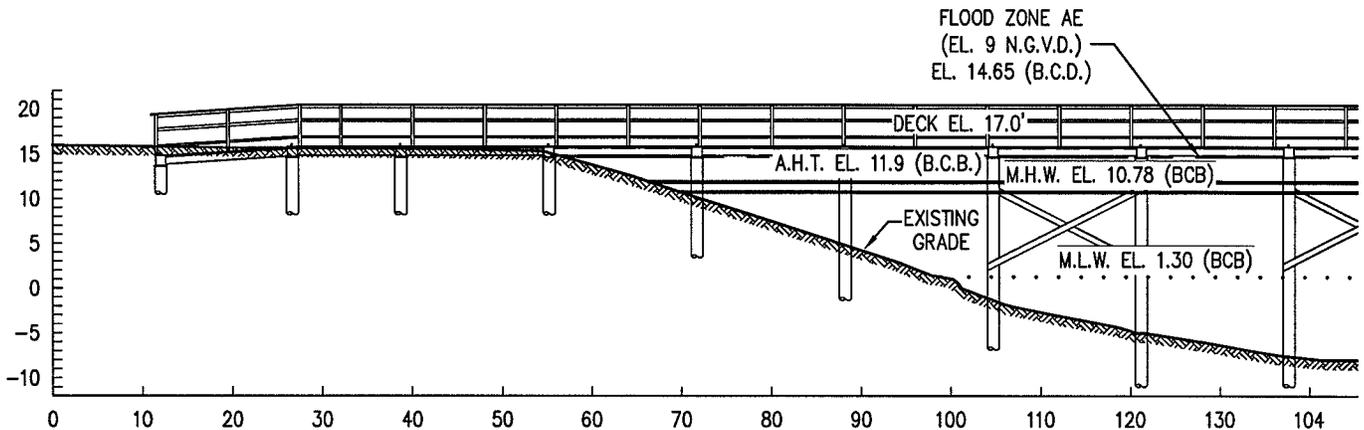
**SECTION A-A  
 AND  
 SECTION B-B**

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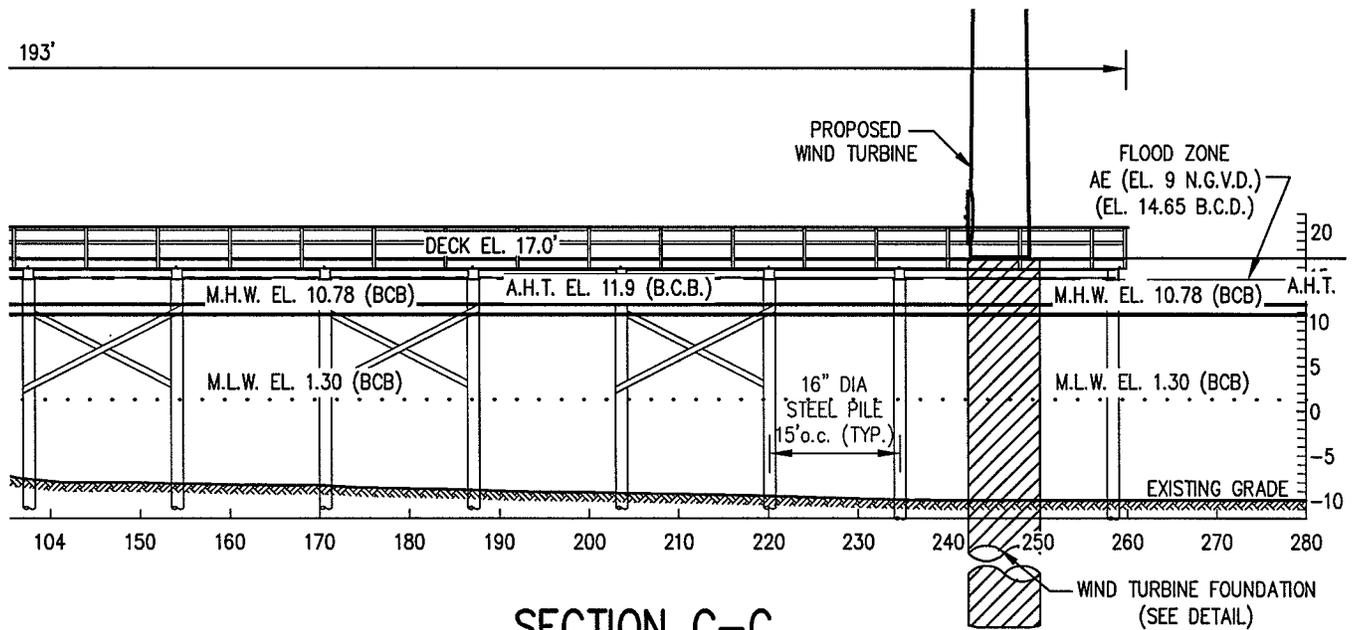
JULY 28, 2011 SHEET 8 OF 12

REFERENCE DATUM IS BOSTON CITY BASE=0.0  
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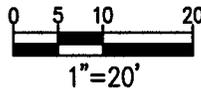
193'



193'



**SECTION C-C**



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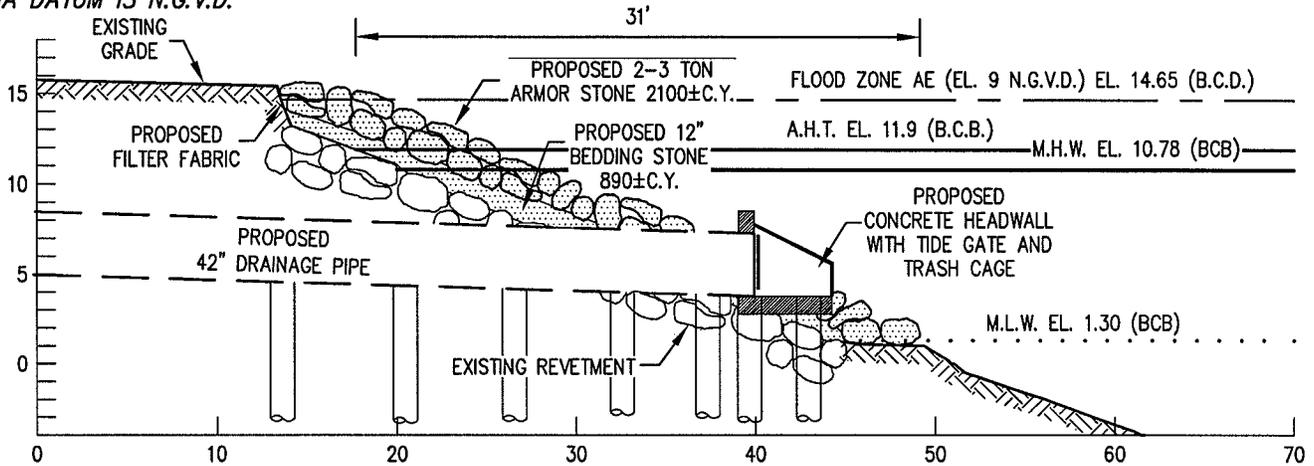
**SECTION C-C**

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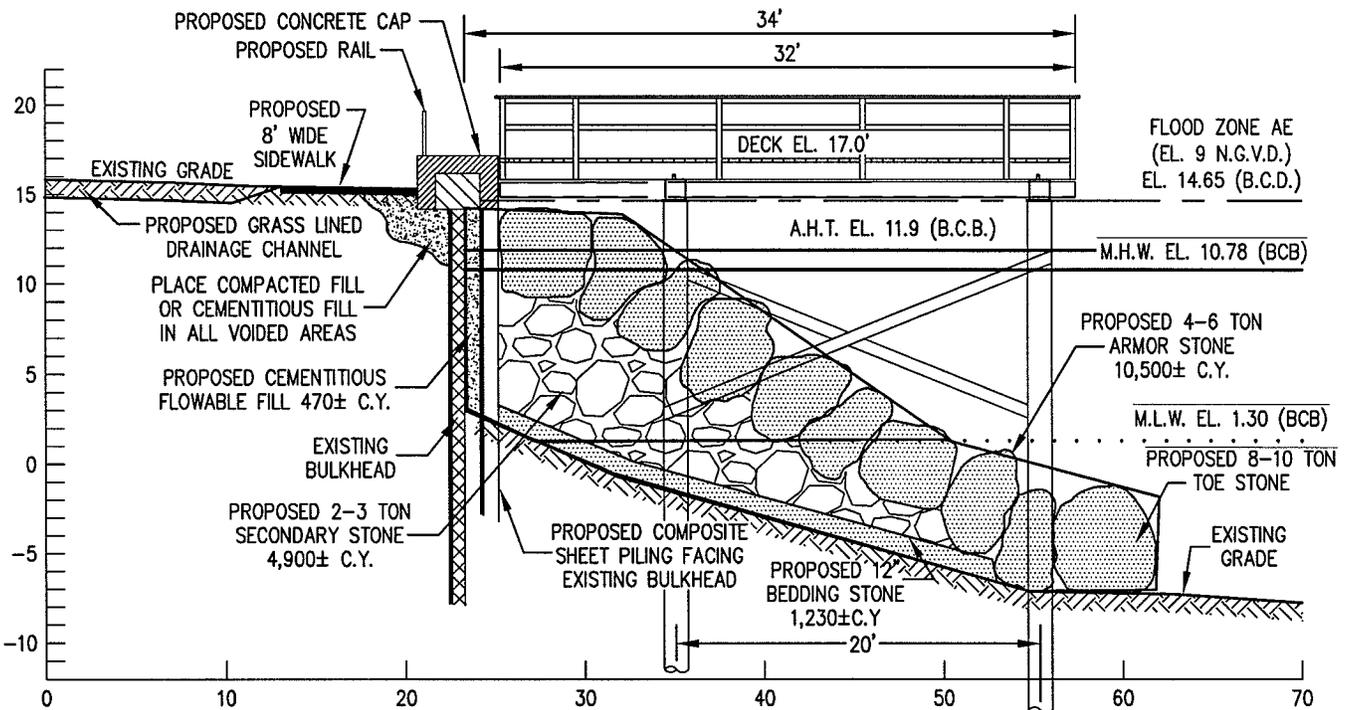
JULY 28, 2011

SHEET 9 OF 12

REFERENCE DATUM IS BOSTON CITY BASE=0.0  
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**SECTION D-D**



**SECTION E-E**

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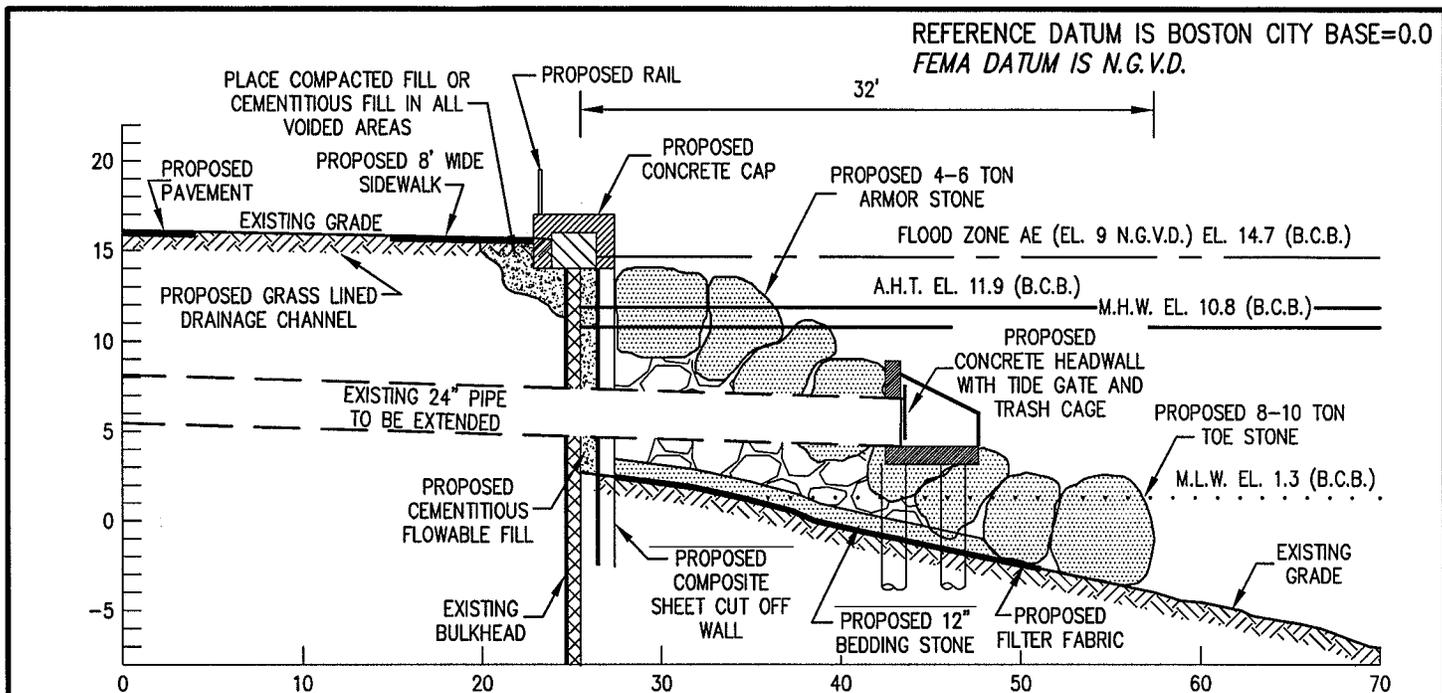
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**SECTION D-D  
 AND  
 SECTION E-E**

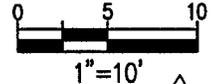
APPLICATION BY:  
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JULY 28, 2011

SHEET 10 OF 12



**SECTION F-F**



**ABUTTERS**

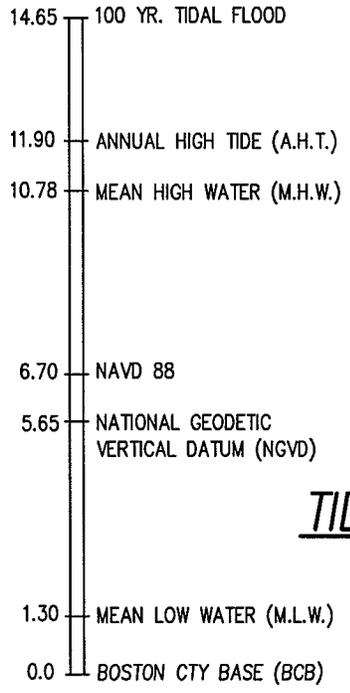


NSTAR ELECTRIC COMPANY  
PO BOX 567 NORWOOD, MA 02056



RICHARD J SMITH ET AL  
655 SUMMER ST. BOSTON, MA 02210

ROBERT K. FERRARA, COMMODORE  
THE PENINSULA YACHT CLUB  
671 SUMMER STREET BOSTON, MA 02210-2104



**TIDAL PROFILE**

SCALE: 1"=4'

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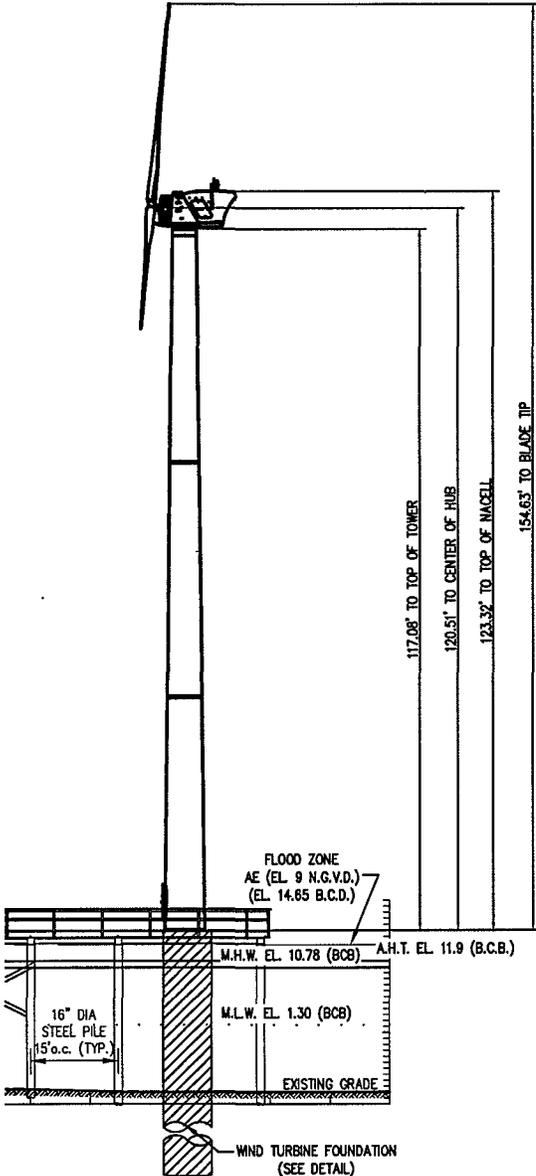
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C17334.00  
DRAWING: C17334 ACOE-CH-91 C3D.dwg

**SECTION A-A  
AND  
SECTION B-B**

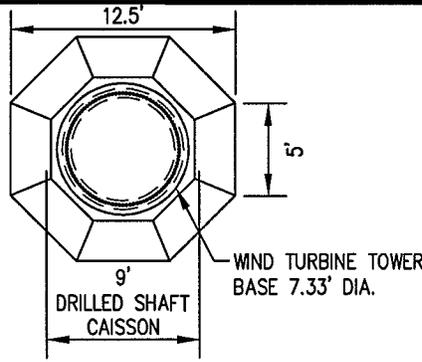
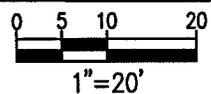
APPLICATION BY:  
BOSTON HARBOR INDUSTRIAL  
DEVELOPMENT, LLC

PREPARED BY  
COASTAL ENGINEERING CO., INC.  
260 CRANBERRY HIGHWAY  
ORLEANS, MA 02653

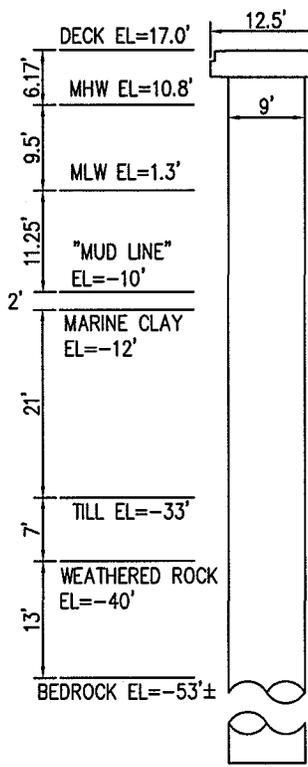
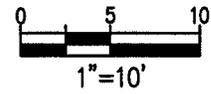
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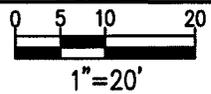
**WIND TURBINE DETAIL**



**FOUNDATION TOP VIEW**



**FOUNDATION DETAIL**



REVISED:  
 09-13-11

PURPOSE:  
 TO LICENSE AND MAINTAIN PROPOSED  
 STRUCTURES AND RELATED  
 IMPROVEMENTS IN RESERVED CHANNEL,  
 BOSTON, SUFFOLK COUNTY, MA

DRAWN BY: KES  
 C17334.00

DRAWING: C17334 ACOE-CH-91 C3D.dwg

**WIND TURBINE DETAIL**

APPLICATION BY:  
 BOSTON HARBOR INDUSTRIAL  
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JULY 28, 2011

SHEET 12 OF 12