

**GLOUCESTER CITY COUNCIL CALENDAR OF BUSINESS**

**TUESDAY, October 13, 2020**

**6:00 P.M.**

**REMOTE MEETING**

**COUNCIL MEETING #2020-019**

**MEETINGS ARE RECORDED**

**CITY CLERK  
GLOUCESTER, MA  
REVISED AGENDA  
2020 OCT -8 PM 3: 26**



Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law and banning gatherings of more than 25 people, this meeting will be conducted by remote participation to the greatest extent possible. The public may not physically attend this meeting but every effort will be made to allow the public to view and listen to the meeting in real-time.

Join from Computer, Smart Device: <https://gloucester-ma-gov.zoom.us/j/82694809302>

Join via Phone: 1 301 715 8592 or +1 312 626 6799

Meeting ID: 826 9480 9302

Please visit <http://gloucester-ma.gov/remote-public-meetings> for instructions and guidance on how to join a remote meeting

**ORAL COMMUNICATIONS**

**PRESENTATIONS/COMMENDATIONS**

**CONFIRMATION OF NEW APPOINTMENTS**

Human Rights Commission Hannah Kimberley TTE 2/14/23

**CONSENT AGENDA**

**ACTION**

- **CONFIRMATION OF REAPPOINTMENTS**
- **MAYOR'S REPORT**

1. Memorandum from Veterans Services Director re: request acceptance of donations totaling \$2,100 (Refer B&F)
2. Memorandum, Grant Application & Checklist from the Public Health Director re: request acceptance of a 9-month extension on the Substance Abuse Prevention Collaborative Grant in the amount of \$75,000 (Refer B&F)
3. Memorandum, Grant Application & Checklist from the Public Health Director re: request acceptance of a 9-month extension on the Massachusetts Opiate Abuse Prevention Collaborative Grant in the amount of \$75,000 (Refer B&F)
4. Special Budgetary Transfer Request (#2021-SBT-1) from the Fire Department (Refer B&F)
5. Special Budgetary Transfer Request (#2021-SBT-2) from the Mayor (Refer B&F)
6. Memorandum from Community Development Director re: Community Preservation Committee Off-cycle funding recommendation of \$80,000 to support the Stage Fort Park Advisory Committee's landscape construction design project (Refer B&F)
7. Memorandum, Grant Application & Checklist from the Police Chief re: request acceptance of the FY21 State 911 Support & Incentive Grant in the amount of \$102,983 (Refer B&F)
8. Health Department Flyer with tips for a safer Halloween (Info Only)

- **COMMUNICATIONS/INVITATIONS**
- **INFORMATION ONLY**
- **APPLICATIONS/PETITIONS**

1. PP2020-007: Request by National Grid to install 1 JO pole and all appurtenances on Lawrence Mountain Road beginning at a point approximately 1,300 feet northwest of the centerline of the intersection of Essex Avenue (Refer P&D)
- **COUNCILLORS ORDERS**
- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
1. City Council Meeting: 9/22/2020 (Approve/File)
2. Special City Council Meeting: 9/29/2020 (under separate cover) (Approve/File)
3. Standing Committee Meetings: B&F 10/8/2020 (under separate cover), O&A 10/5/2020, P&D 10/7/2020 (Approve/File)

**STANDING COMMITTEE REPORTS**

**ACTION**

**B&F 10/8/2020**

1. Memorandum from Veteran Services Director re: request acceptance of donations in the amount of \$1,295
  2. Memorandum from Grants Administrator re: request to accept Affordable Housing Trust's recommendation to fund \$200,000 to the YMCA of the North Shore for an affordable housing development project at Middle Street #71
  3. Memorandum from Police Chief re: request, in accordance with GCO Sec. 2-52, to commit a 5-year obligation and payment schedule for Tasers
  4. Memorandum from the City Clerk re: request acceptance of a grant from the Center for Tech and Civic Life in the amount of \$11,767.50
- O&A 10/5/2020 (no items under this heading)**

**P&D 10/7/2020**

1. Special Events Permit Application: Request to hold the Halloween Walk Thru on October 29, 2020

**Individual items from committee reports may be consolidated into a consent agenda**

**SCHEDULED PUBLIC HEARINGS**

- 1. PH2020-011: SCP2020-003: Atlantic Road #163 (formerly part of #171), Map 73, Lot 41 (a portion of former Map 73, Lot 26), GZO Secs. 3.1.6(b) "Building Heights in Excess of 35 Feet," 3.2.2 fn.(e) "Dimensional Requirements for Multi-family Dwellings and Their Accessory Uses (other than signs) – reduction in distance between buildings," 2.3.1(8) "Conversion to or new multi-family or apartment dwelling, seven or more dwelling units," 5.7.5 "Special Permit Criteria" for Major Project and 1.10.1(a)(1)(2) "Jurisdiction of the City Council" in the R-20 Low/Medium Density Residential district (Cont. from 9/22/2020)
- 2. PH2020-010: SCP2020-002: Essex Avenue #99A, Map 216, Lot 126, GZO Sec. 1.8.3 "Standard to be applied," Sec. 3.1.6(b) "Building Heights in Excess of 35 Feet," Sec. 2.3.4(13) "Marine related service, storage or repair, limited primarily in the MI District to commercial fishing vessels," Sec. 5.5 "Lowland Requirements," Sec. 5.5.2 and Sec. 5.5.3 in the EB District (Cont. from 9/8/2020, TBC 10/27/2020)

**FOR COUNCIL VOTE**

- 1. CC2020-012 (Pett/Cox/LeBlanc): Ordered that the City Council request that the State Legislators file a Home Rule Petition; and based on said Petition, the General Court enact a Special Act re: seasonal alcoholic licenses (FCV)
- 2. Warrant for November 3, 2020 State Election (FCV)

**UNFINISHED BUSINESS**

**OTHER BUSINESS**

**INDIVIDUAL COUNCILLOR'S DISCUSSION INCLUDING REPORTS BY APPOINTED COUNCILLORS TO COMMITTEES:**

None

**COUNCILLOR'S REQUESTS TO THE MAYOR**

**ROLL CALL** – Councillor Steve LeBlanc



\_\_\_\_\_  
City Clerk

Meeting dates are subject to change. Check with City Clerk's Office  
**NEXT REGULAR CITY COUNCIL MEETING, October 27, 2020**

**Minutes filed in City Clerk's Office of other Boards and Commissions September 17, 2020 thru October 8, 2020**

Bd. of Assessors 8/27/2020

**NOTE: The Council President may rearrange the Order of Business in the interest of public convenience.**

The listing of matters is those reasonably anticipated by the Chair, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

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City Hall  
Nine Dale Avenue  
Gloucester, MA 01930

CITY CLEAR  
GLOUCESTER, MA

2020 OCT -8 AM 8:39



CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

TEL 978-281-9700  
FAX 978-281-9738  
mayor@gloucester-ma.gov

**TO:** City Council  
**FROM:** Mayor Sefatia Romeo Theken  
**DATE:** October 7, 2020  
**RE:** Mayor's Report for the October 13, 2020 City Council Meeting

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Members of the City Council:

In this Mayor's report you'll find some updates, reminders and information from my office regarding COVID-19 updates, Columbus Day, 2020 U.S. Census, Fall Yard Waste Collection and Boards, Committees and C. Additionally, there are several financial matters for your consideration.

**COVID-19** – We must all remain vigilant and continue taking steps to mitigate the spread of the virus in order to allow us to continue to safely reopen our local economy, keep our kids in school, and to protect each other and our loved ones. Please continue to wear a mask or face covering when out in public, maintain a safe physical distance of 6 feet from others, wash and sanitize your hands and frequently touched surfaces often, and stay home if you're sick.

Community-level data is released weekly on the average daily cases per 100,000 residents, average percent positivity, and total case counts, for all 351 Massachusetts cities and towns over the last two weeks. Based on the average daily cases per 100,000 residents, each city or town has been designated as a higher risk, moderate risk, or lower risk community. This information is updated and included in the Department of Public Health's [weekly public health dashboard](#), which is published each Wednesday. As of today, October 7, Gloucester remains in the green and is considered a lower-risk community.

As of today, October 7, the status of COVID-19 cases were as follows:

- 349 overall cases (306 confirmed and 43 probable);
- 314 recovered;
- 26 COVID-19 related deaths; and
- 9 active cases

Biobot Analytics continues to be used to test wastewater as another tool to track COVID-19 locally. For the testing date of September 30, 2020, Gloucester had no detection of the virus.

***Columbus Day, Monday, October 12*** – In observance of Columbus Day on Monday, October 12, City Offices will be closed and trash will not be collected. City Offices will re-open for normal business hours on Tuesday, October 13. Trash collection will also resume on Tuesday on a one day delayed schedule.

***We're counting on you! Please fill out your 2020 U.S. Census Survey*** - Every 10 years the census is taken nationwide, and directly affects funding municipalities are awarded from the federal and state governments for schools, roads, public health initiatives and other critical infrastructure needs and services. Everyone who lives in a household needs to be counted, including grandparents, children, members of the extended family and anyone else living under the same roof. You can complete the census online at [2020census.gov](https://2020census.gov) or by phone by calling 844-330-2020. Everyone's information shared through the census is protected and used only for the purpose of getting an accurate population count. Please help us make sure Gloucester gets its fair share - complete your 2020 U.S. Census Survey today!

***Fall Yard Waste Collection*** – The upcoming schedule for fall curbside collections is as follows:

- October 26th - 30<sup>th</sup>
- November 9th - 13<sup>th</sup>
- November 23rd - 27<sup>th</sup>
- December 7th - 11th

Gloucester residents should place leaves and grass clippings in paper leaf bags or loose in marked barrels. Collection will be on residents regular trash day during the weeks listed below. No plastic bags accepted! You may also bring leaves and yard waste to the Compost Facility on Dogtown Road on the last Saturday of every month from 9:00 am to 3:00 pm.

***Board, Committees and Commissions*** – We continue to seek interested volunteers to fill vacancies on a number of City boards, committees and commissions (BCC). Volunteers selected to serve on City BCC's aid local government's ability to serve residents, businesses and visitors. BCC's are established under state laws, the City charter, and code of ordinances and the purpose, duties, and authority are determined by these state and local laws. Members are appointed by the Mayor and are approved by the City Council for specified terms.

The following BCC's are currently accepting applications:

- City Hall Restoration Commission
- Clean City Commission
- Clean Energy Commission
- Committee for the Arts
- Conservation Commission
- Disabilities Rights Commission
- Dogtown Preservation Commission
- Fisheries Commission
- Shellfish Advisory Commission
- Stage Fort Park Advisory Committee
- Tourism Commission
- Waterways Board
- Zoning Board of Appeals

Information and descriptions for any of these BCC's can be found on the City of Gloucester website or by calling the Mayor's Office.

Please let City residents, at least 18 years of age, who are interested in volunteering for an opening know they should submit a letter of interest and an up to date resume to [mayor@gloucester-ma.gov](mailto:mayor@gloucester-ma.gov), by fax to 978-281-9738, or by mail to Office of the Mayor, Gloucester City Hall, 9 Dale Avenue, Gloucester, MA 01930.

For questions about the submission process, additional information on any opening or BCC description/scope any interested individual should contact the Mayor's Office at 978-281-9700.

### ***Financial Matters***

- **Enclosure 1** is a memo from Veterans Services Director Adam Curcuru requesting the acceptance of donations totaling \$2,100 to support continued efforts to serve our Veterans and Active Duty military families. ***Please refer this matter to the Budget and Finance Standing Committee for review and approval.*** Veterans Services Director Adam Curcuru, or appropriate personnel, will be available to answer questions and provide further information.
- **Enclosure 2** is a memo, grant application and check list from Public Health Director Karin Carroll requesting the acceptance of a 9-month extension on the Substance Abuse Prevention Collaborative Grant in the amount of \$75,000. The focus of the funding continues to be the prevention and reduction of underage drinking and other drug use

in Massachusetts communities. ***Please refer this matter to the Budget and Finance Standing Committee for review and approval.*** Public Health Director Karin Carroll, or appropriate personnel, will be available to answer questions and provide further information.

- **Enclosure 3** is a memo, grant application and check list from Public Health Director Karin Carroll requesting the acceptance of a 9-month extension on the Massachusetts Opiate Abuse Prevention Collaborative Grant in the amount of \$75,000. The MAOPC Grant allows the Gloucester Prevention Unit to work in conjunction with Beverly and Danvers to address the opioid crisis through a strategic regional approach which targets prevention and overdose training. ***Please refer this matter to the Budget and Finance Standing Committee for review and approval.*** Public Health Director Karin Carroll, or appropriate personnel, will be available to answer questions and provide further information.
- **Enclosure 4** is a Special Budgetary Transfer Request (2021-SBT-1) in the amount of \$30,000 for rent for a Gloucester Fire Department repair facility. ***Please refer this matter to the Budget and Finance Standing Committee for review and approval.*** Fire Chief Eric Smith, or appropriate personnel will be available to answer questions and provide further information.
- **Enclosure 5** is a Special Budgetary Transfer Request (2021-SBT-2) in the amount of \$20,000 for city-wide public relations services and potential future expenses. ***Please refer this matter to the Budget and Finance Standing Committee for review and approval.*** Interim Chief Administrative Officer Vanessa Krawczyk, or appropriate personnel will be available to answer questions and provide further information.
- **Enclosure 6** is memo from Jill Cahill regarding a Community Preservation Committee off-cycle funding recommendation of \$80,000 to support the Stage Fort Park Advisory Committee's landscape construction design project. ***Please refer this matter to the Budget and Finance Standing Committee for review and approval.*** CPC Co-Chairs Catherine Schlichte and Barbara Silverman or Grants Administrator Jaimie Corliss will be available to answer questions and provide further information.
- **Enclosure 7** is a memo, grant application and check list Police Chief Ed Conley requesting the acceptance of the FY21 State 911 Support & Incentive Grant in the amount of \$102,983. ***Please refer this matter to the Budget and Finance Standing***

**Committee for review and approval.** Police Chief Ed Conley, or appropriate personnel, will be available to answer questions and provide further information.

***Informational Only***

- **Enclosure 8** is a flyer from the Health Department with Tips for a safer Halloween. Please share.

As always, we encourage the City Council to contact us for any questions or comments regarding this submission but we will continue to offer updates and insights across all these matters as they move forward.

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Sefatia Romeo Theken

# **ENCLOSURE 1**



Office: 12 Emerson Avenue  
Mail: City Hall, 9 Dale Avenue  
Gloucester, MA 01930

## CAPE ANN Office of Veterans' Services

TEL 978-281-9740  
FAX 978-282-3053  
acurcuru@gloucester-ma.gov

### Memorandum

**To:** Mayor Sefatia Romeo Theken  
**CC:** John Dunn, CFO, Kenny Costa, Auditor,  
**From:** Adam Curcuru Veterans Services  
**Subject:** Mayor's Report Acceptance of Donations to support Cape Ann Veterans Services  
**Date:** 09/08/2020

Mayor Romeo Theken,

Cape Ann Veterans Services has generously received the following donations from members and business partners within our community. I would like to request that the donations listed below be accepted by the city to support continued efforts to serve our Veterans and Active Duty military communities.

Name	Amount	Date
Jon and Madith Curley	\$100.00	09/08/2020
Sgt David J. Coullard Memorial Fund	\$2000.00	09/20/2020
Total	\$2100.00	

Very Respectfully,

Cape Ann Veterans Services

District Director



# **ENCLOSURE 2**



**City of Gloucester  
Grant Application and Check List**

Granting Authority: State \_\_\_\_\_ Federal X Other \_\_\_\_\_

Name of Grant: Substance Abuse Prevention Collaborative services (SAPC)

Department Applying for Grant: HEALTH DEPARTMENT

Agency-Federal or State application is requested from: Massachusetts Department of Public Health, (MDPH), Bureau of Substance Abuse Services (BSAS)

Object of the application: To provide financial support to a group of municipalities including Essex, Rockport, Manchester by the Sea, Beverly, Gloucester, and Ipswich to enter into formal, long-term agreements to share resources and coordinate activities with the objective of preventing underage drinking and other drug use. The focus will be on implementing or amending local policy, practice, systems and environmental changes to prevent underage drinking, other drug use and other problem behaviors. This funding will collectively improve the capacity of these municipalities to address these issues.

Any match requirements: No cash match, In-Kind Staffing, Materials and Equipment match only.

Mayor's approval to proceed: [Signature] 9/29/2020  
Signature Date

City Council's referral to Budget & Finance Standing Committee: \_\_\_\_\_  
Vote Date

Budget & Finance Standing Committee: \_\_\_\_\_  
Positive or Negative Recommendation Date

City Council's Approval or Rejection: \_\_\_\_\_  
Vote Date

City Clerk's Certification of Vote to City Auditor: \_\_\_\_\_  
Certification Date

City Auditor:  
Assignment of account title and value of grant: \_\_\_\_\_  
Title Amount

Grant Budget by line item account: \_\_\_\_\_  
\_\_\_\_\_

Auditor's distribution to managing department: \_\_\_\_\_  
Department Date sent

NOTE: A copy of all grant paperwork must be submitted to the Auditor's Office



# CITY OF GLOUCESTER

**Health Department**  
3 Pond Road, City Hall Annex  
Gloucester, Massachusetts 01930

PHONE: 978-325-5260

EMAIL: [healthdepartment@gloucester-ma.gov](mailto:healthdepartment@gloucester-ma.gov)

WEBSITE: [www.gloucester-ma.gov](http://www.gloucester-ma.gov)



**Public Health**  
Prevent. Promote. Protect.

September 28, 2020

Dear Mayor Romeo Theken,

The Gloucester Health Department seeks Mayoral and City Council approval to accept a 9 month extension on the Substance Abuse Prevention Collaborative Grant in the amount of \$75,000. The time period for expenditure of these funds will be from July 1<sup>st</sup> 2020 to June 30<sup>th</sup> 2021. This upward amendment brings the FY21 revised contract amount to \$200,000, which includes \$100,000 for the existing OD2A Grant Agreement to collect overdose data for the CDC in conjunction with the GPD's Community Impact Unit.

As anticipated, the MA Department of Public Health extended the SAPC Grant Contract for the remaining 9 months of FY21. This contract extension stems from the delayed release of a new funding opportunity due to Covid-19.

The original SAPC grant award was received in 2015 and we are currently in the midst of the seventh year of progress on this initiative. The focus of the funding continues to be the prevention and reduction of underage drinking and other drug use in Massachusetts communities. This funding allows us to expand our successful underage drinking and other drug prevention work to Rockport, Manchester, Essex, Ipswich and Beverly. The regional cluster of communities encompasses a natural geographic corridor, targeting middle and high school age youth and young adults at risk for use of alcohol, marijuana, and prescription pills.

Staff will be available to answer City Council questions.

Thank You.

Karin Carroll  
Director of Public Health  
Gloucester Health Department



**The Commonwealth of Massachusetts**  
**Executive Office of Health and Human Services**  
**Department of Public Health**  
**250 Washington Street, Boston, MA 02108-4619**

**CHARLES D. BAKER**  
Governor

**KARYN E. POLITO**  
Lieutenant Governor

**MARYLOU SUDDERS**  
Secretary

**MONICA BHAREL, MD, MPH**  
Commissioner

Tel: 617-624-6000  
[www.mass.gov/dph](http://www.mass.gov/dph)

September 8, 2020

Jenna Newbegin  
City Of Gloucester  
9 Dale Ave Ste 9  
Gloucester Ma 01930

Dear Ms. Newbegin:

This is to inform you that the Massachusetts Department of Public Health, Bureau of Substance Addiction Services has amended your contract #INTF2354M04160222099. This contract has been increased in the amount of \$75,000.00 for a revised contract amount of \$200,000.00 which will be in effect through June 30, 2021.

The out year amount of \$100,000.00 will be in effect for fiscal year 2022.

The total contract obligation for all years is \$900,000.00

This award contains funds from the Substance Abuse and Mental Health Services Administration (SAMHSA) of the federal government, #4512-9069 (CFDA#93.959). Providers receiving federal grant funds will be considered sub-recipients for the federal grant purposes and will be required to comply with applicable federal requirements, including but not limited to sub-recipient audit requirements under OMB Circular A-133.

If you have any questions, please call Andrew Robinson at (617) 624-5172.

Charles A. Whiteman, Director of Administration and Finance  
Bureau of Substance Addiction Services

# COMMONWEALTH OF MASSACHUSETTS - STANDARD CONTRACT FORM



This form is jointly issued and published by the Office of the Comptroller (CTR), the Executive Office for Administration and Finance (ANF), and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. The Commonwealth deems void any changes made on or by attachment (in the form of addendum, engagement letters, contract forms or invoice terms) to the terms in this published form or to the Standard Contract Form Instructions and Contractor Certifications, the Commonwealth Terms and Conditions, the Commonwealth Terms and Conditions for Human and Social Services or the Commonwealth IT Terms and Conditions, which are incorporated by reference herein. Additional non-conflicting terms may be added by Attachment. Contractors are required to access published forms at CTR Forms: <https://www.mass.gov/ctr/forms>. Forms are also posted at OSD Forms: <https://www.mass.gov/osd/forms>.

<b>CONTRACTOR LEGAL NAME:</b> CITY OF GLOUCESTER		<b>COMMONWEALTH DEPARTMENT NAME:</b> Department of Public Health	
<b>Legal Address (W-9, W-4):</b> 9 DALE AVE GLOUCESTER, MA 01830-3009		<b>Business Mailing Address:</b> 250 Washington Street, Boston MA 02108	
<b>Contract Manager:</b> Jerne Newbegin	<b>Phone:</b> 978-325-5262	<b>Billing Address (if different):</b>	
<b>E-Mail:</b> jnewbegin@glooucester-ma.gov	<b>FAX:</b> 978-281-9729	<b>Contract Manager:</b> Michelle McHugh	<b>Phone:</b> 617-624-5289
<b>Contractor Vendor Code:</b> VC6000182086		<b>E-Mail:</b> michelle.e.mchugh@mass.gov	<b>FAX:</b> 617-624-5017
<b>Vendor Code Address ID (e.g. "AD001"):</b> AD 001 <small>(Note: The Address ID must be set up for EFT payments.)</small>		<b>MMARS Doc ID(s):</b> INTF2354M04160222089	
<b>RFR/Procurement or Other ID Number:</b> 160222			

**NEW CONTRACT**  
PROCUREMENT OR EXCEPTION TYPE: (Check one option only)

- Statewide Contract (OSD or an OSD designated Department)
- Collective Purchase (Attach OSD approval, scope, budget)
- Department Procurement (includes all grants 815 CMR 7.00) (Solicitation Notice or RFR, and Response or other procurement supporting documentation)
- Emergency Contract (Attach justification for emergency, scope, budget)
- Contract Employee (Attach Employment Status Form, scope, budget)
- Other Procurement Exception (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope and budget)

**CONTRACT AMENDMENT**  
Enter Current Contract End Date Prior to 08/31/2022  
Amendment: Enter Amendment Amount: \$ 75,000.00 (or "no change")

**AMENDMENT TYPE:** (Check one option only. Attach details of Amendment changes.)

- Amendment to Scope or Budget (Attach updated scope and budget)
- Interim Contract (Attach justification for Interim Contract and updated scope/budget)
- Contract Employee (Attach any updates to scope or budget)
- Other Procurement Exception (Attach authorizing language/justification and updated scope and budget)

The Standard Contract Form Instructions, Contractor Certifications and the following Commonwealth Terms and Conditions document is incorporated by reference into this Contract and are legally binding. (Check ONE option):  Commonwealth Terms and Conditions  Commonwealth Terms and Conditions For Human and Social Services  Commonwealth IT Terms and Conditions

**COMPENSATION:** (Check ONE option) The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00.

- Rate Contract (No Maximum Obligation - Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended)
- Maximum Obligation Contract: Enter Total Maximum Obligation for total duration of this Contract (or new Total if Contract is being amended): \$ 900,000.00

**PROMPT PAYMENT DISCOUNTS (PPD):** Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days \_\_\_% PPD; Payment issued within 15 days \_\_\_% PPD; Payment issued within 20 days \_\_\_% PPD; Payment issued within 30 days \_\_\_% PPD. If PPD percentages are left blank, identify reason:  agree to standard 45 day cycle  statutory/legal or Ready Payments (G.L.c. 29, § 23A);  only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)

**BRIEF DESCRIPTION OF CONTRACT PERFORMANCE OR REASON FOR AMENDMENT:** (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.)  
Maximum Obligation Change

**ANTICIPATED START DATE:** (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations:

- 1. may be incurred as of the Effective Date (latest signature date below) and no obligations have been incurred prior to the Effective Date
- 2. may be incurred as of \_\_\_/\_\_\_/20\_\_\_, a date LATER than the Effective Date below and no obligations have been incurred prior to the Effective Date
- 3. were incurred as of \_\_\_/\_\_\_/20\_\_\_, a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.

**CONTRACT END DATE:** Contract performance shall terminate as of 06/30/2022, with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.

**CERTIFICATIONS:** Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor certifies that they have accessed and reviewed all documents incorporated by reference as electronically published and the Contractor makes all certifications required under the Standard Contract Form Instructions and Contractor Certifications under the pains and penalties of perjury, and further agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence: this Standard Contract Form, the Standard Contract Form Instructions, Contractor Certifications, the applicable Commonwealth Terms and Conditions, the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in 811 CMR §1.07, incorporated herein-provided any amended RFR or Response terms result in better value, lower costs, or a more cost effective Contract.

<p><b>AUTHORIZING SIGNATURE FOR THE CONTRACTOR:</b></p> <p>_____ Date: <u>9/23/20</u> <small>(Signature and Date Must Be Handwritten At Time of Signature)</small></p> <p>Print Name: <u>Sofia Romeo-Rhodes</u></p> <p>Print Title: <u>Mayor</u></p>	<p><b>AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:</b></p> <p>_____ Date: _____ <small>(Signature and Date Must Be Handwritten At Time of Signature)</small></p> <p>Print Name: <u>Sharon Dyer</u></p> <p>Print Title: <u>Director, Purchases of Service Office</u></p>
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FY: 2021

Amendment # (if Applicable): \_\_\_\_\_

If Federal Funds, CFDA#93.959

**PURCHASE OF SERVICE – ATTACHMENT 1: PROGRAM COVER PAGE**

**PROGRAM INFORMATION**

<b>Contractor Name:</b> CITY OF GLOUCESTER	<b>Department Name:</b> Massachusetts Department of Public Health
<b>Program Type:</b> Substance Abuse Prevention Programs	<b>Document ID #:</b> INTF2354M04160222099
<b>Program Name:</b> prevention	<b>UFR Program:</b>
<b>Program Address:</b> 9 Dale Ave Ste 9	<b>MMARS Program Code:</b> 4941
<b>City/State/Zip:</b> Gloucester MA 019303000	<b>Other Reference Information (Information Purpose Only):</b>
<b>Contact Person:</b> Jenna Newbigh <b>Telephone:</b> 978-325-5262	<b>Contact Person:</b> Michelle McHugh <b>Telephone:</b> 617-524-5289
<b>RFR INFORMATION:</b> <input type="checkbox"/> Attached <input type="checkbox"/> Legislative Exception <input type="checkbox"/> Interim <input type="checkbox"/> Emergency <input type="checkbox"/> Amendment <input type="checkbox"/> Collective Purchase <b>SCOPE OF SERVICES:</b> <input checked="" type="checkbox"/> Bidders Response Attached <input type="checkbox"/> Description of Services Attached RFR info CH257 <b>TOTAL ANTICIPATED CONTRACT DURATION:</b> 7/1/2015 to 6/30/2022 <b>INITIAL DURATION:</b> 7/1/2015 to 6/30/2022 <b>OPTIONS TO RENEW:</b> *****Refer to RFR for options to renew and for the years for each option*****	

**FISCAL TERMS**

Price is established through: (Check 1, 2, or 3)  <input type="checkbox"/> <b>OPTION 1: PRICE AGREEMENT</b> (flat price) \$ _____ Rate Regulation (if any) N/A  <input type="checkbox"/> <b>OPTION 2: SUMMARY BUDGET</b> ("T" Lines only) <input type="checkbox"/> Unit Rate <input type="checkbox"/> Cost Reimbursement <input type="checkbox"/> Other _____  <input checked="" type="checkbox"/> <b>OPTION 3: COMPLETED BUDGET</b> <input type="checkbox"/> Unit Rate <input checked="" type="checkbox"/> Cost Reimbursement <input type="checkbox"/> Other _____	<b>FUNDING SUMMARY</b>					
	Prior Years		Current Years		Future Years	
	FY	Amount	FY	Amount	FY	Amount
	2016	\$100,000.00	2021	\$200,000.00	2022	\$100,000.00
	2017	\$100,000.00				
	2018	\$100,000.00				
2019	\$100,000.00					
2020	\$200,000.00					
<b>Total:</b>		<b>\$600,000.00</b>	<b>Total:</b>		<b>\$200,000.00</b>	
<b>Total:</b>				<b>\$100,000.00</b>		
<b>Multi Years Total:</b>					<b>\$900,000.00</b>	
<b>Current Max Obligation:</b> \$ _____ <b>Unit Rate:</b> \$ _____ per _____ <b># Billable Units:</b> _____						
<b>Additional Payment or Price Specifications:</b>						

## Scope of Services

This Attachment Form must be used. Please check the appropriate box when processing a new contract or a contract amendment.

Contract ID #: INTF2354M04160222099

**Any funds designated in the budget that are unspent in any fiscal year will not be available for expenditure in the subsequent fiscal year without a formal contract amendment re-authorizing these funds.**

**New Contract** This form will only be included with packages where a procurement exception (waiver) supports the contract. Identify in detail the scope of services in terms of performance for a new contract. Services provided must be in accordance with the budget and the terms and conditions of the federal grant (if applicable).

**Contract Amendment**

**If choosing amendment you must check off one of the three types below and provide explanation**

**Increase**

Include a clear explanation of what the funding change will support in terms of additional services.

Max Obligation Increase

SAPC - Prevent and reduce youth substance misuse and its associated risks

**Decrease**

Include a clear explanation of what the funding change will support in terms of additional services.

**Other**

Include a clear explanation of what the funding change will support in terms of additional services.

# Please Complete!

<b>Report Title: Vendor's Worksheet for Program Budget Amendment</b>	<b>Page Number:</b> 1 of 1
	<b>Report Run Date:</b> 09/09/2020
	<b>Report Run Time:</b> 03:18:23 PM

**Budget Fiscal Year:** 2021      **Agency Name:** DPH - Bureau of Substance Addiction Services      **Contract No:** INTF2354M04160222099 - 2021 - CT  
**Contracting Provider:** City Of Gloucester      **VCC:** VC6000192096      **Line Item Budget:** 2  
**Activity Name:** BSAS Substance Abuse Prevention      **Activity Code:** 4941      **Amendment No:** 2

Budget as previously Amended				Cost Reimbursement Only			Amend Change		New	
UFR No	Component	FTE	Amount	Offset	Source	Reimbursement	FTE	Amount	FTE	Amount
101	Program Function Manager	0.20	\$3,500.00	\$0.00			+	53,473.01	.9	56,973.01
137	Program Secretarial, Clerical Staff	0.60	\$15,500.00	\$0.00			-	14,329.92	.1	1,170.08
150	Payroll Taxes	0.00	\$1,000.00	\$0.00			+	1,420.16		2,420.16
151	Fringe Benefits	0.00	\$2,500.00	\$0.00			+	13,757.03		16,257.03

Direct Care / Program Staff Total:      **0.80**      **\$22,500.00**      **\$0.00**

\* Add Line 201      + 8.350      8.350  
 \* Add Line 215      + 4,923.92      4,923.92

Budget as previously Amended				Cost Reimbursement Only			Amend Change		New	
UFR No	Component	FTE	Amount	Offset	Source	Reimbursement	FTE	Amount	FTE	Amount
410	Agency and Program Administration and Support		\$2,500.00	\$0.00			+	7500		10,000.00

Administrative Support Total:      **\$2,500.00**      **\$0.00**

Budget Total for Contract:      **0.80**      **\$25,000.00**      **\$0.00**  
 Activity Total for Contract:      **0.80**      **\$125,000.00**      **\$0.00**  
 Grant Total for Contract:      **0.80**      **\$125,000.00**      **\$0.00**

+75,000      \$100,000

**CITY OF GLOUCESTER**

**ACCOUNT BUDGET**

DEPARTMENT NAME: City of Gloucester, Health Dept.

ACCOUNT NAME: Substance Abuse Prevention Collaborative (SAPC)

FUND NUMBER AND NAME: (N/A FOR NEW FUND) ORG 2024 SAPC Grant

CFDA # (Required for Federal Grants): 93.959

DATE PREPARED: 9/29/2020

OBJECT	ORIGINAL BUDGET	APPROVED		REVISED BUDGET
		AMENDED BUDGET (IF APPLICABLE)	AMENDED REQUEST	
REVENUE (4_____)				
454002	\$47,000.00		\$75,000.00	\$122,000.00
				\$0.00
				\$0.00
Total:	\$47,000.00	\$0.00	\$75,000.00	\$122,000.00
EXPENSE (5_____)				
511000	\$19,000.00		\$51,149.69	\$70,149.69
511300	\$0.00			\$0.00
515000	\$800.00		\$16,880.03	\$17,660.03
517008	\$2,700.00		-\$1,682.83	\$1,017.17
520000	\$12,000.00		-\$3,650.00	\$8,350.00
530008				\$0.00
538010	\$12,500.00		\$7,500.00	\$20,000.00
540000	\$0.00		\$4,823.11	\$4,823.11
570000				\$0.00
571000				\$0.00
579100				\$0.00
596001				\$0.00
				\$0.00
Total:	\$47,000.00	\$0.00	\$75,000.00	\$122,000.00

DEPARTMENT HEAD SIGNATURE



DATE ENTERED (AUDIT)

AUDITING DEPARTMENT INITIALS

**FORM: AUDIT ACCOUNT BUDGET - V1**

# **ENCLOSURE 3**



**City of Gloucester  
Grant Application and Check List**

Granting Authority: State \_\_\_ Federal X Other \_\_\_\_\_

Name of Grant: Massachusetts Opioid Abuse Prevention Collaborative (MOAPC)

Department Applying for Grant: HEALTH DEPARTMENT

Agency-Federal or State application is requested from: Massachusetts Department of Public Health, (MDPH), Bureau of Substance Abuse Services (BSAS)

Object of the application: To provide financial support for groups of municipalities to enter into formal, long-term agreements to share resources and coordinate activities to address the issue of opioid misuse and abuse, and unintentional deaths and non-fatal hospital events associated with opioid poisonings in Gloucester, Beverly and Danvers.

Any match requirements: No cash match. In-Kind Staffing, Materials and Equipment match only.

Mayor's approval to proceed: [Signature] 9/29/2020  
Signature Date

City Council's referral to Budget & Finance Standing Committee: \_\_\_\_\_  
Vote Date

Budget & Finance Standing Committee: \_\_\_\_\_  
Positive or Negative Recommendation Date

City Council's Approval or Rejection: \_\_\_\_\_  
Vote Date

City Clerk's Certification of Vote to City Auditor: \_\_\_\_\_  
Certification Date

City Auditor:  
Assignment of account title and value of grant: \_\_\_\_\_  
Title Amount

Grant Budget by line item account: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Auditor's distribution to managing department: \_\_\_\_\_  
Department Date sent

NOTE: A copy of all grant paperwork must be submitted to the Auditor's Office



# CITY OF GLOUCESTER

**Health Department**  
3 Pond Road, City Hall Annex  
Gloucester, Massachusetts 01930

**PHONE:** 978-325-5260

**EMAIL:** [healthdepartment@gloucester-ma.gov](mailto:healthdepartment@gloucester-ma.gov)

**WEBSITE:** [www.gloucester-ma.gov](http://www.gloucester-ma.gov)



**Public Health**  
Prevent. Promote. Protect.

September 28, 2020

Dear Mayor Romeo Theken,

The Gloucester Health Department seeks Mayoral and City Council approval to accept a 9 month extension on the Massachusetts Opiate Abuse Prevention Collaborative (MOAPC) Grant in the amount of \$75,000. The time period for expenditure of these funds will be from July 1<sup>st</sup>, 2020 to June 30th, 2021.

As anticipated, MA Department of Public Health extended the MOAPC Grant Contract for the remainder of FY21. The contract extension stems from the delayed release of a new funding opportunity due to Covid-19.

The original MOAPC grant award was received in 2014 and we are in the midst of our eighth year of progress on this initiative. The MOAPC Grant allows the Gloucester Prevention Unit to work in conjunction with the City of Beverly and Town of Danvers to address the Opioid Crisis through a strategic regional approach which targets prevention and overdose training. Most recently, the MOAPC Grant has allowed the regional Narcan Working Group to explore and develop a strategic social marketing campaign to educate pharmacy staff and individuals about the availability and importance of carrying Narcan.

Staff will be available to answer City Council questions.

Thank You.

Karin Carroll  
Director of Public Health  
Gloucester Health Department



**The Commonwealth of Massachusetts**  
**Executive Office of Health and Human Services**  
**Department of Public Health**  
250 Washington Street, Boston, MA 02108-4619

**CHARLES D. BAKER**  
Governor

**KARYN E. POLITO**  
Lieutenant Governor

**MARYLOU SUDDERS**  
Secretary

**MONICA BHAREL, MD, MPH**  
Commissioner

Tel: 617-624-6000  
[www.mass.gov/dph](http://www.mass.gov/dph)

September 3, 2020

Jenna Newbegin  
City Of Gloucester  
9 Dale Ave Ste 9  
Gloucester Ma 01930

Dear Ms. Newbegin:

This is to inform you that the Massachusetts Department of Public Health, Bureau of Substance Addiction Services has amended your contract #INTF2354M04301822059. This contract has been increased in the amount of \$75,000.00 for a revised contract amount of \$100,000.00 which will be in effect through June 30, 2021.

There is no out year.

The total contract obligation for all years is \$1,018,000.00

This award contains funds from the Substance Abuse and Mental Health Services Administration (SAMHSA) of the federal government, #4512-9069 (CFDA#93.959). Providers receiving federal grant funds will be considered sub-recipients for the federal grant purposes and will be required to comply with applicable federal requirements, including but not limited to sub-recipient audit requirements under OMB Circular A-133.

If you have any questions, please call Andrew Robinson at (617) 624-5172.

**Charles A. Whiteman, Director of Administration and Finance**  
Bureau of Substance Addiction Services

# COMMONWEALTH OF MASSACHUSETTS - STANDARD CONTRACT FORM



This form is jointly issued and published by the Office of the Comptroller (CTR), the Executive Office for Administration and Finance (ANF), and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. The Commonwealth deems void any changes made on or by attachment (in the form of addendum, engagement letters, contract forms or invoice terms) to the terms in this published form or to the Standard Contract Form Instructions and Contractor Certifications, the Commonwealth Terms and Conditions, the Commonwealth Terms and Conditions for Human and Social Services or the Commonwealth IT Terms and Conditions, which are incorporated by reference herein. Additional non-conflicting terms may be added by Attachment. Contractors are required to access published forms at CTR Forms: <https://www.macomptroller.org/forms>. Forms are also posted at OSD Forms: <https://www.mass.gov/lists/osd-forms>.

<b>CONTRACTOR LEGAL NAME:</b> CITY OF GLOUCESTER		<b>COMMONWEALTH DEPARTMENT NAME:</b> Department of Public Health MMARS Department Code: DPH	
<b>Legal Address (M-F, W-F):</b> 9 DALE AVE GLOUCESTER, MA 01930-3009		<b>Business Mailing Address:</b> 250 Washington Street, Boston MA 02108	
<b>Contract Manager:</b> Jenna Newbegin	<b>Phone:</b> 978-282-8025	<b>Billing Address (if different):</b>	
<b>E-Mail:</b> jnewbegin@gloucester-ma.gov	<b>FAX:</b> 978-281-9729	<b>Contract Manager:</b> Michelle McHugh	<b>Phone:</b> 617-624-3289
<b>Contractor Vendor Code:</b> VC6000192096		<b>E-Mail:</b> michelle.e.mchugh@mass.gov	<b>FAX:</b> 617-624-3017
<b>Vendor Code Address ID (e.g. "AD001"):</b> AD 001 (Note: The Address ID must be set up for EFT payments.)		<b>MMARS Doc ID(s):</b> INTF2354M04301822059	
		<b>RFR/Procurement or Other ID Number:</b> 301822	
<input type="checkbox"/> <b>NEW CONTRACT</b> <b>PROCUREMENT OR EXCEPTION TYPE:</b> (Check one option only) <ul style="list-style-type: none"> <li><input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department)</li> <li><input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget)</li> <li><input type="checkbox"/> Department Procurement (includes all grants <u>815 CMR 7.00</u>) (Solicitation Notice or RFR, and Response or other procurement supporting documentation)</li> <li><input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget)</li> <li><input type="checkbox"/> Contract Employee (Attach Employment Status Form, scope, budget)</li> <li><input type="checkbox"/> Other Procurement Exception: (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope and budget)</li> </ul>		<input checked="" type="checkbox"/> <b>CONTRACT AMENDMENT</b> Enter Current Contract End Date <u>Prior</u> to <u>08/30, 20 20</u> . Amendment: Enter Amendment Amount: \$ <u>75,000.00</u> (or "no change") <b>AMENDMENT TYPE:</b> (Check one option only. Attach details of Amendment changes.) <ul style="list-style-type: none"> <li><input type="checkbox"/> Amendment to Scope or Budget (Attach updated scope and budget)</li> <li><input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget)</li> <li><input type="checkbox"/> Contract Employee (Attach any updates to scope or budget)</li> <li><input checked="" type="checkbox"/> Other Procurement Exception (Attach authorizing language/justification and updated scope and budget)</li> </ul>	
The Standard Contract Form Instructions, Contractor Certifications and the following Commonwealth Terms and Conditions document is incorporated by reference into this Contract and are legally binding: (Check ONE option): <input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions for Human and Social Services <input type="checkbox"/> Commonwealth IT Terms and Conditions			
<b>COMPENSATION:</b> (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. <ul style="list-style-type: none"> <li><input type="checkbox"/> Rate Contract (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.)</li> <li><input checked="" type="checkbox"/> <b>Minimum Obligation Contract:</b> Enter Total Maximum Obligation for total duration of this Contract (or new Total if Contract is being amended): \$ <u>1,018,000.00</u></li> </ul>			
<b>PROMPT PAYMENT DISCOUNTS (PPD):</b> Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ___% PPD; Payment issued within 15 days ___% PPD; Payment issued within 20 days ___% PPD; Payment issued within 30 days ___% PPD. If PPD percentages are left blank, identify reason: <input type="checkbox"/> agree to standard 45 day cycle <input checked="" type="checkbox"/> statutory/legal or Ready Payments (S.L.C. 29, § 23A); <input type="checkbox"/> only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
<b>BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT:</b> (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) Maximum Obligation and Duration Change			
<b>ANTICIPATED START DATE:</b> (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> 1. may be incurred as of the Effective Date (latest signature date below) and no obligations have been incurred <u>prior</u> to the Effective Date</li> <li><input type="checkbox"/> 2. may be incurred as of <u>20</u>, a date LATER than the Effective Date below and no obligations have been incurred <u>prior</u> to the Effective Date</li> <li><input type="checkbox"/> 3. were incurred as of <u>20</u>, a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations</li> </ul>			
<b>CONTRACT END DATE:</b> Contract performance shall terminate as of <u>08/30, 2021</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
<b>CERTIFICATIONS:</b> Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor certifies that they have accessed and reviewed all documents incorporated by reference as electronically published and the Contractor makes all certifications required under the Standard Contract Form Instructions and Contractor Certifications under the pains and penalties of perjury, and further agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence: this Standard Contract Form, the Standard Contract Form Instructions, Contractor Certifications, the applicable Commonwealth Terms and Conditions, the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in 801 CMR 21.07, incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
<b>AUTHORIZING SIGNATURE FOR THE CONTRACTOR:</b> X: <u>[Signature]</u> Date: <u>9/2/2020</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>Sefatia Romeo Toker</u> Print Title: <u>Mayor</u>		<b>AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:</b> X: _____ Date: _____ (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>Sharon Dyer</u> Print Title: <u>Director, Purchase of Services Office</u>	

FY: 2021

Amendment # (If Applicable): \_\_\_\_\_

If Federal Funds, CFDA#93.859

**PURCHASE OF SERVICE – ATTACHMENT 1: PROGRAM COVER PAGE**

**PROGRAM INFORMATION**

<b>Contractor Name:</b> CITY OF GLOUCESTER	<b>Department Name:</b> Massachusetts Department of Public Health
<b>Program Type:</b> Mass Collaborative for Action, Leadership and Learning 2	<b>Document ID #:</b> INTF2354M04301822059
<b>Program Name:</b> Prevention	<b>UFR Program:</b>
<b>Program Address:</b> 9 Dale Ave Ste 9	<b>MMARS Program Code:</b> 4940
<b>City/State/Zip:</b> Gloucester MA 019303000	<b>Other Reference Information (Information Purpose Only):</b>
<b>Contact Person:</b> Jenna Newbegin <b>Telephone:</b> 978-282-8025	<b>Contact Person:</b> Michelle McHugh <b>Telephone:</b> 617-624-5289
<b>RFR INFORMATION:</b> <input type="checkbox"/> Attached <input type="checkbox"/> Legislative Exception <input type="checkbox"/> Emergency <input checked="" type="checkbox"/> Interim <input type="checkbox"/> Amendment <input type="checkbox"/> Collective Purchase <b>RFR Reference #</b> 301822 <b>SCOPE OF SERVICES:</b> <input checked="" type="checkbox"/> Bidders Response Attached <input type="checkbox"/> Description of Services Attached <b>RFR Info CH257</b> <b>TOTAL ANTICIPATED CONTRACT DURATION:</b> 7/1/2013 to 6/30/2021 <b>INITIAL DURATION:</b> 7/1/2013 to 9/30/2020 <b>OPTIONS TO RENEW:</b> *****Refer to RFR for options to renew and for the years for each option*****	

**FISCAL TERMS**

<b>Price is established through: (Check 1, 2, or 3)</b>  <input type="checkbox"/> <b>OPTION 1: PRICE AGREEMENT (list price)</b> \$ _____ Rate Regulation (if any) <i>N/A</i> <input type="checkbox"/> <b>OPTION 2: SUMMARY BUDGET ("T" Lines only)</b> <input type="checkbox"/> Unit Rate <input type="checkbox"/> Cost Reimbursement <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> <b>OPTION 3: COMPLETED BUDGET</b> <input type="checkbox"/> Unit Rate <input checked="" type="checkbox"/> Cost Reimbursement <input type="checkbox"/> Other _____	<b>FUNDING SUMMARY</b>							
	<b>Prior Years</b>		<b>Current Years</b>		<b>Future Years</b>			
	<b>FY</b>	<b>Amount</b>	<b>FY</b>	<b>Amount</b>	<b>FY</b>	<b>Amount</b>		
	2014	\$100,000.00	2021	\$100,000.00				
	2015	\$100,000.00						
2016	\$170,000.00							
2017	\$173,000.00							
2018	\$175,000.00							
2019	\$100,000.00							
2020	\$100,000.00							
<b>Total:</b>		<b>\$918,000.00</b>	<b>Total:</b>		<b>\$100,000.00</b>	<b>Total:</b>		<b>\$0.00</b>
<b>Multi Years Total:</b>						<b>\$1,018,000.00</b>		
<b>Current Max Obligation:</b> \$ _____ <b>Unit Rate:</b> \$ _____ per _____ <b># Billable Units:</b> _____								
<b>Additional Payment or Price Specifications:</b>								

## Scope of Services

This Attachment Form must be used. Please check the appropriate box when processing a new contract or a contract amendment.

Contract ID #: INTF2354M04301822059

Any funds designated in the budget that are unspent in any fiscal year will not be available for expenditure in the subsequent fiscal year without a formal contract amendment re-authorizing these funds.

**New Contract** This form will only be included with packages where a procurement exception (waiver) supports the contract. Identify in detail the scope of services in terms of performance for a new contract. Services provided must be in accordance with the budget and the terms and conditions of the federal grant (if applicable).

**Contract Amendment**

If choosing amendment you must check off one of the three types below and provide explanation

**Increase**

Include a clear explanation of what the funding change will support in terms of additional services.

FY21 Max Obligation Increase

MOAPC- Prevent and reduce the consequences of opioid misuse and addiction.

**Decrease**

Include a clear explanation of what the funding change will support in terms of additional services.

**Other**

Include a clear explanation of what the funding change will support in terms of additional services.

Please complete!

Report Title: Vendor's Worksheet for Program Budget Amendment	Page Number: 1 of 2
	Report Run Date: 09/09/2020
	Report Run Time: 02:25:5 PM

Budget Fiscal Year: 2021

Agency Name: DPH - Bureau of Substance  
Addiction Services

Contract No:  
INTF2364M04301822059 - 2021 -  
CT

Contracting Provider:  
City Of Gloucester

VCC: VC6000192096

Line Item Budget: 1

Activity Name: MOAPC

Activity Code: 4940

Amendment No: 1

Budget No: 1

Budget as previously Amended				Cost Reimbursement Only			Amend Change		New	
UFR No	Component	FTE	Amount	Offset	Source	Reimbursement	FTE	Amount	FTE	Amount
101	Program Function Manager	0.40	\$7,250.00	\$0.00			+ .1	+29,149.26	.5	\$36,399.26
137	Program Secretarial, Clerical Staff	0.45	\$5,250.00	\$0.00			- .25	-7,925.00	.2	\$13,175.00
150	Payroll Taxes	0.00	\$535.00	\$0.00			+	1,175.31		\$1,710.31
151	Fringe Benefits	0.00	\$2,465.00	\$0.00			+	7,542.09		\$10,007.09
Direct Care / Program Staff Total		0.85	\$15,500.00	\$0.00						

Budget as previously Amended				Cost Reimbursement Only			Amend Change		New	
UFR No	Component	FTE	Amount	Offset	Source	Reimbursement	FTE	Amount	FTE	Amount
205	Staff Mileage/Travel		\$400.00	\$0.00			-	400		0
206	Subcontracted Direct Care		\$4,250.00	\$0.00			+	12,750		17,000
207	Meals		\$150.00	\$0.00			-	150		0
215	Program Supplies, Materials and Expendable Items of Equipment and Furnishings		\$2,200.00	\$0.00			+	5,968.26		8,168.26

Other Direct Care/Program Resources Total \$7,000.00 \$0.00

\* add line 201 \*

+ 3500 3,500

Budget as previously Amended				Cost Reimbursement Only			Amend Change		New	
UFR No	Component	FTE	Amount	Offset	Source	Reimbursement	FTE	Amount	FTE	Amount
410	Agency and Program Administration and Support		\$2,500.00	\$0.00			+	7500		10,000

<b>Report Title: Vendor's Worksheet for Program Budget Amendment</b>	<b>Page Number:</b>	<b>2 of 2</b>
	<b>Report Run Date:</b>	<b>09/09/2020</b>
	<b>Report Run Time:</b>	<b>02:25:5 PM</b>

Administrative Support                    **\$2,500.00**   **\$0.00**  
Total

Budget Total for Contract   **0.85**   **\$25,000.00**   **\$0.00**  
Activity Total for Contract   **0.85**   **\$25,000.00**   **\$0.00**  
Grand Total for Contract   **0.85**   **\$25,000.00**   **\$0.00**

**+75,000**   **\$100,000**

**COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF PUBLIC HEALTH**

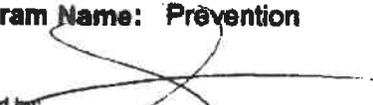
FY	21
Contract ID	INTF2354M04301822059

**SUBCONTRACTOR IDENTIFICATION LIST FOR DIRECT CARE SERVICES**

**(206) Subcontracted Direct Care:** Client care or other program services which are a primary and integral part of the total program but which are furnished to the program, under contract, by a separate program of another provider.

**Provider Name:** CITY OF GLOUCESTER

**DPH Program Name:** Prevention

Submitted by:   
 Provider/Vendor Authorized Signature  
Sefatia Romeo Theken  
 Print Name

Date: 9/21/2020 Phone: 978-281-9700

Approved by: \_\_\_\_\_  
 DPH Program Manager  
 \_\_\_\_\_  
 Print Name

Date: \_\_\_\_\_ Phone: \_\_\_\_\_

**INSTRUCTIONS:**

Providers/vendors must complete and submit to DPH at the time of initial contract execution for each fiscal year AND when subcontract dollars and/or vendors/providers are added or deleted. (Including line item adjustments). This form must be signed by the DPH program representative to indicate program approval PRIOR TO the execution of said subcontract(s).

- Providers are to complete this form for each fiscal year when subcontracted \$ are budgeted in UFR Code 206.
- Providers are to complete this form with any amendments including line items that modify UFR Code 206.
- Identify the Subcontractor and Federal ID number along with \$ amounts and description of service provided in less than 200 words (Individuals are not recorded on this form, they belong in UFR Code 201 consultants)
- \$ identified as TBD will require status updates which POS will request quarterly

Subcontractor Name	FEIN	Subcontract Amount	Type of Service provided and number of service units, if applicable	TBD
City of Gloucester	298-00425	\$ 8,500	Salary, supplies, program implementation costs	<input type="checkbox"/>
City of Gloucester	298-00425	\$ 8,500	Salary, supplies, program implementation costs	<input type="checkbox"/>
		\$		<input type="checkbox"/>
		\$		<input type="checkbox"/>
		\$		<input type="checkbox"/>
		\$		<input type="checkbox"/>
<b>TOTAL:</b>		<b>\$ 17,000</b>	<b>This total # must = the total 206 amount on the PURCHASE OF SERVICE ATTACHMENT 3 budget sheet</b>	

Subcontractors must agree to the Terms and Conditions set forth in the RFR, which is part of this contract. Subcontracts must be in writing, in accordance with Section 9 of the Commonwealth Terms and Conditions or the Commonwealth Terms and Conditions for Human and Social Services. All subcontracts must be available for review by authorized agents of the Commonwealth. DPH may require the submission of any subcontract at any time during the contract period.

**CITY OF GLOUCESTER**

**ACCOUNT BUDGET**

DEPARTMENT NAME: City of Gloucester, Health Dept.

ACCOUNT NAME: Mass Opioid Abuse Prevention Collaborative (MOAPC)

FUND NUMBER AND NAME: (N/A FOR NEW FUND) ORG 2023

CFDA # (Required for Federal Grants): 93.959

DATE PREPARED: 9/29/2020

OBJECT	ORIGINAL BUDGET	APPROVED		REVISED BUDGET
		AMENDED BUDGET (IF APPLICABLE)	AMENDED REQUEST	
<b>REVENUE (4_____)</b>				
454002	\$25,000.00		\$75,000.00	\$100,000.00
				\$0.00
				\$0.00
Total:	\$25,000.00	\$0.00	\$75,000.00	\$100,000.00
<b>EXPENSE (5_____)</b>				
511000	\$9,500.00		\$40,074.34	\$49,574.34
511300	\$3,000.00		-\$3,000.00	\$0.00
515000	\$2,600.00		\$8,543.59	\$11,143.59
517008	\$400.00		\$318.83	\$718.83
520000	\$4,250.00		\$16,250.00	\$20,500.00
530008	\$0.00		\$0.00	\$0.00
538010	\$2,500.00		\$7,500.00	\$10,000.00
540000	\$2,200.00		\$5,863.24	\$8,063.24
570000	\$150.00		-\$150.00	\$0.00
571000	\$400.00		-\$400.00	\$0.00
579100	\$0.00			\$0.00
Total:	\$25,000.00	\$0.00	\$75,000.00	\$100,000.00

*Handwritten Signature*

DEPARTMENT HEAD SIGNATURE \_\_\_\_\_

DATE ENTERED (AUDIT) \_\_\_\_\_ AUDITING DEPARTMENT INITIALS \_\_\_\_\_

**FORM: AUDIT ACCOUNT BUDGET - V1**

# **ENCLOSURE 4**



# **ENCLOSURE 5**

**City of Gloucester  
Special Budgetary Transfer Request  
Fiscal Year 2021**

INTER-departmental requiring City Council Approval - 6 Votes Required  
 INTRA-departmental requiring City Council approval - Majority Vote Required

TRANSFER # 2020-SBT- 2 Auditor's Use Only

DEPARTMENT REQUESTING TRANSFER: Mayor

DATE: 9/25/2020 BALANCE IN ACCOUNT: \$104,181.00

(FROM) PERSONAL SERVICES ACCOUNT # MUNIS ORG - OBJECT  
0112151/511000

(FROM) ORDINARY EXPENSE ACCOUNT # MUNIS ORG - OBJECT

Mayor - Salaries  
MUNIS ACCOUNT DESCRIPTION

DETAILED EXPLANATION OF SURPLUS: Available Funds

(TO) PERSONAL SERVICES ACCOUNT # MUNIS ORG - OBJECT

(TO) ORDINARY EXPENSE ACCOUNT # MUNIS ORG - OBJECT  
0112152/520000

Purchase of Services  
MUNIS ACCOUNT DESCRIPTION

DETAILED ANALYSIS OF NEED(S): For PR services and potential futre expenses.

TOTAL TRANSFER AMOUNT: \$20,000.00

FROM ACCOUNT: \$84,181.00  
TO ACCOUNT: \$22,200.00

APPROVALS: 

DEPT. HEAD: Vanessa Krawczyk DATE: 9/25/2020

ADMINISTRATION: [Signature] DATE: 9/25/2020

BUDGET & FINANCE: \_\_\_\_\_ DATE: \_\_\_\_\_

CITY COUNCIL: \_\_\_\_\_ DATE: \_\_\_\_\_

# **ENCLOSURE 6**

City Hall Annex  
Three Pond Road  
Gloucester, MA 01930



JILL CAHILL  
978-325-5240

**CITY OF GLOUCESTER**  
**Community Development Department**

**MEMORANDUM**

**TO:** Mayor Sefatia Romeo Theken  
**FROM:** Jill Cahill, Community Development Director  
**CC:** CPC Committee; Jaimie Corliss, Grants Administrator; Kenny Costa, City Auditor; Mike Hale, DPW Director  
**RE:** Off Cycle recommendation for Stage Fort Park Advisory Committee – Landscape Design  
**DATE:** October 6, 2020

The Community Preservation Committee (CPC) has received an off cycle application for funding to support the Stage Fort Park Advisory Committee's landscape construction design project. The application process was initiated in March of 2020 when eligibility forms were submitted as part of the regular 2020 Round 11 process. The Stage Fort Park Advisory Committee (SFPAC) submitted two separate applications for the proposed improvements to Stage Fort Park: one for the construction design/planning and one for the construction. The SFPAC requested the funding for design/planning be reviewed off-cycle and in advance of the construction. Progressing with the planning will increase the likelihood of the project being complete prior to the City's upcoming 400th anniversary. On September 24<sup>th</sup>, at a special committee meeting, the Committee discussed the off cycle funding request with Mike Hale, DPW Director and made the attached recommendation for an award.

The CPC requests that you forward this recommendation to the City Council for its review and appropriation. CPC Co Chairs, Barbara Silberman and Catherine Schlichte or Jaimie Corliss will be available to answer any questions.

All recommended projects are subject to the terms and conditions imposed by the Community Preservation Committee. The following conditions are common to all recommended projects:

1. Projects financed with Community Preservation Act funds must comply with all applicable State and municipal requirements. Funds are administered and disbursed by the City of Gloucester.
2. Project oversight, monitoring, and financial control are the responsibility of the Community Preservation Committee or its designee.
3. The Community Preservation Committee will require quarterly project status updates from Community Preservation Act Fund recipients

All projects will be required to state *"This project received funding assistance from the citizens of Gloucester through the Community Preservation Act"* in their promotional material and, where appropriate, on exterior signage.

Attached are:

1. Summary of Community Preservation Committee Recommendation & Criteria
2. Stage Fort Park Advisory Committee's Application

The original application for this project is available for review in the Community Development Office, Grants Division.

Submitted by: Community Preservation Committee

Barbara Silberman, Co-Chair, At-Large  
Catherine Schlichte, Co Chair, At- Large  
John Feener, Conservation Commission  
Hank McCarl, Planning Board  
Robert Whitmarsh, Historic Commission  
Heidi Wakeman, Open Space & Recreation Committee  
Jennifer-lee Levitz Aronson, Gloucester Housing Authority  
Ellen Preston, At-Large  
Pamela Tobey, At-Large

**GLOUCESTER COMMUNITY PRESERVATION COMMITTEE**

## RECOMMENDATION FOR OFF CYCLE APPLICATION

### Stage Fort Park Accessibility Improvements

Project Sponsor: Stage Fort Park Advisory Committee and City of Gloucester DPW

The Community Preservation Committee makes the following recommendation:

The Community Preservation Committee (CPC), having agreed to review the off-cycle application from the Stage Fort Park Advisory Committee, recommends that the City Council appropriate up to \$80,000 (eighty thousand dollars) to the Stage Fort Park Advisory Committee for the purpose of obtaining a construction design and development plan, as well as, construction support services for the pathway from the Stage Fort Park Visitor's Center to the fort area.

Following a favorable vote of the City Council, a grant agreement shall be executed by the City of Gloucester, in a form acceptable to the Community Preservation Committee and the Stage Fort Park Advisory Committee.

The Community Preservation Act program area is Open Space/Recreation and project purpose is for capital improvements to pathways in the park.

### Community Preservation Criteria

#### General Evaluation Criteria

1	Eligible for Community Preservation Act Funding	√
2	Consistent with various plans which are relevant to and utilized by the City regarding open space, recreation, historic resources and affordable housing	√
3	Preserve and enhance the essential character of Gloucester	√
4	Protect resources that would otherwise be threatened	
5	Serve more than one CPA purpose or demonstrate why serving multiple needs is not feasible	
6	Demonstrate practicality and feasibility, and that the project can be implemented within budget/ on schedule	√
7	Produce an advantageous cost/benefit value	
8	Leverage additional public and/or private funds or receive partial funding from other sources and/or voluntary contributions of goods and services	
9	Preserve or improve city owned assets	√
10	Receive endorsement from other municipal boards or departments and broad-based support from community members	

#### Open Space Criteria

1	Permanently protect important wildlife habitat, particularly areas that include: locally significant biodiversity; variety of habitats with a diversity of geologic features and types of vegetation; endangered habitat or species of plant or animal	
2	Preserve active agricultural use	
3	Provide opportunities for passive recreation and environmental education	√
4	Protect or enhance wildlife corridors, promote connectivity of habitat or prevent fragmentation of habitats	
5	Provide connections with existing trails or protected open space	√
6	Acquire land or easements for potential trail linkages	
7	Preserve scenic and historic views	√
8	Border a scenic road	

9	Protect drinking water quantity and quality	
10	Provide flood control/storage	
11	Preserve and protect important surface water bodies, including streams, wetlands, vernal pools, riparian zones or Areas of Critical Environmental Concern (ACEC)	
12	Buffer protected open space, or historic resources	√

#### Historic Preservation Evaluation Criteria

1	Protect, preserve, enhance, restore and/or rehabilitate historical, cultural, architectural or archaeological resources of significance, especially those that are threatened	
2	Protect, preserve, enhance, restore and/or rehabilitate city-owned properties, features or resources of historical significance	
3	Protect, preserve, enhance, restore and/or rehabilitate the historical function of a property or site	
4	Demonstrate a public benefit	
5	Ability to provide permanent protection for the historic resource	

#### Community Housing Evaluation Criteria

1	Contribute to the goal of 10% affordability as defined by chapter 40B of the Massachusetts General Laws	
2	Promote a socioeconomic environment that encourages a diversity of incomes	
3	Provide housing that is harmonious in design and scale with the surrounding community	
4	Intermingle affordable and market rate housing at levels that exceed state requirements for percentage of affordable units pursuant to chapter 40B	
5	Ensure long-term affordability	
6	Address the needs of range of qualified household, including very low, low, and low-to-moderate income families and individuals	
7	Provide affordable rental and affordable ownership opportunities	
8	Promote use of existing buildings or construction on previously-developed or city-owned sites	

#### Public Recreation Evaluation Criteria

1	Addresses a need or objective identified in a City plan	√
2	Serves a significant number of residents	√
3	Preserves and expands the range of recreational opportunities available to city residents of all ages and abilities, including those at-risk of obesity as identified through the Get Fit Gloucester! Community Action Plan	√
4	Promotes recreational activities	√
5	Maximizes the utility of land already owned by city	√
6	Promotes the creative use of railway and other corridors to create safe and healthful non-motorized transportation opportunities	
7	Preserves and enhances the natural habitat functions and values of open space for wildlife	

32 Revere Street

Gloucester MA 01930

May 13, 2020

MEMORANDUM

To: Barbara Silberman, Catherine Schlicte, CPC Committee

From: David Dow, Chair, Stage Fort Park Advisory Committee

Re: CPC Grant Applications ( Off-Cycle 2019-20 & 2020)

We have submitted both grant applications which were found to be eligible for submission to the CPC on behalf of the Stage Fort Park Advisory Committee. The City of Gloucester DPW is a Co-Applicant on the Off Cycle request for a site survey and on the Construction Project to connect the Lucy Davis Pathway while completing construction of the Fort Area Restoration

Our request for Off Cycle funding in the amount of \$80,000 is to jump start the survey and the work plan in the spring of 2020. With that \$80,000 and the anticipated 2020 CPC \$300,000 funding for construction, we shall begin construction of the project in the spring of 2021. The City has committed \$500,000 toward the project.

It is our understanding that the CPC will discuss the detail of the Construction Project with Mr. Hale of the DPW. The city would become the agent for the actual construction with Mr. Hale handling the contracts and bidding process.

Both funding requests (Off Cycle and 2020) are crucial to the completion of the Fort Area project by the city anniversary year of 2023. Given consideration to the necessary protocol of funding approvals, public hearings, project review (B & F, P&D), weather and construction delays we are concerned that the project won't be ready for the anniversary celebrations.

We anticipate your positive support as we move forward.

Thank you,

David Dow, Chair

Stage Fort Park Advisory Committee

Cc: Jim Destino, Jaimie Corlliss, Mike Hale,



# CITY OF GLOUCESTER COMMUNITY PRESERVATION COMMITTEE PROJECT APPLICATION COVER SHEET

## I: Project Information

Project Title: Fort Area Restoration and Lucy Davis Pathway Construction Design Plan

**Project Summary:** We request off-cycle funding for a full site survey and construction plan to implement the construction of the renovation to the Fort area of Stage Fort Park and the continuance/ tie-in of the Lucy Davis Pathway to the Fort area and connecting pathway to Visitors Center. This project will include making the Lucy Davis Pathway ADA compliant.

The need for off-cycle funding is driven by our deadline for project completion (2022). This project is designed to be the centerpiece of the city anniversary celebrations in 2023. No work on this project can be undertaken without a physical survey and a construction plan. The city does not supply survey services.

Estimated start date: 6/1/2020

Estimated completion date: 8/1/2020

CPA Program Area:

- Open Space                       Historic Preservation  
 Community Housing             Recreation

## II: Applicant/Developer Information

Contact with primary responsibility for project: David Dow, Chair

Organization (if applicable): Stage Fort Park Advisory Committee

Mailing Address: 12 Essex Street, Gloucester

Daytime phone #: 978-290-3912

E-mail address: davedow40@gmail.com

Federal ID#: N/A

Secondary Contact: David Benjamin, Secretary

Organization (if applicable): Stage Fort Park Advisory Committee

Mailing Address: 32 Revere Street, Gloucester

Daytime phone #: 978-281-2286

E-mail address: casadvbe@comcast.net

## III: Budget Summary

Total budget for project: 80,000.

CPA funding request: 70,000.

CPA request as percentage of total budget: 100%

**Applicant's Signature:** \_\_\_\_\_

**Printed name and Position:** David Dow, Chair

**Co-applicant/ City Official (if required):** Michael Hale, Director, Gloucester DPW

**CITY OF GLOUCESTER  
COMMUNITY PRESERVATION COMMITTEE**

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**PROJECT SCHEDULE**

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Please provide a project timeline below, noting all project milestones. Please note that because the City Council must approve all appropriations, CPA funds may not be available until up to two months following Committee approval.

	<b>Activity</b>	<b>Estimated Date</b>
<b>Project Start Date:</b>	<b>Draft of Plan</b>	<b>6/01/2020</b>
<b>Project Milestone:</b>	<b>Presentation of draft plan to SFP Adv. Comm. for comment and approval</b>	<b>7/01/2020</b>
<b>50% Completion Stage:</b>	<b>Edits to draft plan and budgeting recommendations</b>	<b>9/01/2020</b>
<b>Project Milestone:</b>	<b>Presentation of final plan</b>	<b>10/01/2020</b>
<b>Project Completion Date:</b>	<b>Approval by SFP Adv. Comm.</b>	<b>11/04/2020</b>

Please note: If the project is approved, the recipient must provide progress reports to the Committee on a quarterly basis (by the 15<sup>th</sup> of January, April, July and October) depending on the length of the project. The recipient shall also provide an interim report at the 50% Completion Stage, along with budget documentation.

Please feel free to photocopy or re-create this form if more room is needed.



<b>Total Project Expenses</b>	<b>\$80,000.</b>	
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Please feel free to photocopy or re-create this form if more room is needed.



Based on Conceptual Plan dated January 2020

<b>SITE PREPARATION AND DEMOLITION</b>	<b>\$38,000</b>
Includes mobilization, tree work and removal, erosion control	
<b>SITE IMPROVEMENTS</b>	<b>\$449,200</b>
Includes excavation, fill, grading, wall, pavements, railing, benches, bunker relocation, cannon storage and replacement, refurbish memorial plaque, planting, loam, seeding, electrical, lighting	
SUBTOTAL PAY ITEMS	<b>\$487,200</b>
25% CONTINGENCIES	<b>\$121,800</b>
TOTAL	<b>\$609,000</b>
<b>TOTAL CONSTRUCTION COST</b>	<b>SAY \$610,000</b>
<b>DESIGN BUDGET</b>	<b>\$70,000</b>
Includes 30%, 75%, 100% Technical Specifications and Permitting	





May 19, 2020

Mr. Michael Hale, Director of Public Works  
Town of Gloucester  
28 Poplar Street  
Gloucester, MA 01930

**Re: Gloucester, MA – Stage Fort Accessibility Improvements Project, Design Development, bid and Construction Support Services.**

Dear Mr. Hale:

Thank you for giving BETA Group, Inc. (BETA) the opportunity to submit the attached Scope of Work and Fee Proposal for Final Design and Bid Documents for the Stage Fort Accessibility Improvements Project. The Design will be a continuation of the Conceptual Plan that BETA has been working on since April of 2019 for the Stage Fort Advisory Committee. As requested, please see our Scope and Fee for Design, Bid and Construction Support Services. We look forward to working with you and the City of Gloucester and feel that the Improvements to the park will be something that the community can be proud of during their 400th celebration and for years to come.

We can design to meet your schedule and can begin when given notice to proceed. If you have any questions regarding this letter and attached fee, please feel free to contact me at [KCarr@BETA-Inc.com](mailto:KCarr@BETA-Inc.com), or my cell number at 774-991-5105.

Very truly yours,  
BETA Group, Inc.

A handwritten signature in blue ink that reads "Kelly R. Carr".

Kelly R. Carr, RLA, ASLA  
Senior Associate

## Scope of Work

### Task 1: Refine Concept Design (30%)

- 1.1 Refine design based on Conservation Commission review of concept, Client/Stakeholder meetings and providing ADA access from the end of the Lucy Davis Pathway.
- 1.2 Survey: Coordination of survey and resource delineation. See survey sub-consultant under Direct Costs.
- 1.3
  - a. Resource Delineation. Inspection and delineation of federal, state, and local jurisdictional wetland resource area boundaries as appropriate and accessible using the methodologies outlined in Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act (1995) and the definitions provided in the Mass Wetland Regulations (310 CMR 10.00); the U.S. Army Corps of Engineers Wetland Delineation Manual Northeast Region (2009); and City of Gloucester Wetlands Protection Ordinance Regulations. Known resource areas to be delineated include Coastal Bank, Land Subject to Coastal Storm Flowage, and Rocky Intertidal Shore.
  - b. Preparation of a Letter Report describing the wetland resource areas delineated and/or identified and the methodology used for delineation and identification. This report will include wetland boundary delineation field data sheets, if appropriate, and representative photographs depicting the Site.
- 1.4 Preliminary Design Plans 30% @1"=20'-0"  
Plans will include: Cover, Legend and Abbreviations, Key (3 Sheets), Existing Conditions and Site Preparation (1 Sheet), Typical Sections (1 Sheets), Profile (2 Sheets), Site Improvement Plan, Grading & Drainage and Planting (3 Sheets) and Details (3 Sheets). Update Concept Plan Estimate of Probable Construction Costs.
- 1.5 Meetings and Correspondence:
  - a. Project Team/Stakeholders and Conservation Commission. Include up to (2) two meetings.
  - b. Present the 30% design at a public meeting and respond to questions. Assist the City in preparing a handout for the public and provide notes after the meeting.

### Task 2. 75% Design and Permitting

- 2.1 Update plans according to City comments. Prepare a 75% Design/Permitting Set Submittal to include:
  - a. Plans & Details
  - b. Preparation of Technical Specifications
  - c. Update Estimate of Probable Construction Cost

- 2.2 Meeting with Project Team/Stakeholders. Include up to (2) meetings.
- 2.3 Environmental Permitting:
- a. NOI: Prepare a Notice of Intent (NOI) under M.G.L Chapter 131, Section 40 and City of Gloucester Wetlands Protection Ordinance for proposed alterations to the 100-Foot buffer zone to Coastal Bank and other resource areas Subject to Protection under the Act and Ordinance. The NOI will include an analysis of practicable alternatives which minimize or avoid alteration to jurisdictional areas. BETA will prepare the NOI form, supporting narrative, project plans, and required Abutter Notification and Affidavit of Service forms. We will prepare a draft of the application package for the Stage Fort Park Advisory Committee to review and comment and revise the application to respond to any comments received. BETA will prepare the required number of NOI applications for submittal to the Conservation Commission and MassDEP Northeast Region.
  - b. It is assumed that the City of Gloucester will be the applicant, therefore, it is assumed that the Project will be exempt from application fees.
  - c. BETA will mail the abutter notifications to the required distribution list and bring evidence of mailing to the initial public hearing session.
  - d. BETA will attend one (1) site visit with Conservation Commission members and staff and up to two (2) public hearing sessions on the application. BETA will respond to reasonable requests for additional information during the application review period.
  - e. Gloucester Wetlands Ordinance and Regulations: BETA will also address the specific provisions of the Gloucester Wetlands Ordinance and Regulations.
  - f. Note that the project site does not lie within mapped Estimated Habitat of Rare Wetlands wildlife so no notification of the Massachusetts Natural Heritage and Endangered Species Program will be required. We assume that no work will occur below the Mean High-Water elevation of the Ocean; therefore, no notification to the Massachusetts Division of Marine Fisheries will be required.
  - g. It is assumed that the project will not impacts Waters of the US, as protected under the federal Clean Water Act (33 U.S.C. §1251 et seq (1972)) and the Massachusetts Clean Waters Act (MGL Chapter 21 Section 26-53). Based on this assumption, permits are not required from MassDEP or US Army Corps of Engineers.
  - h. It is assumed that no state wetland permits are required for this Project, therefore, an Environmental Notification Form (ENF) will not be required under the Massachusetts Environmental Policy Act (MEPA). Should the Project design require alteration of Coastal Bank, as well as, require a state wetlands or waterways permit, the Project would require filing an ENF with the MEPA Office.
- 2.4 Stormwater Management and Drainage Calculations:
- a. BETA will visit the site and review survey information to understand existing drainage patterns and facilities. Based on the findings, improvement options for stormwater management improvements will be compiled, presented, and discussed with stake holders. Alternatives will include low impact development (LID) techniques and best management practices (BMPs) to provide peak runoff mitigation, groundwater recharge and water quality improvements for stormwater runoff from the site to Gloucester Harbor. BETA will also investigate soil stabilization options to control erosion issues locations within the project limits.

- b. Upon selection of preferred alternatives, BETA will design and provide sizing calculations to identify pollutant load reduction for each LID technique, BMP, and stabilization practice. BETA will also provide a completed MassDEP Stormwater Management Checklist and outline conformance with the 10 Massachusetts Stormwater Management Standards suitable for submission with the NOI. At this time, it is not known if there will be a substantial increase in the amount of impervious pavement for the pathway, therefore a complete hydrologic analysis and report is not included. If the project requires additional impervious area, then BETA can provide a full hydrologic analysis and report through an amendment to this contract.

### **Task 3. Final Design (100%) and Bid Documents**

We assume that Gloucester will provide the front section of the specifications and BETA will provide the technical specifications and Bid Form.

- 3.1 Based on the approved 75% design, prepare 100% design plans.
- 3.2 Prepare technical specifications (100%).
- 3.3 Provide updated Estimate (100%).
- 3.4 Bid Documents: Prepare final bid documents including plans, technical specifications, construction estimate and Bid Form.
- 3.5 Attend one meeting with Client/Stakeholders.
- 3.6 Attend Pre-bid meeting, answer bidder's questions, bid analysis.
- 3.7 Allow for provision of one addendum.

### **Task 4. Construction Support Services**

- 4.1. Construction Meetings: Allow for 8 @4 hr./ea. (Take notes and distribute).
- 4.2 Respond to RFI's. Allow for three RFI @ 6hr.ea.
- 4.3 Review shop drawings. (allow 9 @ 4hr. Ea.)
- 4.4 Provide for one revision or clarification sketch.
- 4.5 Review (2) change orders and (4) requests for payment.
- 4.6 Site Visits (allow 4 @ 4hr/ea.).

FEE PROPOSAL		Stage Fort Park						FEE
		HOURS						
TASK		PIC	PM	SRP	STP	T	Total	
<b>Task 1. FINAL DESIGN: 30%</b>								
1.1	Refine Concept Design		4		16		20	
1.2	Coordinate survey and Resource delineation		4		4		8	
1.3	Resource Delineation and Memo	1			10	8	19	
1.4	Prepare 30% Preliminary Design Plans and Details		6		32	30	68	
	Update estimate of probable construction cost		1	2	4		7	
1.5	Meetings with City/Stakeholders (allow for 2 @ 3hr/ea)		3		6		9	
	Public Meeting(allow for 1 @ 6hr/ea)				6		6	
	SUBTOTAL	1	18	2	78	38	137	\$ 17,004
<b>Task 2. 75% DESIGN AND PERMITTING</b>								
2.1	Prepare 75% design/permitting plans		8	16	36	24	84	
	Prepare technical specifications		2	8	12		22	
	Update estimate of probable construction cost		2	4	8		14	
2.2	Meeting with project team/stakeholders (allow for 2 @ 3hr/ea)		1	2	4		7	
2.3	Environmental permitting-NOI	1	4	8	44	18	75	
2.4	Stormwater management and drainage		2	8	18	4	32	
	SUBTOTAL	1	19	46	122	46	234	\$ 30,313
<b>Task 3. FINAL DESIGN (100%) AND BID DOCUMENTS</b>								
3.1	Prepare 100% Design Plans		4	12	24	12	52	
3.2	Prepare/update Technical Specifications		2	8	12		22	
3.3	Update estimate of probable construction cost		2	2	6		10	
3.4	Bid Documents		8	8	16	6	38	
3.5	Meeting with Client/Stakeholders (allow for 1 @ 3hr/ea)		3		3		6	
3.6	Pre-bid meeting, answer bidder's questions, bid analysis		4	4	18		26	
3.7	Allow for one addendum		2	6	16		24	
	SUBTOTAL	0	25	40	95	18	178	\$ 24,185
<b>TASK 4. CONSTRUCTION SUPPORT SERVICES</b>								
4.1	Construction Meetings: Allow for 8 @4 hr./ea (Take notes and distribute)		2	12	20		34	
4.2	Respond to RFI's. Allow for three RFI @ 6hr.ea.		2		18		20	
4.3	Review shop drawings. (allow 9 @ 4hr. Ea)		4	8	24		36	
4.4	Provide for one revision or clarification sketch		2		16		18	
4.5	Review (2) change orders and (4) requests for payment		6				6	
4.6	Site Visits (allow 4 @ 4hr/ea)		4		12		16	
	SUBTOTAL	0	20	20	90	0	130	\$ 17,340

<b>TOTAL HOURS</b>	<b>2</b>	<b>82</b>	<b>108</b>	<b>385</b>	<b>102</b>	<b>679</b>	
<b>TOTAL TASK FEE</b>							<b>\$ 88,842</b>
<b>LABOR COSTS</b>							
PRINCIPAL IN CHARGE	@		210	=	\$	420	
PROJECT MANAGER (PM)	@		197	=	\$	16,154	
SENIOR PROFESSIONAL (SRP)	@		166	=	\$	17,928	
STAFF PROFESSIONAL (STP)	@		112	=	\$	43,120	
TECHNICAL	@		110	=	\$	11,220	
<b>TOTAL LABOR COSTS</b>							<b>\$ 88,842</b>
<b>EXPENSES:</b>							
DIRECT EXPENSES-Mileage (allow 120mi. X 22 X .56)							<b>\$ 1,478</b>
Survey							<b>\$ 8,380</b>
<b>TOTAL COST</b>							<b>\$ 98,700</b>

# **ENCLOSURE 7**



**GLOUCESTER POLICE DEPARTMENT**  
**Office of the Chief of Police**  
**197 Main Street**  
**Gloucester, MA 01930**

Chief Edward Conley  
(978)281-9775

*Memorandum*

**October 7, 2020**

**To: Mayor Sefatia RomeoTheken**

**From: Chief Edward Conley**

**RE: FY21 State 911 Support & Incentive Grant**

Mayor Romeo Theken,

Please find our application for the FY21 State 911 Support & Incentive Grant in the amount of \$102,983.00. This is a yearly grant and I respectfully ask that it be approved to accept.

Respectfully,

**Edward Conley**  
*Chief of Police*



The Commonwealth of Massachusetts  
EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY  
**STATE 911 DEPARTMENT**  
151 Campanelli Drive, Suite A ~ Middleborough, MA 02346  
Tel: 508-828-2911 ~ TTY: 508-947-1455  
[www.mass.gov/e911](http://www.mass.gov/e911)



**CHARLES D. BAKER**  
Governor

**THOMAS A. TURCO, III**  
Secretary

**KARYN E. POLITO**  
Lieutenant Governor

**FRANK POZNIAK**  
Executive Director

October 6, 2020

Chief Edward Conley  
Gloucester Police Department  
197 Main Street  
Gloucester, MA 01930

Dear Chief Conley:

The Commonwealth of Massachusetts, State 911 Department would like to thank you for participating in the **FY 2021 State 911 Department Support and Incentive Grant** program.

For your files, attached please find a copy of the executed contract and the final approved Appendix A: Personnel Costs form for your grant. Please note your contract start date is **October 6, 2020** and will run through June 30, 2021. Please keep in mind that there shall be no reimbursement for costs incurred prior to the effective date of the contract and all goods and services **MUST** be received on or before June 30, 2021.

Reimbursement requests should be submitted to the Department within **thirty (30) days** of the date on which the cost is incurred. We have made the request for payment forms available on our website [www.mass.gov/E911](http://www.mass.gov/E911). For any questions related to this process, please contact Michelle Hallahan at 508-821-7216. Please note that funding of reimbursement requests received more than one (1) month after the close of the fiscal year under which costs were incurred cannot be guaranteed.

If, in the future, you would like to make any changes to the authorized signatory, the contract manager, and/or the budget worksheet, please e-mail those proposed changes to [911DeptGrants@mass.gov](mailto:911DeptGrants@mass.gov). Grantees are strongly encouraged to submit final, year-end budget modification requests on or before March 26, 2021.

Sincerely,

Frank P. Pozniak  
Executive Director

cc: FY 2021 Support and Incentive Grant File





Stacie Nicastro &lt;snicastro@gloucester-ma.gov&gt;

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**FY2021 Support and Incentive Grant Award**

1 message

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**911DeptGrants (EPS)** <911deptgrants@state.ma.us>  
To: "econley@gloucester-ma.gov" <econley@gloucester-ma.gov>  
Cc: "snicastro@gloucester-ma.gov" <snicastro@gloucester-ma.gov>

Tue, Oct 6, 2020 at 4:27 PM

Good Afternoon,

Attached you will find a scanned copy of your award letter, contract, and your Appendix A: Personnel Costs form for your **FY2021 Support and Incentive Grant**.

**Please be sure to make a copy of these for your grant file, as they will not be mailed.**

**Your effective contract start date is: October 6, 2020**

- **There shall be no reimbursement for costs incurred prior to the Effective Date of the Contract.**
- **All goods and services SHALL be received on or before June 30, 2021 to be eligible for reimbursement.**
- **Reimbursement requests should be submitted to the Department within thirty (30) days of the date on which the cost is incurred.** Reimbursement requests must include expenditure and activity reports as well as supporting documentation, including but not limited to, copies of receipts, proof of payment and/or payroll records. All requests for reimbursement shall be submitted by **July 31, 2021**.

**REIMBURSEMENT REQUEST FORMS CAN BE FOUND HERE:**

<https://www.mass.gov/lists/state-911-department-grant-reimbursement>

Thank you,

Cindy

**Cindy Reynolds****Grants Specialist**

**COPY**

**Commonwealth of Massachusetts**

**Executive Office of Public Safety and Security  
State 911 Department**



**State 911 Department  
Public Safety Answering Point and Regional Emergency Communication Center  
Support and Incentive Grant Application**

**Fiscal Year 2021**

**All applications shall be mailed or hand delivered.**

**All applications must be received by 5:00 P.M. on Wednesday, December 30, 2020.**

## FY 2021 SUPPORT AND INCENTIVE

### GRANT Application Checklist

- Demonstration of Compliance with MassGIS Requirement**
- Signed and Dated PSAP and RECC Support and Incentive Grant Application Cover Page    Completed
- Budget Summary Page
- Completed Budget Narrative Page(s) – Must provide **detailed descriptions** for **each** item requested.
  - Personnel:** Include the amount you are requesting in this category.
    - HVAC:** Provide detailed narrative to justify expense in compliance with grant guidelines; attach quotes or estimates (with supporting documentation from the vendor).
    - CAD:** Provide detailed narrative to justify expense in compliance with grant guidelines; attach quotes or estimates (with supporting documentation from the vendor).
    - Radio Console:** Provide detailed narrative to justify expense in compliance with grant guidelines; attach quotes or estimates (with supporting documentation from the vendor).
    - Console Furniture/Chairs:** Provide detailed narrative to justify expense in compliance with grant guidelines; attach quotes or estimates (with supporting documentation from the vendor).
    - Fire Alarm Receiving & Alerting Equipment:** Provide detailed narrative to justify expense in compliance with grant guidelines; attach quotes or estimates (with supporting documentation from the vendor).
    - Other Equipment:** Provide detailed narrative to justify expense in compliance with grant guidelines; attach quotes or estimates (with supporting documentation from the vendor).
  - Regional PSAPs and RECCs only:**
    - Public Safety Radio Systems:** Provide detailed narrative to justify expense in compliance with grant guidelines; attach quotes or estimates (with supporting documentation from the vendor).
    - Regional PSAPs and RECCs shall provide a detailed Departmental budget (current and prior fiscal year) and an organizational chart that clearly defines all positions (p. 13).
    - Regional PSAPs and RECCs shall provide a current inter-municipal agreement (p. 13).
  - Regional Secondary PSAPs only:**
    - CPE Maintenance:** Provide detailed narrative to justify expense in compliance with grant guidelines; attach quotes or estimates (with supporting documentation from the vendor).
- Attached Quotes, if applicable
- Appendix A – Personnel Costs Form (List Certified Enhanced 911 Telecommunicators)
- Completed Contractor Authorized Signatory Listing Form signed by the City or Town Official
  - Completed and Notarized the Proof of Authentication of Signature Form for the City or Town Official who signed the Contractor Authorized Signatory Listing Form**
- Completed and Notarized the Proof of Authentication of Signature Form for **each** Signatory listed
- Completed Highlighted Sections, Signed and Dated Standard Contract Form

**FY 2021 SUPPORT AND INCENTIVE GRANT**

**DO NOT SUBMIT DOUBLE-SIDED APPLICATIONS**

**OR**

**INCLUDE BLANK PAGES FOR WHICH NO FUNDING IS  
REQUESTED**

All applications with original signatures shall be submitted to:

**State 911 Department  
151 Campanelli Drive, Suite A  
Middleborough, MA 02346**

## FY 2021 SUPPORT AND INCENTIVE GRANT

Type of PSAP: (please check one)

- Primary    Regional    Regional Secondary  
 Regional Emergency Communication Center

Name of Eligible Entity (PSAP/RECC) City of Gloucester  
Address 197 Main Street  
City/Town/Zip Gloucester, MA 01930  
Telephone Number 978-281-9775  
Fax Number 978-282-3026  
Website www.gloucester-ma.gov

Name & Title of Authorized Signatory Chief Edward Conley  
Telephone Number \_\_\_\_\_  
Email Address econley@gloucester-ma.gov

Name & Title of Grant Contract Manager Stacie Nicaastro  
Telephone Number 978-281-9775 x2  
Email Address snicaastro@gloucester-ma.gov

Total Grant Program funds requested: \$ 102,983.00

### Goal and Desired Outcome

Through its submission of this application to the State 911 Department, the applying governmental entity affirms that the primary goal of the State 911 Department PSAP and RECC Support and Incentive Grant Program is to assist PSAPs and RECCs in providing enhanced 911 service and to foster the development of regional PSAPs, regional secondary PSAPs and RECCs.

*Sign below to acknowledge having read and agreed to the grant conditions and reporting requirements listed in the grant guidelines.*

Signed under the penalties of perjury this 28 day of August, 2020.



\_\_\_\_\_  
ORIGINAL SIGNATURE OF AUTHORIZING SIGNATORY

**FY 2021 SUPPORT AND INCENTIVE GRANT**

**BUDGET SUMMARY**

<b>Primary PSAP, Regional PSAP, Regional Secondary PSAP, &amp; RECC</b>	
<b>CATEGORY</b>	<b>AMOUNT</b>
A. Enhanced 911 Telecommunicator Personnel Costs	\$ 73,811.00
B. Heat, Ventilation, Air Conditioning, and Other Environmental Control Equipment	\$
C. Computer-Aided Dispatch Systems	\$ 29,172.00
D. Radio Console	\$
E. Console Furniture and Dispatcher Chairs	\$
F. Fire Alarm Receiving and Alerting Equipment Associated with Providing Enhanced 911 Service	\$
G. Other Equipment	\$
<b>TOTAL*</b>	<b>\$ 102,983.00</b>

\*Total amount must exactly match amount requested on application page

## FY 2021 SUPPORT AND INCENTIVE GRANT

<b>REGIONAL PSAP and RECC ONLY</b>	
<b>CATEGORY</b>	<b>AMOUNT</b>
H. Public Safety Radio Systems	\$
<b>TOTAL*</b>	<b>\$ 0.00</b>

\*Total amount must exactly match amount requested on application page

## FY 2021 SUPPORT AND INCENTIVE GRANT

<b>REGIONAL SECONDARY PSAP ONLY</b>	
<b>CATEGORY</b>	<b>AMOUNT</b>
I. PSAP Customer Premises Equipment Maintenance	\$
<b>TOTAL*</b>	<b>\$ 0.00</b>

\*Total amount must exactly match amount requested on application page

# FY 2021 SUPPORT AND INCENTIVE GRANT

## DETAIL NARRATIVE

Please make sure that every item listed in the above Budget Worksheet is listed in below narrative with a detailed description including category of item, price per unit, quantity, brand, model and any other pertinent and available information. Please include any and all quotes to support the budget narrative. For personnel costs, please complete the Appendix A – Personnel Costs Form. Please use additional pages if needed.

**A. Enhanced 911 Telecommunicator Personnel Costs** – to defray the costs of salary for enhanced 911 telecommunicator personnel, including enhanced 911 telecommunicators who are emergency communications dispatchers or supervisors. In order to be eligible for such funding, a grantee shall show that the personnel costs to be reimbursed: (1) cover only personnel who are trained and certified as an enhanced 911 telecommunicator in accordance with the requirements of the State 911 Department, or are in the process of obtaining such certification, in accordance with the requirements of the State 911 Department; and (2) except as otherwise approved by the State 911 Department, are solely for hours in which such personnel are working in the capacity of an enhanced 911 telecommunicator as their primary job function. Reimbursement may be allowed for straight time costs for on the job training for new telecommunicators who are in the process of obtaining certification as an enhanced 911 telecommunicator, in accordance with the requirements of the State 911 Department. Reimbursement for personnel costs related to training may be allowed only for training courses that have been approved by the State 911 Department under the Fiscal Year 2021 State 911 Department Training Grant, or with the prior written approval of the State 911 Department. Reimbursement for personnel costs for individuals who have other primary job duties not directly related to enhanced 911 service, such as firefighters or police officers who may occasionally be assigned PSAP enhanced 911 telecommunicator duty, may be allowed only for the documented hours in which the employee is acting primarily in the capacity of an enhanced 911 telecommunicator. For example, if a police officer or firefighter is assigned to work as an enhanced 911 telecommunicator 1 day a week, funding from these grants may only be used to cover the portion of such firefighter or police officer’s salary for the 1 day a week that he or she is assigned to enhanced 911 telecommunicator duty. Funding awarded through these grants shall be assigned to specific identified personnel, and the funding shall be applied to the personnel costs associated with such specific identified personnel.

All wage reimbursements authorized under this Program shall be allocated by the grantee in adherence with applicable collective bargaining agreements. However, the State 911 Department is not bound by or required to adhere to grantee collective bargaining agreements when determining allocations or reimbursements.

Attach Appendix A

Total Category A \$73,811.00

**B. Heat, Ventilation, Air Conditioning and Other Environmental Control Equipment** – to defray costs associated with the acquisition and maintenance of heat, ventilation and air-conditioning equipment and other environmental control equipment. Such funds may only be used to purchase, install, replace, maintain, operate and/or upgrade such equipment used in the physical space used for the provision of enhanced 911 service.

B. Heat, Ventilation, Air Conditioning and Other Environmental Control Equipment

Description:

Vendor:

Attach Quote and mark with letter B

Total Category B \$

## FY 2021 SUPPORT AND INCENTIVE GRANT

Please make sure that every item listed in the above Budget Worksheet is listed in the narrative below with a detailed description including category of item, price per unit, quantity, brand, model and any other pertinent and available information. Please include any and all quotes to support the budget narrative. Please use additional pages if needed.

**C. Computer-aided Dispatch Systems** – to defray costs associated with the purchase, installation, replacement, maintenance and/or upgrade of CAD hardware and software used by emergency communication dispatchers, call takers, and 911 operators in primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs to initiate public safety calls for service and dispatch, and to maintain the status of responding resources in the field. Funds may be used for mobile devices that are linked to a CAD system. Primary PSAPs may not use funding for records management systems, whether or not part of a CAD system. Regional PSAPs and RECCs may apply for funding for records management systems.

### C. Computer-aided Dispatch Systems

**Description:** Contract with Delphi Technology Solutions, Inc. 280 Merrimack Street Suite 325 Lawrence, MA 01843. For IT support directly related to "enhance and maintain computer aided dispatch systems through current and developing dispatch related technology needs."

Attach Quote(s) and mark with letter C

**Total Category C**

**\$ 29,172.00**

**Are the requested items linked to CAD?** See

**Where will the requested items be located?** Attached

**What will be displayed on monitors, if requested?**

**Vendor(s):** Delphi Technology Solutions, Inc. 280 Merrimack St. Suite 325 Lawrence, MA 01843



## FY 2021 SUPPORT AND INCENTIVE GRANT

Please make sure that every item listed in the above Budget Worksheet is listed in the narrative below with a detailed description including category of item, price per unit, quantity, brand, model and any other pertinent and available information. Please include any and all quotes to support the budget narrative. Please use additional pages if needed.

**D. Radio Consoles** – to defray costs associated with the purchase, installation, replacement, maintenance, and/or upgrade of radio consoles to be used at primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs. Such funds may only be used to purchase, install, replace, maintain, and/or upgrade such radio consoles used in the physical space used for the provision of enhanced 911 service. All radio consoles shall comply with EOPSS Statewide Inter-Operability Emergency Communications (“SIEC”) special conditions, as may be amended from time to time. The State 911 Department will submit requests for such funding to the SIEC and/or the Statewide Interoperability Coordinator (“SWIC”) for review and confirmation that the requested item(s) comply with the SIEC special conditions. The SIEC special conditions are available at:

<http://www.mass.gov/eopss/docs/or/homesec/sd-siec-specialconditionsradiofrequenciesdec09.pdf>.

Questions relating to the SIEC special conditions should be directed to the SWIC. You may e-mail the SWIC at [MA.SWIC@mass.gov](mailto:MA.SWIC@mass.gov).

### D. Radio Consoles

#### Description:

#### Vendor:

Attach Quote and mark with letter D

**Total Category D**

\$
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## FY 2021 SUPPORT AND INCENTIVE GRANT

Please make sure that every item listed in the above Budget Worksheet is listed in the narrative below with a detailed description including category of item, price per unit, quantity, brand, model and any other pertinent and available information. Please include any and all quotes to support the budget narrative. Please use additional pages if needed.

**E. Console Furniture and Dispatcher Chairs** – to defray costs associated with the purchase, installation, replacement, maintenance, and/or upgrade of console furniture and dispatcher chairs necessary for enhanced 911 telecommunicators working at primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs to perform their jobs effectively and in an ergonomically appropriate manner. Such funds may only be used to purchase, install, replace, maintain, and/or upgrade such console furniture and dispatcher chairs, including shelving, storage cabinets, and rotary resource files, used in the physical space used for the provision of enhanced 911 service.

E. Console Furniture and Dispatcher Chairs

**Description:**

Have you previously applied for funding for dispatcher chairs?

If so, what year?

Are they under warranty?

**Vendor:**

Attach Quote and mark with letter E

**Total Category E**

\$

**F. Fire Alarm Receiving and Alerting Equipment Associated with Providing Enhanced 911 Service** – to defray costs associated with the purchase, installation, replacement, maintenance, and/or update of fire alarm receiving and alerting equipment used at primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs. Funding may be used to purchase, install, replace, maintain, and/or update systems used by such PSAPs to alert remote station personnel of emergency responses, including hardware and components installed within remote station locations. Funding for street or structure based cable or radio fire alarm boxes and related hardware is not permitted.

F. Fire Alarm Receiving and Alerting Equipment Associated with Providing Enhanced 911 Service

**Description:**

**Vendor:**

Attach Quote and mark with letter F

**Total Category F**

\$

## FY 2021 SUPPORT AND INCENTIVE GRANT

Please make sure that every item listed in the above Budget Worksheet is listed in the narrative below with a detailed description including category of item, price per unit, quantity, brand, model and any other pertinent and available information. Please include any and all quotes to support the budget narrative. Please use additional pages if needed.

**G. Other Equipment and Related Maintenance Associated with Providing Enhanced 911 Service** – to defray costs associated with the purchase, installation, replacement, and/or maintenance of other equipment used in the physical space used for the provision of enhanced 911 service, except as otherwise approved by the State 911 Department, based on supporting documentation that the physical space used for the provision of enhanced 911 service is inadequate to house the equipment, or except as otherwise approved by the State 911 Department based on supporting documentation. Funding may be used for, but is not limited to: support technology (such as printers, headsets, and call recorders); supplies (such as disc and printer cartridges); hardware and support costs (excluding monthly recurring telephone service costs) for telephones; acoustic wall coverings; ESD-resistant flooring; lighting; and security equipment used for securing access to the PSAP to prevent entry by the public or unauthorized personnel.

G. Other Equipment and Related Maintenance Associated with Providing Enhanced 911 Service

Description:

Include use and location for each of the requested item(s).

Vendor(s):

Attach Quote and mark with letter G

Total Category G

\$

***REMINDER: Disposal of Equipment Purchased with Grant Funding: Grantees may replace and/or dispose of equipment purchased with funds under the State 911 Department grant programs only if such equipment has reached the end of its useful life, in accordance with the manufacturer's warranty or industry expected useful life, whichever is longer. Disposal shall be in compliance with municipal guidelines, and equipment may be transferred to public entities for public municipal purposes only.***

**All goods and/or services shall be received on or before June 30, 2021 to be eligible for reimbursement under the Fiscal Year 2021 State 911 Department Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grant.**

# FY 2021 SUPPORT AND INCENTIVE GRANT

## REGIONAL PSAP & RECCs ONLY DETAIL NARRATIVE

Please make sure that every item listed in the above Budget Worksheet is listed in the narrative below with a detailed description including category of item, price per unit, quantity, brand, model and any other pertinent and available information. Please include any and all quotes to support the budget narrative. Please use additional pages if needed.

### H. Regional PSAPs and RECCs ONLY:

**Public Safety Radio Systems** – to defray costs associated with the acquisition and maintenance of radio systems (including circuit costs for connectivity) used for police, fire, emergency medical services, and/or emergency management communications. Only Regional PSAPs and RECCs are eligible for funding in this category. All radio systems shall comply with EOPSS Statewide Inter-Operability Emergency Communications (“SIEC”) special conditions, as may be amended from time to time. The State 911 Department will submit requests for such funding to the SIEC and/or the Statewide Interoperability Coordinator (“SWIC”) for review and confirmation that the requested item(s) comply with the SIEC special conditions. The SIEC special conditions are available at: <http://www.mass.gov/eopss/docs/ogr/homsec/sd-siec-specialconditionsradiofrequenciesdec09.pdf>.

Questions relating to the SIEC special conditions should be directed to the SWIC. You may e-mail the SWIC at [MA.SWIC@state.ma.us](mailto:MA.SWIC@state.ma.us).

### Description:

### Vendor:

Attach Quote and mark with letter H

Total Category H

\$

All goods and/or services shall be received on or before June 30, 2021 to be eligible for reimbursement under the Fiscal Year 2021 State 911 Department Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grant.

**FY 2021 SUPPORT AND INCENTIVE GRANT**

**REGIONAL SECONDARY PSAP ONLY  
DETAIL NARRATIVE**

**Please make sure that every item listed in the above Budget Worksheet is listed in the narrative below with a detailed description including category of item, price per unit, quantity, brand, model and any other pertinent and available information. Please include any and all quotes to support the budget narrative.**

**I. Regional Secondary PSAPs ONLY:**

**Regional Secondary PSAP 911 Customer Premises Equipment Maintenance** – to defray costs associated with maintaining PSAP 911 customer premises equipment. ONLY regional secondary PSAPs are eligible for funding in this category.

(The Department assumes the responsibility of all costs for maintenance of CPE at all primary PSAPs and regional PSAPs and RECCs). Note: Regional Secondary PSAPs are eligible for the purchase, installation and/or upgrade of CPE equipment under the State 911 Department Regional PSAP and Regional Secondary PSAP and RECC Development Grant.

**Description:**

**Vendor:**

Attach Quote and mark with letter I

**Total Category I**

\$
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**All goods and/or services shall be received on or before June 30, 2021 to be eligible for reimbursement under the Fiscal Year 2021 State 911 Department Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grant.**

# FY 2021 SUPPORT AND INCENTIVE GRANT

## COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Office of the Comptroller (CTR), the Executive Office for Administration and Finance (ANF), and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. The Commonwealth deems void any changes made on or by attachment (in the form of addendum, engagement letters, contract forms or invoice terms) to the terms in this published form or to the [Standard Contract Form Instructions](#), [Contractor Certifications](#) and [Commonwealth Terms and Conditions](#) which are incorporated by reference herein. Additional non-conflicting terms may be added by Attachment. Contractors are required to access published forms at CTR Forms: <https://www.comptroller.cso.state.ma.gov>. Forms are also posted at OSD Forms: <https://www.osd.state.ma.gov>

<b>CONTRACTOR LEGAL NAME:</b> City of Gloucester (and d/b/a): Gloucester Police Department		<b>COMMONWEALTH DEPARTMENT NAME:</b> State 911 Department MMARS Department Code: EPS	
<b>Legal Address: (W-9, W-4):</b> 9 Dale Ave, Gloucester, MA 01930		<b>Business Mailing Address:</b> 181 Campanelli Drive, Suite A, Middleborough, MA 02346	
<b>Contract Manager:</b> Chief Edward Conley	<b>Phone:</b> 978-281-9775	<b>Billing Address (if different):</b>	
<b>E-Mail:</b> econley@gloucester-ma.gov	<b>Fax:</b> 978-282-3026	<b>Contract Manager:</b> Cindy Reynolds	<b>Phone:</b> 608-821-7296
<b>Contractor Vendor Code:</b> VC 6000192096		<b>E-Mail:</b> 911DeptGrants@state.gov	<b>Fax:</b> 608-847-1482
<b>Vendor Code Address ID (e.g. "AD001"):</b> AD_001 (Note: The Address ID must be set up for EFT payments.)		<b>MMARS Doc ID(s):</b> CT EPS SUPG	
<b>RFR/Procurement or Other ID Number:</b> FY21 SUPG			
<b><input checked="" type="checkbox"/> NEW CONTRACT</b> <b>PROCUREMENT OR EXCEPTION TYPE: (Check one option only)</b> ___ Statewide Contract (OSD or an OSD-designated Department) ___ Collective Purchase (Attach OSD approval, scope, budget) <input checked="" type="checkbox"/> Department Procurement (includes all Grants - <a href="#">815 CMR 2.00</a> ) (Solicitation Notice or RFR, and Response or other procurement supporting documentation) ___ Emergency Contract (Attach justification for emergency, scope, budget) ___ Contract Employee (Attach Employment Status Form, scope, budget) ___ Other Procurement Exception (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope and budget)		<b><input type="checkbox"/> CONTRACT AMENDMENT</b> Enter Current Contract End Date <u>Prior</u> to Amendment: _____, 20____ Enter Amendment Amount: \$ _____, (or "no change") <b>AMENDMENT TYPE: (Check one option only. Attach details of amendment changes.)</b> ___ Amendment to Date, Scope or Budget (Attach updated scope and budget) ___ Interim Contract (Attach justification for Interim Contract and updated scope/budget) ___ Contract Employee (Attach any updates to scope or budget) ___ Other Procurement Exception (Attach authorizing language/justification and updated scope and budget)	
The Standard Contract Form Instructions, Contractor Certifications and the following Commonwealth Terms and Conditions document is incorporated by reference into this Contract and are legally binding: (Check ONE option) <input checked="" type="checkbox"/> <a href="#">Commonwealth Terms and Conditions</a> ___ <a href="#">Commonwealth Terms and Conditions For Human and Social Services</a>			
<b>COMPENSATION: (Check ONE option):</b> The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under <a href="#">815 CMR 6.00</a> . ___ Rate Contract. (No Maximum Obligation) Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> Maximum Obligation Contract. Enter total maximum obligation for total duration of this contract (or new total if Contract is being amended). \$ <u>102,983.00</u>			
<b>PROMPT PAYMENT DISCOUNTS (PPD):</b> Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ___ % PPD; Payment issued within 15 days ___ % PPD; Payment issued within 20 days ___ % PPD; Payment issued within 30 days ___ % PPD. If PPD percentages are left blank, identify reason: <input checked="" type="checkbox"/> agree to standard 45 day cycle ___ statutory/legal or Ready Payments ( <a href="#">M.G.L. c. 29, § 23A</a> ) ___ only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
<b>BRIEF DESCRIPTION OF CONTRACT PERFORMANCE OR REASON FOR AMENDMENT:</b> (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) Contract is for the reimbursement of funds under the State 911 Department FY 2021 Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grant as authorized and awarded in compliance with the grant guidelines and the grantee's approved application.			
<b>ANTICIPATED START DATE: (Complete ONE option only)</b> The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input checked="" type="checkbox"/> 1. may be incurred as of the Effective Date (latest signature date below) and no obligations have been incurred prior to the Effective Date. ___ 2. may be incurred as of _____, 20____, a date LATER than the Effective Date below and no obligations have been incurred prior to the Effective Date. ___ 3. were incurred as of _____, 20____, a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
<b>CONTRACT END DATE:</b> Contract performance shall terminate as of <u>June 30, 2021</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
<b>CERTIFICATIONS:</b> Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor certifies that they have accessed and reviewed all documents incorporated by reference as electronically published and the Contractor makes all certifications required under the Standard Contract Form Instructions and Contractor Certifications under the pains and penalties of perjury, and further agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, this Standard Contract Form, the Standard Contract Form Instructions, Contractor Certifications, the applicable Commonwealth Terms and Conditions, the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms; provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <a href="#">801 CMR 21.07</a> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
<b>AUTHORIZING SIGNATURE FOR THE CONTRACTOR:</b> X: _____ Date: <u>8/26/20</u> (Signature and Date Must Be Handwritten at Time of Signature) Print Name: <u>Selma Romeo Theken</u> Print Title: <u>Mayor</u>		<b>AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:</b> X: _____ Date: <u>10/6/2020</u> (Signature and Date Must Be Handwritten at Time of Signature) Print Name: <u>Frank Puzisik</u> Print Title: <u>Executive Director</u>	

**COMMONWEALTH OF MASSACHUSETTS  
CONTRACTOR AUTHORIZED SIGNATORY LISTING**

**Contractor Legal Name:**  
**Contractor Vendor/Customer Code:**

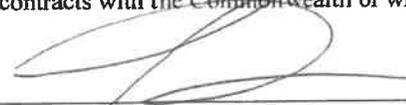
**INSTRUCTIONS:** Any Contractor (other than a sole-proprietor or an individual contractor) must provide a listing of individuals who are authorized as legal representatives of the Contractor who can sign contracts and other legally binding documents related to the contract on the Contractor’s behalf. In addition to this listing, any state department may require additional proof of authority to sign contracts on behalf of the Contractor, or proof of authenticity of signature (a notarized signature that the Department can use to verify that the signature and date that appear on the Contract or other legal document was actually made by the Contractor’s authorized signatory, and not by a representative, designee or other individual.)

**NOTICE:** *Acceptance of any payment under a Contract or Grant shall operate as a waiver of any defense by the Contractor challenging the existence of a valid Contract due to an alleged lack of actual authority to execute the document by the signatory.*

For privacy purposes **DO NOT ATTACH** any documentation containing personal information, such as bank account numbers, social security numbers, driver’s licenses, home addresses, social security cards or any other personally identifiable information that you do not want released as part of a public record. The Commonwealth reserves the right to publish the names and titles of authorized signatories of contractors.

AUTHORIZED SIGNATORY NAME	TITLE
Edward Conley	Chief of Police

I certify that I am the President, Chief Executive Officer, Chief Fiscal Officer, Corporate Clerk or Legal Counsel for the Contractor and as an authorized officer of the Contractor I certify that the names of the individuals identified on this listing are current as of the date of execution below and that these individuals are authorized to sign contracts and other legally binding documents related to contracts with the Commonwealth of Massachusetts on behalf of the Contractor. I understand and agree that the Contractor has a duty to ensure that this listing is immediately updated and communicated to any state department with which the Contractor does business whenever the authorized signatories above retire, are otherwise terminated from the Contractor’s employ, have their responsibilities changed resulting in their no longer being authorized to sign contracts with the Commonwealth or whenever new signatories are designated.

  
\_\_\_\_\_  
Signature

Date: 8/28/20

Name & Title: Sefatia Romeo Theken - Mayor

Telephone: 978-281-9700

Fax: 978-281-9738

Email: sromeotheken@glou

[Listing cannot be accepted without all of this information completed]  
A copy of this listing must be attached to the “record copy” of a contract filed with the department.

**REMINDER:**

THE STATE 911 DEPARTMENT REQUIRES A **NOTARIZED PROOF OF AUTHENTICATION OF SIGNATURE FORM** FOR THE **PERSON** WHO **SIGNS** THE **CONTRACTOR AUTHORIZED SIGNATORY LISTING FORM** ABOVE **AND** FOR **EACH** **PERSON** LISTED AS AN AUTHORIZED SIGNATORY.

COMMONWEALTH OF MASSACHUSETTS  
CONTRACTOR AUTHORIZED SIGNATORY LISTING

Contractor Legal Name:

Contractor Vendor/Customer Code:

PROOF OF AUTHENTICATION OF SIGNATURE

This page is optional and is available for a department to authenticate contract signatures. It is recommended that Departments obtain authentication of signature for the signatory who submits the Contractor Authorized Listing.

**This Section MUST be completed by the Contractor Authorized Signatory in presence of notary.**

Signatory's full legal name (print or type): Sefatia Romeo Theken

Title: Mayor

X [Signature]

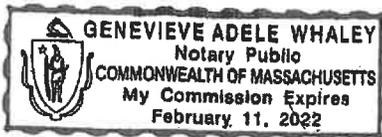
Signature as it will appear on contract or other document (Complete only in presence of notary):

**AUTHENTICATED BY NOTARY OR CORPORATE CLERK (PICK ONLY ONE) AS FOLLOWS:**

On this 28<sup>th</sup> day of August, 2020 before me, the undersigned notary public, personally appeared Sefatia Romeo Theken (name of document signer), proved to me through satisfactory evidence of identification, which was personally known, to be the person whose name is signed above and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose as an authorized signatory for the Contractor.

[Signature]  
Notary Public Signature

My MA Commission expires on: February 11, 2022



AFFIX NOTARY SEAL

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ before me, the undersigned corporate clerk, personally appeared \_\_\_\_\_ (name of document signer), proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the person whose name is signed above and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose as an authorized signatory for the Contractor.

\_\_\_\_\_  
Corporate Clerk Signature

AFFIX CORPORATE SEAL

COMMONWEALTH OF MASSACHUSETTS  
CONTRACTOR AUTHORIZED SIGNATORY LISTING

Contractor Legal Name:

Contractor Vendor/Customer Code:

PROOF OF AUTHENTICATION OF SIGNATURE

This page is optional and is available for a department to authenticate contract signatures. It is recommended that Departments obtain authentication of signature for the signatory who submits the Contractor Authorized Listing.

This Section MUST be completed by the Contractor Authorized Signatory in presence of notary.

Signatory's full legal name (print or type): Edward Conley

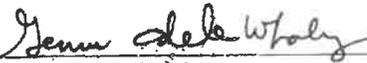
Title: Chief of Police

X 

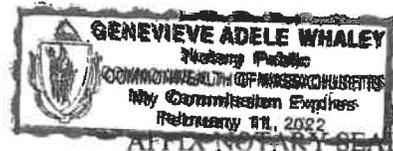
Signature as it will appear on contract or other document (Complete only in presence of notary):

AUTHENTICATED BY NOTARY OR CORPORATE CLERK (PICK ONLY ONE) AS FOLLOWS:

On this 28<sup>th</sup> day of August, 2020 before me, the undersigned notary public, personally appeared Edward Conley (name of document signer), proved to me through satisfactory evidence of identification, which was personally known, to be the person whose name is signed above and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose as an authorized signatory for the Contractor.

  
Notary Public Signature

My MA Commission expires on: February 11, 2022



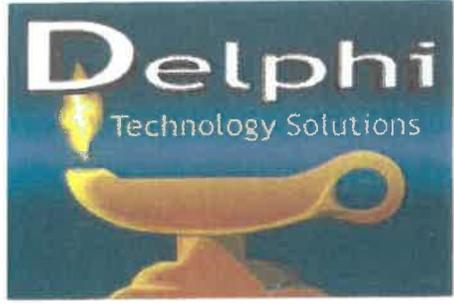
On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ before me, the undersigned corporate clerk, personally appeared \_\_\_\_\_ (name of document signer), proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the person whose name is signed above and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose as an authorized signatory for the Contractor.

\_\_\_\_\_  
Corporate Clerk Signature

AFFIX CORPORATE SEAL



C.



**Network Administration and Maintenance Agreement  
FY21  
Proposal # NM-JJTGLO-05222020**

**The Client:**

Gloucester Police Department  
197 Main Street  
Gloucester, MA 01931

**Contact Information:**

Contact Name:	Stacie Nicastro
Contact Phone:	(978)283-1212
Contact Email:	<a href="mailto:snicastro@gloucester-ma.gov">snicastro@gloucester-ma.gov</a>

**Confidentiality**

The information put forth in this document shall not be disclosed outside of the intended organization listed above and shall not be duplicated, used or disclosed in whole or in part without the express permission of Delphi or The Client for protection of intellectual property. This agreement is subject to the Public Records Laws.

**Statement of Work**

This Statement of Work (SOW) defines the scope of work to be performed by Delphi Technology Solutions, Inc. or its assignees under the terms and conditions of Delphi *and The Client*. This SOW defines the tasks, provides an estimated schedule, and explains the responsibilities of both Delphi and The Client.

**General Assumptions**

Estimates included in this SOW are based upon certain key assumptions. The following General Assumptions are standard to each SOW. An additional section entitled Project Specific Assumptions appears later in this document. Any deviations to these General Assumptions and/or Project Specific Assumptions that arise during the proposed project will be managed according to the procedures described in the Project Change Control Procedure.

**Hardware/Software**

Hardware and Software components are not included in this SOW, except where otherwise indicated.

**Service Periods**

Delphi will provide services during standard business hours, 8:30AM to 5:00PM, Monday through Friday. Services performed outside of the standard service hours will be considered 'non-standard' hours, and will be performed only at the request of the client. These hours will be billed at 1.5 times the standard hourly rate.

Any additional professional services required outside of this agreement will be billed on a time and material basis and must be mutually agreed upon by Delphi and The Client.

**Scope of Services**

Delphi will provide qualified network administrators and consultants to work with the client's staff members to administer and maintain the network infrastructure as it relates to any Computer Assisted Dispatch (CAD) systems as directed by the Client.

Delphi Technology Solutions is not responsible for hardware or software that is not related to providing network infrastructure. Examples include financial software, payroll software, everyday use applications like word processors, non-functioning peripherals and the like.

Delphi Technology Solutions will make every effort to assist with hardware and software that are not related to network infrastructure, however, the support of this hardware or software lies primarily with the manufacturer. At the request of the client, Delphi will work on its own or with the manufacturer in order to resolve issues with these items or assist employees with use of these items. In all cases, Delphi's usual charges will apply.

**Delphi Technology Solutions, Inc. Responsibilities**

*Delphi* will:

Complete network administration, maintenance and troubleshooting tasks and projects as directed by the designee of the client. Tasks completed as time allows within the monthly, pre-scheduled maintenance agreement hours.

**Client Responsibilities**

The Client agrees to designate a representative who will be the focal point for all communication with us relative to this Statement of Work and:

1. Will have the authority to act on The Client's behalf in matters regarding this Statement of Work
2. Provide suitable workspace with telephone, e-mail and internet access for our consultants while working on your premises
3. Provide access to servers and workstations during the hours we agree upon

4. Provide the consultant the user ID parameters, passwords and other related information which is required to enable us to complete this service
5. Provide suitable and sufficient storage media for the protection of the programs and others tasks that the Delphi consultants will be working on
6. Provide client staff members to test the implementation and provide a statement that the implementation works as outlined in this statement of work.

### **Usual Charges**

Delphi will invoice the client on an hourly basis for those professional services performed/products supplied under this Statement of Work.

All support calls to Microsoft or any other company are billed to The Client at actual cost.

The professional charges for this consulting engagement are:

\$140.25/hour for each Delphi consultant for on-site work during the agreed pre-scheduled maintenance hours.

\$140.25/hour for each Delphi consultant for any on-site work during standard hours that are not part of the weekly, pre-scheduled maintenance hours.

\$195.00/hour for each Delphi consultant for any on-site work during non-standard hours.

\$105.00/hour for any Delphi consultant engaged in telephone technical support.

Minimum onsite billable time is 1 hour. Minimum remote billable time is 0.5 hour.

### **Payment Terms**

This agreement will be invoiced in one invoice for a total of 208 hours to be used at the discretion of Gloucester Police Department. The total cost outlined in this statement of work is \$29,172.00.

### **Project Change Control Procedure**

1. Neither party shall be liable in damages or have the right to terminate this Agreement for any delay or default in performing hereunder if such delay or default is caused by conditions beyond its control including, but not limited to Acts of God, Government restrictions (including the denial or cancellation of any export or other necessary license), wars, insurrections and/or any other cause beyond the reasonable control of the party whose performance is affected.
2. Neither party shall be liable for any failure or delay in performance under this Agreement to the extent said failures or delays are proximately caused by causes beyond that party's reasonable control and occurring without its fault or negligence, including, without limitation, failure of suppliers, subcontractors, and carriers, or party to substantially meet its performance obligations under this Agreement, provided that, as a condition to the claim of non-liability, the party experiencing the

difficulty shall give the other prompt written notice, with full details following the occurrence of the cause relied upon. Dates by which performance obligations are scheduled to be met will be extended for a period of time equal to the time lost due to any delay so caused.

**Employee – Non-Compete**

During the duration of this Statement of work, neither party will approach or engage in activities to recruit employees, sub-contractors or others involved in this activity by either company.

**Schedule**

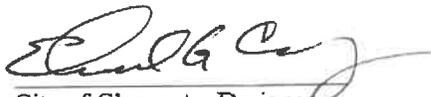
Prescheduled maintenance hours shall be determined by the Client and Delphi. The actual day of the week and time of day when services will be rendered will be mutually agreed upon by Delphi Technology Solutions and the Client at the time of contract execution. Modifications to this maintenance schedule shall be mutually agreed to in advance by the Delphi Project Manager or consultant and the client.

Scheduling or services provided outside the above maintenance hours shall be mutually agreed to in advance by the Delphi Project Manager or consultant and the client.

Upon signing and sending this document to Delphi, the Client agrees to the conditions put forth herein, and services to be performed by the following completion date:

Expire date: **June 30, 2021**

Agreed To:  
City of Gloucester  
197 Main Street  
Gloucester, MA 01931

  
City of Gloucester Designee

8/28/20  
Agreed Date

Agreed To:  
Delphi Technology Solutions, Inc.  
280 Merrimack Street, Suite 325  
Lawrence, MA 01843

  
Delphi Technology Solutions, Inc.

8/28/20  
Agreed Date



Pricing Proposal  
 Quotation #: 19084466  
 Created On: 6/30/2020  
 Valid Until: 7/30/2020

**Gloucester Police Department**

**Stacie Nicastro**  
 197 Main Street  
 Gloucester, MA 01930  
 United States  
 Phone: (978)283-1212  
 Fax:  
 Email: snicastro@gloucester-ma.gov

**Inside Account Manager**

**Karen Drake**  
 290 Davidson Ave  
 Somerset, NJ, 08873  
 Phone: 732-868-5808  
 Fax: 732-868-5908  
 Email: Karen\_Drake@shi.com

All Prices are in US Dollar (USD)

Product	Qty	Your Price	Total
1 Network Administration and Maintenance Agreement Delphi Technology Solutions - Part#: NPN-DELPH-NETWO-A Contract Name: IT Hardware and Services Contract #: ITC47 Note: Services to be completed by June 30, 2021	1	\$29,172.00	\$29,172.00
		<b>Total</b>	<b>\$29,172.00</b>

**Additional Comments**

Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.  
 Services to be completed by June 30, 2021

*The products offered under this proposal are resold in accordance with the terms and conditions of the Contract referenced under that applicable line item.*

FY 2021 Support and Incentive Grant Eligibility

Parcel Map Update and Address Update Status as of 8/25/2020

Status of "YES" or "PRELIM" indicates eligibility requirement has been met for FY 2021

For explanation of "PRELIM" status, see end of this document

**NOTE: Parcel mapping update compliance may be "YES" due to update provided in calendar 2019.**

**So if an update is not received in calendar 2020 or in the first quarter of calendar 2021, then the eligibility requirement for FY2022 grants will not be met.**

PSAP	PARCEL UPDATE COMPLIANCE	ADDRESS UPDATE COMPLIANCE
ABINGTON POLICE DEPARTMENT	YES	YES
ACTON POLICE DEPARTMENT	YES	YES
ACUSHNET POLICE DEPARTMENT	YES	YES
AGAWAM POLICE DEPARTMENT	YES	YES
AMHERST COMMUNICATIONS	YES	YES
ANDOVER POLICE DEPARTMENT	YES	YES
ARLINGTON POLICE DEPARTMENT	YES	YES
ASHBURNHAM POLICE DEPARTMENT	YES	YES
ASHBY POLICE DEPARTMENT	YES	YES
ASHLAND POLICE DEPARTMENT	YES	YES
ATHOL POLICE DEPARTMENT	YES	YES
ATTLEBORO POLICE DEPARTMENT	YES	YES
AUBURN POLICE DEPARTMENT	YES	YES
AVON POLICE DEPARTMENT	NO	YES
AYER SHIRLEY REGIONAL DISPATCH CENTER	YES	YES
BARNSTABLE COUNTY SHERIFF	PRELIM	YES
BARNSTABLE POLICE DEPARTMENT	YES	YES
BEDFORD POLICE DEPARTMENT	YES	YES
BELCHERTOWN POLICE DEPARTMENT	YES	YES
BELLINGHAM POLICE DEPARTMENT	YES	YES
BELMONT POLICE DEPARTMENT	YES	YES
BERKLEY POLICE DEPARTMENT	YES	NO
BERKSHIRE COUNTY SHERIFF	PRELIM	PRELIM
BEVERLY POLICE DEPARTMENT	YES	YES
BILLERICA POLICE DEPARTMENT	YES	YES
BLACKSTONE POLICE DEPARTMENT	YES	NO
BOSTON POLICE DEPARTMENT	YES	YES
BOURNE POLICE DEPARTMENT	NO	YES
BOXBOROUGH POLICE DEPARTMENT	YES	YES
BOXFORD POLICE DEPARTMENT	YES	YES
BOYLSTON POLICE DEPARTMENT	YES	YES
BRAINTREE POLICE DEPARTMENT	YES	YES
BRIDGEWATER POLICE DEPARTMENT	YES	YES
BROCKTON POLICE DEPARTMENT	YES	YES
BROOKLINE POLICE DEPARTMENT	YES	YES
BURLINGTON POLICE DEPARTMENT	YES	YES
CAMBRIDGE COMMUNICATIONS	YES	YES
CANTON POLICE DEPARTMENT	YES	YES

FY 2021 Support and Incentive Grant Eligibility

Parcel Map Update and Address Update Status as of 8/25/2020

Status of "YES" or "PRELIM" indicates eligibility requirement has been met for FY 2021

For explanation of "PRELIM" status, see end of this document

**NOTE: Parcel mapping update compliance may be "YES" due to update provided in calendar 2019.**

**So if an update is not received in calendar 2020 or in the first quarter of calendar 2021, then the eligibility requirement for FY2022 grants will not be met.**

PSAP	PARCEL UPDATE COMPLIANCE	ADDRESS UPDATE COMPLIANCE
CARLISLE POLICE DEPARTMENT	YES	YES
CARVER POLICE DEPARTMENT	YES	YES
CHARLTON POLICE DEPARTMENT	YES	YES
CHELMSFORD POLICE DEPARTMENT	YES	YES
CHELSEA EMERGENCY COMMUNICATIONS	YES	NO
CHICOPEE POLICE DEPARTMENT	YES	YES
CLINTON POLICE DEPARTMENT	YES	YES
CONCORD POLICE DEPARTMENT	YES	YES
DALTON POLICE DEPARTMENT	PRELIM	YES
DANVERS POLICE DEPARTMENT	YES	NO
DARTMOUTH POLICE DEPARTMENT	YES	NO
DEDHAM POLICE DEPARTMENT	YES	YES
DENNIS POLICE DEPARTMENT	NO	YES
DIGHTON POLICE DEPARTMENT	YES	YES
DOUGLAS POLICE DEPARTMENT	YES	NO
DOVER POLICE DEPARTMENT	YES	YES
DRACUT POLICE DEPARTMENT	YES	YES
DUKES COUNTY SHERIFF	PRELIM	YES
EAST BRIDGEWATER POLICE DEPARTMENT	YES	YES
EAST LONGMEADOW POLICE DEPARTMENT	YES	YES
EASTHAM POLICE DEPARTMENT	YES	YES
EASTHAMPTON POLICE DEPARTMENT	YES	YES
EASTON POLICE DEPARTMENT	YES	YES
EVERETT COMMUNICATIONS CENTER	NO	YES
FAIRHAVEN POLICE DEPARTMENT	YES	YES
FALL RIVER POLICE DEPARTMENT	YES	YES
FITCHBURG POLICE DEPARTMENT	PRELIM	YES
FRAMINGHAM POLICE DEPARTMENT	YES	YES
FRANKLIN POLICE DEPARTMENT	YES	YES
FREETOWN POLICE DEPARTMENT	YES	YES
GARDNER POLICE DEPARTMENT	YES	YES
GEORGETOWN POLICE DEPARTMENT	YES	YES
GLOUCESTER POLICE DEPARTMENT	YES	YES
GRAFTON POLICE DEPARTMENT	YES	YES
GRANBY POLICE DEPARTMENT	YES	YES
GREAT BARRINGTON POLICE DEPARTMENT	YES	YES
GREENFIELD POLICE DEPARTMENT	YES	YES
GROTON POLICE DEPARTMENT	PRELIM	YES

FY 2021 Support and Incentive Grant Eligibility  
Parcel Map Update and Address Update Status as of 8/25/2020

Status of "YES" or "PRELIM" indicates eligibility requirement has been met for FY 2021

For explanation of "PRELIM" status, see end of this document

**NOTE: Parcel mapping update compliance may be "YES" due to update provided in calendar 2019.**

**So if an update is not received in calendar 2020 or in the first quarter of calendar 2021, then the eligibility requirement for FY2022 grants will not be met.**

PSAP	PARCEL UPDATE COMPLIANCE	ADDRESS UPDATE COMPLIANCE
GROVELAND POLICE DEPARTMENT	YES	YES
HADLEY POLICE DEPARTMENT	YES	YES
HAMILTON POLICE DEPARTMENT	YES	YES
HAMPDEN POLICE DEPARTMENT	YES	YES
HANOVER POLICE DEPARTMENT	YES	YES
HANSON POLICE DEPARTMENT	YES	YES
HAVERHILL POLICE DEPARTMENT	YES	YES
HOLLISTON POLICE DEPARTMENT	YES	YES
HOLYOKE POLICE DEPARTMENT	YES	NO
HOPKINTON POLICE DEPARTMENT	YES	YES
HUDSON POLICE DEPARTMENT	YES	YES
IPSWICH POLICE DEPARTMENT	YES	YES
KINGSTON POLICE DEPARTMENT	YES	NO
LAKEVILLE POLICE DEPARTMENT	YES	YES
LAWRENCE POLICE DEPARTMENT	YES	YES
LEOMINSTER POLICE DEPARTMENT	YES	YES
LEXINGTON POLICE DEPARTMENT	YES	YES
LINCOLN POLICE DEPARTMENT	YES	YES
LITTLETON POLICE DEPARTMENT	YES	YES
LONGMEADOW POLICE DEPARTMENT	YES	YES
LOWELL POLICE DEPARTMENT	YES	YES
LUDLOW POLICE DEPARTMENT	YES	NO
LYNN POLICE DEPARTMENT	YES	YES
LYNNFIELD POLICE DEPARTMENT	YES	YES
MALDEN POLICE DEPARTMENT	YES	YES
MANCHESTER POLICE DEPARTMENT	YES	YES
MARBLEHEAD POLICE DEPARTMENT	YES	NO
MARION POLICE DEPARTMENT	YES	YES
MARLBOROUGH POLICE DEPARTMENT	NO	YES
MARSHFIELD POLICE DEPARTMENT	YES	YES
MATTAPOISETT POLICE DEPARTMENT	YES	YES
MAYNARD POLICE DEPARTMENT	YES	YES
MEDFIELD POLICE DEPARTMENT	YES	YES
MEDFORD POLICE DEPARTMENT	YES	YES
MEDWAY POLICE DEPARTMENT	YES	NO
MELROSE POLICE DEPARTMENT	YES	NO
MENDON POLICE DEPARTMENT	YES	YES
MERRIMAC POLICE DEPARTMENT	YES	YES

FY 2021 Support and Incentive Grant Eligibility

Parcel Map Update and Address Update Status as of 8/25/2020

Status of "YES" or "PRELIM" indicates eligibility requirement has been met for FY 2021

For explanation of "PRELIM" status, see end of this document

**NOTE: Parcel mapping update compliance may be "YES" due to update provided in calendar 2019.**

**So if an update is not received in calendar 2020 or in the first quarter of calendar 2021, then the eligibility requirement for FY2022 grants will not be met.**

PSAP	PARCEL UPDATE COMPLIANCE	ADDRESS UPDATE COMPLIANCE
METHUEN POLICE DEPARTMENT	NO	YES
METRO NORTH REGIONAL EMERGENCY COMMUNICATIONS CENTER	YES	YES
MIDDLEBOROUGH POLICE DEPARTMENT	YES	YES
MILFORD POLICE DEPARTMENT	YES	YES
MILLBURY POLICE DEPARTMENT	YES	NO
MILLIS POLICE DEPARTMENT	YES	YES
MILTON POLICE DEPARTMENT	YES	YES
MONSON POLICE DEPARTMENT	YES	YES
MONTAGUE POLICE DEPARTMENT	YES	YES
NAHANT POLICE DEPARTMENT	YES	YES
NANTUCKET POLICE DEPARTMENT	NO	NO
NASHOBA VALLEY REGIONAL COMMUNICATIONS CENTER	PRELIM	PRELIM
NATICK POLICE DEPARTMENT	YES	YES
NEEDHAM POLICE DEPARTMENT	YES	YES
NEW BEDFORD POLICE DEPARTMENT	YES	YES
NEW BRAintree STATE POLICE	YES	PRELIM
NEWBURY POLICE DEPARTMENT	YES	NO
NEWBURYPORT POLICE DEPARTMENT	YES	NO
NEWTON POLICE DEPARTMENT	YES	NO
NORFOLK COUNTY EMERGENCY COMMUNICATIONS CENTER	PRELIM	PRELIM
NORFOLK POLICE DEPARTMENT	YES	YES
NORTH ADAMS POLICE DEPARTMENT	NO	PRELIM
NORTH ANDOVER POLICE DEPARTMENT	YES	YES
NORTH ATTLEBOROUGH POLICE DEPARTMENT	YES	YES
NORTH READING POLICE DEPARTMENT	YES	YES
NORTH SHORE REGIONAL 911 CENTER	YES	YES
NORTHAMPTON POLICE DEPARTMENT	YES	YES
NORTHAMPTON STATE POLICE	PRELIM	YES
NORTHBOROUGH POLICE DEPARTMENT	YES	YES
NORTHBRIDGE POLICE DEPARTMENT	YES	YES
NORTON COMMUNICATIONS CENTER	YES	YES
NORWOOD POLICE DEPARTMENT	NO	YES
OXFORD POLICE DEPARTMENT	YES	YES
PALMER POLICE DEPARTMENT	YES	NO
PAXTON COMMUNICATIONS CENTER	YES	YES
PEABODY POLICE DEPARTMENT	YES	YES
PEMBROKE POLICE DEPARTMENT	YES	YES
PEPPERELL POLICE DEPARTMENT	YES	YES

FY 2021 Support and Incentive Grant Eligibility  
Parcel Map Update and Address Update Status as of 8/25/2020  
Status of "YES" or "PRELIM" indicates eligibility requirement has been met for FY 2021  
For explanation of "PRELIM" status, see end of this document  
**NOTE: Parcel mapping update compliance may be "YES" due to update provided in calendar 2019.  
So if an update is not received in calendar 2020 or in the first quarter of calendar 2021, then the eligibility  
requirement for FY2022 grants will not be met.**

PSAP	PARCEL UPDATE COMPLIANCE	ADDRESS UPDATE COMPLIANCE
PITTSFIELD POLICE DEPARTMENT	YES	YES
PLAINVILLE POLICE DEPARTMENT	YES	YES
PLYMOUTH POLICE DEPARTMENT	YES	YES
PROVINCETOWN POLICE DEPARTMENT	YES	NO
QUINCY POLICE DEPARTMENT	YES	YES
RANDOLPH POLICE DEPARTMENT	YES	YES
RAYNHAM POLICE DEPARTMENT	YES	YES
READING POLICE DEPARTMENT	YES	YES
REGIONAL OLD COLONY COMMUNICATIONS CENTER	PRELIM	YES
REHOBOTH POLICE DEPARTMENT	YES	YES
ROCKLAND POLICE DEPARTMENT	YES	YES
ROCKPORT POLICE DEPARTMENT	YES	YES
ROWLEY POLICE DEPARTMENT	YES	YES
RUTLAND REGIONAL EMERGENCY COMMUNICATION CENTER	PRELIM	YES
SALEM POLICE DEPARTMENT	YES	YES
SALISBURY POLICE DEPARTMENT	YES	NO
SANDWICH POLICE DEPARTMENT	YES	YES
SAUGUS POLICE DEPARTMENT	YES	YES
SCITUATE POLICE DEPARTMENT	YES	YES
SEEKONK POLICE DEPARTMENT	YES	NO
SHARON POLICE DEPARTMENT	YES	YES
SHELBURNE FALLS STATE POLICE	PRELIM	YES
SHERBORN POLICE DEPARTMENT	NO	YES
SHREWSBURY POLICE DEPARTMENT	YES	YES
SOMERSET POLICE DEPARTMENT	YES	YES
SOMERVILLE POLICE DEPARTMENT	YES	YES
SOUTH HADLEY POLICE DEPARTMENT	YES	YES
SOUTH SHORE REGIONAL EMERGENCY COMMUNICATIONS CENTER	PRELIM	YES
SOUTH WORCESTER COUNTY COMMUNICATIONS CENTER	YES	YES
SOUTHAMPTON POLICE DEPARTMENT	YES	YES
SOUTHBOROUGH POLICE DEPARTMENT	YES	YES
SOUTHBRIDGE POLICE DEPARTMENT	NO	YES
SOUTHEASTERN MASSACHUSETTS REGIONAL 911 DISTRICT	PRELIM	YES
SOUTHWICK POLICE DEPARTMENT	YES	NO
SPENCER POLICE DEPARTMENT	YES	YES
SPRINGFIELD POLICE DEPARTMENT	YES	YES
STERLING COMMUNICATIONS	YES	YES
STONEHAM POLICE DEPARTMENT	YES	YES

FY 2021 Support and Incentive Grant Eligibility  
 Parcel Map Update and Address Update Status as of 8/25/2020

Status of "YES" or "PRELIM" indicates eligibility requirement has been met for FY 2021

For explanation of "PRELIM" status, see end of this document

**NOTE: Parcel mapping update compliance may be "YES" due to update provided in calendar 2019.**

**So if an update is not received in calendar 2020 or in the first quarter of calendar 2021, then the eligibility requirement for FY2022 grants will not be met.**

PSAP	PARCEL UPDATE COMPLIANCE	ADDRESS UPDATE COMPLIANCE
STOUGHTON POLICE DEPARTMENT	YES	YES
STOW POLICE DEPARTMENT	YES	YES
STURBRIDGE POLICE DEPARTMENT	YES	YES
SUDBURY POLICE DEPARTMENT	YES	YES
SUTTON POLICE DEPARTMENT	NO	YES
SWANSEA POLICE DEPARTMENT	YES	YES
TAUNTON FIRE DEPARTMENT	YES	YES
TEMPLETON POLICE DEPARTMENT	PRELIM	YES
TEWKSBURY POLICE DEPARTMENT	YES	YES
TRURO POLICE DEPARTMENT	YES	YES
TYNGSBOROUGH POLICE DEPARTMENT	YES	YES
UPTON POLICE DEPARTMENT	YES	YES
UXBRIDGE POLICE DEPARTMENT	YES	YES
WACHUSETT REGIONAL EMERGENCY COMMUNICATIONS CENTER	YES	YES
WAKEFIELD POLICE DEPARTMENT	PRELIM	YES
WALPOLE POLICE DEPARTMENT	PRELIM	YES
WALTHAM COMMUNICATIONS	YES	YES
WARE POLICE DEPARTMENT	YES	YES
WAREHAM POLICE DEPARTMENT	PRELIM	YES
WATERTOWN POLICE DEPARTMENT	YES	YES
WAYLAND POLICE DEPARTMENT	YES	YES
WELLESLEY POLICE DEPARTMENT	YES	NO
WEST BRIDGEWATER POLICE DEPARTMENT	YES	NO
WEST NEWBURY POLICE DEPARTMENT	YES	YES
WEST SPRINGFIELD POLICE DEPARTMENT	YES	YES
WESTBOROUGH PUBLIC SAFETY DISPATCH CENTER	YES	YES
WESTFIELD POLICE DEPARTMENT	YES	YES
WESTFORD POLICE DEPARTMENT	NO	YES
WESTMINSTER POLICE DEPARTMENT	YES	YES
WESTON POLICE DEPARTMENT	YES	YES
WESTPORT POLICE DEPARTMENT	YES	YES
WESTWOOD POLICE DEPARTMENT	YES	YES
WEYMOUTH POLICE DEPARTMENT	YES	YES
WILBRAHAM POLICE DEPARTMENT	YES	YES
WILLIAMSTOWN POLICE DEPARTMENT	YES	YES
WILMINGTON POLICE DEPARTMENT	YES	YES
WINCHENDON POLICE DEPARTMENT	YES	YES
WINCHESTER POLICE DEPARTMENT	YES	NO

FY 2021 Support and Incentive Grant Eligibility		
Parcel Map Update and Address Update Status as of 8/25/2020		
Status of "YES" or "PRELIM" indicates eligibility requirement has been met for FY 2021		
For explanation of "PRELIM" status, see end of this document		
<b>NOTE: Parcel mapping update compliance may be "YES" due to update provided in calendar 2019.</b>		
<b>So if an update is not received in calendar 2020 or in the first quarter of calendar 2021, then the eligibility requirement for FY2022 grants will not be met.</b>		
PSAP	PARCEL UPDATE COMPLIANCE	ADDRESS UPDATE COMPLIANCE
WOBURN POLICE DEPARTMENT	YES	YES
WORCESTER REGIONAL EMERGENCY COMMUNICATIONS CENTER	YES	YES
WRENTHAM POLICE DEPARTMENT	YES	YES
YARMOUTH POLICE DEPARTMENT	NO	YES
<b>For parcel mapping updates, a status of "PRELIM" indicates one of the following:</b>		
1) MassGIS has confirmed with staff in the relevant municipal department (often, but not always, the Assessing Department) that the required update is under development and will be delivered in 2020.		
2) MassGIS has received an update but that update has not yet met the requirements of MassGIS' parcel mapping standard. Failure to achieve compliance means the status automatically reverts to "N" for the FY 2021 grants.		
3) A regional PSAP/RECC has one or more communities that are not meeting the requirement.		
<b>For address updates, a status of "PRELIM" indicates that MassGIS has been informed by staff in the relevant municipal department that address updates will be provided OR is aware that the regional PSAP Director is working with all their municipalities to ensure that MassGIS will receive address updates going forward.</b>		



**City of Gloucester  
Grant Application and Check List**

Granting Authority: State  X  Federal \_\_\_\_\_ Other \_\_\_\_\_

Name of Grant:  FY21 Support & Incentive Grant

Department Applying for Grant:  Police

Agency-Federal or State application is requested from:  State 911 Department

Object of the application:  Porvides funding for E911 salaries/overtime/equipment

Any match requirements:  None

Mayor's approval to proceed: \_\_\_\_\_  
Signature Date

City Council's referral to Budget & Finance Standing Committee: \_\_\_\_\_  
Vote Date

Budget & Finance Standing Committee: \_\_\_\_\_  
Positive or Negative Recommendation Date

City Council's Approval or Rejection: \_\_\_\_\_  
Vote Date

City Clerk's Certification of Vote to City Auditor: \_\_\_\_\_  
Certification Date

City Auditor:  
Assignment of account title and value of grant: \_\_\_\_\_  
Title Amount

Auditor's distribution to managing department: \_\_\_\_\_  
Department Date sent

**NOTE: A copy of all grant paperwork must be submitted to the Auditor's Office**

**FORM: AUDIT GRANT CHECKLIST – V.1**





**City of Gloucester  
Grant Application and Check List (Continued)**

**The following are documents needed by the Auditing Office for grant account creation:**

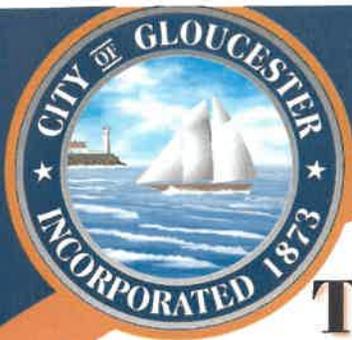
- 1. Grant Application**
- 2. Grant Award Letter/Standard Contract Approval Form**
- 3. Council Order Approval**
- 4. Original Grant Account Budget as approved by Grantor**
- 5. Amended Grant Account Budget as approved by Grantor (if applicable)**
- 6. Any additional information as requested by the Auditing Department**

**Note: All documents must be complete signed copies.**

**Please attach the following documents with the Grant Application and Check List and send to the Auditors' Office.**



# **ENCLOSURE 8**



Public Health  
Prevent. Promote. Protect

# Tips for a safer HALLOWEEN

Follow these tips to celebrate Halloween safely this year and help lower the chances of catching or spreading COVID-19

## Safer activities and trick-or-treating

- **Stay home and do not hand out candy if you are sick** or have been exposed to someone with COVID-19. Keep your lights off so people know not to come to your door.
- **Keep your group as small as possible.** Groups should be no larger than 10 and stick together, don't mix and mingle between groups
- **Use hand sanitizer** before and after choosing pumpkins or picking apples.
- **Take it outside.** When celebrating with others, do it outdoors.
- **Remember the 3 Ws!**
  - **Wear a mask** that's at least 2 layers thick and fits snugly but comfortably over your nose, mouth and chin without any gaps.
  - **Wash your hands** often with soap and water for at least 20 seconds especially before eating candy. Or carry and use hand sanitizer that is at least 60% alcohol.
  - **Watch your distance** by staying at least six feet apart from others.
- **Trick-or-treating tips**
  - Leave individually wrapped goodie bags lined up at least six feet from your door for kids to grab and go. Do not hand out candy from a bowl.
  - Go trick-or-treating with your children to make sure they do it safely.
  - Encourage one-way trick-or-treating and wait until other groups have moved on before approaching a home.

## Safe Halloween-themed activities

- Take part in an online pumpkin carving or costume contest.
- Display Halloween-themed decorations in your home or yard.
- Organize a neighborhood contest for outdoor Halloween-themed decorations.
- Plan a Halloween scavenger hunt for the members of your household.
- Decorate your own Halloween or fall-themed face masks.
- Prepare a Halloween-themed meal or bake Halloween treats for your household.

## Safe Halloween costume masks

- **A Halloween costume mask alone will not protect you and others from COVID-19.**
- Wearing a costume mask over a protective face covering can be dangerous if the costume mask makes it hard to breathe.
- The safest option is to wear face paints and a Halloween-themed protective face covering.



All organized Halloween Events must comply with all of the Governor's reopening orders. Visit [Mass.gov](https://www.mass.gov) for details

Find more tips for safely celebrating Halloween, Dia de los Muertos and other holidays at  
<https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/holidays.html>

10/3/2020

HEALTH DEPARTMENT

3 Pond Rd, City Hall Annex, Gloucester, MA 01930

Phone: 978.225.5260 [www.cityofgloucester.com](http://www.cityofgloucester.com)

Questions contact – Elizabeth Cardarelli 978-380-8813

**PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS**

North Andover, Massachusetts

To the City Council  
Of Gloucester, Massachusetts

Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Lawrence Mountain Road - National Grid to install 1 JO Pole on Lawrence Mountain Road beginning at a point approximately 1300 feet northwest of the centerline of the intersection of Essex Ave. Installing 1 JO pole and all appurtenances.

Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Lawrence Mountain Road - Gloucester – Massachusetts.

No.# 29971943 September 17, 2020

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a National Grid  
BY Robert Coulter  
Engineering Department

VERIZON NEW ENGLAND, INC.  
BY \_\_\_\_\_  
Manager / Right of Way

CITY CLERK  
GLOUCESTER, MA  
2020 OCT -5 AM 10:52

Gloucester

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**

To the City Council of Gloucester, Massachusetts

Notice having been given and public hearing held, as provided by law,  
IT IS HEREBY ORDERED:

that Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 17th day of September, 2020.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Lawrence Mountain Road - Gloucester – Massachusetts.

September 17, 2020. Filed with this order

There may be attached to said poles by Massachusetts Electric Company d/b/a National Grid and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Lawrence Mountain Road - National Grid to install 1 JO Pole on Lawrence Mountain Road beginning at a point approximately 1300 feet northwest of the centerline of the intersection of Essex Ave. Installing 1 JO pole and all appurtenances.

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the  
of the City/Town of \_\_\_\_\_, Massachusetts held on the \_\_\_\_\_ day of \_\_\_\_\_ 20 .

Massachusetts

City/Town Clerk.

20 .

Received and entered in the records of location orders of the City/Town of

Book

Page

Attest:

City/Town Clerk

I hereby certify that on \_\_\_\_\_ 20\_\_\_\_, at \_\_\_\_\_ o'clock, M  
at \_\_\_\_\_ a public hearing was held on the petition of  
Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and  
that we mailed at least seven days before said hearing a written notice of the time and place of said  
hearing to each of the owners of real estate (as determined by the last preceding assessment for  
taxation) along the ways or parts of ways upon which the Company is permitted to erect  
poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....  
.....  
.....  
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of  
hearing with notice adopted by the \_\_\_\_\_ of the City of  
Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, and recorded with the  
records of location orders of the said City, Book \_\_\_\_\_, Page \_\_\_\_\_. This certified copy  
is made under the provisions of Chapter 166 of General Laws and any additions thereto or  
amendments thereof.

Attest:

City/Town Clerk

WGRFD

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**

To the City Council of Gloucester, Massachusetts

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City/Town Clerk.  
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Book

Page

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hearing to each of the owners of real estate (as determined by the last preceding assessment for  
taxation) along the ways or parts of ways upon which the Company is permitted to erect  
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City/Town Clerk.

.....  
.....  
.....  
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of  
hearing with notice adopted by the \_\_\_\_\_ of the City of \_\_\_\_\_  
Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, and recorded with the  
records of location orders of the said City, Book \_\_\_\_\_, Page \_\_\_\_\_. This certified copy  
is made under the provisions of Chapter 166 of General Laws and any additions thereto or  
amendments thereof.

Attest:

City/Town Clerk



# City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit 227-79

Please be aware that the abutters list reflects mailing address for the real estate tax bills as requested by the property owners. Mortgage companies, banks and other financial institutions may be receiving the notification and not the homeowner as required. Please be sure you are complying with notification requirements.  
Gloucester Board of Assessors.

This list of owners of record as shown on the most recent tax list of the City of Gloucester has been prepared for the purposes of notifying abutters within 300ft as required by the City's City Council and it reflects the abutters to the Parcel known as Map 227 Lot 79 as further shown on the attached map dated 9/10/2020.

ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
227-17 MCCOMISKEY JUDITH & PHILIP L TR	27 LAWRENCE MOUNTAIN RD	227-17	MCCOMISKEY JUDITH & PHILIP L TR 27 LAWRENCE MOUNTAIN RD GLOUCESTER, MA 01930
227-18 PIERCE JAMES S & SMITH JANET L	25 LAWRENCE MOUNTAIN RD	227-18	PIERCE JAMES S & SMITH JANET L 23 LAWRENCE MOUNTAIN RD GLOUCESTER, MA 01930-2014
227-26 ESSEX COUNTY GREENBELT ASSOC INC	18 LAWRENCE MOUNTAIN RD	227-26	ESSEX COUNTY GREENBELT ASSOC INC 82 EASTERN AV ESSEX, MA 01929
227-27 SAROFEEEN THOMAS & FAYE TBYE	26 LAWRENCE MOUNTAIN RD	227-27	SAROFEEEN THOMAS & FAYE TBYE 21 ATLANTIC ST GLOUCESTER, MA 01930
227-28 GLOUCESTER CITY OF	30 LAWRENCE MOUNTAIN RD	227-28	GLOUCESTER CITY OF 9 DALE AV GLOUCESTER, MA 01930
227-30 LANE GARY P	516R ESSEX AV	227-30	LANE GARY P 516R ESSEX AV GLOUCESTER, MA 01930
227-79 GAUCHER RICHARD & FREDERICK CHARLENE TRS C/O RICHARDS DEVELOPMENT G LLC	29 LAWRENCE MOUNTAIN RD	227-79	GAUCHER RICHARD & FREDERICK CHARLENE TRS C/O RICHARDS DEVELOPMENT G LLC 34 PARK ST SUITE 1 ANDOVER, MA 01810



# City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit 227-79

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Gloucester Board of Assessors

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ABUTTER

STREET ADDRESS

PARCEL NO.

TAX BILL ADDRESS

The Gloucester Board of Assessors certifies that the Abutters Report program written to create a list of the names and addresses of property owners from the applicable tax list has been reviewed. To the best of our knowledge and belief the Abutters Report program generates an accurate list from the most recent tax list of the assessed owner of record and the mailing information of the parties in interest as defined within and required by the law and therefore the within document constitutes a certified abutters list.

Nancy A. Papows, MAA  
Gary I. Johnstone, MAA  
Bethann Brousseau, MAA  
GLOUCESTER BOARD OF ASSESSORS

City of Gloucester Assessors' Office, City Hall, 9 Dale Avenue, Gloucester, MA 01930

9/10/2020

### City of Gloucester Abutters Application



Property Information

Map-Lot-Unit 227-79

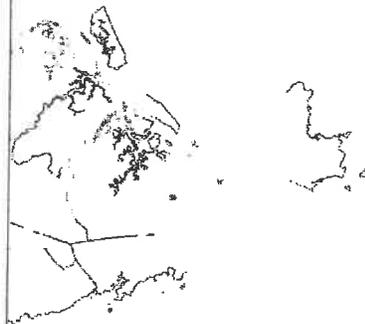
Location 29 LAWRENCE MOUNTAIN RD

Owner GAUCHER RICHARD & FREDERI



**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

*This data set/map is for planning purposes only and should not be used for larger scale analysis. The City of Gloucester shall not be held liable for any use of the data or images shown on this map, nor is any warranty of accuracy expressed. All uses of this data set/map are subject to field verification.*



227-30  
516R ESSEX AVE



227-79  
29 LAWRENCE MOUNTAIN RD

227-17  
27 LAWRENCE MOUNTAIN RD

227-18  
25 LAWRENCE MOUNTAIN RD

227-72  
227-20  
23A AND 23 LAWRENCE MOUNTAIN RD

227-22  
19 LAWRENCE MOUNTAIN RD

227-28  
30 LAWRENCE MOUNTAIN RD

P#3706

P#3705

P#3702

P#3701

P#4848

227-27  
28 LAWRENCE MOUNTAIN RD

227-29  
18 LAWRENCE MOUNTAIN RD

### JOINT OWNED POLE PETITION

#### LEGEND

- ⊙ EXISTING JO POLE LOCATIONS
- PROPOSED JO POLE LOCATION
- ⚡ PROPOSED OVERHEAD CONDUCTOR
- EXISTING OVERHEAD CONDUCTOR
- PROPOSED ANCHOR

Plan Number 29971943

# nationalgrid

and Verizon New England, Inc.

To The: CITY OF GLOUCESTER

For Proposed:

1 POLE

Location:

29 LAWRENCE MOUNTAIN RD.  
GLOUCESTER, MA 01930

**Sketch to accompany petition for:**

THE PROPOSED INSTALLATION OF 1 JO POLE  
AND ALL APPURTENANCES

Date: AUGUST 29, 2020 Drawn by: ELIZABETH CARDARELLI

DRAWING NOT TO SCALE. DISTANCES ARE APPROXIMATE.

**GLOUCESTER CITY COUNCIL MEETING**  
**Tuesday, September 22, 2020 – 6:00 p.m.**  
**REMOTE MEETING**  
**-Minutes-**

There is a link to this meeting available on the city website at <https://gloucester-ma.gov.zoom.us/rec/play/VtO9HZj4kbpddxe7TjLwuCC7Erp-10R6oLVIR-vkQJjVWnJt8PlzVwqnrvo1oXtbunGpaB3zNLjXSUas.w9YoSpReKnpMmFke>

A transcript of this meeting will be filed with the minutes as soon as possible.

**Present:** Council President, Councilor Steve LeBlanc; Council Vice President, Councilor Val Gilman; Councilor Melissa Cox; Councilor Jen Holmgren; Councilor John McCarthy; Councilor Scott Memhard; Councilor Sean Nolan; Councilor James O'Hara; Councilor Barry Pett

**Also Present:** Senator, Bruce Tarr; Mayor, Sefatia Romeo Theken; Acting CAO, Vanessa Krawczyk; City Clerk, Joanne M. Senos; CFO John Dunn; Economic Development Director, Sal DiStefano; Assessor, Gary Johnstone; Auditor, Kenny Costa; Community Development Director, Jill Cahill; Acting HR Director, Holly Dougwillo

**Absent:** None

**Applicants:** Seaside Legal Solutions, P.C. representing SCP2020-004; Law Office of Wilhelmina Sheedy, P.C. representing SCP2020-001

*This meeting was conducted remotely through Zoom, All votes were ROLL CALL votes*

Meeting called to order at 6:00 p.m.

**Council President LeBlanc** announced, "This meeting is recorded by video and audio in accordance with state Open Meeting Law. Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law and banning gatherings of more than 25 people, this meeting will be conducted by remote participation. Additionally, all votes taken by the City Council during this and future remote meetings will be by roll call vote. If you are calling in on a phone you can press Star 9 (\*9) to request to speak. If you are watching on a computer or device there is a "raise hand" button that you can tap or press to request to speak. Please use either of these options during oral communications to be recognized to speak."

**ORAL COMMUNICATIONS:**

**Craig Hamilton, 46 Grove Street**

He stated that he has not been part of the last couple of City Council meetings. He was trying to let things happen on Grove Street around Labor Day, since that is when he was told that work would take place in his neighborhood. He mentioned having a lengthy conversation with **CAO Vanessa Krawczyk**, however, the second phase of the Grove Street sewer project has not started yet. He is in fear that the project will not be completed this fall or winter, and that it will get pushed back to early spring, also delaying the pavement and sidewalks project.

He said he sees other roads starting new roadwork all over the city, yet he feels as though nothing is being done on Grove Street. The last letter he received from the **Mayor's** office on August 28, 2020 stated that there would be speed radar, which was there for 2 weeks, did help, and now that it is gone, the speed is increasing

again. He has received two letters stating that patchwork and street sweeping would be provided by the City, and he stated that it has not happened yet. He expressed frustration that nothing is being done. **Council President LeBlanc** told him that **Ms. Krawczyk** was in attendance at this evening's meeting, she has heard his concerns, and will contact him as soon as possible with an update.

**Brenda Malloy, 43 Rocky Neck Avenue**

She thanked the Council for being there, and expressed gratitude for their service. She asked if it was possible for the City's Information Technology Department to create a hyper-link to make it easier to access the Zoom meetings. She also asked if it was possible to either have an online sign-in sheet so people can know how many people are attending these meetings, or to have it announced during the meetings. **Council President LeBlanc** agreed to announce the attendees over the course of the meeting, and shared that there were currently 25 panelists and 91 attendees.

**Joan Archer, 103 Wingersheek Road**

She stated that she was there to view the public hearing for the 105 Wingersheek Road Special Permit, and wanted to make sure that her microphone was working properly. **Council President LeBlanc** informed her that the public hearing would take place later on in the meeting, and that she would need to raise her hand during that time if she would like to speak on that matter.

**Pam Steele, 10 Pilot's Hill**

She commented to **Senator Bruce Tarr** that a lot of people do not have internet access, and stated that it is not a democratic process if everyone does not have access to City meetings. She expressed concern about unrepresented community members since these times are very important. **Council President LeBlanc** thanked her, and told her that her communication has been noted, and the proper agency will get right back to her. She stated that she appreciates everything that the Councilors do, however, she has never received a letter in response. **Council President LeBlanc** promised her that they will make sure she receives one.

**Patti Amaral, 14 Myrtle Square**

She thanked and expressed appreciation for the Council, and mentioned that last week at the (September 17, 2020 Budget & Finance) subcommittee meeting, **CFO John Dunn** stated that the loan is based on a back-of-the-envelope guesstimate, and that it was to show good faith... **Councilor Cox** declared point of order. **Council President LeBlanc** explained that since the loan authorization was on tonight's agenda, they are not able to allow her to speak on that topic during oral communications, it is against their rules of procedure. He told her that if there was anything not on tonight's agenda that she would like to speak about, she was welcome to during this time; and that she could voice her concerns later in the meeting during the public hearing regarding the loan authorization. She asked how much it would cost to move Mattos Field, and he asked her to bring that up during the public hearing, along with any questions or comments she may have about the proposed combined school project.

**Tom Mannle, 1037 Washington Street**

He stated that he will be in evidence during the 105 Wingersheek Road public hearing, and asked the protocol on allowing video appearances from anyone other than City Councilors during the general session. He specifically mentioned **Senator Bruce Tarr** (and stated he has no objection to his video appearance). He also mentioned that staff members from Attorney Wilhemina Sheedy's office were also on the panel. **Council President LeBlanc** stated that he did not know the answer to that, however, the people who are shown on the Zoom video as panelists are participating in the meeting during a presentation, including members of the

MBTA. The attorneys are representing applicants for Special Council Permits, which is why they are promoted to panelists instead of being attendees.

**Suzanne Altenberger, 66 Atlantic Street**

It has been about 7 months since mid-February 2020 that I addressed you all in person at Kyrouz Auditorium. During regular oral communications you all received a hard copy, and later an electronic copy of our report “25 Years of Needless Damage to a lot of New England’s Fishing Industry and Ecology”. As some of you already know, some of the effort on this report is based on boat design experience out of this office first begun in 1952. As part of the working waterfront, we have a strong interest in its future, preferably a successful future. On that background, this report reflects a little research into the troubles of the fishing industry and our port economy since June of 2002 when we first engaged. Lots of learning, some 200 discuss with folks going to sea, with those supporting them ashore, we have dug through layers of governmental policies, and that of the position of folks we present in the industry.

What we found is that regulations passed into law March 1<sup>st</sup>, 1994 have caused stagnation in the fleet, prohibiting even the most obvious innovations in its boats, and that has been ongoing for over 26 years. Its allowed barely any interest or progress towards advanced catch methods, so across these 26 years, these have brought serious damage to our tax base, our job base, of our largest economic engine. We know how to run this port economy for almost 400 years now, and certainly the reality of these laws having caused this much damage have been truly devastating for the outlook of the next generations, but we do not just complain about it, we offer a good number of solutions, offer a fair amount of energy in those, so this analysis is mostly a technical, legal piece of work, along with solutions, but they’re certainly a long way from any partisan perspectives. This report required too much time and resources to be done by the Gloucester Daily Times or even the Boston Globe, however, we would have expected larger universities and institutes to leverage their resources in the protection of this, America’s oldest industry. We should have also been able to expect various levels of legal counsel from port communities and state government to federal folks to examine federal laws to not cause this much needless damage. Our federal friends at National Marine Fisheries Service up on the hill to this day appear to not have any staffers on hand who can outline any definition of an advanced 21<sup>st</sup> century fishing fleet.

Hence our position on page 4 of that report on why we ended up with this dark and expensive burden to do this work. As it turns out, unexpectedly for most of us here in Gloucester, it is indeed up to us to initiate a first discussion on 1. Why we lost so much ground and 2. What to do about rolling back those losses by clawing forward towards an advanced 21<sup>st</sup> century fishing fleet, one that returns resilience to this industry, and one that boosts the industry’s economic and ecological sustainability, and thus again would robustly support our port economy, an essential part of our overall tax and jobs base.

Though the City Council has a range of options to help this first community-wide conversation, as this 38-page report indicates, this substantial topic cannot be disposed of in some short-format talk, instead, we could leverage a Saturday morning long-form gathering to go through the layers of what has happened and the opportunities towards what to do next. Finally, this being version 3.1 of the report based on feedback from a range of readers (there are over 100 copies out there), observers, players in this version 4.0 is evolving and will be larger, more granular yet. Hence the interest tonight and in the near future of learning where the City Council of this old seaport community may stand on this issue so they can be integrated into that report. The report’s cover page offers all the contact information necessary for further communications, and I thank you for your patience, and look at this because you all have it at home. Thank you for listening to me, this issue continues to grow in relevance, and there’s no way of getting away from it.

**Deborah Liacos, 41 Woodward Avenue**

She stated that she is calling tonight in regards to what is going on with the railroad, and explained that Woodward Avenue abuts the railroad tracks. She stated that she is sure that **Councilor Holmgren** and other members of the City Council are aware of the issues people are having with trains idling for hours at a time morning, noon, and night.

A group of neighbors sent a letter to the City Council, and **Senator Bruce Tarr** is aware of the situation as well. She wanted to bring it forward to make sure that all City Councilors are aware of the major issue here. The railroad made a decision not to idle down by the river's edge anymore where the train bridge begins that they are repairing and replacing, and has moved all the trains into their backyards, with loud engines blowing horns, ringing bells up to 80 times, making it difficult to work from home.

She stated that Keolis has not been very receptive, at times rude, so she was hoping that somehow, they could get some peace and quiet in their neighborhood. They are hearing that this project is going to last through the Summer of 2021, and it has also been heard that the MBTA is filing for an extension for another two years. Where the Stanwood Avenue railroad crossing is, they decided after listening to complaints from people who live at The Heights of Cape Ann and homes across the river where the noise was carrying, to put a switch in at the railroad crossing. The trains now come to the Stanwood Avenue crossing, switch tracks, and come right back on the other track, so every train that comes and goes is in her backyard. She's not sure what the City Council can do about it. **Councilor Holmgren** may want to speak on behalf of what she knows about what is going on, but she just wanted to voice her opinion, and she is hoping to get a resolution. **Council President LeBlanc** informed her that several members from the MBTA and **Senator Tarr** are present at this meeting and will speak on this matter. He wanted her to be able to voice her concerns so they understand, and hopefully one of them took notes so they will be able to address these issues for her in a few minutes.

**Jane Gagliardi, 43 Woodward Avenue**

She concurred with her neighbor Ms. Liacos, and added that the noise is so disturbing that it wakes her up at 4:30 a.m. when they idle in her backyard. There is a real issue of air and noise pollution, interfering with quality of life. It interferes with conversation in the house. The noise is so intrusive, and although they have not begun to compile data yet, the last couple of weeks it seems worse. The amount of idling time is really inconsistent, but they do seem to be idling at the station for much more prolonged, frequent times than they have prior, and she is not sure why that is. **Council President LeBlanc** thanked her, and stated that hopefully she would receive some answers during the presentation.

**Jennifer Berkshire, 23 Woodward Avenue**

She stated that she has been a 15-year Gloucester resident and is pro-train, so she understands the need for the bridge reconstruction project. She believes she and other neighbors who moved to the area felt that the train was a real advantage, but unfortunately, they have ended up with a "really bad neighbor". The worst part is that the bad neighbor is not going anywhere. The issue as to where to idle the trains has been a huge one since this project started. She stated that she believes there are a lot of details that people are not aware of. One is that part of the reasons the situation is so much worse now is that the MBTA has equipped a number of the trains with new, much more powerful engines. When people say that the noise is louder than before, they are not exaggerating. The other issue is that due to the pandemic, everyone is at home, working and going to school from there as well. She expressed a feeling of helplessness because the neighbors feel like nothing they do makes a difference. This problem has been going on for 3 years with no communication with neighbors. It could be anything from when the train rolls in, and you have no idea whether it is going to leave. Is it going to pull down the tracks, or idle near the least populated part of Gloucester as the neighbors have suggested, or is it just going to sit behind your house indefinitely? Is the T going to start doing construction at 6 a.m. that lasts

until 3 a.m. like it did over the summer, will they make some major structural change like they did last week without talking to anybody? Neighbors only knew that they had decided to remove part of the inbound track and put a switch right behind their houses because her husband walked up to the tracks to ask the workers what they were doing. There has been no communication at all, even though their neighborhood has been so dramatically affected by this project. They only learned that the deadline had been extended through next summer because they read it in the Gloucester Daily Times. She only learned that it is possibly being extended to 2022 because she read it yesterday in an article about her neighborhood. She expressed appreciation for the advocacy and understanding from elected officials, as well as frustration when it seems like they are not able to help them out either. She referenced the letter that neighbors sent the City Council yesterday that put forward a series of concrete and helpful demands. They first recognized that they understand that the trains need to idle somewhere, why not in the least populated section of West Gloucester? She stated that the MBTA seems ok with this, and there are signs there instructing trains to do that. The problem is that there seems to be no communication, and there is no order for the train operators to do that. Secondly, help us make the T a less disruptive neighbor, whether that means the construction, or the constant bell ringing. Thirdly, they are requested more transparency. They need to know what is going on, and if they are making major changes, and if there have been new directives. Since they are on the receiving end of so many of them, they really need to know what is happening. She believes that most people in the neighborhood would like to be part of the conversations that create solutions. She shared that her favorite story of people calling MBTA customer service has been when the customer service agent responded "I can't hear you." because there was an engine roaring in the background. She believes the only way the community can get the MBTA to be a better neighbor is if elected officials help the neighborhood make that happen, and if they receive some of these pledges in writing. She invited people to come to West Gloucester to see and hear what it is like. She thanked the City Council for advocating for them.

**Mary Ann Albert Boucher, 93 Mount Pleasant Avenue**

She stated with all due respect to the three people who spoke before her, if this is on the agenda, why is it allowed during oral communications? **Council President LeBlanc** explained that it is allowed because it is regarding the MBTA presentation that will take place this evening, not something that the Council will be voting on tonight. He explained he believes it is more effective to have them speak during oral communications about how they are personally affected by the train bridge reconstruction project so that the MBTA employees can address neighbor concerns during the presentation.

**Laura Trudel, 42 Woodward Avenue**

She stated that she has lived there for the last 11 years, and she loves her quiet, peaceful neighborhood. Now she is living in a sea of train noise with bells, whistles, and vibration. She shared one of her worst experiences that happened just last night, Monday, September 21, 2020 at 9:54 p.m. The #125 train arrived in West Gloucester with 66 bells ringing. The train proceeded up the track, turned around at the switches, and came back to rest at 9:58 p.m. with the engine running on high, or one of the particularly loud new engines, directly across from her house. The engine proceeded to idle on that spot until 10:44 p.m. The noise, pounding vibrations from the engine, the continuous, intermittent squeal of the air release continued for an entire hour without relief. She was unable to sleep, read, watch T.V., or concentrate. She tried to take a video and audio recording of the noise level, but ordinary recording apps are unable to document the sound's full impact. She stated that this is not an isolated incident, and it occurs daily. She has documented the numbers of bells, horns, and idling times. She noted that the 11:17 a.m. train was the only one that idled in the industrial park, where it made no noise, until it returned to West Gloucester. She thanked the Council for their help with this problem.

**Summary of Discussion:** **Councilor Gilman** called a point of order, requesting that **Senator Tarr** be allowed to speak since he had to leave the meeting at 7:00 p.m. for another commitment, and that the

remaining two callers for oral communications be heard after the MBTA presentation. **Council President LeBlanc** explained that there was one more caller who had not yet been heard, as well as Patti Amaral, who had already spoken. He decided to finish up oral communications quickly before the presentation began.

**Marc St. Pierre, 8 Woodward Avenue**

He stated that he grew up near Salem Willows and the coal-fired power plant. The power company communicated well with the residents in that area, and even offered cleaning services for their windows on occasion. He mentioned that everything that has been said about the MBTA is accurate. The main comment he wanted to share was requesting an inclusive way to make this work for the residents. He stated there is zero communication, and lots of seeming disregard when you deal with Keolis, which is a big problem.

**Patti Amaral, 14 Myrtle Square**

She stated that our sewage treatment plan is on a flood plane, what additional cost for a secondary sewage treatment plant will it bring for the taxpayers? **Council President LeBlanc** informed her that is also on tonight's agenda for a vote.

**Ken Burdsall, 46 Woodward Avenue**

He stated that he has lived there for 40 years, and has never seen anything like this, it is just ridiculous. He said it is unbearable. **Council President LeBlanc** thanked him for keeping his communication short so that **Senator Bruce Tarr** would have time to speak, and told him that he understands his concerns.

**PRESENTATIONS/COMMENDATIONS:**

The MBTA Commuter Project Update

**Senator Bruce Tarr** began the presentation. He thanked the **City Council**, and stated that it is an honor to serve with all of them, particularly in these challenging times, as well as the **Mayor** and her administration. He stated that he does think it is important to talk extensively this evening about the MBTA Commuter Rail Project, particularly the project around the bridge that carries the commuter rail over the Annisquam River. He recognized that a few comments have been made about his involvement. He pointed out that advocacy on behalf of the residents has been not only his province, but also that of many members of the City Council, as well as the **Mayor**, and **State Representative Ann-Margaret Ferrante**, who have all been working to try to find a good solution to a very challenging problem. He explained that it is important that they understand the full context of the problem. However, the fact is that we have been living with one of the most challenging and dangerous train bridges in the Commonwealth of Massachusetts, and have been working for many years to try to address that. Initially, the project was conceived as a repair project, and the idea behind that was to be able to maintain commuter rail service by utilizing one of the two tracks that crosses the bridge, and by working on one side of the bridge, and maintaining the operability of the other track, and then reversing that process. From its inception, there wasn't the necessity of having a lot of train idling because the train was reduced to slow speeds to transit the bridge, but there wasn't the need to have the train detained for long periods of time. It was determined awhile ago, and the folks at the MBTA can certainly provide more clarity on the exact date, that because of some of the weakness in some of the critical structural components of the bridge, particularly the abutment that is on the West Gloucester side of the bridge aperture, that it was not safe to try to maintain the project as designed to have one side of the track operable while the other side was replaced. It was a very difficult decision because obviously that disrupts commuter rail service, but it was a decision that had to be made. Anyone familiar with the operations of the train have noticed that the train slowed to almost 0 MPH to go over the bridge when we were still working under the other project design.

With bridge replacement, there are some advantages, such as the fact that the project will work more quickly. Originally it was estimated to be a 3-4 year project, it should hopefully be less than that now. There were some concerns as to what will happen in terms of the extension. He stated that he did not know a lot about that, and hopefully there will be an explanation from the MBTA staff presenting this evening. Obviously, the need to stop rail service over the bridge has caused a very significant issue with regard to noise and disruption for the people that are affected by that noise. He pointed out that this is not only an issue that affects West Gloucester residents in the proximity to the station, but as the train was initially moved in response, he believes, due to communication from some of those residents. When moved closer to the bridge, it became a problem for residents of the condominiums near the bridge, and also the residents of Wolf Hill, and others as well depending on where the train was sited. Part of the vexing nature of this problem is trying to find a place where it will not affect anyone. Because simply moving it from one place to another creates a short-term solution, but that solution also creates harm to the people that are newly affected by the relocation of the train.

He pointed out that it is important to have good communication. He appreciated the comments that were made by the residents who offered testimony tonight during oral communications, many of which have been in contact with his office, as well as **Representative Ferrante**, and the **Mayor**. He stated that they take their concerns very seriously, and that is why they are working to expedite a solution here. They have been working with the MBTA on a daily basis. He mentioned he also believes in transparency. One of the things that they have been doing regarding this project is when there is a change or something of significance, they have been trying to come before the City Council to make a presentation. Unfortunately, not all of those presentations have been well-attended by the public, their hope is that through the use of cable television, people can see what is happening. Given the comments here tonight, he also suggested compiling an email notification list so they can be sure to address everyone who is affected instead of those who may happen to catch a City Council meeting, see something on cable TV, or read about it in the newspaper. He believes they can do better than that, and he stated that they are all committed to being able to develop that system so they can do that. With all of that being said, he does think it is important to understand that they have been trying to work very quickly to find a solution to this problem. He also credited a new member of his staff, **Ted Costa**, who has been spending a considerable amount of time acting as a liaison to people in the neighborhood, the other neighborhoods that have been affected, as well as to the Council, administration, and the MBTA.

In order to move expeditiously, they have not had the opportunity to hold a public hearing about the solution that will be presented tonight. They have worked together to identify what they think is a good detention area for the trains when they need to remain idling for a significant period of time. It is also very important to know that early on, they asked why the trains needed to idle at all, why can't they be shut off while they are not operating for long periods of time? There are statutory and regulatory answers to that he is sure that the MBTA staff will provide, but he wanted to be sure that people know that they had asked that question.

The last point he made was that the solution being discussed is one that is very fluid. It does involve the relocation of some switching, and the changing of some layouts. It also will be affected as construction continues with regard to the bridge, which will require the necessity of an access road to be constructed alongside the bridge. This also has safety implications, because having a train move in close proximity to an access road where there are people and equipment also needs to be considered very carefully in terms of safety parameters. He reminded everyone that this has been a team effort. On behalf of **Representative Ferrante**, the **Mayor**, the City Council (particularly the Ward Councilors whose wards have been impacted by this project), and they deeply appreciate the communication they have had with the MBTA to try to identify an effective and rapid solution.

After the introduction, **Senator Tarr** expressed his commitment, along with the City Council, **Representative Ferrante**, and the **Mayor** to be able to find a solution. He stated that they remain committed to addressing all of the issues that have been raised, particularly as they develop a better system of

communication, to receive those communications more quickly, and input them into the process. He thanked the Council for accommodating him by taking him out of turn (order).

**Angel Donahue-Rodriguez, Director of Special Projects in the Massachusetts Department of Transportation General Manager's Office**, gave a slideshow presentation titled "Massachusetts Bay Transportation Authority Gloucester Drawbridge Update". He presented on behalf of the Secretary of Transportation and the MassDOT. He explained that he handles the legislative policy at the federal, state, and local levels.

**Mr. Donahue-Rodriguez** stated that they certainly hear the concerns of the neighbors. He explained he has been working with the different legislative offices. He is happy to sit down with anyone, neighbors of members of the City Council, to hear how they can best improve some of the communications around the neighborhood to try to mitigate some of the impact so they can at least hear what significant changes are occurring with the project.

### **COMMUNICATIONS with EXTERNAL STAKEHOLDERS** **GLOUCESTER DELEGATION**

- Multiple Conference Calls with State and Local elected office holders
- Use of Social Media and MBTA website informing customers of changes
- Weekly diversions sent to elected and the public (public needs to be subscribed).
- Gloucester Drawbridge Community meeting held March 11, 2019 at City Hall.
- Will continue to engage delegation as issues arise from residents.

MBTA Chief of Capital Program Delivery Katie Choe stated that she is happy to be here tonight. She has only been with the MBTA since January 2020, so this is her first chance to present to the City Council and the residents of Gloucester. She provided a short overview of the Gloucester Draw Project since it has been before the Council before, and focused on the changes to their approach that have occurred over the past few months. A photo of the existing drawbridge and a photo simulation of the proposed bridge were shown.

### **PROJECT OVERVIEW:**

#### **110-YEAR OLD BRIDGE: LOTS of UNEXPECTED PROBLEMS**

#### **EXAMPLES**

- **Northwest Wall-1911 Retaining Wall** (outside project limits) is failing, threatening slope collapse and track failure, train service suspended 4/29/20
- **East Abutment**-Excavation on 4/30/20 exposed loose rock base rather than a solid foundation, precludes partial demolition of the structure and single-track operation
- **Stability/Strengthening**-Field conditions have raised questions regarding the stability of the span once a partial demolition is complete unless extensive strengthening and stability improvements are undertaken on the existing structure

**Ms. Choe** explained that this project has been likened to renovating a 100-year-old house, where you are never quite sure what will happen when you open the walls. The anticipated approach that they had taken originally where they could continue running service on one of the tracks while taking the other half of the bridge down (kind of cutting the bridge in half down the middle) was not possible once the construction started. They found that site conditions were different than what they had anticipated. Some of the structural elements were less stable once they started cutting the bridge in half. What had originally been expected was now running the risk of creating a two-year delay on the project, and upwards of \$15 million in overruns due to technical risks and unforeseen conditions which no one wanted. Construction adjacent to live train traffic also presents safety hazards to the construction workers and trains, so they took a hard look at a new approach.

It was decided that service would be suspended at the West Gloucester and Rockport stations to give the contractor unencumbered access to the entire bridge to demolish and rebuild all at once, which mitigated schedule risk and allowed the project to get back on track. It was safer for the contractor (which was also paramount), resulting in a better and more successful project for all involved. Full shuttle bus diversion was successfully implemented for 6 weeks during the Summer of 2019 with no ridership issues, and is in effect until at least Summer 2021. The free shuttles are now in place from West Gloucester to Rockport, and this diversion typically adds no more than 10 minutes to the overall trip time.

A slide highlighting Ridership Levels was presented, and she explained that this is a good time to be doing this project since ridership levels are currently low due to COVID-19. Across the MBTA (not just on this project), they are taking advantage of low ridership to try to accelerate many of their projects. This is impacting far fewer residents from a ridership standpoint than if they had done this a year ago. **Mr. Donahue-Rodriguez** noted that overall commuter rail ridership is currently 7-10% of what was normally projected from last year. That equates to 10 or less people per station during the AM/PM Peak. Resiliency Planning will be undertaken to transition to normal ridership post-pandemic, and will include social distancing, potential procurement of large buses, and station planning and logistics.

**Assistant General Manager of Railroad Operations Jody Ray** explained that 1/3 of the overall ridership receives a shuttle to Rockport, 2/3 go to Gloucester. Busing seems to be working ok. It does cause concern because that is one of the reasons why some of the trains sit at West Gloucester station. They are unloading passengers outbound onto buses, and a different set of buses are bringing people in from Rockport and Gloucester to meet the train for an inbound trip.

Three charts were presented. The top one includes the morning and afternoon peak period trains that will continue to wait at the "Top of the Harbor" location since they do not have sufficient time to get to the Lily Pond location behind Magnolia Industrial Park. The second and third chart indicates trains that have time in their schedule, and will move to the Lily Pond location before returning to West Gloucester to meet up with the buses from Rockport and Gloucester station and then depart West Gloucester enroute to Boston. The second chart also displays all of the weekday trains not on the first chart that have sufficient time to get to the Lily Pond and back. The third chart includes all of the Saturday, Sunday, and Holiday trains which will use the new Lily Pond location (the furthest distance they can move the trains away from residents). Trains with the longest dwell times are moved to the Lily Pond whenever possible.

During peak periods, the trains are scheduled to hold as close to the drawbridge construction as possible during their dwell times. As referenced by Woodward Avenue residents during oral communications, Mr. Ray explained that some of the noise changes that have taken place in the last couple weeks are due to the fact that the switch that was once on the track halfway between the old harbor station and the drawbridge has been moved while it was not in service to a few hundred feet beyond the access platform at the West Gloucester station. It was removed one weekend, installed the second weekend, this past weekend it was placed in its current location, inspected, and put back in service. As of this morning, trains could now proceed through the switch up to their original holding location beyond the harbor station. They were unable to do that while the switch was in partial relocation, which left them no option but to idle near Stanwood Avenue, but now that it has been completed, the situation should improve.

#### **IDLING LOCATION:**

"Engine Hold" signs have been installed directly behind the XP Power Company Building at 11 Kondelin Road in the Cape Ann Industrial Park. The locomotive is 800 feet from the Lily Pond. Please note there are some changes that will happen in this area that will require modifications to the previous charts.

1. A proposed track modification needed by the Bridge project may have the added benefit of resulting in a couple more trains gaining sufficient time to get to the Lily Pond location.

2. A short duration track maintenance work effort will temporarily cause some adjustments to these charts, and that work is scheduled to start later this month.

An access road to the drawbridge is needed on the Boston side, so from Stanwood Avenue, there will be a new, temporary access road created that will allow a construction crew to be able to get onto the alignment of the former outbound track, drive up to the drawbridge, and work on the spindle of land leading out to the drawbridge, building a retaining wall, and doing some other improvements out there that are part of the drawbridge project. That work will take place between now and when they are able to return one track to service, projected for next summer. While that is going on, the trains will continue to pull up to the Annisquam River marshland as close to the drawbridge as possible. While he cannot guarantee it, he explained that the other thing that happens by moving the switch location closer to where the trains unload in West Gloucester is there may be additional trains that can be moved down to the Lily Pond. That is a newly available option to them that they will be investigating. After rush hour, trains have more dwell time. Keolis managers will be dispatched to make sure that their crews are following the directions they are being given.

**Councilor Pett** asked **Mr. Ray** to explain about the federal requirements regarding the bells and whistles used by the trains. Any time a train is moving within the platform area of a station, the bell has to be ringing. It is not an option. The engineers would be in violation of federal law if they did not turn the bell on as soon as the train entered the platform, and it must remain on until the train leaves the platform, any time the train is moving in that area. In the case of West Gloucester, it is possible to have a single train move through the platform three times and needing to ring the bell four: it enters the station to unload passengers, while it is getting into position for its return trip it then transfers tracks and comes back down through the platform on the way to the Lily Pond, bell ringing as it goes through the platform, and then enters the West Gloucester station again with the bell ringing, and rings again as it departs.

The train also needs to sound its horn when it changes directions on the main line to notify anyone in the area that it is about to move in a different direction. Beyond that, there is also a requirement to sound the horn whenever they see anyone on or about the tracks, so during the work that was being done to move the switch, there were railroad construction workers all over the place. Sounding the horn was required any time a train approached workers on the tracks to let them know the train was approaching. The bell is automated, it is either on or off, so there is no choice by the engineer to make it ring more or less times. **Councilor Pett** stated that while it is a federal requirement, it has created an additional burden in this situation. He thanked **Mr. Ray** for the clarification.

Referring to a statement made during oral communication about engine changes, **Mr. Ray** explained that there have not been any engine changes on the MBTA Commuter Rail fleet since 2014-2015 when the newest locomotives were accepted. The rest have been in service for decades.

**Mr. Ray** explained that the engineers have been told where they are supposed to stop. He has been assured by Keolis that everyone is stopping in the right place when they can get there. If they are not doing that, **Mr. Ray** needs to be notified so he can communicate with Keolis.

**Councilor Holmgren** thanked everyone for attending the meeting, specifically **Senator Tarr, MBTA Senior Director of Bridge Projects Brad Nicoll, Ms. Choe, Mr. Ray, and Mr. Donahue-Rodriguez**. She explained that she just received a text from a constituent stating that almost none of the trains are going to the Lily Pond whether there is adequate time or not. **Councilor Holmgren** explained that she lives in that area, and has heard the enormous engines on Woodward Avenue that have a huge impact on the quality of life in the neighborhood.

**Councilor Cox** thanked them all for being there tonight to provide an update, and to listen first-hand to some of the complaints being received in Gloucester. She stated that she does not envy their position, and

acknowledged that once the change takes effect, residents in downtown Gloucester will be upset because they have not been subjected to the noise in awhile.

She shared a constituent's complaint she received, that when the train is stopping in West Gloucester, it is not stopping at the platform, people are being forced to exit the train without the platform. In some instances, the step to the ground is so big that people are having problems traversing that exit, and due to COVID-19, people are concerned about needing to touch others for assistance, in addition to being concerned about injuring themselves. She stated that she does not know why the platform would not be used, and asked if there was a reason for that, and could they please let her know so she can pass that information along. She elaborated that if the platform is supposed to be used for safety, she would definitely encourage the MBTA to reinforce that.

**Councilor Cox** mentioned that she visits the Lily Pond to take photographs often. There are a lot of neighbors in that area as well, so she believes they are going to be trading one problem for another regardless of where they go, but mitigating it as much as possible is ideal. She also asked if it was possible for a site visit to be conducted by the City Council that the MBTA members present at tonight's meeting attend, and that a meter reader be used during the site visit to detect noise levels so they can all really learn first-hand what some of these problems are.

#### **Councilor Questions**

**Q1 (Holmgren) What is the disconnect between the MBTA and Keolis? To keep everyone accountable and on the same page, can one of you please provide your contact information so that the City Council and/or a neighborhood spokesperson can have it?**

**A1 (Donahue-Rodriguez)** What I can do is email all of you my contact information, that way you all have it.

**A2 (Ray)** If I could add one thing to that, the key thing for everybody to remember is that the last two and a half weeks has been different because there has been no time for any train to get down to the Lily Pond while the switch was unusable. Beginning this morning, there should have been changes with that happening, so please let us know what is going on from today forward, that is what will be the most helpful for us.

**Q2 (O'Hara) Is Brad (Nicoll) available? What is the reality of how long this is going to continue?**

**A1 (Nicoll)** To be transparent, what we are looking at due to the risks that we found with construction and an overall abundance of caution and safety, just to clarify, the bridge is two bridges that will have two new draw spans, one on each track, and we are focused on getting one track back in service, and we are targeting the summer of 2021. That is consistent with the original project goals as well. Once one track is up and running, it will hopefully alleviate some of these problems because the trains can return to service over the bridge, and resume service in West Gloucester and Rockport. That is the current goal, and then construction would continue into the Fall of 2022.

**Q3 (O'Hara) Why do the trains need to remain idling, can they be shut down?**

**A1 (Ray)** Train brakes run on air pressure, and trains have an air compressor on board. If the engine is not running, it is not creating air for the brakes, so if you were to shut off a train, and you have an air leak, that train can actually begin rolling and move someplace it is not supposed to before you can get it restarted and charge up to the air brakes to get it stopped again. Whenever a train is on the main line, the engine is running to make sure that the air brakes stay perfectly charged to the proper pressure. It is not about air conditioning, lights, or anything else, it is just the air brake system that drives that need.

**Summary of Discussion: Councilor O'Hara** thanked **Mr. Ray** for the great explanation. **Councilor Nolan** spoke to **Mr. Donahue-Rodriguez**, and stated that he has been to the site referred to as the Lily Pond (which is not actually on the pond, but is located near it at 12 Kondelin Road). He explained that it is out in the middle of nowhere, and he has noticed a train there, and thinks it is a great spot that will work for the neighbors. However, he mentioned that they are dealing with a lot of people who normally do not complain about much, they work hard, they live their lives, they understand that the train is a necessity, and that they bought a house next to train tracks, but the noise is a bit excessive. They continue to try to keep the trains from idling, and have as many of them as possible head to the Kondelin Road location, that would work better. He also expressed the importance to the City Council and the residents that the MBTA continues to work on this matter with everyone involved.

**Mr. Donahue-Rodriguez** reiterated what **Mr. Ray** had previously stated, that he believes having Keolis managers on-site to ensure that those trains are staying in that area going forward will make a big difference. **Councilor Gilman** referred to the fact that during his presentation introduction, **Senator Tarr** had mentioned a way to send emails to residents, particularly abutters. She expressed concern over possible complications with that communication method in the event that someone who was expecting to did not receive an email. She shared that the city website has a great way of updating residents in the community on major issues, and mentioned that she would like to see that be something that is focused on, since during oral communications, residents spoke about a lack of transparency and communication being part of the problem. She suggested that it might be helpful to communicate something through the **Mayor's** office, and that **Acting CAO Vanessa Krawczyk** may be able to assist with that because they can get the information out to the public without needing to wait for an article to be placed in the Gloucester Daily Times, and not everyone in the community has access to the different channels of communication. She stated that it would also make it easier for people working from home to plan their schedules as to when to make phone calls, etc. if they were notified in advance of any further noise interruptions that may be caused by the MBTA bridge project. **Councilor Holmgren** agreed with **Councilor Gilman's** suggestion, and stated that the city website is another good way to disseminate information.

**Q4 (Holmgren) This is another constituent question, are the trains able to idle at high or low throttle?**

**A1 (Ray) Typically idle is just one setting. Some locomotives have different configurations, some have a second engine that provides the generator portion of it that produces electricity for the lights and other uses on the train coaches, which is different than the main engine that provides air for the brakes.**

**Q5 (O'Hara) Seeing that this is going to go on for at least another year, is there any mechanism to install such as an electric compressor or electrify a location so the engines could be reduced, or is it possible to provide alternative air or electricity to maintain the stability of the air brakes?**

**A1 (Ray) It is something that we can look at. The problem with it is that it would probably take longer than it will to get one track back across the bridge. A significant amount of electricity would be used to do that. If anyone remembers what the MBTA went through in Rockport for the layover, for the longest time we could only plug two trains in because the electricity wasn't available. It was only a year ago that we were able to plug in all of the trains there. It is a big draw on electricity. I'm not going to say we can't do it, we can take a look at it and see if we can do something with a diesel compressor that maybe makes less noise than a locomotive engine to do the same thing with creating the air pressure we need. I can look at it, I don't know what the answer will be. We don't have anything like that on the commuter rail today. We do have electric compressors in some of the layover facilities that were built with compressors so there is air there. I can only explore it, but I will take that back as something for me to do to see if we can come up with a way that can help mitigate the problem, even if it's only for the last couple months of the project. It would take us awhile to build whatever it would be, so I will work on that.**

**Mr. Donahue-Rodriguez** confirmed with **Council President LeBlanc** that the city has the ability to do Robocalls, and stated that may be something to explore to be able to communicate rapid information in addition to sending emails. He agreed to follow up with **Ms. Krawczyk** regarding that possibility.

**Q6 (Nolan)** You had mentioned that the trains remain running to make compressed air for the brakes so they don't run away. My understanding is that it is a spring brake, and you need air to actually make the train move, but not stop for safety reasons. So if the engine wasn't running, you would still be able to have brakes because they would automatically be apply. So I just want to clarify that the trains need air for the brakes to work, or that they need air so the brakes will release?

**A1 (Ray)** They need air for the brakes to work. The brakes are not spring-applied, they are air-applied, so the first thing that happens when you charge up a train is it pumps up the air, it pumps the brakes off, then you apply air to the other side of the cylinder, and it puts the brake on. If the air bleeds off on the train line, the brakes will release, and the train will roll free. There are no spring-loaded brakes, there are mechanical brakes that can crank on some of the coaches, and on the locomotive, but they can't be relied upon to stop a train on a grade.

**Summary of Discussion: Council President LeBlanc** stated that this is usually not done during presentations, however, as long as there was no councilor objection, there were a couple of remaining people on the line with questions or comments that he would allow to speak.

#### **Marc St. Pierre, 8 Woodward Avenue**

He thanked everyone for their presentation, and for listening. He stated that with regard to the various potential locations for idling, something important to consider is the proximity of the homes to the trains. On Woodward Avenue, some of these homes are 25-50 feet away, so when considering where it idles, it is important to look at the proximity of how close the diesel is to one's residence.

He specifically mentioned to **Mr. Ray** that since the trains have to ring the bell, what matters is the amount of rings per minute, and while it sounds really particular, he asked why one train rings a bell 10-20 times, and another 80-90 times, and why would one blast the horn 6-7 times to one another. To him, it needs to be something that is much more set, and looked at as a potential mechanical adjustment in the horns and bells.

He addressed **Ms. Choe**, who stated during the presentation that ridership was down, and asked why not cut down the amount of trains running, because this problem of idling is such an issue. Finally, he thanked **Councilor O'Hara** for suggesting the electric support to reduce idling. He stated that he knows they have that in Rockport, and at this point with all the noise, he doesn't care about the expense of the electricity for the MBTA, because the situation is not very acceptable.

#### **Jane Gagliardi, 43 Woodward Avenue**

She thanked everyone for their efforts to resolve this issue. As an 18-year Gloucester resident, she shared that she would not have moved here if not for the commuter rail, it has been an asset until fairly recently, however, the switch is in her backyard. Different engine configurations have been mentioned, and she wondered if that is the reason that the noise level varies from one train to another, and some trains are so much louder than they have ever been. The neighbors have discussed the fact that this is a continuous experience, and people are welcome to come experience it there. If something could be done so that the early morning trains and the very late trains (since there is probably not a lot of traffic during that time) could be taken out of the station, and not idle for extended periods of time, that would be great. She said she is not sure whether those are the trains being included in the changes or not. Lastly, she stated that the enthusiasm of some of the engineers in hitting the horn varies dramatically, and that has always been the case, but particularly now, anything that can

be done to lessen the aggravation and irritation from the trains would be greatly appreciated. For example, if engineers could beep the horns instead of blasting them, and wondered if there is a regulation as to the number of times it needs to be hit, because it certainly seems like the horns vary in the amount of times. Those are things that she hoped could all be looked at.

**Q7 (Holmgren) Could we possibly have you email a copy of this presentation to us?**

**A1 (Donahue-Rodriguez) Absolutely.**

**Council President LeBlanc** suggested that a PDF of the presentation be sent to the **City Clerk's** office so it will be on file, and from there it can be forwarded to all City Council members. **Mr. Donahue-Rodriguez** agreed to do that. **Council President LeBlanc** thanked **Senator Tarr** and his representative **Ted Costa, Mr. Donahue-Rodriguez, Mr. Nicoll, Mr. Ray, and Ms. Choe**, and stated that he appreciated their time this evening. He is sure that it won't be the last time that he hears from them, or vice versa since an open line of communication is key, and wanted to maintain it to help meet the needs of the constituents regarding this matter.

**CONFIRMATION OF NEW APPOINTMENTS:**

HR Director                      Holly Dougwillo (fulfilling an expired term)                      TTE 2/14/21

**Summary of Discussion: Ms. Dougwillo** shared that Human Resources is a fast-paced, exciting, and evolving profession, it is the go-to department for all employees for their related issues, and she stated she believes as a municipality, Gloucester is unique in that the majority of employees are career employees who are hired young and remain until retirement, so she hopes to encourage and support the administration, and the department managers, because she believes positive people make a difference.

The **Mayor** thanked her for stepping up to the plate, and shared that she has been working with **Ms. Dougwillo** prior to her 26-year career with the City of Gloucester when they worked together to secure health insurance for City residents and employees, as well as navigating Medicare policies, reimbursements, and Workman's compensation. The **Mayor** recognized her ability and qualifications, and acknowledged that she has had opportunities to be promoted in the past, however, she wanted to learn and grow in the field, and was waiting for the right place and time to accept a promotion. They both believe that now is the right time to move this initiative forward, to focus on "human" resources, and see what else can be offered to employees. She stated that she is looking forward to working with her in this new position, and expressed hope that the City Council endorse and approve her appointment as well.

**COMMITTEE RECOMMENDATION:** On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council appoint Holly Dougwillo as HR Director (fulfilling an unexpired term) TTE 02/14/21.

**Councilor Holmgren** shared that she is very happy to vote to appoint **Ms. Dougwillo**. She thanked her for filling this role, and commented that the City is in excellent hands.

**Councilor McCarthy** stated that he has worked with her for the majority of her career, that she has always been very responsive, he is glad that she is taking this position, and to have her leading that department.

**Councilor Cox** shared that she is also happy to say yes to this appointment as well, she was a godsend when the Councilors were originally elected, and has been extremely helpful ever since.

**Councilor Gilman** stated that as a fellow HR professional for over 25 years, she appreciates the great customer service that **Ms. Dougwillo** offers. Part of being successful in the field is understanding the needs of

the community that you serve (city staff). She believes she is very well-suited for the position, and voted to support her.

**Councilor Memhard** gave a thumbs up.

**Council President LeBlanc** stated that he supports her 100%, and thanked the **Mayor** for promoting internally, he thinks it is great not only for the administration, but for the Council as well and the rest of the City employees, and he is looking forward to working with her.

**MOTION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to appoint Holly Dougwillo as HR Director (fulfilling an unexpired term) TTE 02/14/21.**

**CONSENT AGENDA:**

• **CONFIRMATION OF REAPPOINTMENTS**

• **MAYOR'S REPORT**

1. New Appointment

Human Rights Commission (TTE 2/14/23) Hannah Kimberley (Refer O&A)

2. Memorandum from Fire Chief re. request amendment to GCO Sec. 8-21(d) "Qualifications and appointments of firefighters" (Refer O&A)

3. Memorandum from Veteran Services Director re. request acceptance of donations in the amount of \$1,295 (Refer B&F)

4. Memorandum from Grants Administrator re. request to accept Affordable Housing Trust's recommendation to fund \$200,000 to the YMCA of the North Shore for an affordable housing development project at Middle Street #71 (Refer B&F)

5. Memorandum from Police Chief re. request, in accordance with GCO Sec. 2-52, to commit a 5-year obligation and payment schedule for Tasers (Refer B&F)

• **COMMUNICATIONS/INVITATIONS**

• **INFORMATION ONLY**

• **APPLICATIONS/PETITIONS**

1. Special Events Permit Application: Request to hold the Halloween Walk Thru on October 31, 2020 (Refer P&D)

2. SCP2020-005: Rocky Neck Avenue #37, Map 130, Lot 4A, GZO Secs. 2.3.1.7 "Conversion to or new multi-family or apartment dwelling, four to six dwelling units," and 3.2 "Dimensional Tables," reduction in minimum lot area and open space per dwelling unit to create a fourth unit, in the NB zone (Refer P&D)

• **COUNCILLORS ORDERS**

• **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**

1. City Council Meeting: 9/8/2020 (Approve/File)

2. Joint City Council & School Committee Meeting: 9/15/2020 (under separate cover) (Approve/File)

3. Special O&A 9/21/20 (under separate cover) (Approve/File)

4. Standing Committee Meetings: B&F 9/17/2020 (under separate cover), O&A 9/14/2020 (cancelled), P&D 9/16/2020 (under separate cover) (Approve/File)

**Items to be added/removed from the Consent Agenda: Councilors Cox and Gilman** requested that Item 2 be removed to avoid any misunderstanding with the public since as of tonight's meeting, the School Committee meeting minutes have not yet been received.

**MOTION: on a motion by Councilor Cox, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 9 in favor, 0 opposed to accept the amended Consent Agenda.**

**COMMITTEE REPORTS:**

• **Budget & Finance – September 17<sup>th</sup>**

**MOTION: on a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 9 in favor, 0 opposed to accept the Consent Agenda for the September 17, 2020 Budget & Finance meeting.**

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, §53A, a cash donation in the amount of \$75.00 from Linda and Edward Comeau to be used to support the on-going efforts to serve our Cape Ann Veteran's and Active Duty military communities

**MOTION: on a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 9 in favor, 0 opposed to accept under MGL c. 44, §53A, a cash donation in the amount of \$75.00 from Linda and Edward Comeau to be used to support the on-going efforts to serve our Cape Ann Veteran's and Active Duty military communities.**

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, §53A, a private grant from the Massachusetts Bicycle Coalition in the amount of \$1,000 for the purpose of initiating a community engagement plan with residents and leaders of four communities (Rockport, Gloucester, Essex, and Manchester-by-the-Sea) around improvement for safe and equitable biking and creating a Cape Ann Regional Bike Master Plan, building upon the existing work of the Cape Ann Mass in Motion Coalition. The grant period is through December 31, 2020 and there's no local matching funds.

**MOTION: on a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, §53A, a private grant from the Massachusetts Bicycle Coalition in the amount of \$1,000 for the purpose of initiating a community engagement plan with residents and leaders of four communities (Rockport, Gloucester, Essex, and Manchester-by-the-Sea) around improvement for safe and equitable biking and creating a Cape Ann Regional Bike Master Plan, building upon the existing work of the Cape Ann Mass in Motion Coalition. The grant period is through December 31, 2020 and there's no local matching funds.**

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council in accordance with MGL c. 44, §64 approve payment of a prior year invoice from LexisNexis Invoice#1881400X dated June 10, 2020, to be paid with FY2021 General Fund Legal Department budgeted funds for a total of \$254.10.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council in accordance with MGL c. 44, §64 approve payment of a prior year invoice from LexisNexis Invoice#1881400X dated June 10, 2020, to be paid with FY2021 General Fund Legal Department budgeted funds for a total of \$254.10.**

- **Special Ordinance & Administration-September 21<sup>st</sup>-** No items to be brought forward
- **Planning & Development-September 16<sup>th</sup>-**No items to be brought forward

#### **SCHEDULED PUBLIC HEARINGS**

**Summary of Discussion: Council President LeBlanc** stated that there were currently 104 meeting attendees.

1. PH2020-025: Loan Order 2020-006: Loan Authorization Request in the amount of \$4, 200,000 for Gloucester Water Pollution Mitigation Project

**The public hearing opened at 7:45 p.m.**

**Those Speaking in Favor: Community Development Director Jill Cahill, CFO John Dunn, DPW Director Mike Hale**

**Ms. Cahill** explained that she was there tonight on a project that she has been working on closely with the **Mayor's** office, **CFO John Dunn**, and the **Director of Public Works Mike Hale**. She explained that their team, the administration, and the City Council has been committed to resiliency projects. Gloucester was one of the first Municipal Vulnerability Preparedness grant program communities, and identified infrastructure as one of the highest priorities to protect areas such as the wastewater treatment plant. During this process, a Massachusetts Office of Coastal Zone Management (CZM) grant was secured for the initial design and feasibility of a flood protection barrier (which has not yet reached the final design stage). The next step was working with the U.S. Economic Development Administration (EDA) to secure some grant funding of around \$3 million dollars, which will hopefully be announced soon.

**CFO Dunn** explained that the loan order is for \$4.2 million dollars, and that the City expects to receive a fair amount of support from EDA once the order is accepted. It is hopeful that the overall budget will come in at much less than what is being requested, however it is more efficient to borrow more than necessary and return any unused amount than to have to appear before the Council with additional requests. He expressed thanks to the EDA for being willing to do that.

**Mr. Hale** provided a brief update to answer technical questions. He explained that a flood protection project essentially uses three types of walls. Around the existing wastewater treatment plant, there is a mix of masonry block, earth and berm, and sheet pile walls that protect the entire campus on Essex Avenue. There are two proposed access entrances off the avenue that will have temporary barriers employed during times of rising tides (when the weekend forecast predicts a storm surge). There is a tertiary access that may be available to the City on Marshfield Street in the future, if needed. This is the location of the primary plant, and will be the home of the future secondary treatment plant. It was anticipated in the 70's when the plant was designed that this would be the case. It has been asked why it is not possible to move it to a higher location, however, no other location has been proposed. It will cost \$80 million dollars for the secondary, and to build a primary plant at another location would cost about another \$120 million. The necessary piping network would also create an additional expense. This site makes sense, it is low-lying, but the barrier wall will protect it for the upcoming future.

**CFO Dunn** added that as he was leaving Gloucester tonight, he was amazed at how high the tide was coming down the river, and it spilled out into the road. He emphasized that this is something the City needs to do.

**Those Speaking in Opposition:** None.

#### **Summary of Discussion:**

##### **Pam Steele, 10 Pilot's Hill**

She stated that she thinks we need to know the cost of this potential plant before the debt exclusion vote. There are a lot of rumors and misinformation out there, and she has heard so many different things. She explained that this is the first time she has heard about the secondary plant, and she thought the City would be getting a whole new plant for \$100 million dollars. She asked if it would be possible to have the information placed in the Gloucester Daily Times, or on a billboard, anything so that it is known. She asked exactly how much the project would cost, and stated that after the debt exclusion, she did not think it was fair of the City to ask for \$80 million more. The citizens need to know before November 3, 2020, approximately (or even a ballpark figure) of what the project will cost. Everyone knows the tide is rising, everyone knows it is in a lowland. We don't want to become Flint, Michigan. We know we need to spend the money, but we need to plan and budget, and figure it out so that it can be a vote that people can buy into and afford. She asked if she was off the mark on this, or does the City not have the information right now. She stated that **CFO Dunn** must know since he manages the money.

**Councilor Cox** called a point of order, and explained that this public hearing is to address the loan order for the for the protection wall. She does not believe it is appropriate to take these questions at this time. Ms. Steele is able to ask those questions in oral communications during a City Council meeting that does not have an item listed on the agenda regarding the water treatment plant. She also has the options of contacting a member of the City Council directly, or by submitting an email through the City website for more information.

**Council President LeBlanc** asked Ms. Steele if she was in favor or opposed. She replied that she appreciates being directed on the right track since she is new to this government process.

**Communications:** None

### **Councilor Questions**

**Q1 (Gilman) Having attended the MVP session where we prioritized this matter as very high, possibly the highest, can you provide a three-minute elevator pitch explanation as to how the protective barrier will support rising tides over time, because it sounds interesting, and we want to make sure you have confidence in the barrier.**

**A1 (Hale)** Coastal resiliency is new, but certainly more on the forefront today than ever before. In the late 70's, early 80's when this site was contemplated for the wastewater treatment plant, there was not a lot of thought about rising sea levels at that time. We all recognize that rising sea levels are real, however how much it will rise in the next sixty years or so is still up for debate. We see it during our average winter storms now, and during nor'easter we're seeing it. During the winter of 2018, employees were trapped for two shifts at the facility due to the inability to get out onto Essex Avenue. A barrier creates a seawall on the landward side of the avenue to protect it from water reaching that seawall. You wouldn't put up a vertical wall of granite or concrete. Earth and berm is lower cost construction methodology that works a little better in backyards, and serves the same purpose. So there is a mix of different wall technologies here that serve the same purpose of keeping the ocean outside of the campus of the wastewater treatment plant. Those entrances are normally open, but during a storm surge or potential storm, they can be protected with removable barriers, gates that will be put into place to protect the site completely. The employees will be stuck inside, but they will be safe inside the building. This technology is not new, or even new to Gloucester. The Boulevard is not a natural wall, it is there to protect Western Avenue from getting wet during every high tide, however, waves are now sometimes topping the Boulevard. The idea is to raise the level around the plant to protect the plant itself. The plant is all mechanical and electrical, so you want to protect it completely so the wastewater can be processed without any interruption during any storm for the foreseeable future.

**Q2 Follow-up Question to Q1 (Gilman) Can you tell us a little bit about the consultation we've had from experts that this will hold based on the anticipated sea level rise? Could you please briefly describe the consultation and advice that has been received.**

**A1 (Hale)** This is an engineered project even at this level right now. The ability to protect the plant is no different than protecting the infrastructure in any other low-lying area. We have a team of engineers who have gathered a consensus of what the sea level rise is expected to be in the foreseeable future, a reasonable amount of time of between 50-70 years based on what experts in the industry say will be the sea level rise, and those numbers range from inches to feet. It is a difficult number to nail down, but you base it on some agreed upon engineering benchmark, and that is the top of your wall, and that will protect. From a structural standpoint, however much water is on the outside is what the wall can withstand in differential pressure. This is a wall of mixed materials that will keep out the ocean and protect what is on the inside of it.

**A2 (Cahill)** Not only have the City engineers and consultants reviewed this project, but the EDA consultants at the federal level have as well. The City feels confident in the preliminary design, and there are lots of eyes on it.

**Summary of Discussion: Councilor Pett** thanked the entire administration, as well as **Ms. Cahill, CFO Dunn**, the **Mayor's** office, and **Mr. Hale** for working on this. He also extended thanks to the EDA for their assistance in picking up the majority of the cost of this project.

**Q3 (Pett) If we approve this loan order, and it is all set and done, what type of timeframe are we talking about for completion of the project?**

**A1 (Hale)** It is a little early in the process to say that. We have some permitting in front of us, completion of the design, and bidding. We lost a full construction season from spring and summer this past year (due to COVID-19). I don't want to guess. From a duration standpoint, it is probably no more than 18 months, but when it will begin and end, I don't have those answers for you right now.

**Q4 Follow-up Question to Q3 (Pett) OK, but it would be reasonable to say that 2 years from now, at the end of the construction season, hopefully the project will be completed?**

**A1 (Hale)** If we all stay healthy this fall and winter, yes.

**Summary of Discussion: Councilor O'Hara** stated that he wanted to direct a question to **CFO Dunn**. He said that he has been reaching out, this is a lot of money. The City Council got a loan order piece of paper requesting \$4.2 million dollars, with basically no support information. He received an email from **Mr. Dunn** today at 2:55 p.m. giving him the breakdown of this \$4.2 million dollar request. He went on to say that he is being asked to approve this money based on...

**Council President LeBlanc** reminded **Councilor O'Hara** that Councilor Questions were being asked right now, and asked if he wanted to wait for Councilor Discussion since that may be more appropriate.

**Councilor O'Hara** responded that he had questions, and that he doesn't know what is going on here. He believed the City Council had received no support information, and questioned how he can consciously vote yes or no. He stated that he is in favor of protecting this huge asset that **Mr. Hale** has worked so hard on for our City, but the Council needs to vote on money that is not theirs, it is the taxpayers'. He explained that his expertise is in construction, and he feels that the Council has nothing to justify to their constituents how this amount of money will be spent. He stated that in this \$4.2 million dollars, there is at least \$1 million dollars in contingency. He thought the Council needed more information before they vote on the loan order.

**Council President LeBlanc** asked **Councilor O'Hara** to ask CFO Dunn a question, and the **Mayor** requested that **Councilor O'Hara** allow **Mr. Dunn** the chance to answer the question.

**Council President LeBlanc** and **Councilors Holmgren** and **Cox** called a point of order, stating that if **Councilor O'Hara** had a question to ask, it should be regarding the loan order only.

**Councilor Holmgren** stated that **Councilor O'Hara** needs to plan to attend some Budget & Finance Committee meetings if he wants to know more information. **Council President LeBlanc** agreed. As the Chairperson of the Budget & Finance Committee, **Councilor Cox** suggested that **Councilor O'Hara** include her in the emails that he sends regarding matters pertaining to the committee if he is unable to attend those meetings, and stated she will be more than happy to assist him with making sure his questions are answered.

**Councilor O'Hara** requested to invoke 2-11(c). **Council President LeBlanc** stated that 2-11(c) will be invoked, and explained that it is usually called for any new information that has been brought before the Council, and asked **Councilor O'Hara** what new information had been brought before them this evening. **Councilor O'Hara** responded that he had no information, and cannot consciously vote on \$4.2 million dollars without knowing anything about this project.

**Councilor Cox** stated that unfortunately, **Councilor O'Hara's** request will affect the City's ability to receive the grant, which would leave the taxpayers responsible for the \$4.2 million dollar bill.

**General Counsel Chip Payson** was consulted to determine if this was a proper usage of 2-11(c), and he read the Gloucester City Charter (Revised 2011) Section 2-11(c) (Procedures) Charter Objection that states *that on the first occasion that the question of adoption of any measure is put to the city council, except an emergency measure as defined in Section 2-11 (b), if a single member objects to the taking of the vote, the vote shall be postponed until the next meeting, regular or special. If when the matter is next brought before the city council for a vote, four or more members object to the taking of a vote, the matter shall be further postponed for not less than an additional five days. This procedure should not be used more than once for any measure notwithstanding any amendment to the original measure.*

He concluded that this was the first occasion of the adoption of the measure, however, it may be premature to invoke it since the public hearing was still being conducted in the Councilor Question stage, and the Council had not yet reached the point of taking a vote on the matter.

**Q5 (O'Hara) You've done a great job as far as explaining the mechanical gates that would be at the entrances to the campus. Around the perimeter, this would be earth and sheet pile?**

**A1 (Hale)** It's actually three technologies: earth and berm, sheet pile, and concrete block reinforced over earth and berm depending on the reveal, view, and soil conditions. An extensive engineering report and soil testing was done. The surrounding area is salt marsh. As you know, the site was pre-loaded in 1977-1978 to support the structures you see on it today. So obviously on the perimeter, those areas weren't pre-loaded, so you have to be cautious about how much weight goes on the surface. Earth and berm, and perhaps masonry wall wouldn't work in those areas, so you have to do sheet pile walls because they are less weight, and they serve the same purpose. Certainly in the front of the property there is an aesthetic piece to it, you don't want to have the sheet piles that are 6 feet tall facing Essex Avenue, but it is a small piece, not a large piece that provides the aesthetics to this.

**Summary of Discussion: Councilor O'Hara** thanked **Mr. Hale**, and explained that the technology is being upgraded and implemented in New Orleans, and stated that the aesthetics is secondary to the mechanical ability to protect this huge asset that the City is reliant on.

**Q6 (O'Hara) How confident are you, where in the engineering stages of this as far as elevation that you'll top out at as far as protection, and the potential to add on if need be?**

**A1 (Hale)** From an engineering standpoint, we're probably at 30 plus percent, which means it's done, it's just not polished. In engineering design, it may seem like a low percentage, but the bulk of the work is done in the first 25%, after that it is solely a matter of finding costs and specifications, so this has been looked at by a competent civil engineering firm who is doing this work in other communities, the elevation is...

**Q7 (O'Hara) The elevation isn't critical. Would this be a structure you could add onto? Obviously years down the road, are you thinking this would be something that could be built into the design?**

**A1 (Hale)** It could be added on to, there are a couple of questions that need to be answered before that. We are not basing this off of a low estimate. We are basing this off of an average estimate of sea level rise. Again, that number is a moving number, and you're aware of that in your profession. We do not know what sea level rise will look like in the next 50-80 years, so this is based on best practices in the engineering field, and there is some leeway given. We don't want it so it is just topping the wall, wave action is taken into account here, because you can't have wave action even on the river. All of that is "baked into" the design so to speak, perhaps you could add on to it, but there are a lot of things that could happen if we have to start talking about adding on. You look at the surrounding areas, if we are adding on to this, we've lost Western Avenue, we've lost the high school, we've lost a huge section of Gloucester well before we're going to be topping Elevation 17, that is 7 feet above the average grade on Essex Avenue right now. A 7-foot sea level rise is dramatic, even in some of the more dire predictions for the future.

**Summary of Discussion:** Councilor O'Hara began to ask another question to Mr. Hale, and Councilor Gilman called a point of order, and stated that there were currently several members of the Council with hands raised, and she did not think it is fair that one councilor can ask four questions.

Councilor O'Hara said thank you, and stated that he agreed to step aside.

Councilor Holmgren shared that there were 104 meeting attendees who are all taxpayers.

**Q8 (Holmgren)** Since we have 109 people in attendance, I'm assuming they're all taxpayers, we (City Council members) are all taxpayers here, I would like to know, if we do not proceed and get this grant tonight, exactly what the full bill would be.

**A1 (Dunn)** At this point, the EDA is committing to us a \$3 million dollar grant, so if we don't do this, we don't get the \$3 million dollars. To be truthful, we believe the \$4.2 million loan request is probably a bit high, we will hopefully come in below that.

**A2 (Cahill)** The whole project estimate was \$4.2 million, and the EDA has taken a special request on the Mayor's behalf. They usually fund these types of projects at 50%, and because of our extenuating circumstances here in Gloucester, because we had two warn notices and closures last year in our fish processing plants, and because of the significant economic development impacts on unreliable water and sewer sources related to coastal resiliency, they have agreed to give us an over 80% reimbursement rate. This is unique, it is special, and this is because we've worked our tails off to get to this 80%. I just want to make sure that the public and the Council are aware that the vote tonight, or when the vote happens, has to be sent to the EDA for final approval. All the conditions depend on that, and we don't even have final word from them pending this discussion tonight.

**A3 (Mayor)** During COVID, this is crucial. This is the last chance we are going to get. We have been trying for years.

**Q9 (Gilman)** I have a technical question, and seeing that we are allowed to continue the public hearing all the way up to the vote even though a 2-11(c) has been called for, so we can call a special meeting. My question is: What is the date of us being able to meet this deadline for the grant, and if so, can we make a commitment of when we're going to have a special meeting in order to be able to meet our deadline without losing \$3.2 million dollars?

**A1 (Cahill)** This is the understanding, we gave them a timeline of the process that the City goes through for funding, so this was the proposed timeline. So I don't have an exact answer for you, I have to go back to our EDA representative and have a discussion with her about the impacts of what happens here tonight. I'm guessing I am going to need letters of support from the councilors who are in support of this if you're willing

to offer them. So I can't give you an exact date, I'm hopeful that they will still support this since we have been working really closely and really hard with them for a long time, actually, this was one of the first things that was asked of me when I started three years ago, and it's a very unique situation that we're in after these warn notices. That year of automatic eligibility expired in August of this year, so we will not be eligible for this grant again.

**A2 (Mayor)** We also need to let them know, as they were all planning on coming down. They never in their lives would think that someone would reject \$3 million dollars free for your taxpayers to actually do this type of project which is needed. When everyone is talking about climate change and coastal resilience, you asked me as your Mayor to look at that. You don't want to spend all this money on our next water treatment plant, we have the high school under water. We have been working like crazy on this, Senator Tarr has helped us, and now they want to come down on October 18<sup>th</sup> to present this to us because we gave them this timeline. Not only is this embarrassing that we're rejecting money during COVID, but people are going to think we are receiving preferential treatment when other communities have been unable to receive project funding. I hope we can have this meeting quickly.

**Summary of Discussion: Council President LeBlanc** stated that the 2-11(c) is out of order at this point since the meeting was still in the public hearing stage, and explained that it would have to be called at the time the vote is taken. He elaborated that at this point, the Council understood that the repercussion of that being invoked is going to cost the taxpayers an extra \$3 million dollars.

**Councilor Pett** clarified that he was upset that there was a councilor who was asking questions and saying that they have not received any information, and yet the Chair of the Budget & Finance Committee has stated that information is and has been available, and she has not been asked to provide that information. He expressed that the Council should not be at this point. He thanked the administration for all their hard work, and to the EDA for going above and beyond. He said that this is not something new, and expressed embarrassment to be at this point, and hope that the vote can move forward without the 2-11(c) being invoked this evening.

**Q10 (McCarthy)** As someone who has lived through these floods as a public safety official, that plant was in severe jeopardy last time, and I'd like the DPW Director to maybe explain to us what would happen in this City if that plant got flooded, and how unique it is that we are able to turn this around in a short three years to be able to get funding to prevent this from happening.

**A1 (Hale)** Over 80% of the housing units in the City, and most of the businesses, you take away a few of the industrial parks in West Gloucester, but the majority of downtown businesses, North Gloucester, East Gloucester rely on this wastewater treatment facility to process the wastewater. If this was inundated with ocean water, we'd lose power, we'd lose pumps, the facility would be rendered useless, and you would have sewer backed up until we could get some kind of bypass pumping put in place. It would bypass any treatment and put raw sewage into the Atlantic Ocean. That would probably take 2-3 weeks. In the meantime, there is no toilet flushing, no production of products in the community. You can't put your wastewater down your sink, your drains, your toilet to be treated, it winds up in the street. There are places in this world that you can imagine where that happens on a regular basis. In areas that are struck with natural disasters such as hurricanes, everything stops. There is no normalcy for a considerable amount of time. If this facility went underwater, it would not be functional. Saltwater is not kind to electrical equipment, and you can imagine if this was inundated with a tide or two cycle of ocean water. It's not just a matter of a little bit of wastewater that gets dumped into the harbor, all of the low-lying areas would suffer greatly. Gravity sewer would still work, some areas could still flush, but it would not be accepted by the plant. Once the pipe is full, it would remain full if it could not be treated, everything is getting backed up. All the low-lying areas: Rogers Street, East Main Street, Western Avenue, those areas would not just be under tidewater, but under wastewater, until we could bypass the plant, and send untreated wastewater offshore.

**Q11 (Holmgren) I am wondering how this would affect the fishing industry considering that we just had the Army Corps of Engineers dredge the canal, and this is right there.**

**A1 (Mayor)** We have letters of support from Gorton's, Applied Materials, Gloucester Marine Genomics Institute. This is our industry, the blue economy, it's our waterfront, it's our infrastructure. It is speculation that a wastewater treatment plant will cost \$70-80 million dollars. Here we have a project that we need to do today, we need to fix, and you need to give us time. I don't know when we're going to do a new treatment plant, it's not in my process. When I became Interim Mayor, I told the State House I am not putting that burden on the taxpayers, and it doesn't go on your taxes, it goes on your water bill. The people who have water and sewer, you can't afford it now, we're all complaining it went up, imagine if we needed to pay an additional \$7 million dollars on your water. Ask Councilor Melissa Cox what goes on. This here is something we asked for, and we're going to protect it. It could give us ten years, who knows with the climate. The Causeway and Pavilion beach were flooded the other day, and it wasn't even a bad day. Since 2015, we've seen things that we've never seen. I have never seen Rogers Street flooded, have you? Commercial Street down to the Fort, yes, but all the way up to Minglewood? Things are changing, I want to protect what we have. I went to the state and asked them to have us work together to come up with a plan and a time so my City Council, my City, and all of us can exist. We absorbed the (Environmental Protection Agency) Combined Sewer Overflows (CSO) Project. Mike Hale and his team have done the 21 pumps. We are working together in the community to change all of our plants, and we are looking at the dams now. We need this to give us time to work together to come up with a plan that is going to make this affordable for us. In order for us to expand in industry, you need to protect what you have. If it floods, then we're all done. Right now, we can expand. You gave TIFs (Tax Increment Financing Agreements) to these new businesses, and we can't tell them that they can't operate because we're flooded.

**A2 (LeBlanc)** I can answer the shell fisherman part of your question. Being a former commercial shell fisherman, and holding a residential shellfish permit right now, even with a normal rainstorm, most of the flats close for 3-5 days. If we get a substantial rainstorm, they close for even longer. There was a little sewer spill off Walker Street and Back Creek, and the flats closed for several weeks for just a small amount of sewage that was allowed into the stream back there. If this sewer treatment plant were to be impacted, it would devastate not only the shellfish, oysters, mussels, snails, everything for a few years if we were to have a major backup. We had one a couple of years ago that happened to overflow into the Annisquam River, and commercial clamming was shut down for several weeks, so if we were to have something significant happen to our wastewater treatment plant, we could basically kiss our commercial and recreational shell-fishing goodbye for quite awhile.

**A3 (Cabill)** Just so you know, the EDA requires us to get letters of support that the Mayor alluded to, as well as what's called an ED-900 Form (General Application for EDA Programs) which two of our local businesses signed, Fisherman's Wharf and Cape Seafood. They support this, and said it will make it possible for them to create additional jobs, retain the jobs that they have, and expand their businesses. So that's a really big deal for us. As I've been through this project, it's a really hard ask of a local business, because I need to work with them for the next 9 years, and report on these jobs. So I want to thank Cape Seafood and Fisherman's Wharf for putting themselves out there on this, and supporting us, and I want to make sure you had that information.

**Summary of Discussion:** Councilor Cox asked Councilor O'Hara to put his anger aside, and ask his question that he proposed to CFO Dunn. She begged him to not throw away \$3 million dollars of money that taxpayers are going to be on the hook for. She stated that she would very much appreciate him using her as a resource as Chair of Budget & Finance, and copy her on emails. She explained that she doesn't need to get involved if his question is answered, but she wants him to use her as a resource if he feels things are not being answered in a timely manner. She told him he could also copy Acting CAO Krawczyk for assistance as well. She stated that to do this tonight in this fashion, now that he knows the consequences of this, she would appreciate it if he would ask his question, because she believed it might be something the Council has not

heard yet; and would all benefit from it if he would just ask so they could move forward with this. She explained that the City staff works very hard with these agencies, and the last thing she wants to do is set them up for an embarrassment with these agencies when this is not just a \$3 million dollar grant, this is their career. They have to work with these agencies whether it is here, or in another city or town.

**The public hearing closed at 8:33 p.m.**

**Summary of Discussion:** Councilor LeBlanc asked for the Committee Report. Councilor Cox explained that she just wanted to move on with the motion because of the fact that the Council had gone through more this evening than what was presented during the September 3, 2020 Budget & Finance Committee meeting, and the committee report per se.

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Standing Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend the City Council approve the following loan authorization as follows:

Ordered: That the City of Gloucester appropriates Four Million Two Hundred Thousand Dollars (\$4,200,000) to pay costs associated with the Gloucester Water Pollution Facility Flood Mitigation Project, including costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7 or Section 8, or pursuant to any other enabling authority. The Mayor and any other appropriate official of the city are authorized to apply for, accept and expend any grants or gifts that may be available to the City to pay costs of the projects. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Further Ordered: That the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.

**Summary of Discussion:** Councilor O'Hara clarified that General Counsel Payson identified the fact that him invoking the 2-11(c) was not so much inappropriate, but had no impact. He stated that at this point, he would rescind his request to invoke it, and allow the matter to go to a vote.

**MOTION:** On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to recommend the City Council approve the following loan authorization as follows:

**Ordered:** That the City of Gloucester appropriates Four Million Two Hundred Thousand Dollars (\$4,200,000) to pay costs associated with the Gloucester Water Pollution Facility Flood Mitigation Project, including costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7 or Section 8, or pursuant to any other enabling authority. The Mayor and any other appropriate official of the city are authorized to apply for, accept and expend any grants or gifts that may be available to the City to pay costs of the projects. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

**Further Ordered:** That the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.

**Summary of Discussion:** The Mayor thanked the Council once the motion passed.

**MOTION to RECONSIDER:** On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 0 in favor, 9 opposed. Motion Fails.

2. PH2020-026: Loan Order 2020-007: Loan Authorization Request in the amount of \$4,200,000 for the East Gloucester/Veterans Memorial School Project

The public hearing opened at 8:38 p.m.

**Those Speaking in Favor:** CFO John Dunn, Acting CAO Vanessa Krawczyk, Chairman Jonathan Pope, Attorney Joel Favazza, Melissa Teixeira-Prince

**Summary of Discussion:** Mr. Dunn explained that this is pieces (ancillary costs) of the East Gloucester/Veteran's Memorial Combined Elementary School Project that fall outside of what the Massachusetts School Building Authority (MSBA) would normally have reimbursement for. The City has been through this many times with different projects. Consideration was given at both the Building Committee and also internally, and it was decided that these items would be pulled out from the \$67.6 million dollar project that was eventually submitted to MSBA, and approved on August 25, 2020 since they are not part of the override vote. These include the swing space (in this case a temporary facility that can be used as a school while the old ones are being demolished, and the new one is being built), relocation of the ball field that is currently at Mattos Field, as well as demolition and eventual site distribution work over at East Gloucester Elementary. These are things that are not going to be reimbursable by MSBA at any level, and the City felt it was better to treat them separately, both for the community to know they are committed to those things, and to not have the ultimate reimbursement and auditing by MSBA held up by these things which are for the most part (particularly with the East Gloucester demolition and renovation of that site) will take place at the very end of the project. He explained that the City does not know exactly what the cost of this is going to be, there are estimates at this point, however, as of right now there is no full scope or project timeline, but the \$4.2 million dollars is believed to be reasonable to expend to cover the initial costs of what needs to be done outside of the MSBA project. He recommended moving forward, and if the November 3, 2020 vote for the override does not go through, then this is something that can be rescinded. He stated that the City is very confident the override vote will pass, and that these things will be necessary, but he wanted to make everyone aware that the City is not permanently committed to these things if the override vote does not go forward.

**Ms. Krawczyk** reiterated that as **Mr. Dunn** just briefly discussed: There are several aspects of this project that are not reimbursable through MSBA. She provided a cost estimate that he had shared during the September 17, 2020 Budget & Finance Committee meeting for the following items: ball field relocation-\$1.5-2 million dollars, swing space for students and faculty during construction-\$1 million dollars, East Gloucester Elementary School demolition and the resulting sitework-\$1.2 million dollars. She stated that we all know that there are a lot of moving pieces to this project. In an effort to best be prepared to move forward, the City administration has been thinking and planning ahead, and wanted to make Gloucester residents aware of their financial commitment to these ancillary costs. The debt service on this loan order would not be part of this debt exclusion vote, and therefore, would have no bearing on the November 3, 2020 ballot question. This loan order is the City's commitment to this project, especially the commitment to relocate the ballfield. City administration strongly supports this loan order, and she expressed hope that the Council will also. The

administration feels that this is an important step in the process, and wanted to be forthcoming in their plans as we move towards the November debt exclusion vote where the community will decide the outcome.

**CFO Dunn** added that we should realize that although these are important pieces of the total project, they are not tied to the MSBA piece of this. Even though the City would like this to go forward, and thinks it's a very important thing to do, the MSBA commitment has already been received, as voted on August 25, 2020 for the project to move forward. The City feels that it is very important for us as a community to commit to the other portions of the project that are not supported by MSBA in terms of the reimbursement.

**School Committee and Building Committee Chair Jonathan Pope** explained that the reason for the timing on this is to guarantee to the people before the November vote that the City is committed to doing these projects. Although they are not tied to the debt exclusion vote, it is really just an affirmation by the City Council to say that should the vote pass, the Council is committed to all of these projects. They would all need to be done, but the important one is the relocation of the ballfield since it is the one that seems to be questioned most in the community. He expressed hope that the Council would vote positively.

**Attorney Joel Favazza** shared that he is a member of the School Committee, however, he was not speaking this evening on its behalf. As a citizen and a parent, he stated that he at times has been, and in some cases may continue to be in the future critical of some decisions made by the City in regards to its school buildings. Yet he needs to also give credit when it is due, and he believes that the City has looked at the decisions made at Maplewood Avenue School and Fuller School, and is doing things differently this time. He expressed agreement with **Chairman Pope** that the ballfield relocation is very important, and also feels that East Gloucester Elementary School not becoming an abandoned building if this project goes forward is also paramount. He stated that he also thinks that it is very admirable that the promises made regarding that ballfield are going to be fulfilled. Given the financial uncertainty around the pandemic that we're in, that would be an easy excuse to break such a promise, and the fact that the administration, and hopefully the City Council tonight, is going to move forward to show that they are serious about allocating money before they are sure that the project will move forward is a big change from how the City has done business in the past. He expressed hope that the Council will support the loan order.

**Tom Mannle, 1037 Washington Street**

He stated that this is unrelated to any issue before the Council, it is a technical question if he may be permitted. He said that it was in regards to the presentation of the Council's deliberations to the public, and asked when there is limited video in terms of the participation of the Council members that appear on the Zoom video screen:

1. When Council members are not present in video on the Council screen, are they participating?
2. Does the **(City) Clerk** maintain data on the participation and the presence of the Council members in real time?

**Summary of Discussion:** **Councilor Nolan** called a point of order since the Council is currently working on a public hearing. **Council President LeBlanc** stated that he understood Mr. Mannle's sentiments, and assured him that when the vote is taken, the Councilor who is voting will show their face so everyone knows they are participating.

**Those Speaking in Opposition: Residents Craig Hamilton, MaryAnn Albert Boucher, Patti Amaral, Denise Pascucci, Marc Pepin, Linda McCarriston, Kailey Mione**

**Craig Hamilton, 46 Grove Street**

He stated that he is not in favor of this.

**Mary Ann Albert Boucher, 93 Mount Pleasant Avenue**

She said \$4.2 million dollar loan order for items not included in the \$66,700,000 school project, Planning & Development meeting stated \$1.5-2 million to move the ball field to Green Street, \$1 million for some of the rental costs for swing space, and \$1.2 million for the demo of East Gloucester and to have the land raised, graded, and seeded. Add these totals, and the low end is \$3.7 million. If the ballfield requires the full \$2 million as stated, all of the \$4.2 million in this request will be exhausted.

She asked: What about the additional costs associated with the project, will there be more loan requests to come? She stated that the taxpayers deserve the right to know the total cost starting with the feasibility study, and an itemized list of the costs, including the ineligible costs. She shared that her husband writes cost estimates for a living. It is not often, in fact very rarely, that he finds a customer who doesn't want to have a total cost estimate presented and in front of them before they head to the bank so they have the funding in hand to complete the project. This should hold true with a project of this magnitude.

She mentioned that the City Council will vote next week on the land disposition transfer (during the Special City Council meeting to be held on Tuesday, September 29, 2020) and all of these costs should be readily available. She will stand tall to say that she has been to meeting after meeting, and followed this intensely for four years. She feels that it is true that things are kept from the general public, and that they are not covered in the Gloucester Daily Times. She stated that it is time, as the Council has mentioned over and over again, for an open line of communication. She said that it is key, she feels that citizens are not seeing transparency, and it is unfair to them whether they want to vote yes or no.

She shared that she was sent a private message while attending a meeting last week asking: What is your question? She expressed that she felt that was wrong, she had her hand raised, and should have been able to ask the Council, and receive an answer from all of the Councilors.

**Summary of Discussion: Council President LeBlanc** stated that he understands her frustrations, but this is the public hearing for the loan order, not about what happened in another meeting. Ms. Boucher stated that they always get stopped. **Council President LeBlanc** explained that he is not stopping her from speaking on the loan order before the Council. Ms. Boucher said that she was told at the last meeting to bring her questions to this City Council meeting, and that is what she is doing.

**Council President LeBlanc** explained that at this point, the Council was at the \$4.2 million loan order for the public hearing only, the total cost is not before the Council that evening. He apologized, but stated that he needs to uphold the rules as Council President.

**Patti Amaral, 14 Myrtle Square**

She stated last week at the subcommittee meeting, there was a presentation that the \$4.2 million dollar loan is based on back-of-of-the-envelope guestimates, and that it was to show good faith that offers leveling Mattos Field, and that the East Gloucester School field would be replaced. For the record, she is one of the 2,000+ citizens who signed a petition against this proposed consolidated school, which is scrapping Mattos Field. We raised the money, we wrote the grants to take care of Mattos Field here on Webster Street, it is priceless. The citizen signatures on the petition are opposed to the Article 97 transfer, so we are not asking for you to make us whole, we believe you are pushing the cart ahead of the horse. Also, at the subcommittee meeting, it was stressed that these unspecified, ineligible cost items would happen at the end of the construction timeline, so

if they were expensed too late, the City would be at risk for a non-compliance audit. Do not vote on this loan until the public weighs in on the debt exclusion vote November 3<sup>rd</sup>. Please save Mattos Field. Thank you.

**Melissa Texeira-Prince**

She spoke as a resident and as Vice-Chair of the Gloucester School Committee, and stated that she is in favor of the loan order. She stated that she thinks it is obvious in this community that we need educational facilities that address 20<sup>th</sup> century learning, and this is one of the first steps to make sure that our kids get their needs met. She acknowledged that there are various opinions on this matter, however, she shared that the School Committee has done due diligence in weighing various opinions in the community. While we may not all agree on what the right answer is, there is no doubt that moving forward with this project is the right thing to do for our kids. She thinks as a community, we can come together and resolve the issues that come along with this project, but she would hope since the City is already in this process that we continue to do what's right for kids. She believes that is to have the City Council authorize this loan order.

**Denise Pascucci, 20 Birch Grove Heights**

She stated that she is opposed to this because of the situation with Mattos Field and the \$280,000 that residents put into it. She commented that she found it to be very interesting that the people that were for it were committee members. She doesn't think anyone else as taxpayers besides the committee members are for it. She also finds it interesting that this project is being squeezed onto a 6.2 acre lot where West Parish has 20.94 acres, Beeman has 22 acres, Plum Cove has 16 acres. She expressed agreement with Ms. Amaral that this should not go through until after the November 3<sup>rd</sup> ballot. She thanked the Council, and asked them to consider that the people of Gloucester will vote for this on November 3<sup>rd</sup>. She also stated that a total cost would be appreciated.

**Marc Pepin, 8 Green Street**

He expressed curiosity as a Gloucester citizen, since the City Councilors are citizens as well, how can they vote on \$4.2 million dollars not knowing the total cost of the project? He expressed disbelief that this matter is being discussed without the total being known, how can they vote in good faith? He stated that he opposes this matter very heavily.

**Linda McCarriston, 16 Quarry Street**

She stated that what she is hearing callers say when they speak in opposition, and what she heard **Councilor O'Hara** say, is that there are many very important and significant and good projects facing the City at the moment, They involve the water treatment plant, the school, and people are saying in theory that they understand how much time has already been given by subcommittees and by the Council studying the details of these proposals. What people want to know is, is it possible for residents to have something more concrete, such as a bid, or, why is it not possible, for those of us who have been in attendance for over three hours as we discuss approving one thing or another? She expressed agreement with the suggestion or complaint that has been voiced that these numbers are being voted on without being able to see how that amount was arrived at. She would like to learn about where to find that type of information on matters on which the Council is voting on, that will become something taxpayer-funded. She stated that she would like to see a bid for this project just as she would for any other personal bill that she would be paying for. She believes that listing these details in the agendas and packets would be appropriate so that residents could make their recommendations to the Council according to the information they receive.

**Kailey Mione, 6 Davis Street Extension**

She stated that she is a direct abutter to the East Gloucester School, and she has expressed concerns many times over what will happen to that property when and if the school is demolished. She said that in the plans, people keep saying it is going to be taken down and seeded, she asked what that means. She mentioned that she has heard at PTO meetings that the neighbors can create a nice park there. She asked to know what the city is planning on doing with that property, if the money is being spent to take this school down. She expressed that she strongly opposes this vote.

**Craig Hamilton, 46 Grove Street**

He stated that we are in the middle of a coronavirus pandemic, most schools aren't even functioning at this point, so he doesn't know how we as a City are talking about doing construction on another school right now. He also mentioned that there are a lot of people right now who are completely out of work and are having a hard time paying mortgages and rent, are losing their houses and getting evicted, so he believes that it would be a big burden to raise taxes at this point.

**Communications:** 1 communication was received from **Pauline Bresnahan** who is in opposition of the loan order.

**Councilor Questions:**

**Q1 (Gilman) At the joint City Council/School Committee meeting (that took place on Tuesday, September 15, 2020), there was a conversation about current interest rates, and I was wondering if our CFO John Dunn could explain how it relates to the \$4.2 million dollar loan order.**

**A1 (Dunn)** Interest rates are currently very low. The City just issued debt last week for 20 years at 1.4%. In general, there have been a couple of questions that I have heard tonight in regards to the total cost of the project. The Massachusetts School Building Authority (MSBA) has approved the City for \$66.7 million dollars, and that is the general cost of the project for construction of the combined elementary school on the Veteran's Memorial School site. What we are looking at tonight is another \$4.2 million dollars to do other ancillary aspects of the project. So that puts the total at, let's say \$71 million dollars. To put that into perspective, I guess West Parish was \$39 million, so we're getting two West Parishes for less than that, and that is what we have to kind of think about. We have an opportunity here to move forward and commit to a particular project with the MSBA supporting it at very low interest rates at a particular point in time when construction costs may not be as expensive as they would be (because construction inflation is moving at 3 ½-4 ½ % a year) a year from now. The community has a choice, we can move forward and have a combined elementary school, which always provides a certain amount of savings in terms of many more students in the school, replacing what I think everyone can recognize that are two schools that really can't be fixed, so that's where we are. What we are talking about tonight is \$4.2 million dollars that is outside of any possible MSBA reimbursement, but still things that need to be done as we move forward. As I've said before, if the override vote is not successful in November, then this is a loan order that can easily be rescinded because we're not going to spend the money.

**Q2 (Cox) This is to Mr. Hale and Mr. Dunn. Are you confident in the estimates that you have received in order to make the dollar amount for the \$4.2 million dollar loan order? Based on our communication at the Budget & Finance meeting, we did go over the breakdown amount, it was specifically asked of you how you came to these numbers, and it was discussed. So again, I'm going to ask the same question of you as I asked during the Budget & Finance meeting, how confident are you in these numbers, and what you expect to be the fluctuating reasons for higher or lower amounts.**

**A1 (Hale)** We based all estimates off of something that has happened previously, so we're looking at redeveloping an existing athletic field to accommodate at a minimum two softball diamonds, perhaps parking, and some amenities that go along with it. The cost fluctuation will be what we want to add to it. If we're just talking parking, that is one thing, concessions, restrooms, bleachers, that is when you start adding costs to all of our projects. At the existing Mattos Field, there is virtually no parking, a small bleacher, and a bathroom. To replicate that perhaps on Green Street, with another diamond, I think we can certainly do that within the estimate we were provided. If we start adding more to this, which would be driven by the community, then we start driving the cost to the project. We all want more than we want to pay for, it is a common theme that I see. If we have a reasonable ask, we will have a reasonable cost, and again, I think the price as proposed is reasonable for two soft ball diamonds and some parking.

**A2 (Dunn)** What Mike has said is absolutely correct. We don't have a scope on the projects, and we don't have a timeline. Until we establish that, all we can do is say that these are reasonable estimates. I think for the most part, in the 6+ years I've been in Gloucester, that we've had pretty good estimates in terms of what projects cost. If something gets delayed, if something goes sideways, if we decide to have a much more robust field in terms of where the ball fields are going to be, then that is going to cost more. I think at this point we can pull this in with what we're proposing in the \$4.2 million dollars.

**The public hearing closed at 9:19 p.m.**

**Summary of Discussion:** Councilor Cox explained that the contents of the committee report have been covered during the public hearing presentation and in the follow-up questions, so she will move on to the motion.

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Standing Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend the City Council approve the following loan authorization as follows:

Ordered: That the City of Gloucester appropriates Four Million Two Hundred Thousand Dollars (\$4,200,000) to pay school costs associated with the East Gloucester/Veterans Memorial Consolidated Elementary School Project including, but not limited to, demolition and additional sitework at the current East Gloucester Elementary School site, ballfield relocation, and swing space including costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7, or pursuant to any other enabling authority. The Mayor and any other appropriate official of the city are authorized to apply for, accept, and expend any grants or gifts that may be available to the City to pay costs of the projects. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Further Ordered: That the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.

**Summary of Discussion:** Councilor Gilman stated that one of the speakers at today's public hearing had asked her on her Ward 4 Facebook page to check into the costs. On the Gloucester Public Schools website, she found on Page 4 of the Frequently Asked Questions, the combined school one year ago was noted as costing \$72.8 million, and that included the school, the transition space, the demolition of East Gloucester Elementary School site, and the relocation of the ball field.

**The link is available at <https://sites.google.com/a/gloucesterschools.com/gloucester-schools/east-gloucester-veterans-msba-building-project>**

She compared that with the new information that the Council has discussed at the Budget & Finance Committee meeting, and the cost is now listed as \$66.7 million. The MSBA is reimbursing the City \$26.9 million, and if you take that and add this new \$4.2 million proposed loan order that the Council is voting on tonight, that total cost is \$70.9 million dollars, which is actually \$44 million after the reimbursement. She clarified that she believed the communication was good when she checked on the Frequently Asked Questions. She stated that she will be supporting this tonight.

**Councilor Holmgren** stated that she appreciated **Councilor Gilman's** comments, and that she will also be supporting this measure this evening because it is a good faith effort on the part of the City. For all of the reasons stated by the **Treasurer** and **DPW Director**, she felt that it is fine to move forward. **Councilor McCarthy** shared that he is going to support this tonight because he thinks it is good planning to have it in place. The Council has been assured by the administration that if either the land transfer or the debt exclusion vote does not go through, that the loan order will be rescinded, and this is still going to go to the citizens of Gloucester for a vote.

**Councilor Cox** reiterated everything that **Councilor McCarthy** said. This is proper planning, and she feels like the City has good faith estimates in an area that fluctuates. They made estimates based on knowledge, she has faith in the professionals who have provided the estimates, and she expressed frustration at people telling the Council that they are not prepared. She has faith in this and will be supporting it. **Councilor Pett** thanked the administration and the School Committee for making this commitment. This loan order verifies their commitment to the citizens about Mattos field, etc., and is something that can be voted on tonight, and rescinded if need be. He stated that prior planning prevents poor performance. This is taking a vote to go ahead, support the complete project if the vote of the people is indeed to go forward, and being prepared to do that in the most expeditious manner. Maybe even being able to save some money for the City if able to take advantage of lower interest rates, so he will be supporting it.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 8 in favor, 1 opposed (O'Hara), to recommend the City Council approve the following loan authorization as follows:**

**Ordered: That the City of Gloucester appropriates Four Million Two Hundred Thousand Dollars (\$4,200,000) to pay school costs associated with the East Gloucester/Veterans Memorial Consolidated Elementary School Project including, but not limited to, demolition and additional sitework at the current East Gloucester Elementary School site, ballfield relocation, and swing space including costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7, or pursuant to any other enabling authority. The Mayor and any other appropriate official of the city are authorized to apply for, accept, and expend any grants or gifts that may be available to the City to pay costs of the projects. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.**

**Further Ordered: That the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.**

**MOTION to RECONSIDER: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 1 in favor (O'Hara), 8 opposed. Motion Fails.**

**Summary of Discussion: Councilor Gilman** made a privileged motion at 9:29 p.m. to take a brief recess. The meeting resumed at 9:36 p.m.

**3. PH2020-027 SCP2020-004: Folly Point Road #1, Map 146, Lot 28, GZO Sec. 3.1.6(b) "Building Heights in Excess of 35 Feet" in the R-20 District**

**The public hearing opened at 9:36 p.m.**

**Those Speaking in Favor: Attorney Joel Favazza**

**Summary of Discussion: Council President LeBlanc** explained that those in favor would receive a total of 15 minutes to speak, then anyone speaking in opposition would be allowed the same amount of time. Anyone wishing to speak after that would be allowed three minutes each.

**Attorney Favazza** shared a slideshow presentation and explained that he is there tonight because the owners want to renovate and reconstruct a single-family home with an attached garage. He showed the existing site plan and scaled elevations that he could refer back to if there were any questions. Renderings that were submitted with the original application were also included in the slideshow. He provided background, stating that this is an existing single-family home constructed in 1991, and his clients are hoping to create a tasteful, energy efficient "green" design. They are going to renovate the existing portions of the house that are salvageable, however there are portions that need to be torn down and rebuilt, which is what they intend to do. He explained that he is there tonight on a height permit, and he clarified that what they are talking about tonight is the portion highlighted in orange. It is a very large and beautiful proposed house. Everything highlighted in green is as of right construction, they are only before the Council for the section in orange, which is 42 feet, 4 inches above average grade, which means 12 feet, 4 inches of relief is needed because it is 30 feet above average grade. Average grade is calculated by taking the elevation at the corners of the structure and averaging that, then measuring the highest point on the structure from there. For anyone who attended either of the two site visits, when we stood in front of the garage, average grade was about two feet below our feet. We are governed by Gloucester Zoning Ordinance 3.1.6(b) (Standard to be Applied), City Council must find increase in height is consistent with neighborhood character and not substantially detrimental to the neighborhood because of obstruction of views, overshadowing of other properties, or impairment of utilities or other adverse impacts.

The property is 5+ acres, Zoned R-20, could be a 9-lot subdivision with 18 dwelling units by right, or could be a 20-lot cluster development with 40 units by right. Neighboring properties are large estates. This property is also, and the owners intend to keep it that way instead of dividing into smaller lots. The seller chose the current owners because their intentions were not to develop the land to maximize density. He showed pictures of other homes in the area to show that it was consistent with the neighborhood character. This proposed house will be almost 13,000 square feet on 5.18 acres. Although it is not consistent with homes that you would find in other R-20 zones throughout the city, it is consistent with the R-20 zone in this particular area. He showed pictures of the existing structure along with renderings of what the new structure would look like to show that there would be no view obstructions, overshadowing of other properties, utility impairments, or other adverse impacts. He stated that he feels like the renderings are more instructional than the site visits when there was foliage because they provide more accurate views. The proposed house would remain on the footprint of the existing one. There will be no increase in the use of the property, no additional traffic, and a likely reduction in resource consumption due to the green design, which would all prevent utility impairments

or other adverse impacts. He believes all standards for the requested permit have been met, and requested that the Council grant such relief. He thanked everyone for their time.

**Those Speaking in Opposition: None.**

**Communications:** None.

**Councilor Questions:** None.

**The public hearing closed at 9:48 p.m.**

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Gilman, seconded by Councilor Holmgren, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that the City Council grant to Barry Goldman and Margaret Franklin, a Special Council Permit (SCP2020-04), for the property located at Folly Point Road# 1 (Assessor's Map 146, Lot 28) zoned R-20, pursuant to Gloucester's Zoning Ordinance Section 3.1.6(b) for a building height in excess of 35 feet, for a home to be 42 feet, 4 inches (for a total height increase of 7 feet, 4 inches over 35 feet). This permit is made on the basis of plans and elevations dated March 17, 2020, submitted to the City Clerk on March 30, 2020 and August 19, 2020, entitled "Permit Site Plan 1 Folly Point Road for Barry Goldman and Margaret Franklin." Subject to new information and/or debate that results from the public hearing, this Special Council Permit is deemed to be in harmony with the intent and purpose of the Zoning Ordinance.

**Summary of Discussion: Councilor Gilman** stated that she would like to amend the motion coming out of the subcommittee report by adding and inserting before the paragraph that begins with "This permit is made on the basis of plans and elevations", "this building height is consistent with neighborhood character and will not be substantially detrimental to the neighborhood because of obstruction of views, overshadowing of other properties, impairment of utilities, or other adverse impacts.

**AMENDED MOTION:** On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 9 in favor, 0 opposed to recommend that the City Council grant to Barry Goldman and Margaret Franklin, a Special Council Permit (SCP2020-04), for the property located at Folly Point Road# 1 (Assessor's Map 146, Lot 28) zoned R-20, pursuant to Gloucester's Zoning Ordinance Section 3.1.6(b) for a building height in excess of 35 feet, for a home to be 42 feet, 4 inches (for a total height increase of 7 feet, 4 inches over 35 feet). This building height is consistent with neighborhood character and will not be substantially detrimental to the neighborhood because of obstruction of views, overshadowing of other properties, impairment of utilities, or other adverse impacts. This permit is made on the basis of plans and elevations dated March 17, 2020, submitted to the City Clerk on March 30, 2020 and August 19, 2020, entitled "Permit Site Plan 1 Folly Point Road for Barry Goldman and Margaret Franklin." Subject to new information and/or debate that results from the public hearing, this Special Council Permit is deemed to be in harmony with the intent and purpose of the Zoning Ordinance.

**Summary of Discussion: Councilor Gilman** explained that there were two site visits conducted. The one held in August was the first socially-distanced site visit, and all abutters received notices informing them of the site visits. Five or six abutters attended the first site visit. The second sight visit was held on September 9, 2020 because there was a small technicality where the balloon that was showing the height was 6 feet lower than what it should have been. Attorney Favazza brought it to the attention of the Planning & Development Committee, and the committee members felt that the property should be revisited. She expressed pride that all Councilors visited the site, and had a vigorous conversation about the ordinance 3.1.6(b) at the September 16, 2020 subcommittee meeting. She stated that some of the highlights from their discussion were found in Attorney Favazza's presentation this evening. She repeated to the Council that in order to approve this

application, they must find that the increase in the allowable height beyond 35 feet is both consistent with neighborhood character and is not substantially detrimental to the neighborhood because of obstruction of views, overshadowing of other properties, impairment of utilities, or other adverse impacts. She requested to engage in a vigorous conversation as to why or why not each Councilor believed that 3.1.6(b) is addressed in this proposal. **Councilor LeBlanc** stated that he understands her points, but it is time for councilor discussion, and the Councilors understand the matter before them. He believed the Council should be able to move forward to vote and state their reasons why since there were still 95 attendees waiting for the next public hearing. He recommended that **Councilor Gilman** begin with the members of the Planning & Development Committee, and then go through the other subcommittees.

**Councilor Holmgren** stated that she is in favor because the applicant has done their work. The cupola is below the tree line, and it is fairly cut and dry from her perspective. **Councilor Pett** stated that the applicant has made a good presentation to the Council, site visits were conducted that abutters were invited to, all questions were answered, and he sees no problem with this. He thinks it meets all criteria, and he will be supporting the vote. **Councilor Memhard** shared that he appreciates the effort that has gone into this, it is a lovely neighborhood; this is a five-acre parcel that is heavily wooded, and it is clear to him that the requested higher structure does not impose in any way on the surrounding properties or dominate the landscape unduly. It seems to him that this project is clearly in keeping with the character of this particular neighborhood, and he supports this project.

**Councilor Cox** shared that she will be supporting this tonight based on the site visit and the input from the residents surrounding the property. She believes it meets both criteria. **Councilor Nolan** also believed that the criteria of not overshadowing is met, which he takes very seriously, and that it fits the neighborhood well. The committee work that was done has been outstanding, and he will be supporting this. **Councilor McCarthy** stated that after the site visit, he has also viewed the property a couple of times on his own. He thinks it fits in with the other large estates and character of the neighborhood, doesn't see any issues with overshadowing or obstructed views, so he is going to support this. It is a very small area of the house that is asking for the height variance.

**Council President LeBlanc** shared that he will be supporting this tonight because he thinks it is consistent with what is already there. During the site visit, he couldn't see any other houses or anything from the site. He thanked the Planning & Development Committee for conducting a very thorough site visit. **Councilor O'Hara** attended the site visit, and believes this project is in keeping with the neighborhood. **Councilor Gilman** shared that one of the things she thought worked really well is the questions collected at the site visit, and she stated that **Attorney Favazza** did a good job answering all of them during the follow-up meeting on September 16<sup>th</sup>. She stated that she felt very comfortable with that, and the process. **Council President LeBlanc** thanked **Attorney Favazza** for bringing the error to the Council's attention once it was discovered, and hosting another site visit.

**ORIGINAL MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 9 in favor, 0 opposed to recommend that the City Council grant to Barry Goldman and Margaret Franklin, a Special Council Permit (SCP2020-04), for the property located at Folly Point Road# 1 (Assessor's Map 146, Lot 28) zoned R-20, pursuant to Gloucester's Zoning Ordinance Section 3.1.6(b) for a building height in excess of 35 feet, for a home to be 42 feet, 4 inches (for a total height increase of 7 feet, 4 inches over 35 feet). substantially detrimental to the neighborhood because of obstruction of views, overshadowing of other properties, impairment of utilities, or other adverse impacts. This permit is made on the basis of plans and elevations dated March 17, 2020, submitted to the City Clerk on March 30, 2020 and August 19, 2020, entitled "Permit Site Plan 1 Folly Point Road for Barry Goldman and Margaret Franklin." Subject to new information and/or debate that results from the public hearing, this Special Council Permit is deemed to be in harmony with the intent and purpose of the Zoning Ordinance.**

**4. PH2020-009: SCP2020-001: Wingersheek Road #105, Map 261, Lot 31, GZO Secs. 1.8.3 “Standard to be Applied” and 3.1.6(b) “Building Heights in Excess of 35 Feet” in the R-20 Low/Medium Density Residential District**

**The public hearing opened at 10:00 p.m.**

**Speaking in Favor: Attorney Wilhelmina Sheedy, Architect Robert Gulla, Consultant David Calkins, Attorney Mark Bobrowski**

**Summary of Discussion:** Attorney Sheedy started a slideshow presentation, and explained that she is representing Lawrence Costa, who is seeking a Special Permit under Section 3.1.6(b) of the Zoning Ordinance for Height Exception to rebuild an existing residential dwelling. She introduced **Architect Robert Gulla** who will address the views, site conditions, the structure design, and the shadow study that was completed; **Consultant David Calkins** from Back Channel Consultation who submitted the study indicating the height of the properties on Wingersheek Road to the mean high water mark; and **Attorney Mark Bobrowski** who will give the rebuttal. Nanine Costa is also present and available to answer any questions.

The applicant is a Gloucester native, a graduate of Gloucester High School, and has family here. He first appeared before the Council in March of 2017 on the same application, where the Planning & Development Committee recommended, and the full Council approved this project, and issued a Special Permit to build a home in excess of 35 feet. The decision was then appealed by two abutters, and the Superior Court found that that a Special Permit decision under 3.1.6(b) must contain the written findings that the increase in the allowable height is 1. Consistent with neighborhood character 2. Will not be substantially detrimental to the neighborhood because of obstruction of views, overshadowing of other properties, impairment of utilities, or other adverse impacts. The jurisdiction of this Council applies only to the 9.5 feet that exceed the allowable 30-foot height that is permitted under the zoning ordinance. The remainder of the building in terms of size, setbacks, and lot coverage is controlled by other requirements in the ordinance, and this home will conform to all those requirements. The ordinance is clear, the question is whether the 9.5 feet on the top of this proposed house is consistent with neighborhood character, a neighborhood in which all new homes which are built, or any existing home which is approved by more than 50% of the building value located in a flood zone must meet Federal Emergency Management Agency (FEMA) regulations and be built above the flood elevation. The other analysis by this Council is whether the 9.5 feet on top of this home is substantially detrimental to this neighborhood for the reasons listed in Part 2.

She stated that this neighborhood begins at the Guard House and stretches to the end of Wingersheek Road beyond the castle. The homeowners are members of the Wingersheek Improvement (Homeowner) Association. There is essentially one entry in, and one exit out. There is a mixture of traditional and contemporary homes of varying sizes, from small cottages to large homes, castles and contemporaries, and like this project, classic New England shingle-style homes. The neighborhood is mainly located in the flood zone, where environmental regulations now require that any home that is built or substantially renovated must be on piling. Therefore, the height of the new dwelling is consistent with this particular neighborhood's character. There are now several homes in this neighborhood that the City Council has given permission to exceed 35 feet. Many original homeowners were fortunate to have been able to build their homes before recent regulations went into effect. This area is zoned R-20 and requires 20,000 square feet of land, this residence has 90,000 (almost 2 acres). Zoning requires 80 feet of frontage, there is 200 here. One hundred feet of lot width is required, there is 200 feet here. As for yard dimensions, there is a 30-foot front yard requirement, and there would be 232 feet, a 20-foot requirement for the side yard, 25 feet is being proposed for this project. A 30-foot rear yard is required, 66 feet is being proposed. A 30-foot building height is suggested, 39 feet, 6 inches is being proposed. Twenty-five % lot coverage is allowed, and only 7.5% is being proposed. It is four times the size, and twice the frontage of what is required in the zoning ordinance. The applicant feels that a subdivision of the property would be detrimental to the neighborhood and environmental

conservation area. The proposed design of the home is situated across the lot to prevent subdivision. This home was designed to lessen any potential impact on the abutter's views with the wings facing back instead of directly along the property line. This preserves the current northeasterly sightline of the Archer's at 103 Wingersheek Road, and the southwesterly sightline of the Kenzie's at 111 Wingersheek Road, the immediate abutters. In addition, Mr. Costa has requested that this home be built with geothermal solar, green initiatives, and numerous considerations to the environment, including 13,000 square feet of dune grasses, and an elevated boardwalk to the beach at great cost in order to protect the beach vegetation from human traffic. The proposed structure will meet all dimensional requirements of the zoning ordinance, except for building height due to the FEMA regulations which require the building be raised to a point that is 9.5 feet above the average grade. From the average grade, up to the top of the roof is 39.6 feet. The house itself is 30 feet tall. So essentially, the 9.6 inches is the roofline. It doesn't matter how large or small this house is, based on the elevation of this particular lot, it would be required to be raised 9.5 feet. The shadow study that **Mr. Gulla** will present was prepared by McHenry Architecture.

Mr. Costa has received all remaining approvals for the proposed home including Engineering Department relative to grading and drainage, the Board of Health for the Septic System design, and an Order of Conditions from the Conservation Commission. All of these City Departments have issued extensions to their approvals that remain current and in place. Instead of having a 30-foot home with a flat roof, the proposed roofline would be in keeping with the area. She touched briefly on Section 1.8.3 of the Gloucester Zoning Ordinance. The project is consistent with the neighborhood and the social community need in that it will not obstruct any abutter's views or cause overshadowing, there will be no effect on traffic flow or safety as the building will be facing an existing single-family home with the same number of bedrooms. The proposal will not affect utilities or other public services since there is already city water and the Board of Health has approved the septic design. The proposed house will be keeping with the neighborhood character and social structure. The applicant has worked with the Conservation Commission in siting the house, so the addition to this house will not affect the environment, and provide tax revenue and permanent fees.

**Architect Robert Gulla** clarified that they use terms of elevation which describes a level of plane that can vary in height, and mean high water which is a similar mechanism, sea level is a fixed dimension. He explained that if every house on the beach was removed tomorrow by a storm, houses would be rebuilt on a first floor that would be at the same elevation as 105 Wingersheek, which would be 22.5 feet. It is not by choice that this property is so high, it is to abide by FEMA flood laws. At the site visit during spring of this year with the City Council, some poles were placed on the existing cottage to indicate the by-right section of the proposed height. A neighbor allowed the team to view inside their second-floor living space to look at the slot view that the team was concerned about. He stated that during the site visit, it was determined by a couple of Councilors that if you looked at the poles on the existing cottage, and carried it to the pole in the middle of the slideshow picture, the by-right construction will obliterate that view, so the 9.5 feet of attic space proposed for the project would have no effect. This project could have a flat roof and unheated attic, and he does not believe it would be more in keeping with the neighborhood than the current proposal, but he would be open to hearing other opinions on that.

The shadow study showed the shadows created by the proposed residence at 105 Wingersheek. The first slide shows position of the proposed residence and a sun location diagram. The second slide showed the March 21<sup>st</sup> Spring Equinox, at 10:00 a.m., he stated that it tickled the side of the house located at 103 Wingersheek for about an hour, but he said that otherwise, there were no other impacts on homes to the left or right. Slide 3 showed the June 21<sup>st</sup> Summer Solstice at 9:00 a.m., the September 21<sup>st</sup> Fall Equinox from 1:00-4:00 p.m. it tickled 103 Wingersheek again since the sun is at the same angle, and Slide 4 showed the December 21<sup>st</sup> Winter Solstice where he stated there was a slight overshadowing tickling of 101 Wingersheek Road for about an hour, and the rest are completely clear.

**Council President LeBlanc** informed the team that they were at 16 ½ minutes.

**David Calkins** from Back Channel Consulting presented the Elevation Study for Coffins Beach to illustrate how the elevations and the relationship are on the beach. He reiterated what **Mr. Gulla** had explained, it gets confusing and complex with elevation and height in relation to FEMA and topography, so he said that they kept the study simple. The high-water mark was used by observing local tide charts, on two separate occasions they visited the beach at high tide using a Nikon NC60S which is a tripod-mounted sophisticated range finder. They shot high tide in front of each house, shot the house for distance, and the tallest roof peak for elevation, and triangulated that with the slope. He explained that that slide showed general elevation above high tide. This is no relation to any certain property or the topography, this is a constant high tide water mark and general elevation. He stated that in his opinion, this graph illustrates two things: [1.] Starting from One Wingaersheek Road to the end down by the castle, it shows the flow of elevations and how the houses all line up along the beach. [2.] It shows the proposed building would be the fifth tallest building on the beach, and within three feet of that, there is another handful. By what the project is being judged upon, consistent with the neighborhood, in his opinion, it would be consistent because there are already buildings taller than that. Lastly, what's not shown on the slides for simplistic reasons is if they were to impose the FEMA impact on this, not changing any of the houses, but simply requiring them to start at the 19-foot elevation as in FEMA Zone 6, all of these elevations would then go up, becoming more consistent with what the proposed building is. He stated that it is consistent now, and will be consistent as more houses are improved along the beach, and development happens.

**Summary of Discussion: Council President LeBlanc** stated that there were currently 96 people in attendance. He asked abutters to speak up if they'd like to, and asked everyone who would like to speak briefly to express whether they were in favor or opposed in the interest of time.

**Residents Speaking in Favor:**

**Jack Favazza, 3 Doanne Road**

**Jim Alvarez, 7 Aileen Terrace**

**Marcia O'Brien, 19 Stanwood Point**

**John Nicastro, 1 Tolman Avenue**

**Lois Cooperstein Linsky, 3 Rio Drive**

**Joe Amicone, 82 Hesperus Avenue**

**Mark Thompson, former address 19 Wingaersheek Road**

**Paul Overy, 3 Rio Drive**

**Residents Speaking in Opposition:**

**Kassia Davis, 91 Wingaersheek Road**

**Erin Nelson, 132 Wingaersheek Road**

**Frank Kinzie (Direct Abutter) 111 Wingaersheek Road**

**Summary of Discussion: Councilor Holmgren** called a point of order, and explained to Mr. Kinzie that the ramp that he claims is illegal at 105 Wingaersheek Road and the garage he mentioned is not part of the permit review before the Council, and he is also over 5 minutes of time that he has been given to speak. **Council President LeBlanc** told Mr. Kinzie that he understands his concern, however there are currently 16 other

people who would like to speak. Mr. Kinzie responded that he has detailed all of his complaints in a letter to the Council that he encouraged them all to read.

**Robert Stevenson, 153 Wingersheek Road**

**Tom Mannle, 1037 Washington Street (Trustee for Family Property located at 79 Wingersheek Road)**

**Susan Humphries Salop, 89 Wingersheek Road**

**Hailie MacNeill-Jenness, (Direct Abutter) 103 Wingersheek Road**

**Ken Kaplan, 73 Wingersheek Road**

**Ernie Herrman, 139, 141, and 10 Wingersheek Road**

**Ann Marie Lindquist, 101 A & B Wingersheek Road**

**Kathleen Herrman, 139, 141, and 10 Wingersheek Road**

**Brenda Malloy, 43 Rocky Neck Avenue**

**Mike & Laurel Galasso, 8 Pebble Path**

**Sara Mannle Rosetti, summer resident of 79 Wingersheek Road**

**Joe & Romie Tagliente, 93 Wingersheek Road**

**Steve DiFillippo, 33 Two Penny Lane**

**Nancy Archer Gwin, 103 Wingersheek Road**

**Dennis McGurk, 283 Concord Street**

**Alexandra Drane & Antonio Bertone, 132 Wingersheek Road**

**David Godbout & Rachel Bachner, 168 Bergen Street Brooklyn, NY**

**Ronald MacNeill Jr., representing Kathleen Archer MacNeill, 103 Wingersheek Road**

**Adam Klein, 23 Wingersheek Road**

**Cathy Kaplan, 73 Wingersheek Road**

**James Hand, 36 Rocky Neck Avenue**

**Georgina Winthrop, 153 Wingersheek Road**

**Nancy Herron Wegner, 113 Wingersheek Road**

**Kelsey Archer Merriam, (Direct Abutter), 103 Wingersheek Road**

**Joan Archer, (Direct Abutter), 103 Wingersheek Road**

**Steven Warhover, 117 Wingersheek Road**

**Eve Grissinger, 113 Wingersheek Road**

**Summary of Discussion:** Councilor Gilman shared with the Council that *Gloucester Zoning Ordinance Appendix A, Rule 25, Rules of Procedure, Special Permit Procedures under Council Action Number 5, Item G* states that for a complex or controversial case, the Council at the close of the hearing may or may not be ready to make a decision. If the decision is already clear, the Council may pass a motion instructing a specific official or employee to prepare a document in support of the decision for consideration at the next Council meeting. If the decision is not clear, the Council will defer action to its next meeting, but no additional information will be received or considered in addition to the testimony and information obtained during the course of the public hearing and constituting the record of same.

**Reverend Richard Emmanuel, 153 & 149 East Main Street**

**Summary of Discussion:** Council President LeBlanc called a point of order, and disconnected the call due to the fact that Reverend Emmanuel refused to obey the rules of the Special Council Permit currently before the Council. Mr. Emmanuel did not state whether he was in favor or opposition.

**Deborah Daley Roussos, 119 & 123 Wingersheek Road**

**Katherine Ryan, 17 High Rock Terrace**

**Linda Lyons, has family members residing at 147 Wingersheek Road**

**Linda McCarriston, 16 Quarry Street**

**Laura Landrigan, 59 Wingersheek Road**

**Ford Wegner, summer resident of 113 Wingersheek Road**

**Susan Grissinger, summer resident of 113 Wingersheek Road**

**Neil Ayer, 147-149 Wingersheek Road**

**Irvin Falk Jr. & Christine Falk, 20 Two Penny Lane**

**MOTION to CONTINUE MEETING:** On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to continue the meeting until 11:30 p.m.

**MOTION to CONTINUE MEETING:** On a motion by Councilor Pett, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to continue the meeting until 12:00 p.m.

**Summary of Discussion:** Attorney Sheedy informed Council President LeBlanc that Attorney Bobrowski would be providing the rebuttal, and that he wrote and submitted a memorandum to the Council, and she stated that he will also be following up on the comments from the public.

**Attorney Bobrowski** thanked the Council for the opportunity, for acknowledging that the neighborhood is somewhat stirred up about this. He stated that he respects their pride of neighborhood, but he believes the application can fit within the neighborhood character. First and foremost, this is about the height, not about the building, or the footprint of the building, and the Gloucester Zoning Ordinance establishes that an increase in height maybe had by special permit, and he told the Council that is the issue in front of them. Testimony made that the house is incongruous or that it will have an impact on the environment, he stated that there is no doubt that the house has a large footprint, but it is a stretch to say that the height increase will have an impact on the environment. One attendee went so far as to suggest that the height increase would cast shadows on plover habitat, but the Council asked Mr. Costa to do a plover study, and that is not true, there is no impact on the plover habitat from he's been told. He asked the Council to remember that the footprint is as-of-right.

He reiterated the various parameters that **Attorney Sheedy** covered, and stated that the fact that the owner could subdivide the property into two lots should be at the forefront of the Council's mind as they enter into the decision-making phase. There are rules to follow for this special permit for the increase in height, and some attendees have suggested that Mr. Costa to break the rules or make up his own, but he stated that is not the case at all. He also explained that there is no hardship requirement, that is a variance. He went through the characteristics of 3.1.6(b), and why he believes this project meets them.

He shared a recent land court decision regarding overshadowing. He explained that overshadowing does not mean if there is a shadow, the permit should be denied, there must be a substantial detriment as a result of the shadow. He compared this case to a similar one that ruled that the shadow created was not detrimental. He also stated that **Mr. Gulla** was the only certified professional certified who spoke this evening regarding the shadows, to supervise and conduct the shadow study, and stated that in any judicial testimony of the Council's decision, expert testimony is crucial. He asked the Council to consider this application favorably.

**MOTION to CONTINUE MEETING: On a motion by Councilor Cox, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to continue the meeting until 12:30 p.m.**

**Communications: The City Clerk** told **Council President LeBlanc** that 73 communications submitted to the **City Clerk's** office, all of them in opposition. She shared that she had an Excel spreadsheet with the names and addresses that will be entered into the record tonight.

### Councilor Questions

**Q1 (LeBlanc) What is the actual square footage of the house?**

**A1 (Gulla)** I believe the actual square footage of living space is slightly higher than 10, 200 square feet.

**Q2 (Leblanc) What is the actual square footage of the entire building?**

**A1 (Gulla)** I have not measure the decks, to be honest with you. I could guess that it is probably closer to 11,000 square feet.

**Q3 (LeBlanc) What would be the next size lower house in the Wingersheek neighborhood?**

**A1 (Gulla)** It would probably be one of the larger structures to the north or near the castles, or on Two Penny Lane, but I don't know their exact sizes. One Wingersheek Road is a large structure as well.

**Q4 (Holmgren) Mr. Calkins, would you mind showing us your chart again with regard to the elevations above sea level, and if you wouldn't mind explaining it again a little more slowly? I apologize for asking that, but I want to make sure I clearly understood where you are coming from.**

**A1 (Calkins)** Sure, I'd be happy to, because we were low on time I had to sort of rush through it. The confusion states from elevation and height in regards to the different topography of each lot, which as we know, differs from house to house. So what this illustrates (it's key to understand that it illustrates) elevation above sea level, so what we were able to do is give a consistent measure by which elevation can be judged from, being the high water mark, so as we go down the beach, each elevation is the top of the roofline in relation to the high water mark. Now one gentleman brought up that everyone knows in planning, everything is from relative grade or average grade. We have no way to show that without trespassing, so what we did is an apples to apples comparison. If you were in a boat looking at Coffins Beach, this is what the horizon would look like. This is all judged off of high tide, what the general elevations are on the beach. The gentleman who owns the castle, they are up higher, which is why you see 65 feet, but again, we're talking about an illustration showing how the elevations look across the entire beach. Does that makes sense?

**Summary of Discussion: Councilor Holmgren** said that it does, she thanked **Mr. Calkins** and expressed appreciation.

**Q5 (Gilman)** So, I'm just going to go back for a second to our meeting on February 19, 2020 because I needed clarification, I think it is important. So Mr. Gulla, who is on the Conservation Committee, appropriately recused himself from serving on the ConCom in terms of this particular matter, so that was appreciated, and we discussed that. My question is, on the Wetlands Protection Act (WPA) Form, in terms of it being a three-year expiration date, and specifically we had discussed in our meeting that the square footage of the dune erosion under Item B. Findings-Coastal Dunes, which three years ago said the square footage 6,844 feet, and the mitigation footage was 690. We questioned that erosion in terms of the longevity of that document, and I believe, if I'm not mistaken, Attorney Sheedy, that there was a three-year-lifespan for that document, and you were still in compliance to that three years. Actually, I think (General Counsel) Chip Payson is still on the call, so maybe I could ask Chip to explain.

**A1 (Sheedy)** Well, if I could, I'd like to interject here, because I think Adrienne Lennon, who is the Conservation Agent, has already addressed this, that the project is located above the dunes, so that there was no impact on the shifting of the dunes at the original Order of Conditions, survived and was not affected by any exception, and I believe she said she spoke to you about that directly.

**Q6 (Gilman)** Yeah, I guess I was just looking for Chip to weigh in and explain that, because I have had other people who brought that up, so Chip, would you mind just explaining that?

**A1 (Payson)** I don't have that information in front of me such to explain it, however, I do recall something consistent with what Attorney Sheedy said that there were concerns raised, but those concerns were alleviated.

**Summary of Discussion: Councilor Gilman** replied "Ok, that's fair, thank you, that answers my question."

**The public hearing was closed at 12:02 p.m.**

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Gilman, seconded by Councilor Holmgren, the Planning & Development Committee voted by ROLL CALL 2 in favor (Holmgren, Pett), 1 opposed (Gilman) to recommend that the City Council grant to Lawrence Costa, through owners, William S. Hathaway, Craig S. Hawley, and Virginia H. Raylean, Manager of 1928 Coffins Beach Cottage LLC, for the

property located at Wingsheek Road #105 (Assessors Map 261, Lot 31 zoned R-20, pursuant to Section 3.1.6(b) of the Gloucester Zoning Ordinance for a building height in excess of 35 feet, for a total of 4 feet, 6 inches over 35 feet, for a special council permit (SCP2020-001).

This building height is consistent with neighborhood character and will not be substantially detrimental to the neighborhood because of obstruction of views, overshadowing of other properties, impairment of utilities and/or other adverse impacts.

This permit is made on the basis of the plans and elevations dated 2/22/2017 by Robert Gulla Architecture, R.A., Gloucester, MA, submitted to the City Clerk on 1/22/2020.

Subject to new information and or discussion that result from the public hearing, this Special Council Permit is in harmony with the general purpose and intent of this ordinance pursuant to the governing Zoning Ordinances.

Further, consistent with the emergency COVID-19 MA House, No. 4598 approved on 4/3/20, this Special Council Permit public hearing will be continued to the first hearing date of the Council, following the termination of the state of emergency, or to a date otherwise prescribed by law, whichever is later, provided that the public hearing is not later than 45 days from the termination of the state of emergency.

**Summary of Discussion:** Councilor Gilman moved the original motion, and Councilor Holmgren seconded it. Council President LeBlanc asked Councilor Gilman if “This permit is made on the basis of the plans and elevations dated 2/22/2017 by Robert Gulla Architecture, R.A., Gloucester, MA, submitted to the City Council on 1/22/2020” if it was submitted to the City Council or City Clerk. Councilor Gilman stated that she would amend the motion to read “City Clerk”.

Councilor Gilman mentioned to the Council that one of the things that she wanted to make sure they do, because it is late, she wanted to make sure that the Council has a vigorous discussion about this matter. She stated that if the Council is not able to do that tonight, and suggested this matter not continue tonight. She explained that she did not want to hurry this conversation since the Council has spent a lot of time on this matter. She wanted to make sure the Council gives this its due respect.

Council President LeBlanc agreed, and stated that if they were going to have the discussion, they should start at the top of the order with Councilor Cox. Councilor Gilman agreed, but said that she did have a Committee Report, and the Council did not want to do a straw poll. They want to discuss the vigorous criteria.

Councilor Nolan asked Council President LeBlanc if the Council needed to vote on the amended motion. Council President LeBlanc stated that although Councilor Holmgren had seconded the original motion, he believed that Councilor Gilman had amended the motion in time. He then decided to vote on the amendment just to be safe.

**MOTION: on a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 9 in favor, 0 opposed to amend the original motion by striking “the Council” and inserting “City Clerk” into the motion verbiage.**

**Summary of Discussion:** Councilor Gilman stated that she was going to be very brief presenting the Committee Report. The Council knows the property is R-20 zoning district, the matter was before the committee on February 5, 2020. The Special Council Permit application was signed off on by The Building Inspector and Planning Director on January 22, 2020. The Planning & Development Committee conducted an extensive site visit at the property in February pre-COVID, and the committee was happy that the property was staked, there were poles in place, and the site visit attendees were able to view the property from the

homes of two abutters, belonging to the Archers and Lindquists. On February 19, 2020, this application came back before the Planning & Development Committee, and several matters came up that the applicant was asked to research. It was confirmed that **Architect Bob Gulla** had recused himself appropriately from the Conservation Commission vote, of which he Chairs. The Council also discussed the importance of a shadow study, which was taken forward based on that request, which was appreciated. At our February 19<sup>th</sup> and April 8<sup>th</sup> Planning & Development meetings, the committee member had vigorous conversations leading to their vote, and in the motion, they also stated that it was subject to any new information and discussions that resulted from the public hearing, which the Council has gone through tonight. She explained that is the summary, and before the Council begins the conversation, she wanted to once again review that in order to approve the application, the City Council must find that that an increase of the allowable height beyond 35 feet is both consistent with neighborhood character, and will not be substantially detrimental to the neighborhood because of obstruction of views, overshadowing of other properties, impairment of utilities, or other adverse impacts. In other words, the Council must find that 1 and 2 comply in order to approve the application.

**Council President LeBlanc** stated that since the Council had already gone through all of the characteristics of the zoning ordinance in the previous public hearing. He requested that the Councilors just explain why they are voting for or against this application this evening, because otherwise, he believed it would turn into a straw poll. **Councilor Cox** agreed.

**Councilor Gilman** shared that she was going to vote no for the following reasons: she believes that the shadows do cast shadowing at 103 Wingersheek Road, the Kinzie's house, Map 261, Lot 33 from the morning sun coming from the public side of Wingersheek Beach, cutting over the northeastern wing of the proposed structure. She is not in agreement with the applicant's view that this project is consistent with neighborhood character. Her feeling is that an 11,000 square foot house is not consistent with the neighborhood character. She stated that there were parts of this project that she really appreciated, but her vote is no.

**Councilor Holmgren** stated that this was a very tough decision for her. She has spent a long time thinking about it, and has read the case and appeal, and the meeting minutes from 2017. She appreciates the Costa's efforts to try to accommodate neighborhood requests, but she is also going to vote no. She explained that the crux of the matter for her is the elevation chart, because while the Council is looking at elevations above sea level, and looking at 50 feet, and trying to compare heights of different homes down the beach, they're not accounting for the topography of the beach. If she is interpreting that chart correctly, and that combined with the abutters' objections to the height of the roof, just pushes it over the edge for her.

**Council President LeBlanc** echoed the statements of **Councilors Gilman** and **Holmgren**. He stated that he thinks the size and character of this dwelling is not characteristic with the neighborhood. He heard **Mr. Gulla** saying the overshadowing is going to "tickle", but overshadowing is overshadowing. He cannot say whether it is going to impact or not, but he is going to vote no.

**Councilor McCarthy** mentioned that a lot was said this evening about the Council upholding the zoning, but that is not what they are there for, they are there for a special council permit. The applicant asked the Council to grant an exception. He shared that he attended the site visit, and actually walked the beach this morning to get another look at the property. He does not believe the size of the house, and the 9 ½ feet over the 30 feet is not keeping with the character of the neighborhood. He believed as **Councilor LeBlanc** just said, the applicant's own charts showed that it did shadow the neighboring house. For those two reasons, those are the criteria allowed to grant that. He does not believe they have met that criteria, so he is going to vote no.

**Councilor Memhard** stated that the proposed height exemption requested for 105 Wingersheek Road will, he believes, result in a structure that is significantly out of character, and is inconsistent with the seasonal and

year-round homes and cottages of the settled beachside area. The requested extra height combined with the large footprint and scale of the building would result in a structure that is totally unique to the surrounding neighborhood, so that if built, this structure would prominently and adversely dominate the entire area, including overshadowing abutters, and obstructing views and vistas of the dunes, the open expanse of the sky, the beach, and the ocean. This would be in fact inconsistent and detrimental to the unique natural resource and residential character of Wingaersheek and Coffin's Beach, and I cannot support this as proposed.

**Councilor Nolan** shared that he does not think this fits the neighborhood character. He does believe that it obstructs views, it will overshadow, but is definitely not consistent with the neighborhood. He understands some of the compromises that were trying to be made, but he is not supporting this tonight.

**Councilor O'Hara** attended the site visit in February, and the previous site visit, and has looked at the neighborhood. He does not believe that this structure will fit the character of the neighborhood. He believes that the additional height will impact views, as well as the overshadowing, so he will not be supporting this.

**Councilor Pett** shared that he has some conflicts here in his mind, and looking at everything, he thinks the applicant has gone beyond what is required in trying to preserve the views of the abutters, the Archers, Lindquists, and Kinzies, in the design of the house. He thinks much of what they have done was done specifically to meet the requirements necessary for the Council to approve it. At the same time, he also wonders if this permit is denied, and the applicant comes in with a design that is a square box that will be in other dimensions, and everything else that may impact the abutters even more. He expressed concern about that, but because of the opposition from all the members of the neighborhood in the sense of wherever it is considered to begin, the neighbors don't feel that it is part of, in character with the neighborhood, and even though he believes they have done the proper thing, that is why they have zoning regulations, and why they have a special permit to ask for relief from that requirement, overall, he has to vote no.

**Councilor Cox** stated that she is not going to support this, she does not believe it is consistent with the neighborhood, and due to the other issues such as foreshadowing and some of the other things discussed this evening. With the opposition, she wouldn't feel right approving this, so based on that, she is voting no.

**MOTION: Motion fails. On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 0 in favor, 9 opposed, to grant to Lawrence Costa, through owners, William S. Hathaway, Craig S. Hawley, and Virginia H. Raylean, Manager of 1928 Coffins Beach Cottage LLC, for the property located at Wingaersheek Road #105 (Assessors Map 261, Lot 31 zoned R-20, pursuant to Section 3.1.6(b) of the Gloucester Zoning Ordinance for a building height in excess of 35 feet, for a total of 4 feet, 6 inches over 35 feet, for a special council permit (SCP2020-001).**

**This building height is consistent with neighborhood character and will not be substantially detrimental to the neighborhood because of obstruction of views, overshadowing of other properties, impairment of utilities and/or other adverse impacts.**

**This permit is made on the basis of the plans and elevations dated 2/22/2017 by Robert Gulla Architecture, R.A., Gloucester, MA, submitted to the City Clerk on 1/22/2020.**

**Subject to new information and or discussion that result from the public hearing, this Special Council Permit is in harmony with the general purpose and intent of this ordinance pursuant to the governing Zoning Ordinances.**

**Further, consistent with the emergency COVID-19 MA House, No. 4598 approved on 4/3/20, this Special Council Permit public hearing will be continued to the first hearing date of the Council, following the termination of the state of emergency, or to a date otherwise prescribed by law, whichever**

**is later, provided that the public hearing is not later than 45 days from the termination of the state of emergency.**

**Summary of Discussion:** Council President LeBlanc thanked the Councilors, everyone in attendance tonight, he appreciated the Costa's team for attending this long meeting tonight. He stated that he is not going to entertain any Councilor's Requests to the Mayor, any Councilor who have any requests can email them to him tomorrow.

**MOTION: on a motion by Councilor Memhard, seconded by Councilor Gilman, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to adjourn the meeting at 12:22 a.m.**

Respectfully submitted,  
Brianna Komi  
Administrative Support  
City Clerk's Office

DRAFT

SPECIAL CITY COUNCIL MEETING MINUTES

9/29/2020

(UNDER SEPARATE COVER)

**BUDGET & FINANCE MEETING MINUTES**

**10/8/2020**

**(UNDER SEPARATE COVER)**

Ordinance & Administration Standing Committee  
Monday, October 5, 2020 – 6:00 p.m.  
-Minutes-  
Remote Meeting

Present: Chair, Councilor Sean Nolan; Councilor Jamie O’Hara; Councilor John McCarthy

Absent: Councilor Steve LeBlanc

Also Present: Councilor Jen Holmgren; Joanne M. Senos; Vanessa Krawczyk; Eric Smith

The meeting was called to order at 6:00 p.m.

Councilor Nolan announced, This meeting is recorded by video and audio in accordance with state open meeting law. Consistent with the Governor's orders, suspending certain provisions of the open meeting law and banning gatherings of more than 25 people, this meeting will be conducted by remote participation. The public may not physically attend this meeting but every effort will be made to allow the public to view and listen to the meeting in real time. Persons who wish to do so are invited to view the meeting and you have the information that was on the posting. If you are calling in on a phone, you can press \*9 to request to speak. If you're watching on a computer a device, there is a raised hand button that you can tap or press to request to speak. Please use either these options to be recognized to speak.

Councilor Nolan announced that Vice Chair, Councilor LeBlanc, was unable to attend the meeting and Councilor John McCarthy was filling in as an alternate.

*1. Appointments*

Human Rights Commission (TTE 2/14/23) Hannah Kimberley

Ms. Kimberley informed the Committee that she is an educator and currently teaches at an all-girls academy in Wenham. She is the president of the League of Women Voters, and founded Women’s Equality Cape Ann. She told the Committee that she is dedicated to students – as well as members of the community – who are socially, academically and economically disadvantaged.

Councilor Questions: None.

**Councilors Nolan, O’Hara, McCarthy and Holmgren** thanked Ms. Kimberley for volunteering to serve on the Commission.

**COMMITTEE RECOMMENDATION: on a motion by Councilor Nolan, seconded by Councilor O’Hara, the Ordinances & Administration Standing Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that the City Council appoint Hannah Kimberley to the Human Rights Commission, TTE 2/14/23.**

*2. Memorandum from Fire Chief re: request amendment to GCO Sec. 8-21(d) “Qualifications and appointments of firefighters”*

Chief Smith informed the Committee that the amendment is being proposed because it takes into account current training and valid certificates that a prospective firefighter might have, and removes

the requirement that they get trained again. This allows money that would have been spent on repeat training to be spent on advanced training.

Councilor Questions: None.

**Councilors Nolan, O'Hara, McCarthy and Holmgren** thanked **Chief Smith** for bring the amendment forward.

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Nolan, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend to the City Council that the GCO Chapter 8, Article II, Sec. 21 "Qualifications and appointment of firefighters" subsection (d) be amended as follows:

(d) All newly hired city firefighters shall either attend and successfully complete the recruit training program at the state firefighting academy with satisfactory completion of the recruit training program or submit satisfactory documentation that the newly hired firefighter has completed an equivalent training program with the same certifications as the state firefighting academy as---be a condition of employment. Completion of the program shall be, whenever possible, with the employees' probationary period prescribed by M.G.L. c. 31, § 61. If a firefighter begins the recruit training program during the probationary period, the probationary period shall be suspended until the firefighter completes the program. If the probationary period would expire prior to the firefighter entering the academy, the mayor will make a written request to the personnel administrator to extend the probationary period until the program is completed.

This matter will be advertised for public hearing on October 27, 2020.

**MOTION:** on a motion by Councilor Nolan, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed to adjourn the meeting at 6:15 p.m.

Submitted by Grace E. Poirier, Assistant City Clerk

**Planning & Development Standing Committee**  
**Wednesday, October 7, 2020 – 5:30 p.m.**  
**REMOTE MEETING**  
**-Minutes-**

**Present: Vice Chair, Councilor Jen Holmgren; Councilor Barry Pett**

**Absent: Chair, Councilor Val Gilman**

**Also Present: Grace E. Poirier; Mayor Theken; Vanessa Krawczyk**

**Applicants: Attorney Joel Favazza for SCP2020-005; Lt. Jeremiah Nicastro for Special Events Permit Application**

*This meeting was conducted remotely through ZOOM  
All votes by ROLL CALL*

**Meeting called to order at 5:33 p.m.**

**Councilor Holmgren** announced, This meeting is recorded by video and audio in accordance with state open meeting law. Consistent with the Governor's orders, suspending certain provisions of the open meeting law and banning gatherings of more than 25 people, this meeting will be conducted by remote participation. The public may not physically attend this meeting but every effort will be made to allow the public to view and listen to the meeting in real time. Persons who wish to do so are invited to view the meeting and you have the information that was on the posting. If you are calling in on a phone, you can press \*9 to request to speak. If you're watching on a computer a device, there is a raised hand button that you can tap or press to request to speak. Please use either these options to be recognized to speak.

**Councilor Holmgren** announced that **Councilor Gilman** was not able to attend the meeting.

**1. SCP2020-005: Rocky Neck Avenue #37, Map 130, Lot 4A, GZO Secs. 2.3.1.7 "Conversion to or new multi-family or apartment dwelling, four to six dwelling units," and 3.2 "Dimensional Tables," reduction in minimum lot area and open space per dwelling unit to create a fourth unit, in the NB zone.**

**Councilor Holmgren** announced that this matter is continued to October 21, 2020.

**2. Special Events Permit Application: Request to hold the Halloween Walk Thru on October 31, 2020**  
***DATE REVISED to October 29, 2020 at the October 1, 2020 Special Events Advisory Committee***

This application appeared before the P&D Committee for the purpose of requesting road closures for the event. Per a memo dated October 5, 2020 from the City Clerk, the Special Events Advisory Committee voted the event to be held on Thursday, October 29, 2020. A memorandum received from the Mayor's Office confirmed that the event was covered under the city's liability insurance.

**Lt. Jeremiah Nicastro** advised the Committee that Main Street will be closed off from 2:00 – 4:00 p.m. Businesses will be notified, and an electronic message board will be set up on Main Street to alert the public about the parking restrictions on October 29. Saw horses will be set up from the location of the old CVS to Bank. He and the **Mayor** told the Committee that signs will be posted on the Main Street meters by 12:00 noon on Wednesday, October 28 advising the public that parking will be prohibited beginning at 12:00

noon to 4:00 p.m. on Thursday, October 29. Participant check-in stations will be located at the beginning of the route by Bank Gloucester, one in the middle, and one by Tonno Restaurant.

**Lt. Nicastro**, the **Mayor** and the **Committee** also talked about the safety precautions that were being taken, including the prohibition of children entering the stores, candy distribution, masks and safety fliers. The Mayor has been in contact with the Board of Health regarding the walk thru, and is following their guidance. A school resource officer is helping out, and there will be a police presence as well.

#### **Councilor Questions:**

**Q.1. (Pett):** Providing that the event is approved, can the Mayor and Lt. Nicastro check in with Board of Health Director the week of the event to see if it's safe to proceed with the event?

**A. (Mayor):** Yes, and if the event has to be cancelled it will be cancelled in advance.

**Q.2. (Pett):** What happens to the vehicles that are already parked on Main Street when the parking prohibition goes into effect?

**A. (Mayor and Nicastro):** Signage will be posted on meters beginning at 12:00 noon on Wednesday; however, cars that are parked will not be towed and the police will help guide vehicles off Main Street if they have to leave.

**COMMITTEE RECOMMENDATION:** on a motion by Councilor Holmgren, seconded by Councilor Pett, the Planning & Development Committee voted by **ROLL CALL 2** in favor, **0** opposed, **1** absent to recommend that the City Council approve a Special Events Permit to the Gloucester Police Community Impact Unit to hold the Halloween Walk Thru on Thursday, October 29, 2020 between the hours of 2:00 p.m. and 4:00 p.m., with closures of Main Street from the corner of Pleasant Street and Main Street (Bank Gloucester) to 2 Main Street (Tonno Restaurant), with the following conditions:

1. No merchant set ups on the sidewalk blocking entrance ways to retail or residential units, hydrants, crosswalks or handicap ramps.
2. The organizers shall allow the Fire Department drive-through access with the fire engine at the convenience of the Fire Department.
3. That all of the side streets (Short, Porter, Center and Hancock Streets) shall not be blocked so that emergency vehicles may enter and exit Main Street as needed.
4. Merchants shall be responsible for their own trash removal.
5. Plumbing codes and regulations shall be adhered to regarding the use of restaurant bathroom facilities.
6. Special lighting and electrical requirements necessitate approval of the Inspector of Buildings and the Electrical Inspector.
7. The closure of the street at the intersection of Main and Short, Porter, Center and Hancock Streets must be by means of sawhorses or the like, as directed by the Gloucester Police Department.
8. It is the responsibility of the Gloucester Police Community Impact Unit to procure any other necessary local approvals associated with this event.
9. That the Unit makes reasonable notification to all residents and merchants along the route that will be affected by the closure.
10. All other applicable laws, City ordinances and/or regulations that are in full force including Ordinances regarding blocking of sidewalks. The Police Department will enforce these requirements in the interest of public safety.
11. The Gloucester Police Community Impact Unit shall also adhere to any requirements expressed by the Special Event Advisory Committee including that:

- (a) That a letter from the Office of the Mayor be provided assuring that the event is covered under the City of Gloucester Liability Insurance, and;
- (b) That this approval is based on the Gloucester Police Community Impact Unit plan submitted to the City Clerk's Office;
- (c) Must follow the guidelines of the CDC and the local board of health for social distancing. Masks are required for people walking on Main Street.

**12. Signs will be posted at all parking meters downtown to notify of the event 24 hours in advance from 12:00 noon on October 28 thru 12:00 noon on October 29.**

**MOTION: on a motion by Councilor Holmgren, seconded by Councilor Pett, the Planning & Development Committee voted by ROLL CALL 2 in favor, 0 opposed, 1 absent to adjourn the meeting at 6:02 p.m.**

**Submitted by Grace E. Poirier, Assistant City Clerk**

DRAFT



# GLOUCESTER CITY COUNCIL 2020 PUBLIC HEARING

**PUBLIC HEARING NUMBER:** PH2020-011

**SUBJECT:**

SCP2020-003: Atlantic Road #163 (formerly part of #171), Map 73, Lot 41 (a portion of former Map 73, Lot 26), GZO Secs. 3.1.6(b) "Building Heights in Excess of 35 Feet," 3.2.2 fn.(e) "Dimensional Requirements for Multi-family Dwellings and Their Accessory Uses (other than signs) – reduction in distance between buildings," 2.3.1(8) "Conversion to or new multi-family or apartment dwelling, seven or more dwelling units," 5.7.5 "Special Permit Criteria" for Major Project and 1.10.1(a)(1)(2) "Jurisdiction of the City Council" in the R-20 Low/Medium Density Residential district

**DATE OPENED:**

10/13/2020

**CONTINUED TO:**

**CONTINUED FROM:**

9/8/2020

**COMMITTEE:**

P&D 4/8/2020, 5/6/2020, 9/2/2020, 9/16/2020

SCP2020-003

**LEGAL NOTICE  
NOTICE OF PUBLIC HEARING**

In accordance with the provisions of MGL Chapter 40A, Section 11, the Gloucester City Council will hold a public hearing on **Tuesday, April 14, 2020 at 7:00 p.m. in the Kyrouz Auditorium, City Hall**, relative to the following Special Council Permit application:

**SCP2020-003:** The application of Deborah A. Eliason, Esq., on behalf of applicant 171 Atlantic Road LLC, for a Special Council Permit to construct an 11 unit multi-family development, pursuant to GZO Secs. 1.8.3 "Standard to be Applied", 3.1.6(b) "Building Heights in Excess of 35 Feet", 3.2.2 fn.(e) "Dimensional Requirements for Multi-family Dwellings and Their Accessory Uses (other than signs) - reduction in distance between buildings", 2.3.1(8) "Conversion to or new multi-family or apartment dwelling, seven or more dwelling units", 5.7.5 "Special Permit Criteria" for Major Project and 1.10.1(a)(1)(2) "Jurisdiction of the City Council" at **163 (formerly part of 171) Atlantic Road, Assessors Map 73, Lot 41** (a portion of former Map 73, Lot 26) in the R-20 district.

At the public hearing, all interested persons will have the opportunity to be heard based on the procedures determined by the Council.

**All written communications to the Council must be received by the office of the City Clerk no later than 3 business days (excluding holidays and weekends) prior to the scheduled hearing date or any continuation by the Council of such date in order to be submitted to the Council prior to the public hearing.**

By vote of the City Council  
Joanne M. Senos, City Clerk

AD#13880599  
CAB 3/27, 4/3/20

→ 3. SCP2020-003: Atlantic Road # 163 (formerly part of #171), Map 73, Lot 41 (a portion of former Map 73, Lot 26), GZO Sec.'s 1.8.3 "Standard to be Applied," 1.10.1(a) "Jurisdiction of the City Council and Zoning Board of Appeals-City Council," 2.3.1(8) "Conversion to or new multi-family or apartment dwelling, seven or more dwelling units," 3.1.6(b) "Building Heights in Excess of 35 Feet," 3.2.2 "Dimensional Requirements for Multi-Family Dwellings and their Accessory Uses (other than signs)" and 5.7.5 "Special Permit Criteria" in the R-20 Low/Medium Density Residential District INCLUDING modified plans received 8/11/2020, and scheduling of site visit (Cont. from 9/2/2020)

**Summary of Discussion:** Attorney Deborah Eliason of Eliason Law Office, 63 Middle Street, Gloucester, Massachusetts appeared before the committee to represent the applicant 171 Atlantic Road, LLC, and introduced the team that had joined her in attendance at tonight's meeting; Owner **Bryan Melanson**, Engineer **John Morin** from Morin-Cameron Group Inc., along with Architect **Andrew Sidford**. Mr. Melanson and Mr. Morin experienced technical difficulty, however, were able to attend most of the meeting.

Attorney Eliason explained that they had last been before the Planning and Development Committee in May. Her objective for this evening was to answer the site visit questions, and provide a brief summary of the project, go through the legal criteria, and answer any questions that may be addressed.

She stated that tonight, they were seeking a favorable recommendation from the Planning and Development Committee for a Special Permit for a New Multi-family with 7 or more units, and a Major Project involving multi-family with 11 or more units. The applicant has withdrawn the request for Special Permits for a Height Over 35 Feet and Distance Between Buildings, and all other zoning requirements are met. A site visit was conducted on Friday, September 11, 2020, during which time the team showed attendees where the buildings would be located, and confirmed that the distances that are shown in the renderings are accurate, and are sited as far away from the High Popples Road neighborhood as possible.

**Q1. How many hotel rooms were there at the site when it was in operation?**

A1. On the Lot 5, which is the only lot that we're dealing with tonight, there were 28 hotel units in the single-story buildings that you saw when we were out there, and 7 in the two-story building that is also still there. This is only Lot 5, so 35 units on that lot. There were a total of 68 units when you look at all of the parcels that comprise that property.

**Q2. How has the applicant reached out to the abutters?**

A1. Before the plans were even submitted, and while they were still in development, Mr. Melanson reached out to the neighbors and asked to hear their concerns, and told them what he was planning to do at every step of the process before the ANR plan, before ZBA approval of the mansion, and the City Council approval of the mansion, before he submitted plans to this City Council with regard to Lot Five, and when he submitted the modifications, he again reached out to the neighbors to get their input. He had two neighborhood meetings, one in person, which was pre-COVID, and a second Zoom meeting where the modification was discussed. He's met with numerous individuals and immediate abutters and neighbors that have reached out to him. He has set up a meeting for next week with one of the neighbors from High Popples that was unable to attend the formal site visit, and so he hopes to discuss any concerns she may have. Out of these discussions with the neighbors came the modified plan, and that reduced the height and adjusted a building to preserve the neighbor's view. He is doing, had done all of these meetings to allay any concerns that the neighbors might have.

**Q3. Back at P and D, since this plan is a modification of the initial plan, is it recommended that the applicant does an update of the entire plan on 9/16/20?**

**A1 (Eliason)** That was my question, and the committee decided it made sense to go through things again.

**Q4. So, how many single-family homes or units can be placed on the parcel of land if this permit is not approved?**

**A1.** The lot could be sub-divided into 5 lots, which would be able to house 5 buildings with 2 units in each building, so there would be 10 units. The problem with doing that is those buildings would be, there would be many more buildings on the site, and also they would be positioned such that the Eagle Road neighbors would be impacted in that the property, the building would be much closer to their home, as well as one of the properties on High Popples, so although that had been looked at throughout some of the process, it was determined that what is actually being proposed is a lot better for the neighborhood and this property.

**Q5. Is the stonework fixture being removed?**

**A1.** The pillar that is out front on Lot 4, not this lot, they are hoping to be able to keep. The other stonework will have to be removed.

**Q6. What is going in front of the 5-unit building?**

**A1.** As shown on the plan, this is this part, the 5-unit building. There will be a drainage retention area, and then there will be a lot of landscaping.

**Q7. Do the two end units with garages on the 6-unit building have tandem or single garages?**

**A1.** Those are, these two end units have garages that come off at the ends, as we discussed. They are single-car garages, 24 feet in length, I believe, and they will have, there will be no tandem parking.

**Q8. Does the first stake near Atlantic Road fence represent the center of the entrance road?**

**A1.** That answer was yes, this was right where the stake was, a little bit in, but yes, it represented that entrance.

**Q9. What is the diameter of the landscape island?**

**A1.** I believe I recall that John said that that was 50 feet. I can't expand this. Oh, yes, I can. Yes, it is 50 feet.

**Q10. What will the city do with the remnants of the old utility wires, et cetera?**

**A1.** That is usually the jurisdiction of the utility company, and not the city or the project, so they will determine what happens with the remnants from that, from the utilities.

**11. When will the demolition begin?**

**A1.** The demolition cannot begin until the permits have been issued, so once the permits have been issued, it is Mr. Melanson's desire to proceed expeditiously, and to remove the remaining buildings.

**12. Is there another basement being dug out on Lot 4?**

**A1.** Yes.

**Attorney Eliason** provided a brief history of the project:

**Mr. Melanson** purchased the property (which was the former Oceanview Inn property) in 2018, and what you see here is the current site plan. Lot 5 is the parcel that is being developed. It is the largest parcel, and when **Mr. Melanson** purchased the property, the buildings that were on-site were, and some of them still are, in a deteriorated state. Since that time, several buildings have been removed. The mansion that is on

the corner of Atlantic and High Popples is essentially complete. There are other buildings that are going up on the other lots that are next to it. Some changes have been made since the team first presented this to the committee, so her presentation showed in red the former proposed plans, and the current plan was highlighted in black. The 5-unit building, has shifted a bit at the request of the neighbors, allowing a view corridor to be preserved for a neighbor on Links Road. The height of the buildings were also reduced down to 30 feet, which is allowed under the ordinance. Her presentation showed the 6-unit building prior to the reduction in height, and an image of the end result. It is now a little bit shorter, however she stated that she thinks the architect has done a good job in trying to preserve the character of the building.

She covered the special permit criteria, and discussed why the team believes that this does meet all of them. The social, economic, and community needs are served by this project. The new use will significantly reduce the number of units on the site: 35 motel units will be down to 11 multi-family units. For many years, the hotel was very active, and held many weddings and other functions throughout the year, and the proposal offered is modest, and in keeping with the surrounding residential neighborhood. Prior proposals have called for 18 multi-family units and 3 buildings, making it a much more congested site. The abandoned buildings will be replaced, making the site once again safe, useful, and aesthetically appealing. It's a residential development, which is also more conforming with the zoning ordinances, and more consistent with other uses in the district and the neighborhood than the prior hotel and function facility.

She displayed the zoning chart, and reminded the committee that these numbers have been discussed before, the project complies with all dimensional requirements and density requirements. It does add multi-family housing stock to the city's housing, which is consistent with the housing production plan, and it will comply with the inclusionary zoning ordinance. Traffic flow and safety will also be greatly improved. The prior use was active year-round, and the hotel, function facility, and conference center created traffic entering in and out, and leaving the site at many locations. The traffic from the residential unit will come in only one way, and it will leave the project the same way. It is a 20-foot driveway with a turnaround, so there will be no backing out into the public way, all traffic will head straight out. There is a 16-foot gated access over Eagle Road for emergencies, and there is a requirement of 17 parking spaces, and **Mr. Melanson** is proposing 21. There are garages on the 5-units, two garages on the 6-unit building with parking in front, and there are seven parking spaces for guests.

Utilities and other public services will be updated, and are currently served by public water and sewer, and it is anticipated that the utility consumption will be less than the prior use. The project is consistent with the neighborhood character and social structure. The presentation provided photos of other Atlantic Road properties, representing the mix of residential, commercial, oceanfront properties, many larger, remodeled homes, there are several motels, hotels, and function halls. The project is designed to be consistent with these, and even though the architect has reduced the height, he did a very good job in maintaining the historic essence of the property and the building, and to keep it consistent with the other neighborhoods. **Mr. Melanson** worked hard to preserve the existing view corridors that are located on the property. The view from the Eagle Road properties has a view to Thatcher Island and the Twin Lights, and that has been preserved. Also, the view from the single-story has been improved because this single-story building that now obstructs any views is gone, and so it also benefits from the preservation of the Eagle Road view. These two properties in this building, which is now right on the property line, will be gone, and so they will have a lot more open space in front of those properties. Also, the view from a property on Links Road has been preserved.

The quality of the natural environment will be improved by the project. It includes improvements to the wetlands area. There were some issues with drainage that will be fixed, there was a malfunction in the drainage structure that will be repaired, and the water will flow more freely into the large wetland area to the east. There is sufficient outdoor space to promote the quiet enjoyment of the residents. The lot area

per dwelling and the open space per dwelling are more than adequately met. There is four times the lot area requirement, and much of the existing pavement is going to be removed and replaced with vegetation. With regard to the fiscal impact, it is positive, improvement and occupation of this long-vacant site will increase its value, will add residential tax income to the city, and create a greater consumer base for local businesses and services, and likely improve the neighborhood property values, again adding to the city tax revenue. She suggested to the committee that the general permit requirements have also been met.

The major project criteria has also been met. The project has direct access from Atlantic Road, which is a collector street, also a requirement. It is connected to the municipal sewer, and the site plan shows the required access points, the drainage, and the utilities that are serving each building. All applicable requirements of the zoning ordinance and the building code will be satisfied, and the multi-family is located in a residential zone. Therefore, 5.7.5(e) is not applicable, and as they discussed previously, it will meet all of the requirements of the special permit criteria. She also suggested that this project does meet the requirements, and that it is appropriate for the committee to give a favorable vote and recommendation to the full City Council on this project. She stated that the team would be happy to answer any questions, and shared that **Mr. Melanson** and Engineer John Morin were back on as attendees.

**Chairperson Gilman** commented that she thought the site visit was very helpful. She wanted the public to be aware three sessions were held in order to be able to accommodate any abutters that were interested in attending. She shared that 7 City Councilors attended, along with **Attorney Eliason, Engineer John Morin, Owner Bryan Melanson**, and three abutters.

**Councilor Pett** thanked the applicant for working with the neighbors. He stated that it is obvious that they have spent significant time listening to their abutting neighbors, and he believes they have responded well. He commented that he is personally happy with the way the changes have been made, and the appearance of it at this point.

**Councilor Holmgren** agreed with **Councilor Pett**, and thanked the design team for taking into consideration all of the concerns that the abutters had brought up, and working to find creative solutions that it seems they will feel more comfortable with.

**Chairperson Gilman** asked for details regarding the Conservation Committee meeting. She stated that the Planning and Development Committee did receive a recommendation and support from **Conservation Agent Adrienne Lennon**, however, the letter with conditions will not be available until Thursday, September 17, 2020.

**Engineer John Morin** shared that he met with the Conservation Commission, and they closed the public hearing, and will be issuing an order of conditions for the project. There were no outstanding items that were out of the ordinary. He explained the project has a wetland replication area, so there is a growing season associated with that, just like any other type of project, but the Conservation Committee did not have any additional conditions that they were going to implement on this project.

**Chairperson Gilman** mentioned that she received this communication from Planning Director **Gregg Cademartori** today that she wanted to read for the record:

*Val, I was copied on the staff reporting for the Conservation Commission's review, which in many ways validates the applicant's assertion in addressing the qualities that the Natural Environment Guidelines of Section 1.8.3 of the zoning ordinance. The Conservation Commission has approved the project as revised, and in the same form it is now in front of the Council. It is a permit that is enforceable through the*

*commission and its agent, but you may wish to make reference to the commission's approval. I do not believe that there is a need to enumerate the conditions outlined in the commission's order of conditions.*

**Chairperson Gilman** thanked the **Assistant City Clerk** for collecting the letters from the department managers, and shared that she believes the committee has now received all of them, with the exception of the one from the Conservation Commission that is in process. She read the Planning Board's recommendation from **Mr. Cademartori** that she also received today:

*The Planning Board reviewed and positively recommended the initial application, as referenced. On August 11th, 2020. The Planning Board received notice from Deb Eliason from Eliason Law Office, LLC, attorney representing the applicant, that the application and plan has been revised in several distinct ways, including:*

- 1. Reduction in the building heights and modifications to the architectural design to bring the proposal into compliance with the multi-family dimensional requirement of the R-20 zoning district.*
- 2. Buildings were also modified by reduction in footprints in rotation of the easternmost building, eliminating the needed relief request for the required distance between buildings, and*
- 3. Associated parking adjustments in modification of the alignment of the access drive in central turnaround.*

*The full application, as revised, was reviewed at the Planning Board remote meeting held on August 20th, 2020. At the meeting, a full presentation was made by Attorney Eliason, attorney for the applicant; John Morin, Morin-Cameron Group Inc., Design Engineer; and Andrew Sidford, Andrew Sidford Architects. Project Architect. Based on the presentation application materials including but not limited to Special Permit Application SCP2020-003, architectural plans titled "Melanson Townhouses Atlantic Road, Gloucester, MA." prepared by Andrew Sidford dated June 16, 2020 revised through August 11th, 2020, several plans titled "Multi-family Site Redevelopment in Gloucester, MA Lot 5-163 Atlantic Road, Assessor's Map 73, Lot 4", 7 sheets prepared by John Morin dated August 6, 2020, and landscape and lighting plans titled "Townhouse Community Three Sheets" prepared by Rahner Design Associates Inc. dated February 14, 2020 revised through August 6, 2020. The Planning Board voted 7 in favor, 0 opposed to recommend to the City Council the granting of the Major Project special permit for the proposed 11-Unit Multi-family Project at 163 Atlantic Road.*

**Architect Andrew Sidford** added that the main reason for the revisions were to lower the height at the neighbors' request, and in addition to lowering the height, the depth was reduced by 4 feet to keep the proportions along with the appearance of a sloped roof. He also mentioned the change in access between the buildings to improve the sightlines.

**Chairperson Gilman** thanked **Mr. Melanson**, and expressed the committee's appreciation that he became their point person during the site visit, assisting holding up flags, and patiently waiting for Councilors who were a few minutes late.

**Mr. Melanson** thanked city staff and the committee for collaborating on the site visits. He also thanked the neighborhoods for their input and compromise, and stated that they implemented as many changes as possible to address the concerns of abutters. He expressed optimism that the project can go before the City Council and receive a favorable vote so they can get the site cleaned up created something the team and city will be proud of.

**Councilor Pett** checked in with **Ward Councilor Memhard** to see if he had any questions or comments.

**Councilor Memhard** thanked **Councilor Pett** and the committee. He stated that to his knowledge, everything has been addressed, with the exception of **Mr. Melanson** indicating that he is meeting with one remaining abutter who was unable to attend the site visits to try to address any questions that she may have. He expressed appreciation regarding the team efforts to address neighborhood concerns, to reduce the height and the mass, and address sightlines. He opined that if this project is allowed to move forward, he thinks it will be a dramatic improvement to the neighborhood in many ways. **Chairperson Gilman** thanked **Councilor Memhard** for attending the meeting.

**Summary of Discussion:** **Chairperson Gilman** stated that before the committee took a ROLL CALL vote, she wanted to discuss special permit criteria under 5.7.5. As **Attorney Eliason** mentioned, it excludes Item 5, which is where a multi-family residential or assisted-living facility is used as proposed in a non-residential district. One of the matters **Chairperson Gilman** wanted the committee to weigh in on was Item A, which is major project should have access from an arterial or collector street via ways, serving not more than 10 single-family homes.

**Councilor Pett** opined that it meets that criteria because the applicant has shown that the entrance and exit will be off of the collector Street, Atlantic Road, and it will be done via two-directional traffic, people will not be backing out onto the street. **Councilor Holmgren** agreed.

**Chairperson Gilman** also requested that the committee discuss Item C, which states that the site plan shall include the following requirements: access, drainage, and utilities serving each structure meet functional standards equivalent to those established in the Gloucester Planning Board's adopted subdivision regulations, access via a minor street servicing single-family homes and avoided parking areas or screen from public ways by building location, grading, screening, lighting of parking areas, avoids glaring on adjoining properties, egress does not require backing into any public way, major topography changes or removal of existing trees are avoided. **Councilor Holmgren** stated that it seems as though the applicant has met all the criteria. **Councilor Pett** added that the applicant has a proposal for a retention pond, they're improving the drainage in that area, and the emergency access over towards High Popples Road just south of Eagle Road is going to be gated, and access is going to be provided for emergency vehicles. The committee agreed that it meets all the requirements as specified. **Chairperson Gilman** mentioned that she thinks a nice development has occurred through this process, that the applicants have tried to be compassionate, listening to and accommodating the needs of as many abutters as possible, including view corridors, which she thinks was appreciated.

Lastly, she read the requirements of 1.8.3, and asked the Councilors if they had any comments about traffic flow, safety, adequacy of the utilities, neighborhood character, qualities of natural environment, fiscal impact, social, economic, and community needs. **Councilor Holmgren** shared that she can only see this as an improvement over both the current situation, and the former busy inn, which in its heyday was a benefit to the community, however it is time to move forward. **Councilor Pett** thanked the applicant and the whole team for working with the neighbors, and reiterated what **Chairperson Gilman** had said, that in this project, there was a great sense of compassion, it was about just being neighbors, and said that he thinks it is going to work very well, be a great improvement to the neighborhood, and to the city tax base, so he is looking forward to supporting this project. **Councilor Memhard** nodded in agreement. **Chairperson Gilman** verified with **Attorney Eliason** one of the units will be a metropolitan-based affordable unit.

**MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that the City Council grant to 171 Atlantic Road, LLC, a Special Council Permit (SCP2020-003) for the property located at Atlantic Road #163 (formerly part of #171), Assessor's Map 73, Lot 41 (a portion of former Map 73, Lot 26) zoned R-20 pursuant to Gloucester Zoning Ordinance Section 2.3.1(8)**

**Conversion to or new multi-family or apartment dwelling, seven or more dwelling units and 5.7.5 Major Project for eleven or more dwelling units, to construct multi-family housing containing eleven units divided between two buildings. This permit is made on the basis of plans and elevations dated February 14, 2020 and submitted to the City Clerk on February 19th, 2020, entitled, "Multi-Family Site Redevelopment in Gloucester, Massachusetts, Lot 5-163 Atlantic Road, prepared from Melanson Development, "Townhouse Community 161, 165, 171 Atlantic Road Gloucester, MA," and "Melanson-Townhouses, Atlantic Road, Gloucester, MA, 01930;" and amended plans and elevations dated August 6, 2020 and submitted to the City Clerk's office on August 11th, 2020, entitled "Multi-Family Site Redevelopment in Gloucester, Massachusetts Lot 5-163 Atlantic Road," "Townhouse Community, 161, 165, 171 Atlantic Road Gloucester, MA," "Melanson-Townhouses, Atlantic Road Gloucester, MA 01930." Subject to new information and/or debate that results from the public hearing, this Special Council permit is deemed to be in harmony with the intent and purpose of the Zoning Ordinance.**

**This matter has been advertised for a public hearing on Tuesday, October 13, 2020.**

**Summary of Discussion:** A motion to adjourn was moved and seconded, and a ROLL CALL vote was taken at 7:26 p.m. The motion was amended by **Chairperson Gilman** when the **Assistant City Clerk** reminded the committee that the withdrawal of the Special Permit Applications (Item 4 on this evening's agenda) needed to be formally accepted.

#### **4. Special Event Permit Applications**

- **Request to hold the Backshore 5 Mile Road Race on November 14, 2020 (Cont. from 7/22/2020) (To Be Withdrawn)**
- **Request to hold the Backshore 5K Road Race on November 14, 2020 (Cont. from 7/22/2020) (To Be Withdrawn)**
- **Request to hold the Fiesta 5K Road Race on November 14, 2020 (Cont. from 7/22/2020) (To Be Withdrawn)**

**MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed to accept the withdrawal of the special event permit applications: the request to hold the Back Shore Five Mile Race on November 14th, 2020, the request to hold the Back Shore 5K Road Race on November 14, 2020, and the request to hold the Fiesta 5K Road Race on November 14, 2020.**

**MOTION: on a motion by Councilor Pett, seconded by Councilor Holmgren, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed to adjourn the meeting at 7:27 p.m.**

Respectfully submitted,  
Brianna Komi  
Administrative Support  
City Clerk's Office

**Planning & Development Standing Committee  
Wednesday, September 2, 2020 – 5:30 p.m.  
REMOTE MEETING  
-Minutes-**

**Present: Chair, Councilor Val Gilman; Vice Chair, Councilor Jen Holmgren; Councilor Barry Pett**

**Also Present: Mayor, Sefatia Romeo Theken; Assistant City Clerk, Grace E. Poirier; Planning Director, Gregg Cademartori; Councilor John McCarthy; Councilor Scott Memhard**

**Applicants: Eliason Law Office LLC representing SCP2020-003**

*This meeting was conducted remotely through ZOOM, All votes by ROLL CALL*

**Meeting called to order at 5:30 p.m.**

**At 5:41 p.m, there was a quorum of the full City Council.**

**Chairperson Gilman** announced, “This meeting is recorded by video and audio in accordance with state open meeting law. Consistent with the Governor’s orders, suspending certain provisions of the open meeting law and banning gatherings of more than 25 people, this meeting will be conducted by remote participation to the greatest extent possible. The public may not physically attend this meeting, but every effort will be made to allow the public to view and listen to the meeting in real time. Persons who wish to do so are invited to view the meeting and you have the information that was on the posting. If you are calling in on a phone, you can press \*9 to request to speak. If you are watching on a computer a device, there is a raised hand button that you can tap or press to request to speak. Please use either these options to be recognized to speak.”

→ **1. SCP2020-003: Atlantic Road # 163 (formerly part of #171), Map 73, Lot 41 (a portion of former Map 73, Lot 26), GZO Sec.’s 1.8.3 “Standard to be Applied,” 1.10.1(a) “Jurisdiction of the City Council and Zoning Board of Appeals-City Council,” 2.3.1(8) “Conversion to or new multi-family or apartment dwelling, seven or more dwelling units,” 3.1.6(b) “Building Heights in Excess of 35 Feet,” 3.2.2 “Dimensional Requirements for Multi-Family Dwellings and their Accessory Uses (other than signs)” and 5.7.5 “Special Permit Criteria” in the R-20 Low/Medium Density Residential District INCLUDING modified plans received 8/11/2020, and scheduling of site visit (Cont. from 5/6/2020)**

**Chairperson Gilman** announced that this was not a public hearing, however attendee questions were welcomed.

[This portion of the minutes is in transcript form]

**Chairperson Gilman:** So I'd like to welcome everyone to the Gloucester City Council Planning and Development Committee meeting of Wednesday, September 2nd, 2020. So just to give you a little history before we turn the meeting over to the applicant and ask them to introduce themselves to us again, or reintroduce themselves to us. A little bit about the history, on February 19th, 2020, the applicant submitted their initial application, along with all the requirements under 1.5.3 to the City Clerk, the Building Inspector, and the Planning Director, and all were signed off on.

**Councilor Pett:** Excuse me, Madam Chair, I'm just wondering if I should make my declaration before you start with that process.

**Chairperson Gilman:** All I'm doing, Councilor, is just reading the history, so before we get started, I will turn it over to you. On May 6, 2020, there was a P and D meeting, and finally, on August 11, 2020, we had a modification that was submitted, and we're back here to review that modification. So at this point, I'd like to turn the meeting over to Councilor Pett who has a declaration.

**Councilor Pett:** OK, thank you, Madam Chairperson, and through you to everyone. A number of years ago, there was a group called Save Our Shores, which formed to oppose development directly across the street from this location, and they raised their funding through the Gloucester Fund, which I am the president of. I just wanted to declare that I was part of that process only as the fiduciary agent, through the Gloucester Fund. I have no problem in participating today, and I thank you for hearing that.

**Chairperson Gilman:** Great, thank you, Councilor. Councilor Holmgren.

**Councilor Holmgren:** Speaking of Save Our Shores, we donated a small amount at that time. I don't know if I need to declare that as well, but I'd like to just to say that that will not influence my decision one way or another with regard to this development.

**Chairperson Gilman:** Great, thank you, Councilor. So just to confirm who's on the call tonight; I'm the Chair, Councilor Holmgren is the Vice Chair, and Councilor Pett is our third member. We also have Councilor John McCarthy who has joined us, and I'm expecting Ward 1 Councilor Scott Memhard to be on the call. At the point where he is on, as soon as he gets on one of you, if I don't notice that, please let me know, because that will make a quorum of the full committee. So in addition, we have staff member Gregg Cademartori, and our Assistant City Clerk, who is recovering from an awesome job yesterday at the polls and for the past weeks and we're so proud of her and the whole team. So we won't hear her yawn, but I'm sure when she's muted, she might yawn, but thank you for your hard work. So, I'd like to turn the meeting over to the applicant so you can give us an understanding of the modified plans, and then we'll have a brief discussion and see if we have questions, and hopefully get to the point of scheduling a site visit. So take it away, Attorney Eliason, thank you.

**Attorney Deborah Eliason:** Thank you very much, Madam Chair. For the record, Deborah Eliason, Eliason Law Office, 63 Middle Street Gloucester. With your permission, I'd like to share my screen.

**Chairperson Gilman:** Absolutely, it started to share, here it is.

**Attorney Deborah Eliason:** I'm going to try and put it in this slide format here.

**Chairperson Gilman:** OK, and before you get started, would you just introduce the team that is on the call with you?

**Attorney Deborah Eliason:** Yes, I will, so on the call tonight are the owner of the property, Bryan Melanson, manager of the LLC that owns the property. The architect is Andrew Sidford, and he's also on the call, as well as the engineer, John Morin. So what we'd like to do tonight is to give you general background on the modification, and I will ask John to give a presentation about the changes with regard to the site plan. Andrew will talk about the changes to the buildings, and then I will address some of the questions that have been brought to the Planning and Development Committee prior to this meeting, and we'll be happy to answer any other questions that you might have. So, by way of background, we met with P and D. We've had discussions with the neighbors on a couple of occasions, and individual neighbors on several occasions, and it became clear that it was very important to the neighbors that the

buildings be compliant with the 30-foot height requirement. The buildings have been modified to meet that requirement because of those requests. The five-unit building has also been slightly rotated to preserve and augment a distant view of one of the neighbors on Links Road, and because of these changes, we will no longer require a special permit for height, and no longer require a special permit for the distance between buildings. So the only permits that will be required are approval of a multi-family exceeding seven or more units, and a major project. Otherwise, it meets all dimensional requirements of the zoning ordinance. So now I'd like to ask John Morin to give you a brief explanation of the site plan changes.

**Chairperson Gilman:** Thank you.

**Engineer John Morin:** Good evening Madam Chair, and members of the committee. For the record, John Morin from the Morin-Cameron Group, we're the design engineers for this project. Pretty much as Deb has summarized, we've made some modifications to the plan so that the building height now meets the 30-foot height requirement, and by rotating the five-unit building, we're now actually meeting the setback between buildings as well. So what you see on the screen before you is we superimposed the original design onto the current proposed design, so what you see in red is what was previously proposed. One other item, the two buildings, actually, by reducing the height, we actually reduce the size of the buildings a little bit as well, and Andrew will get into that, but the buildings are slightly not as deep as they were before. So, for example, you can see on the six-unit building, which is roughly parallel to Atlantic Road, the back of the building is actually forward a little bit. You can see the old building in red, but you can't see the front because it's still the same. So that building, you know, the buildings get a little smaller. So the five-unit building was rotated slightly counter-clockwise again to open up a view for an abutter over on Links Road, and in order to fix that, you know, to accommodate that, we obviously had to make some changes in the pavement configuration. The proposed project still results in the reduction of impervious surface on the property of about 9,400 square feet. The drainage system still works, no modifications required for the drainage system. We've submitted revised plans to the Conservation Commission, which we'll actually be meeting with them tonight. So, again, in the grand scheme of things, very minor changes with regards to building location, but for the abutters, you know, it was a big deal, and Mr. Melanson was willing to make those changes and adjust the plans accordingly. I'd be happy to answer any questions.

**Assistant City Clerk:** Excuse me, Madam Chair, Councilor Memhard is on the call now.

**Chairperson Gilman:** Oh, great, thank you. So that means that we do have a quorum of the full committee, so any comments by the extra members of the committee need to be questions only, so let's just keep that in mind. So continue, thank you, Grace, appreciate that.

**Attorney Deborah Eliason:** Are there any questions for John before we go ahead?

**Chairperson Gilman:** Questions from Councilor Pett? Oh, I see, his hand is raised, Councilor Pett, yes.

**Councilor Pett:** Just to clarify again, the modification in swinging the five unit-building, so I would say the Atlantic Road end of the building to the east is done to accommodate the request of an abutter neighbor on Links Road, and the reduction in the height on both the buildings is to again accommodate the requests of the neighbors, abutters, etc. and then by doing so, you've taken that part out of the application. Is that correct?

**Attorney Deborah Eliason:** That is correct.

**Councilor Pett:** Thank you.

**Chairperson Gilman:** Could we do something just for a second, because I think Councilor Pett's question is really good. Grace, can you upload the August 11th request letter from Attorney Eliason's office, so we can just see that, because I think it was very articulate, and very helpful to review maybe.

**Assistant City Clerk:** Yeah, let me try to get that up while Attorney Eliason also has hers. All right, so this screen will have to go away and then I'll upload. I'll share my screen.

**Attorney Deborah Eliason:** OK, I'll stop sharing.

**Chairperson Gilman:** Thank you Deb, and welcome to our Mayor, Sefatia Romeo Theken, who has just joined us. OK, yeah, so this letter is very thorough, and I think it's helpful to read, and that was submitted on August 11th. This was the request for the modification, in case anyone's on the phone:

Dear President LeBlanc: Enclosed please find for filing, the amended plan set of 171 Atlantic Road LLC "Applicant" regarding SPC 2020-003. The height of the buildings have been reduced to comply with the zoning ordinance. Building 1, the six-unit building has been reduced from 35.8 feet to 30 feet, and Building 2, the five-unit building has been reduced from 37.4 feet to 30 feet. Furthermore, Building 2 has been slightly relocated to remove a view obstruction from one of the neighboring properties. As a result of the height reduction and the slight relocation of the Building 2, the buildings are now also compliant with the required distance between buildings. Therefore, the Applicant withdraws its request for the following special permits: Number One, Building height in excess of 35 feet pursuant to GZO Sections 1.8.3 and 3.1.6(b); and Two, Reduction in distance between buildings pursuant to GZO Section 3.2.2 footnote E. The remaining special permits before the Council are: Number One, New multi-family with 7 or more units pursuant to GZO Section 2.3.1 Section 8, and Number Two Major Project pursuant to GZO Section 5.7.5. Four (4) full size copies of the revised Architectural Plans, Site Development Plans, Landscape Plans plus three reduced size copies are submitted for your consideration. If additional information or copies of any documentation are needed, please contact me. Very truly yours, Deborah Eliason.

So I thought that was kind of helpful because that was what started this whole process of the modification, and it certainly is thorough, so thank you. So, Grace, thank you for putting that up, and Deborah, you can take the screen over again.

Councilor Holmgren, do you have any questions so far?

**Councilor Holmgren:** [microphone was not on, she shook her head in the negative.]

**Councilor Gilman:** OK, all right, so let's continue with the presentation.

**Attorney Deborah Eliason:** So next I'd ask Andrew to talk about the changes that have been made to the buildings, and we also have some renderings of the two buildings, one showing what was originally proposed, and also showing how it has changed. Thank you Andrew.

**Architect Andrew Sidford:** Good evening everyone. For the record, my name is Andrew Sidford. I'm an architect licensed in Massachusetts, my office is at 44 Merrimac Street in Newburyport, Massachusetts, as well as Boston, and yes, John pretty much stole all my thunder, as he usually does. There's not a whole lot to add to this, really the letter sums it up where the intent here is to accommodate the neighbors wishes as much as possible, and my job is to try and make it look like it did originally in a much smaller height, which is quite a challenge, but you can see how much the building has dropped in. We were always trying to make it look sympathetic to the neighborhood, and to the original mansion on the site, and so the

sloped roof at the top, the gables, were meant to essentially reduce the apparent volume of the buildings, and in this particular case, we've dropped it to meet the 30 feet, and we've dropped the floor-to-floor heights. A lot of the attic spaces won't be usable, but the intent was still to keep that sloped gable roof looking like the original because it's such an important part of appearance of the architecture in that area. As John mentioned in the floorplan, Deb, if you could go back to the first floor plan. In order to make it have the same feel of a sloped gable roof going back, if we just dropped the height of the ridge to 30 feet, then it would have been very, well, would have been a much more shallow roof, so in order to keep at least a similar sloped roof, we had to reduce the width of each of the units from front to back, and so that's where the four feet came. It's just an attempt, it's a concession to try and keep the buildings having the same appearance as the original structures. That's the reason for it, and then I would say, Deb, if you could go to the model image, the 3-D model image. Yeah, so the intent is still to keep a volume that looks like a single-family house or volume of the mansion from the street, which is why on the units that face the street, there are no garage doors, and we've used decks and gables and such to try and make it look like it's much less than the amount of units in there, and the garage on these are pulled back to the sides, and the parking is provided in front and on-site, and in the units that are perpendicular to the street, each of the units has been provided with a garage door because that helps with the parking requirements, obviously, of the site by hiding it, and you won't see that driving past because the back side of that building is what you'll see, which maintains, again, the massing and intent of mimicking the original volumes of mansions on that row, on that street. So I'm happy to answer questions, but it's really, those are the key elements. We dropped the height, we dropped the width, and we moved the orientation, and our intent was to make it look as much like the original design as possible.

**Chairperson Gilman:** Great, thank you. Before we ask our Planning Director to speak, do any of the councilors have any questions for Mr. Sidford? OK, so, Gregg, if you could update us on the Planning Board's review of this modification.

**Gregg Cademartori:** Sure, so the Planning Board, similar to probably a presentation that it was initially made at P and D, was made several months back, and I'm not sure if you had a chance to review that recording. The project was very well received. I think there were very few questions or concerns related to the project. There was also a fair amount of discussion about the architectural character of the project in the initial review, and then kind of touched on that again when they came to the Board on August 20th with the revised plan set that you have in front of you. So it was a unanimous recommendation to the City Council to approve the Major Project special permit. I think, again, there are probably some individual members that expressed and perhaps, you know, it's one of those things where I think sometimes we get really focused on height, and sometimes that may compromise appearance or appeal. You know, there was a lot of thoughtful process into the architectural design of the initial project, and again, just, you know, I understand the issues that were raised, the concerns that the applicant is trying to address with those surrounding the project, but I think, you know, when you look at that comparison of the two, you know, there's definitely some dramatic elements that are lost with the reduction in height, but again, I don't think that detracted from the Board's support for the project as it was proposed. Substantially, there has not been much change from an engineering perspective. I'm not sure if you received an updated review from the Engineering Division of the Department of Public Works, but, you know, they were satisfied with the initial review. I'm not, I can't recall whether there was a slight increase in impervious area with this configuration, but again, I think similarly, the project was well received at the Conservation Commission, and they'll likely conclude their review this evening. So that's a general summary. I don't know if there's any more specifics you're looking for, but again, I think it was a thorough application from the beginning, and I appreciate, you know, Mr. Melanson's attention to the neighborhood, because I think even from the initial site plan that was presented, there was a lot of consideration for what he had already understood, and perhaps done some outreach, what the neighbors were concerned about from the get go. So, again, it was a unanimous recommendation from the Planning Board to support the project.

**Chairperson Gilman:** Great, thank you, Gregg. I would just like to follow up on Gregg's question about if we've received letters on, we've received letters from Engineering dated August 19th from Ryan Marques, and he said the plan is acceptable based on the drainage, and grating, and the storm water management. We received a letter from the Fire Department Chief Smith, on August 18th, and there was no comment, routine permitting. He also had a first letter of March 17th that was in the records, and on August 19th, we received a letter from Public Health Department, Karin Carroll, there were no objections for granting permits. However, we still do not have the letters for the City Building Department, Conservation Commission, and it sounds like that will be coming after tonight's meeting, and Public Works so I'll ask through our Assistant City Clerk to get another round of reminders out to those three department heads, because it's important that we hear from all of them before we start talking about getting this up for a public hearing and Council vote. So I just wanted to mention that

**Gregg Cademartori:** Madam Chair.

**Chairperson Gilman:** Yes.

**Gregg Cademartori:** I just wanted to add one comment to that. I know Bill's not present this evening, but the two of us met with Mr. Melanson before the submission of the revised or modified plans just to confirm the calculation of height, that it would be compliant with the 30-foot height limit. So aside from that, I believe all the dimensional requirements have been stated that they're satisfied, but certainly reach out to Bill for a report.

**Chairperson Gilman:** Great, thank you, so Councilors Pett and Holmgren, do you have questions for our Planning Director?

**Councilor Holmgren:** Not at this time, no, thank you. This is very thorough. I appreciate all the work that's been done, and that includes on the part of the architect and the applicant. You clearly listened to the neighborhood feedback, so I certainly appreciate that. Thank you, Gregg, and thanks to the Engineering Department as well.

**Councilor Pett:** That would be my general feeling as well. Again, a lot of times when an applicant comes forward, they have their views of what they want and think is appropriate, and then you get to meet your neighbors and the abutters, et cetera, and I'm very appreciative of the Melansons listening to all the neighbors' input. I know we do have the Ward Councilor on the call, and only as being able to answer a question, but my guess is that I have not heard any negatives at this point, and I think I just want to express my appreciation for the Melansons making those adjustments, and also to Gregg, Bill, and all the other city departments for working with them and being very thorough and going through this application, so thank you.

**Chairperson Gilman:** Great, so Councilor Memhard, who is the Ward Councilor, and Councilor McCarthy, do you have any questions? Councilor Memhard might need to be allowed to talk. Grace, I just hit Allowed to Talk, so Councilor Memhard, do you have any questions to ask?

**Councilor Memhard:** No, I don't. Thank you very much.

**Chairperson Gilman:** OK, and Councilor McCarthy, any questions to ask?

**Councilor McCarthy:** I have none Val, thank you.

**Chairperson Gilman:** OK. Terrific. All right, so, Attorney Eliason, I wanted to ask you, I know Doug Smith had asked some questions that you were going to answer. Are you able to do that at this point, and

then we can see if anyone else on the call has questions only, this is not a public hearing, but we're willing to entertain questions on this presentation, the modifications.

**Attorney Deborah Eliason:** Yes, I am. I'm happy to answer those questions that were raised. The first question had to do with whether we could include the entire 6.6 acres in the calculation of lot area or the density, and the answer to that is no. We can only include a portion of the property because a lot of it is, or part of it are wetlands, and so 90 percent of the wetlands have to be excluded from the lot area calculation. We can only include 10 percent, so the lot area calculation, the proposed area is 166,983 square feet, the required lot area is 40,000 square feet, so we have four times the required lot area. In addition to lawn area, however, the city has a lot of other controls on density. It looks at open space per unit, it looks at lot area per unit, as well as lot coverage, and in each of those instances, this project also exceeds, and in many instances, significantly exceeds those requirements. With regard to lot area. The proposed land area per unit is 15,180 square feet, required 10,000 square feet, so each unit is 5,000 square feet over the required lot area.

That's twice the size of most people's homes, so that's quite a significant difference. The same with open space per unit, the requirement is 11,847 square feet, and the proposed is 11,847 square feet required. 7,500, that is approximately 4,300 square feet more for each unit. Lastly, with lot coverage, we're proposing 8.4 percent lot coverage, and the allowed is 25 percent, so again, it's a mere fraction of what is allowed under the ordinance. There's no legal basis to support an argument that says that just because this is multi-family, it's more dense, you have to look at the zoning ordinance, you have to look at the requirements under the zoning ordinance, and in each of the instances that go to density, we meet those or exceed those by quite a significant amount, so I would suggest to you that there is no issue regarding density in this project. There was also of questions of whether the Council had to consider the fact that the property abuts two other lots with two-families on them. The fact that there are two-families on abutting lots to a multi-family project does not prohibit you from approving the multi-family project. It's really an irrelevant subject.

The next question was whether the community needs more expensive, high-end condo housing. According to the Housing Production Plan, the community does need more multi-family housing, and it needs diverse housing. We have 57% of the units in Gloucester that are single family homes, 31% are either two-family or four-family, and only 3% are 10-19 multi-family units. So according to the Housing Production Plan, a diverse housing stock is advantageous because it creates a variety of housing, making it available in numerous price points. The project will also comply with inclusionary zoning, and it will provide the affordable unit that is required for that on-site. Zoning doesn't control the cost of units, that's controlled by location, so even if this project consisted of single-family homes, or consisted of two-family homes, it would still be high-end because of the location. That's the fact of the real estate market, it has nothing to do with zoning. I did address in our first hearing, the social, economic, and community needs, and I can go through those again if you'd like me to briefly.

**Chairperson Gilman:** Councilor's, I'll ask you, would you like that? OK.

**Attorney Deborah Eliason:** OK, so briefly, the proposed use is consistent with the uses that are allowed in the R-20 District. It's also consistent with the existing mix of commercial and residential uses along Atlantic Road. The site has been in a state of deterioration, in disrepair for many, many years, and while it was in operation, it was the source of numerous neighborhood complaints. Mr. Melanson has cleaned it up, he's bringing it back to life, and the site will once again be safe, useful, and esthetically appealing. The proposed residential use, in addition, is also more conforming with the current zoning ordinance than the prior hotel and conference center. There's no dimensional relief being requested, and it's consistent with all of the other uses along Atlantic Road, so for those reasons, I would suggest to you that it does meet the social, economic and community needs of the city.

The other question had to do with the neighborhood character and social structure, and the question stated that the project is located within a low-density residential neighborhood with mostly single-family dwellings, and I would suggest to you that that's not entirely correct. This neighborhood for this project is along Atlantic Road, and its access is Atlantic Road, it fronts on Atlantic Road. At the last hearing, I showed you numerous pictures of buildings along Atlantic Road. They were a mix of single-families, very large single-families, many on very small lots, also commercial developments and mixed businesses. So this project is entirely consistent with what is along Atlantic Road, and I would suggest to you that in many places along Atlantic Road, it's actually quite dense, and the houses are abutted right next to each other. So I would say that this project is consistent with the uses, and very consistent with the neighborhood character. Those were the questions that had been asked, and we're happy to answer any others that the Council may have.

**Chairperson Gilman:** Great, thank you. Any questions, Councilors? OK. So we have Jim Towne, Brendan Roach, Karin Theo, Mark and Pam Pullen, and Phil Puma. If any of you have a question, please keep in mind this is not the public hearing, and I really cannot allow for deliberation right now, but we certainly, I am respectful of questions, and I think the applicant has been very good about answering questions. So I can see that Mr. Towne would like to talk, so if you could introduce yourself, Jim, and your address, and ask your question, that would be great. Thank you.

**Neighbor Jim Towne:** Yes, good evening. Excuse me, Jim Towne, Links Road. Thank you for the opportunity to ask a question, Do we know, or is a lighting plan available? One of the things is the question that some of the buildings are what will the lighting plan look like? Obviously with a higher density in other areas, want to make sure it doesn't light up the whole sky with high-density lights, so is that going to be made available anytime soon and available for public view?

**Chairperson Gilman:** Thank you, great. Thank you, Attorney Eliason. All right.

**Attorney Deborah Eliason:** That's OK. I don't believe that there is a lighting plan available yet, but I would say that under the zoning ordinance, there are very strict rules with regard to lighting for multi-families, and so we would certainly follow all of those rules, and I don't know whether they actually require all dark skylights, but they definitely promote lighting that stays on the property itself.

**Engineer John Morin:** And if I can jump in there for a minute, a lighting plan was submitted with the landscape plan, so we do have a lighting plan, it shows the lumens on the lighting plan, and it's designed in compliance with the city's requirements.

**Attorney Deborah Eliason:** Thank you John.

**Chairperson Gilman:** John, is that in the packet?

**Engineer John Morin:** Yes.

**Chairperson Gilman:** OK, great. So, Jim, if you can't find that in the packet, get back to us, and I'll try to find out exactly where it is in the packet. It's pretty thick, I think the packet's up to about one hundred and forty pages.

**Neighbor Jim Towne:** Yeah, I might have I might have missed it, but that's directionally helpful, so thank you very much, and thank you for the response.

**Chairperson Gilman:** Great, any other questions from the rest of the attendees? OK. I don't see any hands raised, so I think we've had a good presentation of the modifications. We've been able to ask some questions of the applicant, our Planning Director was able to represent the voice of support from the Planning Board on the modifications. We know that there is some information that's going to happen tonight at the Conservation Commission meeting. We know that we're owed three out of six letters that need to get back to the City Council before the next meeting, it would be very much appreciated. And then at this point, I think councilors, if you're in agreement, I think we're ready to schedule a site visit. [End Transcript]

**Chairperson Gilman** continued this matter to September 16, 2020.

**Scheduling Site Visit Summary of Discussion:**

A socially-distanced site visit was scheduled for Friday, September 11, 2020.

Single-use masks and hand sanitizer will be available, attendees will be asked to remain six feet apart, and to wear masks on their faces at all times unless an attendee has a medical condition. Architect Andrew Sidford will not be able to attend, so Engineer John Morin will represent him. There will be three sessions with a maximum of 10 attendees per session. The 5:00 p.m. session will include Chairperson Gilman, Vice Chair Councilor Holmgren, and Councilor Pett, as well as **Attorney Eliason**, Mr. Morin, and Mr. Melanson, leaving space for up to four abutters. Remaining City Councilors will receive first priority in the 5:30 p.m. session, and the 6:00 p.m. session will consist of abutters in addition to Attorney Eliason, Mr. Morin, and Mr. Melanson. Chairperson Gilman will attend all the sessions.

**Attorney Eliason** agreed to draft a letter to the 25 listed abutters to notify them of the site visit and public hearing scheduled for Wednesday, September 16, 2020, as well as including a link to view tonight's meeting and packet. **Chairperson Gilman** will review the letter before it is mailed, and she will be listed as the contact person to schedule the site visit sessions.

**Councilor Pett** reiterated the fact that **Chairperson Gilman** has agreed to record all questions asked during each session, and the questions will be addressed and answered by the applicant on September 16<sup>th</sup> in the interest of transparency so that everyone has all of the necessary information even if they were not able to attend the site visit.

**MOTION: on a motion by Councilor Pett, seconded by Councilor Holmgren, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed to adjourn the meeting at 6:21 p.m.**

Respectfully submitted,  
Brianna Komi  
Administrative Support  
City Clerk's Office

**Eliason:** OK. Tobin, is that something that you want to respond to?

**T. Dominick:** I'd be happy to. So events we've held for many years, we've existed with our events, even the Bluefin blowout in its early stages without the ownership of 99 Essex Avenue. We do have a contingency plan and we're well aware and we do not want to impact the neighbors whatsoever, but we will continue to do events and we will accommodate them and their size moving forward.

**Gilman:** And we have one more hand. Let's see. I'm trying to find who it is. Some phone number ending in 1978.

**Poirier:** I believe the hand that's still raised is for Drew Dominic.

**Gilman:** All right. I'm going to move on. The next order of business is *Special Council Permit SCP2020-003: Atlantic Road #163 (formerly part of #171), Map 73, Lot 41 (a portion of former Map 73, Lot 26), GZO Sec. 's 1.8.3 "Standard to be Applied," 1.10.1(a) "Jurisdiction of the City Council and Zoning Board of Appeals – City Council," 2.3.1(8) "Conversion to or new multi-family or apartment dwelling, seven or more dwelling units," 3.1.6(b) "Building Heights in Excess of 35 Feet," 3.2.2 "Dimensional Requirements for Multi-Family Dwellings and Their Accessory Uses (other than signs)" and 5.7.5 "Special Permit Criteria" in the R-20 Low/Medium Density Residential District.*

So I'd like to turn this over to the applicants and I understand that Councilor Pett would like to declare [that there is] no conflict. So Councilor Pett, would you speak?

**Pett:** Thank you, Madam Chairman under the Massachusetts General Law Chapter 268, I'd like to declare that a number of years ago there was a group called Save Our Shores, which worked to oppose development right across on the ocean side in this area and they did funding through the Gloucester Fund, of which I am the president. But I had no connection other than acting as a fiduciary agent for them. That was a number of years ago and I have no problem in participating in this process.

**Gilman:** Great. Thank you, Councilor. Okay. So I'll turn it back over to Deb again.

**Eliason:** OK. Thank you very much. I'm going to just get to the new presentation.

**Gilman:** Deb, would you just introduce who's with us and then you can transition to them just so we know who the team is representing for Special Council Permit for Atlantic Road. Thank you.

**Eliason:** So tonight we have the owner of the property or the manager of the LLC that owns the property, Bryan Melanson. We have the engineering firm Morin-Cameron, John Morin represents them, and Sidford Associates, architects, associate Andrew Sidford is here representing the architect.

**Gilman:** Terrific. Thank you. Welcome, everyone. Thank you for being patient. OK, great. We look forward to the presentation.

**Eliason:** It's just going to take me a moment to transition to the other one. Let me get my controls here.

**Gilman:** OK. We see it.

**Eliason:** OK. There we go. For the record, Deborah Eliason, Eliason Law Office 63 Middle Street, Gloucester. I did introduce just the applicant as well as the consultants who were going to be on this project, or this meeting. And let's see. So tonight, similar to the other project, what I'd like to do is go through some of the background and give you an overview of the project. Mr Morin will give you the engineering presentation and Mr. Sidford will give you the architectural presentation. And then I will go through the legal criteria and we'll have time for questions throughout the presentation, as you would like.

So just to give you a little bit of background, what we're requesting are special permits generally under 1.8.3 and specifically under 1.10.1(a) and 2.3.2(e) to allow principal building closer to each other than the sum of their respective heights and 1.10.1 and 3.1.6(b) to allow building heights in excess of thirty five feet and

1.8.3 and 5.7 for major project. So Bryan Melanson purchased the property, which was the former Ocean View property in 2018. And this slide shows you its old configuration of lots, which was a little unusual. You can see that some of the buildings actually straddle a lot line. So it was a little unconventional and certainly difficult to work with. The hotel building access - it was access through driveways off of Atlantic Road as it is today. These are some of the buildings at the site that are deteriorating and have been deteriorating for many years and some of them have been taken down. Now we have a current site plan. The lots were reconfigured into the four lots on the front. One, two, three, four and the fifth lot in the back, which is the lot that we are before the City Council for, for the development of that. The lots along the front are ANR lots. The applicant, Mr. Melanson, has begun rehabbing this house, which will be a single family, and it's located on the corner of Atlantic and High Popples Road.

This is a rendering of what it will look like when it's completed. And if you've been out there recently, you can see that the first duplex has also started construction. And this is a rendering of what it will look like afterwards. This is the current site plan with the proposed development on it. He intends to demolish the existing hotel buildings, there's a building here over by these properties, one along High Popples and one along Eagle Road. It's a two story building that will be taken down. And then there are one story buildings that you can't really see on here that are also on the property and will be taken down. This building will have six units in it and the building to the right will have five units in it. According to the assessor's records, when the site was a hotel, there were 28 units in the single story building on the site and seven in the two story building. And this was only on the lot five, which we're talking about. But there were a total of 68 units on the entire property. So for many years, the hotel was very active and held many weddings and other functions. Throughout the year prior, development proposals by previous owners contemplated up to 18 multifamily units and in three buildings. The current proposal, we would suggest, is much more modest and in keeping with the surrounding neighborhood and it will replace the currently abandoned structures on the site and will add to the housing stock in the city of Gloucester. It will also comply with the city's inclusionary housing requirements.

The applicant is only seeking a special permit for height and distance between the buildings. The six unit building is thirty five point eight feet high and the five unit building is thirty seven point four feet high. The sum of those two buildings is seventy three point two feet and the applicant is proposing a distance of forty feet. It complies with all other dimensional requirements and zoning requirements. And Mr. Melanson is not asking for any variances. He's only seeking special permits that are allowed under the ordinance. The proposed use is not prohibited. It's an allowed use. It just requires permission.

And it's a very common practice, as you know, to seek out and receive special permits under the ordinance. And in fact, Ms. McManus, who is a neighbor that has questioned the appropriateness of this request herself recently received a variance from the Zoning Board and a permit from the Planning Board to divide her property and turn it accessory building into a dwelling. So there's nothing being proposed by Mr. Melanson that's prohibited. It just requires permission, just like the neighbor required permission for their project. So although the project doesn't require a variance, it is allowed under the zoning. And I think that's something that you need to keep in mind as we go through this process. The site has sat fallow for many years and its redevelopment will make the site once again useful and aesthetically appealing. And so now I'd like to turn it over to Mr. Morin and to tell you a little bit about the site and the engineering aspects.

**Morin:** Thank you. Good evening, Madam Chair and the members of the committee. John Moore, Morin-Cameron Group. We have offices in Danvers and Haverhill. We're the civil engineers on the project. The plan that you see before you, that's the existing site conditions. As Deb has pointed out, the site has been re-divided. The lot lines have been reconfigured into five lots, lot five being the largest slot in the lot that's under consideration tonight. So the project involves the construction of two multifamily structures, the six unit building and a five unit building, and obviously access and utilities. You can go to the next page. Next one. So as you can see, what we did is we just highlighted on what, five, what you see in red. Those are the existing structures that currently sit on what is referred to as five. And the black you can see is actually existing pavement. Out on the property in the dashed black in the back behind the motel, the building is actually a large gravel parking lot. You cross a wetland is an existing culvert in that location.

You go to the next page, Deb. Next page. So. As previously stated, we're looking at two multifamily buildings, a six unit building and a five unit building. Access off of Atlantic Road. You can see it a little bit

if you look at the front building closest to Atlantic Road, you'll see it dimensioned from the corner of the building to the front lot line. That's roughly the location of the existing paved access where you can see it right there. So obviously we're moving the proposed entrance further south on Atlantic Road. And we'll come into a cul-de-sac back out and we will have emergency access to Eagle Road where there'll be a gate or bollards or an emergency gate for emergency vehicles in that location.

One of the things that we're able to do on the site, which is somewhat unique, is as previously shown on the existing conditions plane, there's a lot of impervious surface on this existing site. The proposed development actually reduces the amount of impervious surface by over a thousand square feet. And what we're allowed to do as well is we can now provide storm water mitigation, even though it's not really required, because we're actually reducing the amount of impervious surface on the site. We are now treating the runoff coming from the paved surfaces, mitigating runoff coming off the roofs and the paint surfaces, whereas currently all that runoff just sheep flows off the site into the wetlands or out into Atlantic Road. So we're now proposing drainage mitigation. We're meeting the standards under the storm water standards that currently there are no mitigation measures. And again, we are reducing the amount of impervious surface by over 8000 square feet.

The other thing that we're allowed to do or what we're proposing it wasn't required, but from an engineering standpoint, it made a lot of sense. Mike DeRosa, DeRosa Environmental, is the environmental consultant on the project and he assisted with the design of this. So as I pointed out, there's a large gravel parking lot that exists behind the existing motel building and there's a restriction, an existing culvert where you cross over to get to that gravel parking lot. Obviously we don't need that gravel parking lot for this project. And we felt it was appropriate to remove that culvert restriction which causes rain runoff, surface runoff to impound in that wetland behind the motel building and it may result in upstream flooding. So what we've done is we're proposing a large wetland restoration project behind the structure which will allow all that water to flow unimpeded into the lower wetlands still located on our lot, lot five. So we won't be having any flooding impacts on abutters. However, what it will do is it can alleviate flooding upstream by now eliminating that culvert restriction that's been there for many years.

Next slide. Actually, what you see right there in blue is the wetland mitigation that we were talking about. And we have filed with the Conservation Commission because we are within the buffer zone of the wetlands. We are slightly in the buffer zone of the coastal bank on the other side of Atlantic Road. The project site is not located within a flood zone. It's not located within a zone V or velocity zone so there's no flood alteration for the site itself. You can see on either side of the access road, those are actually the drainage mitigation areas that we're proposing. We'll be intercepting runoff from the back part of the property before it gets to lots 2, 3 and 4 as well. That'll help alleviate some of the drainage that cuts across those properties and will actually intercept that and run it over into our drainage ponds and mitigate that instead of that flowing out to Atlantic Road across those lots.

With regards to utilities, all new utilities have been installed for the development sewer, water, electric. We will be proposing a sewage pump station that will be located somewhere on the property. Currently it's shown down by Atlantic Road. There was some confusion, I believe at the Planning Board meetings, that it was a pump house, it's actually a station that's below grade, very similar. Currently, there's actually a pump station out there for this whole site. Same thing. It's below grade. There's pumps in it, the control panels for that pump station will be either located within the six unit building or the five unit building. That hasn't been decided yet. The access covers that station will be watertight. And obviously, it'll be locked tight, so there's no unauthorized access.

Next slide, Deb. So one of the parking required, so based on the zoning requirements, we need 17 parking spaces. We're actually providing twenty one. Seven of those are actually inside garage spaces, so the six unit building actually has two garages on the end units and access is from the end that's pointing out there. And then the five unit building, each one of those units has a garage. And they all come in from the front. With regards to the watt area dwelling unit calculation. So under the criteria, the zoning criteria, you need ten thousand square feet of land [unintelligible] unit. We're proposing eleven units that were roughly around 15000 square feet per unit. So under zoning, we're allowed to propose 16 units on this site.

We're actually proposing putting, with regards to what coverage, twenty five percent coverage is allowed. We're at about 9 percent lot coverage. So as Deb pointed out earlier, the only relief that we're requesting,

which is through special permits, is relief for the height. Over 30 feet, as she mentioned, building one with thirty five point eight feet. Building two, which is the five unit building was thirty seven point four feet. And we're requesting relief on the setback between the buildings, which again is allowed by special permit. And the required setback between the buildings is roughly seventy three feet. And we're proposing forty eight feet and the forty eight feet is more than enough. As you can see there, we actually have plenty of room. We've got a driveway in there. We've got parking in there. So we don't have any issues with despite space being forty eight instead of seventy three. You can see on the sheet, actually, the pump stations down by Atlantic Road, right by the entrance. That's not a final determination. We have been working with DPW and the engineering department since actually probably about a year ago on the site. They've already done one review of the drainage. No major issues and we don't expect any on the final design plans for a final review. At this point, I'd be happy to answer any questions.

**Gilman:** Councilor Pett and Councilor Holmgren, do you have any questions for John Morin?

**Pett:** I don't know if the question is appropriate here. Is this for engineering? We're going to have an architectural presentation specifically because that's where my question would come first is engineering wise.

**Morin:** Yes, we will.

**Gilman:** Councilor Holmgren do you have a question? Ok. I've got a question for John. So under 3.2.2, the distance between the principal buildings, the number that you mention of seventy four feet is the sum of the heights of the building that has five units and the building has six and if that was going to happen, you wouldn't need a Special Council Permit from us for that matter. But because you are creating a smaller width between the two buildings of forty two feet, is that the reason why this particular Special Council Permit is being brought forward, it's for that difference of the sum versus what the number is that you're putting them closer together than what this says. I'm just asking for clarification.

**Morin:** Yeah, that's correct. Deb could back me up on that. So again, what's required is the setback between the two buildings is the sum of the height of the two buildings. So in our case, that would be seventy three point two feet. And we're proposing a setback of 48 feet between the two buildings. And you're allowed to request that reduction under a special permit.

**Gilman:** OK. Thank you. That was my question. I appreciate it. I just wanted clarification. Thank you.

**Morin:** If there aren't any other questions, I'll continue. OK. What I'd like now to do is to have Mr. Sidford continue, the architect.

**Gilman:** Hey, welcome.

**Sidford:** Good evening, everyone. My name is Andrew Sidford. I'm an architect and my firm has two offices in Newburyport and in Boston and been practicing for 30 years and we do a lot of residential work and we've won a number of awards for design and for historic restoration. And I bring that up just to make the point that, you know, these projects are all very important to us in terms of how they function, how they look, how they feel from the inside and how they look from the outside. And this is no different. And so we're starting off of the picture of this. This is really where much of the design inspiration came from for this project is this original, historic, classic sort of New England seaside shingle style house that was in such disrepair. And the intention was to really bring it back to its original glory with a few improvements, certainly in terms of how it worked on the inside. And what I wanted to point out, of course, this is you see the classic sort of vocabulary of the traditional house on the seaside where you've got, you know, historic mutton patterns, traditional windows, large porch, masonry, fireplaces and all of a rather massive roof. And the roof is important because many times that massive roof doesn't provide much of function. It was often for the servants of the house and such. But one of its most important effects from a design standpoint is to reduce the apparent size of the house, in my opinion, and in this case, you see it turned to gable towards the front and they've got another gable facing towards the side. And in my opinion, those are the things along with the dormers which help break down the mass of the original building, and those are elements that we've used in each of the other design elements. So next slide, please.

So this shows what the building will look like when it's finished and as you can see, again, much of the, a lot of roof is being shown here and in flat elevation that often looks rather massive. But because it slopes away in the reality of seeing it in three dimensions or on site, it actually helps reduce the volume. Somewhat surprised when you would expect that that added height would make it look taller.

Next slide, please. So here's the site plan that we've already reviewed. But I want to point out a couple of critical design elements that that are used here. First of all, you'll see two sets of buildings at a strange sort of angle. And the reason that angle was used is that which again, we're always trying, whether it's a single-family house or townhouses such as this, in my opinion, it's always the intent to try and reduce the apparent volume from the outside. And yet it improves the experience of space and light from the inside. And so the reason why those angles are so important is that essentially it prevents you from which every what you're looking at, this site from seeing both buildings straight on or in the city are at the same time. And the reason why that's important is because in my opinion, that's something that may not show up in statistics, but is incredibly important here to reducing that. Again, the volume of building on the site as it's perceived by people from all vantage points.

You see on the right, that building, for instance, we put the garage on the first floor and second of all, facing the driveway side. But on the sixth unit building on the left, we put the garage doors on the back. And the reason why that's important is because in conjunction with the number of massing elements that we've got going on, we want to make that look more like a large single family house, similar to some of the, again, the classic large seaside shingle style houses instead. So we've gone through a lot of effort to try and use some of those design elements as well. So you'll notice in the design process, for instance, we had two buildings, we had a duplex down closer to the street. And the massing really looked much more like multifamily housing than we feel the plan we've got going here. In addition, then, by pulling those two buildings back in this direction, there's a view corridor from the neighbors that that we wanted to keep looking out towards the lighthouse and we'll show that later. And so in this case, going to the issue of the buildings and the distance between, in my opinion, keeping that distance to a minimum actually is a benefit to the project of the neighborhood.

Again, it keeps that, in my opinion, the reduced volume of that entire site down. So next site. Next slide, please. So here's a proposed front elevation, and I want to show a couple critical things here, this this is oh, actually, I'm sorry. This is the five unit building on site. This one shows the garage doors on this side and we have them shown here because we need the parking. And these won't be - these garage doors won't be seen from the street. And you'll see a number of other key elements. We've got a number of bay windows and we use the large cables, for instance, up in the roof to span several units, because, again, where the intention is to make this look as much as possible, as if this is the massing of an old mansion, not five singular units. But you see we've got traditional materials, we've got traditional mutton patterns and we're doing as much as we can, undulating the facade and using dormers and gables to break down that mass and keep it as residentially scale this as possible.

Next slide, please this is the back of the six unit and you'll see even from the back, the intent is to keep that volume down and to open up the glass and make it look like there are several two-story Bay windows and using the decks again to provide outdoor space, but also again to break down the mass of the long facades. And we were changing the siding patterns also to sort of accentuate the roof pattern versus the wall pattern and the roof volumes versus the base volumes. I'd also point out here that that you'll see these are that you've got some dormers up there and windows, but actually much of that space is actually back at the center of the building.

Next slide, please. So from this distance, you'll see that this is important to show. This is what I mean by the vantages from whatever height, even if you were at grade level, that whether you're coming from the north alone, the road on the ocean or looking from this view, it's very hard to see more than one building at a time. And that was quite intentional. And from here, you'll see that that we've tried to leave much more of the front yard for vegetation than if we had originally had that duplex down on that portion of the site. Again, from this view, you also see how sort of massive the roof is. That to me was a very important design element to help reduce the apparent volume of the structures.

Next slide, please. So here's the view from the front and you'll see coming up again, the five unit's structure on the right. You only see from the smallest axis and you see most of the focus is towards the six unit building in the distance. And this is where the important element. Here you'll see there are no garage doors on this facade because we again, we wanted to look as if almost there's the main living room space in the center and then sort of the adjacent wings off to the side. And you'll see again, the roof forms are such an important element, in my opinion, to help keep it in scale with the size of the of the structure below and reduce the size.

Next slide, please. So here is it. Here's a diagram that shows the difference between a 30 foot building with a flat roof and the buildings we're proposing with the gable, the taller roof form and the taller height, which is why we're here for the special permit. In essence, what we're doing here is we've added extra height on the right and the gable and that extra height doesn't provide any additional useable space. And ironically, we have actually less useable space on the third floor than a 30 foot flat roof addition and a - excuse me - 30 foot flat roof building. I also did design sketches for the previous developer and we had looked at 18 units, 30 feet tall, flat roofs. And you'll see here the difference is there's actually less room created upstairs. But in my opinion, it's much worse for the project and much worse for them for the views from all sides. Ironically, that even the shadows are not significantly different, because when you're -you'll see that outside edge of a flat 30 foot roof projects almost the same shadow as the thirty seven foot peak in the center. So in this case, in my opinion, when you're down on the ground most the time, the building will look smaller with it, with a steeper, taller roof than it would with the conforming 30 foot flat roof. And this is the case where, in my opinion, we've tried pretty hard to persuade the developer, to keep with the gable roof, because even though it's more expensive and it creates less space, it's better for this project and for the adjoining properties as well.

Next slide, please. And here are just a couple of examples, in my opinion, what we're trying to avoid, which is here, here's a flat roof addition on a three story structure. That's what I mean by the perceived volume of the building. It is can actually be much taller than the actual - than the taller building with the gable roof. And here's the reason why is because that three story flat front facade and wall feels that much taller when there's not a roof to roof line above to balance it and to ground it.

Next slide, please. This is another example of a three story structure, and sometimes people go to great efforts to try and make it look like there's a roof there, which is why in our case you'll see that that we try and keep the dormers as small as possible so that the roof volume reads as large as possible. And this is a case where, in my opinion, the volumes of the dormers and such are so large that it barely reads like a roof at all. It just looks like to me like a three story structure and you'll see on the right side and it's actually out to a full, flat roof. So the intent of keeping those original proportions of those dark structures is lost.

Next slide, please. So here are some of the elevations that are in progress. But you see that, again, intention is to keep that roof as large, volume as large relative to the lower floors. On the right, should be the upper drawing, shows the units with the garage doors and the lower elevation shows the front facade that faces the street and you'll see again, once again there are no garage doors on that facade.

Next slide, please. I think we can skip through this as well, it's just a continuation of similar. And these are just the floorplan drawings. What you see here is that if you look there are many cases where you'll see two units for instance in the center of the top drawing, you'll see where we've got two units backing up into one large block down that is the large center gable, so that it's meant to look as if it's one large unit. But in fact, as you can see, it's broken up into six units. But by the massing of the bay windows and where the elevation you see the floor plan juts out, we're trying to use decks and those windows and gables again to break up the long facade and to break up the volume. It happens on the second floor as well, where we've got decks pulling in, creating shadow lines and also outdoor space. Next slide, please. And this is the roof plan, and you'll see that with all that roof, it actually doesn't create that much useable space up there. And, you know, these are certain to be singular rooms of studies, perhaps a bedroom or unfinished attic. Again, they're not the most efficient way to do it, but it allows that that large roof to carry the day.

Next slide, please. I think we can we have these up in case of certain questions. But that's as much as I have to say for a presentation. Thank you.

**Gilman:** Great. Thank you, Andrew. That was very helpful. Barry – Councilor Pett or Councilor Holmgren, do you have any questions for Andrew?

**Pett:** I do. Andrew, I'm understanding your approach to the location of the buildings and your design criteria to make good, try to look like it is not as large as it is and make it look more like a, say, a single family residence, say, similar to what might be in other parts of the neighborhood and using the roof elements that you have, I notice especially on the five unit building, which is the even taller height, that that roof, like the windows and there are quite large up on that third floor. And I'm just wondering in this space, if a third floor is not, as you know, is useable a space, etc., why we need to go to the thirty seven foot high. Why were you not able to design something that was a couple say, a couple of feet lower?

**Sidford:** Well, good question. Two things. In reality, the people who did the model are terrific, but they took sketches that were in progress and to be honest, those windows aren't as big as they look in that model. And I wish we had had time to correct those. They look quite, quite large. And if you look at that in the actual elevations, they aren't that big. And what I would say is it isn't. What happens is, is if you take that roof pitch, the peak down, all you've done to it is you've produced this sort of volume of that roof. So it looks less apparent, especially when you're up closer to the building. So it wasn't to get larger windows in there, which is you see in the examples we used at the end that we don't want to do, you could get the same sized windows. It's really the proportions of the roof that improve with the extra height. I really didn't want windows that large and they don't need to be so. So the answer to your question is just that. In my opinion, the proportions of the main roof, regardless of the windows, are just that much better on that structure.

**Pett:** OK. Thank you.

**Gilman:** Any other questions from Councilors?

**Holmgren:** That was exactly my question. Thank you, Councilor Pett. And thank you, Andrew.

**Gilman:** Thank you. OK. Attorney Eliason, are you ready to continue?

**Eliason:** Yes.

**Gilman:** OK, great. Thank you.

**Eliason:** So, again, for the special permit, we have to once again go through the six criteria, 1.8.3. And these are the criteria and I'll go through them one at a time. In general, the special permit should be granted because this project meets these criteria in our opinion. Social, economic and community needs are served by this project. The proposal is modest and it's in keeping with the surrounding neighborhood. Prior proposals have called for 18 multi-family units in three buildings, making it a much more congested site. And it will replace the abandoned buildings. It will make it safe. It will make it useful and aesthetically appealing. The residential development will be more conforming with the zoning ordinance and more consistent with other uses in the district and the neighborhood than the prior hotel was. This is the zoning chart. John Morin spoke a bit about what our compliance and other than height and distance, again, we do comply with the zoning. So the required lot area is forty thousand square feet and we have about one hundred and sixty seven thousand square feet, which is almost four times the lot area that's required. And the maximum block coverage that is allowed is twenty five percent. And again, we have approximately 9 percent. So there really is no density issue here. It's well under the Gloucester zoning ordinance requirements, it complies with both the front side and rear yard setbacks. There's more than adequate frontage. The frontages required at one hundred twenty five feet. And we have almost six hundred thirty eight square feet of frontage. That's more than five times what's required. So we're adding to the city's housing stock. And again, we are complying with the inclusionary zoning.

With regard to traffic flow and safety, that will be greatly improved on this site. Prior use was very active. It was a year round use of a hotel function facility and conference center and it created significant traffic entering and leaving this site. The traffic from the residential use will be much more limited. And there's one access off of Atlantic Road to get into and out of the property. There will not be any need to back out onto a public way. There was a turnaround. The turnaround is sufficient for fire department vehicles. SWEPT,

what's called a SWEPT analysis has been done, and that indicates that the fire department vehicles can make that turn. There's also, as John mentioned, an emergency access which will be gated out through Eagle Road. Utilities and public services will be updated and will be adequate to meet the residential needs of the units. It is served by public water and sewer. And it's anticipated that the utility consumption will actually be less than the former use.

The project is consistent with the neighborhood character and social structure. You can see from this view that the property, the residential neighborhood in the back of the property is buffered by mature trees. This is a mixed neighborhood of residential and commercial oceanfront properties. There are many larger remodeled rooms and several large motels and hotels, and the project is designed to be consistent with those larger homes. And so this is Atlantic Road. Many of these houses are simply magnificent. When you drive down the road, the buildings capture your attention almost as much as the ocean does. And this is what Bryan Melanson is trying to accomplish with his project. The ordinance does not require that you set arbitrary restriction of 30 feet. In fact, it gives you discretion to increase it. It's entirely consistent with the zoning ordinance to have a special permit. It's not prohibited. It's not a variance. It contemplates that there will be instances where a height of over 30 feet is entirely appropriate. And I would suggest to you that this is one of those instances. Again, it's the buildings close up. You've heard the heights. The former Ocean View was 41 feet. The mansion that's being rehabilitated is thirty eight feet.

These proposed buildings are lower than that height, but they still will be consistent with the buildings along Atlantic Road. And although I don't know the heights of the other homes along Atlantic Road, it is reasonable to presume that at least some of them are over a height of 30 feet. We spoke a little bit about the View corridor, and this is what we're talking about from two houses on High People's Road, from the view from 78 High Popples and the view from 4 Eagle Road out to Thatcher Island light, we were told by the owner of that property that that was an important view for them. So Mr. Melanson was very cognizant of that and very careful of trying to preserve that view. And this slide shows you the view corridor with the buildings push back. So that view corridor remains. And this is another view that shows the view corridor with the single story buildings that used to be in here, this lower building here will also gain a view that it didn't have previously. With this second two story building being removed here, these two houses one at 84 High Popples and one at 1 Eagle Road will also have improved views.

So the property, as I said, is bounded by mature trees. The watch shield, the neighborhood behind it, the trees from the site also impede some of the views from that neighborhood. And there is very little difference between the 30 foot height and the views at the 35 something height. The buildings have also been cited as far away from the High Popples neighborhood as possible. They've been positioned quite a distance from Atlantic Road and there is a significant wetland that buffers them from the neighbors to the other side.

The quality of the natural environment will be improved by the project. It will include improvements to existing wetland areas. As John explained, they will function more efficiently and the malfunctioning drainage structure will also be repaired. The water will flow more freely into the significant wetlands. And we exceed the lot area dwelling unit and open space per dwelling unit requirements, and therefore there will be sufficient outdoor space to promote the quiet enjoyment of its residents. And it has four times the lot area requirements. So that's more than eighty thousand square feet of impervious surface will now be removed again, being replaced with vegetation and improving the natural environment.

The fiscal impact is positive and positive improvements and occupation of this long vacant site will increase its value. It will add additional residential tax income to the city. It will create a greater consumer base for local businesses and services. And it's likely to improve neighborhood property values as well. Again, adding to the city tax revenues. Based upon our review of the 1.8.3, I would suggest to you that the proposed use will be in harmony with the general purpose and intent of the ordinance and will not adversely affect the neighborhood, the zoning district or the city to such an extent as to outweigh the beneficial effects of this use.

Now, I'd like to look at some of the specific requirements with regard to the distance between buildings. The City Council may issue a special permit upon a finding that the reduction is not detrimental because of view obstruction, overshadowing surface access or visual crowding the required distance of seventy two point two feet by calculation. We are requesting forty eight feet and that is not detrimental for several reasons. As we

discussed, the building location preserves views of abutters along Eagle Road and High Popples Road, and placing the buildings farther apart would have a detrimental effect upon the existing views and place them closer to the buffer zones. So you can see here in red, if the buildings were actually moved, they would impede that view corridor. And so allowing the distance to be reduced actually preserves some of those views.

There is also plenty of distance between the buildings as proposed, as the architect explained and the engineer explained, there's no visual overcrowding and there's plenty of room for traffic, parking and garages. The buildings are far enough away from the neighboring residences that overshadowing is not an issue. Looking at the permit for height, the City Council again may allow a height increase if it is consistent with the neighborhood character and not substantially detrimental to the neighborhood because of obstruction of views overshadowing impairment of utilities or other adverse impacts. Again, I would point out to you that it's not substantially detrimental. So even if it has some impact, that's not enough. It has to be substantially detrimental. The requested height is consistent with other buildings in this neighborhood. The buildings will be compatible with and blend with the other existing buildings. The mansion at 171 Atlantic, as I mentioned, is 38 feet. The former Ocean View was 41 feet. The proposed buildings are consistent in height with other buildings in this neighborhood. Mr. Melanson worked hard to preserve the views and he did so. And as I already discussed, some of the people's views will be improved. The buildings are far enough away from the residences, again, that overshadowing is not an issue and public utilities are available and would not be impaired. Expected that there will be less consumption than former use. No other adverse impacts.

And this project will remain true to the historic architecture and will vastly improve the visual appeal of the currently abandoned properties. And as Mr. Sidford explained, you could do a flat roof and it would look something like this. It's not a very New England look and certainly not a look that Mr. Melanson wants for his project or for Gloucester. We also, in our opinion, do not think it would be best for the neighborhood at 30 feet. It would meet the setbacks, it would meet the distance between the buildings, and there would be a sacrifice of some of the neighbor's views and esthetics of the project, but it would not need any approvals for height or distance between buildings. We don't think that's the best way to go with this project. We think that what is being proposed is a much better fit for the neighborhood. GZO gives you the flexibility to allow a project that fits with the other buildings in the neighborhood, and that's why it doesn't prohibit heights over 30 feet. The maximum height of 30 feet was never meant to be rigidly applied. If it was, it would have been a variance. But it's not. It's a special permit. And so we're asking you to use your discretion to allow the project that everyone can be proud of in the manner that Mr. Melanson would like to see. The project also meets or exceeds a major project guidelines under 5.7.5. The project has direct access from a collector street, which is Atlantic Road. It is connected to municipal sewer. The site plan shows the required access points, drainage and utilities serving each building, all applicable requirements of the zoning ordinance and the building code will be satisfied. The multi-family is located in a residential zone. Therefore, 5.7.5 is not applicable and as previously discussed, it does meet the criteria under 1.8.3. So that is all that I have for the presentation. If we're happy to answer any questions that the Council may have.

**Gilman:** Great. Thank you so much, Attorney Eliason and team, I appreciate it. So before we open it up for Council questions, I just wanted to ask if our Planning Director Gregg Cademartori - I know you're still there. This is about your 13th hour of work today. So would you like to just kind of give us a quick and dirty summary of the Planning Board's role in this? That would be great. And thank you for staying with us. I know it's been a long day for you.

**Cademartori:** Hi there. Sorry. I'm doing this on a phone, a little bit different of a platform. Can you hear me?

**Gilman:** Yes, we can hear you loud and clear.

**Cademartori:** OK, so you're aware that this was at the Planning Board a couple of weeks back. Similar presentation was made to the board. I think that Attorney Eliason has really pointed out the issues that are in front of the City Council that are special permit requirements beyond the dimensional requirements for a multi-family in this district. Otherwise, there is substantial compliance with the requirements for a multi-family. Planning Board heard this presentation similar to the one that you received. This has been reviewed

by a number of departments. I know that the Council is still awaiting some of the reporting out from some of those departments, but from the perspective of the site plan review as well as the major project criteria, the Planning Board was satisfied that the applicant has presented a compelling case for the issuance of a special permit and the Planning Board recommended to the City Council the required permits that are being sought. I believe the applicant is also still in front of the Conservation Commission, so some of the outstanding issues that remain to be reviewed by other boards. Again, there's no relief request in front of the Zoning Board of Appeals, but the Conservation Commission is still re reviewing the notice of intent. With regard to conservation, the next step is to have a site visit. And because of the COVID situation, I believe that's been delayed. But there was one meeting before Conservation and John can speak more to that. But they were very pleased with the project, as I understand it. But John can talk about that a little bit, if you'd like.

**Gilman:** John, do you want to weigh in on that?

**Morin:** Sure. So we had one meeting with Conservation. They really didn't have any major questions. Everything was pretty much addressed at the first meeting. But as David pointed out, we're really just waiting to set up a site walk. The commission members just want to walk the site. Most of them agreed that they thought that the idea of removing the restriction and restoring that large allotment out in the back, moving that large gravel parking area was a great idea.

**Gilman:** OK, thank you. So, Councilor Holmgren and Councilor Pett - questions on the presentation?

**Holmgren:** No, not at this time. Thank you very much again. As with the last presentation, I am looking forward to going and visiting the site.

**Gilman:** Thank you, Councilor. Councilor Pett.

**Pett:** Yes. Again. Obviously, I'm looking forward to a site visit. And then the public hearing to get some of the input for it. But looking at some of the criteria that we're supposed to be following for, say, the excess of height over thirty five feet. It says that, you know, that we can determine that we can make that approval, that such increase is an allowable height, is consistent with neighborhood character, and will not substantially be detrimental to the neighborhood because of obstruction of views, overshadowing of other properties, impairment of utilities or other adverse impacts. And from my basic observations at this point, the second part is all definitely met. The question comes the neighborhood character, and I think that's what's going to come out once we see the site visit. And again, as Madam Chairperson has suggested that we when we do get some site visit, I'd like to be able to see some actual, whether it's poles or balloons or whatever different heights of different parts of the building. But then I'd like to hear from the public what they're saying about the neighborhood character. And my second point is sort of a question that I'm not sure where it falls under, but they talk about - we've talked about in the engineering, the architecture and the attorney presentation about the emergency access to the Eagle Road and that being gated, obviously the Eagle Road over there. I remember the Arron's property, Clancy, whatever, all the properties out, the short numbered streets there. Who will have access to that gate? Will that be determined by the association or is that something where the keys belong to, say, the fire department or something like that? Or do we even have an answer to that question? And I'm not sure that that's a question that you're required even to answer to me.

**Eliason:** I think if some answer to that, the concept is that it would be emergency access to the fire department, police department would have access to it. Obviously, someone at the association would also have access. So if there was an emergency, the gate could be opened. But each resident, it's not contemplated that each resident would have a key to that gate.

**Pett:** OK. I think just again, that's just for me personally as a question. I don't know if that actually falls under our purview, etc. But I think many of the neighbors, maybe not only just a short number that are on Eagle Road but High Popples Road may be interested in making sure that that access is kept as an emergency access one way or another. Thank you for that.

**Gilman:** Thank you. So are there any questions of Ward Councilor Memhard. Would you like to ask the question?

**Memhard:** Yes. Thank you. Well, I just have one follow up question that I think architect Andrew Sidford could address. It was reviewed briefly, I believe, at the Planning Board presentation. But if he could clarify the interior ceiling heights of the proposed structures and clearly the idea might be that if they were less high, we could address the overall imposing scale of the structure was reduced from what is proposed. I just wanted to have him step us through the thinking there. Thank you.

**Gilman:** Thank you, Councilor.

**Sidford:** Thank you. At this point in the process we had allotted 10 feet floor to floor because we've got some pretty good spans and the project obviously isn't far enough that we've designed the structure or the mechanicals. So we've allotted that amount of space to accommodate what might be 18 inches of structure and additional space for mechanicals. And at this point, that's what we've laid out at this point.

**Gilman:** Great. Thank you. We have the Melansons since here, too. So I see you on the on the screen. Welcome to our call. We appreciate you being with the call. Thank you. So let's kind of bring this [back]. Anymore Councilors that are on the call who would like to ask a question? Councilor McCarthy, Councilor O'Hara? OK. All right, so let me try to summarize and bring this back to kind of summarize the process here. So there are a couple of things that I wanted to mention. First of all, I wanted to thank Attorney Eliason for doing a really good job in reaching out to the abutters in a short amount of time. By last Friday there was a letter out and that was only like a day or two after the Council voted to allow this to keep going forward, which was great. So we appreciate that. And I also appreciate the fact that the letters for both your projects, both Essex and this, you were clear about Zoom and you were clear about how people on the call could be able to get access to all the packets, which is about 350 pages, if I'm not mistaken. And everyone knows you can get that on the Standing Committee section of the city website and it's very, very helpful. So that was an important requirement and we appreciate that. I also wanted to say a couple of things and then bring up the questions that were submitted by the abutters. So the matters I just wanted to bring up to everyone here is that the we've checked the Special Council Permit application. It was signed off by the Building Inspector and the Planning Director for completeness and the City Clerk all on February 19, 2020, also pursuant to Section 17 of Chapter 53 of the Acts of 2020, the City Council through our president, Councilor LeBlanc, has rescheduled the public hearings and decision deadlines on permit applications until after the current state of emergency has concluded in Massachusetts. So I just wanted to mention that so that we're clear. So the next step for this particular project will be to have to pause, to wait until a site visit, and then we'll come back to P&D and we'll discuss what we looked at in the site visit. And then P&D will be prepared to vote in favor or oppose it, make our recommendation to the full City Council and that public hearing will occur during that time and not later than forty five days from the close of the emergency order.

And so that's the timeline. So this has been a long conversation, but I think it's been very, very helpful because there's going to be a lot of busy work we're going to have to do once the emergency order is up. And we're very grateful for how thoroughly you have been. And the fact that there still 25 participants on the call means that the neighbors are watching and people in the community are watching, which is great. And that's all part of transparency. And I think these Zoom calls, although sometimes there's a little technical glitch, I think that they're very helpful because everyone has seen these slides very clearly and understand. So I do want to just say a couple of things on the questions that were submitted. And we just looked at my notes here. It's been a long night and I've got lot of notes here. So I want to make sure that I've covered everything.

**Pett:** While you're looking at your notes, just want to let the Melansons know that we do see you, the two of you, or the one of you depending which camera you're on. We are seeing you here and we thank you for joining with us.

**Gilman:** Yes, absolutely. Thank you. OK. So our goal in P&D is to discuss, for the record the requisite criteria, and I wanted to just mention a couple of things and then we received several groups of questions from the abutters and from local residents. One of the consistent topics that I wanted to make sure that that we address clearly is that there is no requirement in the GZO for the applicant to prove hardship, to obtain the approvals of these special permits. And showing hardship is only required for variances that falls under the purview of the ZBA, and the ZBA is an independent board that has its own statutory authority that's separate and apart from the City Council. So the City Council cannot add such a requirement of hardship because it falls outside our authority given to us under the GZO. So I just wanted to be clear on that, because

that was a consistent comment that came up in all the questions, not just from one person, but kind of consistently. And it's important that everybody understands what's in front of us. The other thing that I wanted to mention is that the questions that came forward Attorney Eliason addressed them quite thoroughly. And I'm going to ask the questions be entered into the record as part of this meeting. So all the members of the public can see the totality of the questions that were submitted and answered. And I think that that's really important because, you know, we want to be transparent. And the applicant went through quite a bit of time to thoroughly answer the questions. And I think that that will just be helpful for everyone to see. We were going to review some of those questions now, but I'm kind of thinking right now where it's been kind of a long night, Councilor Pett and Holmgren, what are your thoughts? I mean, we can go through the list, there're about five or six matters that came up that are very related to what's in front of us. And then there are a lot of matters that Attorney Eliason summarized that really are just helpful for the abutters and the residents to know about. And it's all part of the document. Councilor Holmgren, you're raising your hand. What would you like to share?

**Holmgren:** We really ought to just look at what is in front of us. I don't want to get into the weeds and discuss some of these more subjective matters that are really within the purview of other boards and commissions and committees.

**Gilman:** Right. And I share that. Councilor Pett?

**Pett:** Yes, that's one of my points is we have to look at all these projects for those items that are under our control, in our purview, not other boards of the city. I do appreciate all of the submissions of questions by everyone. I think Deb has responded to them and that is there. Again, there's going to be a lot of, you know, agreement or disagreement from different members of the public. And you're going to have, again, when we talk about things like neighborhood character, etc. and I think if we were to get into trying to go over those questions this evening, I think we could end up spending, you know, hours more going over them. I think we have that information. It's all one public record, both the questions and the response. And hopefully we'll get some more questions from the public after what they've seen tonight and seeing the responses. And then when we get to the site visit and then when we get to the public hearings, you know, we'll get further answers. But I think we could spend hours tonight if we continue to try and go back and forth to answer them, those questions specifically.

**Gilman:** Agreed. OK, terrific. And so for everyone to understand right now, we will have these questions and the answers, all part of a supplementary attachment to the minutes, so you'll be able to see all of this information and they're very thorough. And we're still going to be coming back to P&D again and we can ask continuous questions once we get back. And that's really good time for asking more questions, because at that point we will have been to a site visit and a lot of the things will become even more evident to us regarding shadowing and heights and views. And it will be very helpful. So I'm comfortable with withholding on that right now. And I think, you know, I think it's important that we share this. I do know that there were a few more questions that came in after Attorney Eliason, and I think the Poulins sent some questions and that were after the initial batch, a couple of the questions were kind of opinions that would be part of the public hearing. And then there was a question that we answered tonight, which was a question about the pump house. And if I'm not mistaken, you said that the pump house was going to be underground, so it wouldn't be a house. Is that - John Morin, you're saying yes? Can you just confirm that? That is correct?

**Morin:** Yes, that's correct. Oh, yeah. And it'll be below ground.

**Gilman:** OK. So we answered that. And that was a good question that the Poulins had asked. And then there were some questions about the height of the first floor and the second floor and all those numbers are actually in the questions and answers that we've answered. So we've got all the square footage is included in the Q&A. So without further ado, I think we've exhausted our conversation tonight and I think, Councilors, if you're comfortable, I'm ready to thank the applicant and adjourn the meeting.

**Poirier:** Madam Chair, there are - there is one person who, actually two, who have their hands raised as attendees.

**Gilman:** OK. All right. So we'll take those two questions and then we will wrap up. So I appreciate that for whomever raises your hand. State your name and your address. And just keep in mind that we're asking questions only, that this is not the public hearing. And, you know, in fairness to all the Councilors, we want to wait for the public hearing when we're all back in person after the emergency order, so the first hand raiser, Grace, you could let them in and state your name and address. Thank you.

**Poirier:** I think they have to hit Star 6 on their phone.

**Gilman:** It's Star 9, I think. Right, Star 9 on the phone.

**Poirier:** To unmute themselves, I believe it's star 6. I'm allowing them to talk, but they're still muted because they're on the phone.

**Gilman:** OK. You want to try Star 6? For those of you who were on the phone.

**Towne:** Can you hear me?

**Gilman:** Yeah. We need name and address.

**Towne:** Yes. Good evening. Jim Towne, and I'm at 12 Links Road in Gloucester. And thank you for the presentation and for the additional information as well as answering some of the questions previously. Certainly appreciate that. One question for you is that the discussion this evening about view corridors has been from the side as well as the depictions and the pictures has been from the front and the side. Why are there no pictures shown from the view corridor from the rear? As I look at the pictures and I know it was mentioned earlier tonight that some of the depictions weren't exactly what you wanted in the modeling, the drawing, the density of the trees looks very different from the rear. And did you actually look at the study from Links Road and actually look at the corridor or going down to determine those trees if they were really blocking? And also, did you consider that those trees are seasonal, meaning that they drop their leaves? And so it, you know, at least a significant portion of the year when there's not leaves there, you can see through. So can you do a depiction from the back and look at that as a study and consideration for future meetings?

**Gilman:** So John Morin or Andrew Sidford do either one of you want to elaborate on that?

**Morin:** I'm not sure if Attorney Eliason wants to take that question. I guess when my first reactions is, you'd have to say from where?

**Towne:** So, for example, I'm at Twelve Links Road, I'm directly behind. Those are one story buildings right now and the trees, if I look at the pictures and the depictions, there's a significant trees shown in density there which is living behind it for the last 10 years, I can tell you there's not. And also telling you that the leaves fall off the trees. It's difficult to say that a thirty five foot plus building there, which doesn't drop its leaves and it's three stories high or more, that it's not going to obstruct the view and that there's not a view corridor problem. All of the discussion and presentation so far has been to appease the neighbors on the other side. And there are houses behind on Links Road, as you said, it's a golf course there that do have view considerations from behind. That this is a significantly larger structure than what you have there now.

**Morin:** I would say that, of course, that's correct. It is significantly larger. The major point I was trying to make is that the difference between what we're asking for or a 30 foot tall building of the same footprint is not as appreciably different. And in my opinion, might be - is better to look at because of the sloped roof. That's the point I'm trying to make. Not that that building isn't going to be an obstruction to that view. And we're showing the other corridor because that was a specific corridor that had been mentioned in a distant view of the lighthouse. Clearly, the buildings are going to obstruct views.

**Towne:** No, I understand, but Representative Eliason made representations that there was no view corridor problems, that they'd all been addressed and that the trees and other areas were already obstructing that. And so the presentation there. So I was just asking, had there been a study from behind because of the representations that were clearly made in the presentation tonight that all those areas had been satisfied? So that's what my question was about.

**Eliason:** I think what we would need to have is access to houses, where people have, would say that there are obstructions of views in order to do an adequate study. The difference between your area, of course, is that there are trees in between. The area on Eagle Road, it was a much clearer analysis to be made without having access to the house to do that. So if the owners would allow us that, I'd have to speak with my client to see whether that's something he would be willing to do.

**Towne:** OK. I appreciate that. I can say for the record, I would certainly be willing to. 12 Links Road, Jim Towne. And I'd certainly be willing to discuss that again if the developer is willing to certainly discuss that further. So thank you for that, Attorney Eliason

**Eliason:** OK. So we will talk about it further.

**Towne:** Thank you very much.

**Gilman:** One of the things that I liked about your letter, Attorney Eliason, is that you did put your phone number and your information down to the abutters and let them know that they can always give you a call, too, which is nice. Doesn't all have to be back to the P&D, it can be informal conversations between you all, so I think that that's really important. All right. We've got one more hand-raised and then we're ready to conclude. I see Kathy Clancy. Kathy, would you introduce yourself and your address?

**Clancy:** Kathy Clancy. I live at 78 High Popples Road. My question is to the chair. And my question has to do with when you do the site visit in addition to showing height, will you also ask for representation of mass of the buildings? Because according to my calculations, one building is going to be almost 17000 square feet and the other one is going to be 14000 square feet, and it would be nice to know both the height and where that height goes to and from and where the corners are and things like that.

**Gilman:** It's a good question. Typically, when we did Wingersheek Road recently and all the Councilors were there and it's a huge house, it's twelve thousand square feet, all the corners were staked and then we had the 38.5 pole and we were able to visualize the view, you know, so that was helpful. So I think the stakes would be something that we would like when it comes time to the site visit so we can just have an accurate feel for, basically, it's for the height that we have to look at. For the shadowing and for the height. So I think that that's a reasonable expectation. Attorney Eliason, can you confirm that that will be something that you'll be able to do for us for the site visit?

**Eliason:** I think I'd have to defer to perhaps John, and Bryan Melanson with regard to what's physically able to be done. I would expect staking of the corners for sure and some representation of the height. But I'd just like them to both confirm.

**Gilman:** OK. Would either John or Mr. Melanson like to speak to that?

**Morin:** Yeah. Will. Will absolutely be able to stake the corners. The one issue that we're going to have is with the six unit building. Several - the two front corners are actually in the existing building so I've already started looking at how we're going to handle that. I'll talk to Bryan and find out what capacity or what state the roof of that building is because we could technically get on the roof of that and then set a pole up from there so that we could actually have all four corners of the building done. But we'll definitely look into that.

**Gilman:** Because actually at Wingersheek one of the poles was actually on the existing structure. So they did attach it to the existing cottage. That was kind of interesting. Right. And that was helpful. So that's good. We're all thinking out of the box here.

**Eliason:** I think the issue would be safety is probably what Mr. **Morin** is talking about.

**Gilman:** Yeah, I understand completely. OK. Well, I think I think we've exhausted this meeting. But to summarize, I - oh, Councilor Pett. Yes.

**Pett:** Very quickly. Madam Chairperson, I had seen Bryan Melanson's been on just minute ago or so, he had unmuted. I don't know, again, we wanted to thank him for everything. And I don't know, I wanted to give him an opportunity if he'd like to say anything to P&D, to our subcommittee before we closed this evening. We heard from all his representatives, but Mr. and Mrs. Melanson we haven't heard from them. We'd love to be able to at least hear something from you.

**Gilman:** Would you like to unmute yourself Bryan?

**Melanson:** So we're happy to assist in any way, to go out back onto Links Road, to stake corners, to get heights. We've been willing all along, we've taken a lot of input from a lot of different people, from the city boards to the some of the abutters as we continue to talk to them. And we're trying to make it a Win-Win for everybody. We've been working hard for a long time. We've been trying to do what was right for the neighborhood in terms of density, in terms of not putting traffic on High Popples and Eagles Road and coming directly off of Atlantic and trying to have a quality project that everybody can be proud of. We've certainly worked hard and we're excited about it. And we're hoping that the neighborhood can be excited when it's all said and done also. So we're certainly willing to work with the neighbors.

**Gilman:** Great. Thank you so much.

**Melanson:** You're welcome.

**Gilman:** Councilor Holmgren, would you like to say anything before we wrap up?

**Holmgren:** No, I just thank you all very much. Thank you to the applicant, the presenters, for your thorough presentation, as well as for your willingness to speak with abutters and neighbors. And to abutters and neighbors, thank you for your questions and for following this whole process and for being candid with us as well. We really appreciate that. So overall, I do appreciate it. And thank you, Madam Chair, for leading our efforts here this evening. This was extremely helpful.

**Gilman:** Thank you so much. Thank you, everyone, for your participation for a professional presentation and thank you to the abutters for being there for us. It's been a long night and it means a lot that so many of you are still on the conference call and remind the public that the zoom meeting this will be on the city Web site tomorrow, probably midday. So anyone that's out there that perhaps didn't see it will be able to watch and wait and see. And the presentation was really clear. And I think that it's definitely transparent and it's really a good thing during this tough COVID-19 times. I think we made some great progress. And thank you. I'll do a motion to adjourn. I guess we could do a roll call.

**MOTION:** A motion was made, seconded and voted unanimously by ROLL CALL (Gilman, Holmgren, Pett) to adjourn the meeting at 8:25 p.m.

Submitted by Grace E. Poirier, Assistant City Clerk

**Documents submitted for the record to be attached to the minutes:**

Memorandum from Attorney Eliason re: Questions and Answers from Abutters and Applicant regarding SCP2020-003 Atlantic Road #163

**MEMORANDUM TO CITY COUNCIL  
PLANNING AND DEVELOPMENT SUBCOMMITTEE**

**To: Planning and Development Committee Members**

**From: Deborah A. Eliason, Esq., on behalf of 171 Atlantic Road LLC**

**Date: May 5, 2020**

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It is somewhat difficult to respond to questions in this format and many of the questions are more argument than questions. However, I did my best to make our responses concise and easy to follow. I have responded to each of the questions below, but I also wanted to provide you with a more general response. There appears to be a belief that Mr. Melanson is seeking to build a development that is not allowed in the Gloucester Zoning Ordinance (“GZO”). This is simply not true. The GZO allows many uses other than single family homes in the R-20 district. Table 2.3 lists those uses that are allowed and those that are prohibited. Uses that are not listed are prohibited. Some of the uses listed are allowed without a special permit and some require a special permit from either the City Council, Zoning Board of Appeals or the Planning Board. Variances are required when a use is expressly prohibited or prohibited by omission. An applicant must show hardship when seeking a variance. A showing of hardship is not required when seeking a special permit. Mr. Melanson is not seeking any variances.

**QUESTIONS FROM JAMES TOWNE**

- Developer representative Eliason stated that the lots are currently odd shaped. How does redesigning them create a betterment and does this have any reasonable bearing to the approval process?

**RESPONSE:** The information regarding lot configuration was provided for background purposes only. The reconfiguration makes more sense from an ownership perspective because buildings will no longer straddle property lines. It does not have any bearing on the approval process that is before you.

- Eliason also stated that the applicant was only seeking height and distance relief. Does this mean all else in the plan is “by right”?

**RESPONSE:** The Applicant meets all other dimensional requirements set forth in table 3.2 of the GZO. In fact, it far exceeds the lot area and other density requirements. Increases in height and distance between buildings are expressly allowed by special permit. Variances are not required.

- Developer representative Monin [sic] spoke about how the drainage relief will help the general area (an area conservation board had no problem with when they approved 68 High Popples and 3 Links Road but now is a problem?). Will the developer not complete any drainage work then if the variances are not approved and if not, then is there a drainage problem or not? Monin [sic] also spoke at the meeting about how they had reduced the density in the plan by eliminating a duplex on lot 5, yet the utility plan shows a drainage pond and pump house where that duplex would have been. Was the duplex removed because of density or because of drainage?

**RESPONSE:** Currently the impervious surfaces on Lot 5 run off directly into the street or the wetlands with no mitigation or treatment. The big improvement will be the removal of the culvert that is a restriction and may be one of the causes of the flooding up stream. By removing the culvert and opening the wetlands the restriction will no longer be there, which will allow stormwater to flow more freely into the large wetland that is located on Lot 5. This is not something Mr. Melanson is required to do it just makes sense and he is willing to do it. However, if the multi-family project does not go forward on Lot 5, Mr. Melanson may not be willing to spend the money to do all the work to eliminate the restriction as it will not be economically feasible.

It is true that a duplex was originally proposed roughly in the area where a drainage basin is now proposed to be located. If the duplex was still part of the design, the drainage basin and the location of the pump station would be moved to different locations. The density criteria were still met with the duplex. It was not removed to meet the density requirements. Mr. Melanson chose not to pursue the additional duplex because he thought it was too much massing near Atlantic Road. It may also have impeded the view corridor that he was trying to protect. In fact, if all of the original buildings had been removed from Lots 1-5, those lots could support 25 residential townhouse units under the current zoning requirements given the lot area. Mr. Melanson chose a much lower density for his development.

- Developer representative Andrew then presented but did not know the square footage of the units or ceiling heights. Can that information be provided? Is there an opportunity to go with lower ceilings to meeting height restrictions? Then when speaking on the drainage pond stated not to worry about the routine flooding at the road as it will be above the 14 foot waterline. Does this mean it will be a massive berm along Atlantic road now to retain this water?

**RESPONSE:** We will discuss 30' average height question at the meeting. The square footage is as follows:

Units with Garage:

First two floors combined living:

2050 sq. ft.

3<sup>rd</sup> floor +/- 550 sq. ft.

Units without a garage:

First two floors combined

2300 sq. ft

3<sup>rd</sup> floor +/- 550 sq.ft.

As you know the FEMA Zone VE (Velocity Zone) was revised by the prior owner. The new Zone VE line does not cross onto the property however everyone is aware that during large storm surges debris, including rocks/boulders, end up in Atlantic Road and on the front of Lot 5. I am not sure what point was being made as referenced above with regards to "14 foot waterline" but the proposed multi-family buildings are set back far enough so that no debris will reach them.

- Beverly Bookin suggested that a gable roof is an ideal variance as only the top is above permitted height. Is the law requirement on the average height of the building or the peak height?

**RESPONSE:** The GZO measures height based on average existing grade to the roof peak.

- How was it represented to Hank McCarl that the neighbors are in agreement on the plans. I have not met one neighbor who is in agreement. Can list of supporting neighbors be provided to substantiate?

**RESPONSE:** Mr. Melanson has not made any representations regarding whether neighbors are in favor or against the project. He cannot speak for Mr. McCarl.

- Why was the planning board not provided the materials in advance (as stated in the meeting by Jane Ramsen) and should they have reviewed them before the meeting? She noted that it was a lot to digest and that it was past her bedtime and was conflicted on how to vote. She eventually said that she will just go along with what the group wanted. Rick Noonan said that there is a 'sense of urgency and time is money' and wanted to move forward with the vote even though materials were not available well in advance, it was a lot to digest for certain board members, and it was late in the evening. Will the City Council have an adequate time to review this material in advance and will the meeting be scheduled so it does not conflict with bedtimes?

**RESPONSE:** All materials that were required to be provided to the Planning Board ahead of time were provided in the application. The slide presentation was also provided to the Planning Director several days before the meeting. Neither Mr. Melanson nor I have any knowledge of when it was disseminated to the Planning Board members. The times of public meetings are set when the agenda is posted and they are generally held at the same time from meeting to meeting. The Planning Board had a very full agenda the night our meeting was heard and it did run quite late, which does happen on occasion. Our portion of the meeting was concluded by approximately 9:45 pm if I recall correctly.

**QUESTIONS FROM ZOE MCMANUS**

**DEFINITION FROM THE CITY ZONING ORDINANCE, Section II, 2.1 (follows)**

## **R-20 (formerly R-2) Low/Medium Density Residential (minimum lot area: 20,000 sf)**

This district is intended to accommodate single family residential development and, where appropriate, two family and multi-family development. This district *provides a transition from the rural districts to the high density districts of the city.*

**RESPONSE:** In order to understand the meaning of the R-20 definition, you must review the language that precedes it in the GZO. It is clear from the language below, that all uses listed in Sections 2.3 are allowed uses under the GZO. And furthermore, the table at 2.3 of the GZO takes precedence over the above definition.

### **2.1.1 Enumeration of the Zoning Districts**

The City of Gloucester is divided into fifteen zoning districts, the broad definitions and minimum lot area of which are set forth in this Section 2.1.1. The boundaries of the districts can be determined by reference to the Zoning Map, as described in Section 2.1.2 of this ordinance; the allowed uses in each of the districts can be determined by reference to Section 2.3, Use Tables; the dimensional requirements for each of the districts can be determined by reference to Section 3.2, Dimensional Tables. The following definitions are intended for guidance only; where there is a conflict between these definitions and the Zoning Map, the map shall control; where there is a conflict between these definitions and Sections 2.3 and 3.2, the latter sections shall control: [Emphasis added]

- How does a project in this location that violates city-wide height requirements “*provide a transition from the rural district to the high density district of the city*”.

**RESPONSE:** The project does not violate the city-wide height requirements. The GZO expressly allows heights in excess of 35’ by special permit from the City Council. The slides showing houses along Atlantic Road clearly show how this development will blend seamlessly with the streetscape along Atlantic Road. The City has already determined that this R-20 district provides a transition from rural to high density. By remaining consistent with the other properties along Atlantic Road, the proposed development carries forward that transition.

- How can you claim that the project fits the Neighborhood Character, Scale and Social Structure when **your rendering shows how vastly out of character and scale it is with the surrounding neighborhood.** (See rendering #1 page 357/327 and 269/327 of applicant’s packet. This can also be confirmed with the GIS /maps or “Google Maps”)

**RESPONSE:** This is more of an argument than a question. I would point once again to the pictures that are included in the slide presentation depicting houses along Atlantic Road that are entirely consistent with the proposed development. The houses that Ms. McManus includes in her presentation are also consistent with the development. By converting the property from an intense commercial use to a residential use, Mr. Melanson is proposing a project that fits squarely with the neighborhood character, scale and social structure of the neighborhood. The property is bounded by commercial golf course, as well as nearby hotels, motels and function

facilities. These uses are much more intensive and have a far greater impact on the neighborhood than Mr. Melanson's proposed residential development.

- How can you assert that neighbors are in favor of the project when **nobody spoke in favor at the Library Presentation?**

**RESPONSE:** Mr. Melanson has never asserted whether the neighbors are in favor or opposed to the project.

- How is the public good served, **has anyone from the public come forward in favor?**

Public good is not a criteria for determining whether a special permit is issued. And even if it were, it is not determined by how many people are in favor or opposed to a project. The benefit to the City is determined by an examination of the six criteria set forth in GZO 1.8.3. Mr. Melanson's application addresses the six criteria in great detail. In summary, the deteriorating buildings will be removed from the site; a site that has sat fallow will be developed and improved with residential buildings that are consistent with the surrounding neighborhood; the project will comply with the City's inclusionary housing requirements; the project will maintain and may increase the value of other homes in the area; and will provide additional residential tax revenue to the City.

- Specifically, **who is being served?**

**RESPONSE:** There is no requirement to identify a specific person that is being served by the project. My response above addresses the general benefits to the City and the neighborhood.

- Why do you characterize this as a mixed commercial area? **The existing hotels are nearly a half mile (4,000'+-) away Atlantic Road?** One could easily argue that even these existing hotels are out of character with their surroundings.

**RESPONSE:** A simple drive along Atlantic Road clearly shows that this neighborhood is a mix of residential and commercial properties. The proposed development is not a commercial use, however. It will be a residential use that is consistent with the majority of the properties in the neighborhood.

- Even the distant hotels on Atlantic Road are within the 30' maximum out of respect for uphill neighbors and the Zoning Ordinance. **Why should this project be excepted?**

**RESPONSE:** Mr. Melanson has no information regarding the average height of any of the buildings along Atlantic Road, residential or commercial, except for those on his own property. Nor does he have any way of confirming the average heights of any of those buildings. Since Ms. McManus has made this claim, perhaps she has information that she could provide to the Committee and Mr. Melanson in this regard.

Mr. Melanson has explained in detail in his application why his project qualifies for a special permit for height. In summary, the requested increase in allowable height is consistent with neighborhood character as is evidenced by the other buildings along Atlantic Road. It will

enable the structures to be compatible with and blend in with structures in the surrounding neighborhood. The proposed buildings will be lower than the two main buildings that previously inhabited the property, while still blending with the historic architecture on the property and in the neighborhood. The Project has been designed to minimize any new obstruction of views and in some instances, views have been improved. The Project remains true to the historic architecture of the Site and will vastly improve the visual appeal of the currently abandoned Site.

- Does the number of rooms in the abandoned hotel has any **legal** bearing in this case?  
The answer is **NO after 2 years no such grandfathering exists.**

**RESPONSE:** The number of abandoned hotel rooms does not affect the allowed density on the site, but it supports Mr. Melanson's position that the proposed use is less intensive and will, therefore, have less of an effect on the neighborhood.

- **When will the derelict hotel rooms be removed?** Certainly before marketing of the new and renovated homes.

**RESPONSE:** There is no definitive timeline for the removal of the remaining buildings.

- You discuss "view corridors" when the **obvious purpose is to provide views from the proposed condominiums?** (View corridors are automatically built in to the R20 building standards. Lot sizes, front, side and rear setbacks.) See GZO section 2.3.1

**RESPONSE:** Dimensional lot standards do not necessarily protect view corridors. In fact, one of the reasons for seeking a special permit to reduce the distance between buildings is to preserve and create a view corridor for two of the properties on Eagle Road. Mr. Melanson has been told by the owners that that view is important to them. Therefore, he worked hard to preserve it. If the request is not granted, these views will be obstructed because the buildings will have to be moved farther apart. The removal of the existing two story building along the boundary of Lot 5 and the Eagle Road and High Popples Road properties will also improve views.

- Why do you state that all dimensional requirements have been met while you seek two "**self-created**" variances?

**RESPONSE:** No variances are being requested. Mr. Melanson is only seeking special permits that are expressly allowed under the GZO.

- **Please prove "Hardship"?** For excessive height and for narrowing the vistas between structures. (The added height requires added distance between structures.) **The ZBA standard for variances is "Hardship" (A legal definition) The ZBA, a lower permitting authority (as opposed to City Council) does not accept "self-created hardship".**

**RESPONSE:** There is no requirement in the GZO for Mr. Melanson to prove hardship to obtain approval of the special permits. A hardship showing is only required for variances. The Zoning Board of Appeals is an independent board that has its own statutory authority separate and apart from the City Council. Each operates within its own jurisdiction and authority. Because one

must prove hardship for a variance before the Zoning Board of Appeals does not mean that hardship is a requirement when seeking a special permit from the City Council. Nor could the City Council add such a requirement, because to do so would be outside of the authority given to it under the GZO.

**Planning & Development Committee**  
Wednesday, April 8, 2020 – 5:30 p.m.  
**REMOTE MEETING**

-Minutes-

**Present: Chair, Councilor Valerie Gilman; Vice Chair, Councilor Jen Holmgren; Councilor Barry Pett**

**Absent: None.**

**Also Present: Councilor Steve LeBlanc, Councilor Jamie O’Hara, Councilor John McCarthy, Mayor Sefatia Romeo Theken, Joanne M. Senos, Grace E. Poirier, Chip Payson, James Pope, Vanessa Krawczyk**

**Applicants: Joe Novello, Anthony Cusumano for St. Peter’s Fiesta; Elizabeth Cardarelli for National Grid; Attorney Wilhelmina Sheedy and Architect Rob Gulla for Special Council Permit 2020-001**

**Members of the Public: 10 members of the public called into the meeting, 2 of whom gave their names: Steve and Joan Archer, 103 Wingersheek Road**

*This meeting was done remotely through Zoom Video Conferencing. All votes were taken by roll call vote, with Councillor Gilman calling the roll.*

**The meeting called to order at 5:30 p.m.**

**Councillor Gilman** opened the meeting and advised those in remote attendance that, “Consistent with the Governor’s order suspending certain provisions of the open meeting law and banning gatherings of more than 10 people, this meeting will be conducted by remote participation to the greatest extent possible. Persons who wish to listen to the meeting have been invited to do so as noted on our posting. They can join the computer smart device or by phone as posted on the web site.” At the request of **Councillor Pett**, **Councillor Gilman** informed attendees that the Essex Ave Special Council Permit has been continued to April 22, 2020, and Atlantic Road Special Council Permit has been continued to May 6, 2020.

***Special Events Applications***

***A. Request to hold the St. Peter’s Fiesta on June 24-28, 2020***

***B. Request from St. Peter’s Fiesta Committee for the use of St. Peter’s Park on June 24-28, 2020***

**Joe Novello** and **Anthony Cusumano** requested approval of the event for the dates June 24-28, 2020, as well as a backup date of September 10-14 in the event that the coronavirus prevents them from being able to hold the Fiesta in June. If Fiesta was held in September, it would probably be on a smaller scale. The Fiesta Committee will know by May 5 whether or not they will be holding the Fiesta in June.

They told the P&D Committee that they are requesting the use of the following streets: St. Peter’s Park, Rogers Street up to Mansfield Way, Commercial Street up to the Chamber of Commerce, the dock behind the Cape Ann Brewery, up Washington Street to the Boulevard up to 50 feet before the Fisherman’s Statue (those are the areas that they use and control for vendors); Beach Court and the Pavilion Beach and playground.

The procession route is as follows: it starts down Commercial Street, travels up Washington Street, takes a right onto Prospect Street, then takes a left onto Maplewood Avenue then takes a right on Shepherd Street, comes down Pleasant Street, takes a right onto Pleasant Street in front of the



## GLOUCESTER CITY COUNCIL 2020 PUBLIC HEARING

**PUBLIC HEARING NUMBER:** PH2020-010  
**SUBJECT:** SCP2020-002: Essex Avenue #99A, Map 216, Lot 126, GZO Sec. 3.1.6(b) "Building Heights in Excess of 35 Feet;" Sec. 2.3.4(13) "Marine related service, storage or repair, limited primarily in the MI District to commercial fishing vessels;" Sec. 5.5 "Lowland Requirements;" Sec. 5.5.2 and Sec. 5.5.3 in the EB District

**DATE OPENED:** 10/13/2020  
**CONTINUED TO:** 10/27/2020  
**CONTINUED FROM:** 9/8/2020  
**COMMITTEE:** P&D 4/8/2020, 5/6/2020

### THE CITY OF GLOUCESTER NOTICE OF PUBLIC HEARING

In accordance with the provisions of MGL Chapter 40A, Section 11, the Gloucester City Council will hold a public hearing on **Tuesday, March 24, 2020 at 7:00 p.m. in the Kyrouz Auditorium, City Hall**, relative to the following Special Council Permit application:

**SCP2020-001:** The application of Lawrence Costa, on behalf of William S. Hathaway, Craig H. Hawley and Virginia H. Raylean, Manager of 1928 Coffin's Beach Cottage LLC, for a Special Council Permit to demolish and reconstruct a pre-existing single family structure in excess of 35 feet in height, pursuant to GZO Sections 1.8.3 "Standard to be Applied" and 3.1.6(b) "Building Heights in Excess of 35 Feet" at **105 Wingersheek Road**, Assessors Map 261, Lot 31, in the R-20 Low/Medium Density Residential District

At the public hearing, all interested persons will have the opportunity to be heard based on the procedures determined by the Council.

**All written communications to the Council must be received by the office of the City Clerk no later than 3 business days (excluding holidays and weekends) prior to the scheduled hearing date or any continuation by the Council of such date in order to be submitted to the Council prior to the public hearing.**

By vote of the City Council  
Joanne M. Senos, City Clerk  
GT - 3/10, 3/17/20

**THIS PUBLIC HEARING WILL BE OPENED & CONTINUED TO OCTOBER 27, 2020**



## GLOUCESTER CITY COUNCIL 2020 PUBLIC HEARING

**PUBLIC HEARING NUMBER:** PH2020-010  
**SUBJECT:** SCP2020-002: Essex Avenue #99A, Map 216, Lot 126, GZO Sec. 3.1.6(b) "Building Heights in Excess of 35 Feet;" Sec. 2.3.4(13) "Marine related service, storage or repair, limited primarily in the MI District to commercial fishing vessels;" Sec. 5.5 "Lowland Requirements;" Sec. 5.5.2 and Sec. 5.5.3 in the EB District

**DATE OPENED:** 10/13/2020  
**CONTINUED TO:** 10/27/2020  
**CONTINUED FROM:** 9/8/2020  
**COMMITTEE:** P&D 4/8/2020, 5/6/2020

### CITY OF GLOUCESTER NOTICE OF PUBLIC HEARING

In accordance with the provisions of MGL Chapter 40A, Section 11, the Gloucester City Council will hold a public hearing on **Tuesday, March 24, 2020, at 7:00 p.m. in the Kyrouz Auditorium, City Hall**, relative to the following Special Council Permit application:

**SCP2020-002:** The application of Dominick Holdings, LLC (Andrew Dominick and Tobin Dominick, Managers) for a Special Council Permit to construct an approximately 34,320 square foot indoor, climate controlled boat storage facility pursuant to GZO Sections 1.8.3 "Standard to be Applied," 3.1.6(b) "Building Heights in Excess of 35 Feet," 2.3.4(13) "Marine related service, storage or repair, limited primarily in the MI District to commercial fishing vessels" and 5.5 "Lowlands Requirements" at **99A Essex Avenue**, Assessors Map 218, Lot 126, in the EB District.

At the public hearing, all interested persons will have the opportunity to be heard based on the procedures determined by the Council.

**All written communications to the Council must be received by the office of the City Clerk no later than 3 business days (excluding holidays and weekends) prior to the scheduled hearing date or any continuation by the Council of such date in order to be submitted to the Council prior to the public hearing.**

By vote of the City Council  
Joanne M. Senos, City Clerk  
GT - 3/10, 3/17/20

**THIS PUBLIC HEARING WILL BE OPENED & CONTINUED TO OCTOBER 27, 2020**



**CITY OF GLOUCESTER 2020  
CITY COUNCIL ORDER**

**ORDER:** CC#2020-012  
**COUNCILLORS:** Barry Pett, Melissa Cox &  
Steve LeBlanc

**DATE RECEIVED BY COUNCIL:** 09/29/20  
**REFERRED TO:**  
**FOR COUNCIL VOTE:** 10/13/20

**ORDERED** that the City Council request that the State Legislators file a Home Rule Petition; and based on said Petition, the General Court enact a Special Act substantially as follows:

**Home Rule Petition (Gloucester)**

**Objective**

The City of Gloucester (City) is seeking temporary relief from the requirements of MGL chapter 138, sections 12, 15 and 17, so that, as a result of the ongoing state of emergency as declared by the Governor on March 10, 2020, those establishments within the City who have been issued (1) seasonal section 12 licenses authorizing the sale of alcoholic beverages to be drunk on the premises and (2) those establishments who have been issued seasonal section 15 licenses authorizing the sale of alcoholic beverages not to be drunk on the premises may continue to sell alcoholic beverages pursuant to their seasonal licenses from January 16, 2021 through March 31, 2021.

**Draft Home Rule Petition Language**

Section 1. The General Court may make clerical or editorial changes of form only to the bill, unless the City Council approves amendments to the bill before enactment by the General Court. The City Council is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

Section 2. Notwithstanding any general or special law to the contrary, the city of Gloucester may temporarily extend the issuance of seasonal section 12 licenses authorizing the sale of alcoholic beverages to be drunk on the premises from January 16, 2021 through March 31, 2021.

Section 3. Notwithstanding any general or special law to the contrary, the city of Gloucester may temporarily extend the issuance of seasonal section 15 licenses authorizing the sale of alcoholic beverages not to be drunk on the premises from January 16, 2021 through March 31, 2021.

Section 4. The act shall take effect upon passage.

Respectfully submitted,  
Barry Pett  
Ward 2 Councilor  
Melissa Cox  
Councilor At Large  
Steve LeBlanc  
Ward 3 Councilor

**COMMONWEALTH OF MASSACHUSETTS**  
WILLIAM FRANCIS GALVIN  
SECRETARY OF THE COMMONWEALTH

**WARRANT FOR 2020 STATE ELECTION**

SS.

To the Constables of the City of Gloucester,

**GREETINGS:**

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in Elections to vote at:

**WARD & PRECINCT**

1-1 East Gloucester School  
1-2 Veterans Memorial School  
2-1 Our Lady of Good Voyage Church Youth Center  
2-2 Our Lady of Good Voyage Church Youth Center  
3-1 Gloucester High School  
3-2 Gloucester High School  
4-1 Beeman Memorial School  
4-2 Plum Cove School  
5-1 Magnolia Library Center  
5-2 West Parish Elementary School

**LOCATION**

8 Davis Street Extension  
11 Webster Street  
140 Prospect Street  
140 Prospect Street  
32 Leslie O. Johnson Rd.  
32 Leslie O. Johnson Rd.  
138 Cherry Street  
15 Hickory St  
1 Lexington Avenue  
10 Concord Street

on **TUESDAY, THE THIRD DAY OF NOVEMBER, 2020**, from **7:00 A.M. TO 8:00 P.M.** for the following purpose:

To cast their votes in the State Election for the candidates for the following offices:

ELECTORS OF PRESIDENT AND VICE PRESIDENT ..... FOR THESE UNITED STATES  
SENATOR IN CONGRESS..... FOR THIS COMMONWEALTH  
REPRESENTATIVE IN CONGRESS..... SIXTH DISTRICT  
COUNCILLOR ..... FIFTH DISTRICT  
SENATOR IN GENERAL COURT ..... FIRST ESSEX & MIDDLESEX DISTRICT  
REPRESENTATIVE IN GENERAL COURT ..... FIFTH ESSEX DISTRICT  
REGISTER OF PROBATE..... ESSEX COUNTY

**QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 5, 2020?

**SUMMARY**

This proposed law would require that motor vehicle owners and independent repair facilities be provided with expanded access to mechanical data related to vehicle maintenance and repair.

Starting with model year 2022, the proposed law would require manufacturers of motor vehicles sold in Massachusetts to equip any such vehicles that use telematics systems -- systems that collect and wirelessly transmit mechanical data to a remote server -- with a standardized open access data platform. Owners of motor vehicles with telematics systems would get access to mechanical data through a mobile device application. With vehicle owner authorization, independent repair facilities (those not affiliated with a manufacturer) and independent dealerships would be able to retrieve mechanical data from, and send commands to, the vehicle for repair, maintenance, and diagnostic testing.

Under the proposed law, manufacturers would not be allowed to require authorization before owners or repair facilities could access mechanical data stored in a motor vehicle's on-board diagnostic system, except through an authorization process standardized across all makes and models and administered by an entity unaffiliated with the manufacturer.

The proposed law would require the Attorney General to prepare a notice for prospective motor vehicle owners and lessees explaining telematics systems and the proposed law's requirements concerning access to the vehicle's mechanical data. Under the proposed law, dealers would have to provide prospective owners with, and prospective owners would have to acknowledge receipt of, the notice before buying or leasing a vehicle. Failure to comply with these notice requirements would subject motor vehicle dealers to sanctions by the applicable licensing authority.

Motor vehicle owners and independent repair facilities could enforce this law through state consumer protection laws and recover civil penalties of the greater of treble damages or \$10,000 per violation.

**A YES VOTE** would provide motor vehicle owners and independent repair facilities with expanded access to wirelessly transmitted mechanical data related to their vehicles' maintenance and repair.

**A NO VOTE** would make no change in the law governing access to vehicles' wirelessly transmitted mechanical data.

## **QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 5, 2020?

### **SUMMARY**

This proposed law would implement a voting system known as "ranked-choice voting," in which voters rank one or more candidates by order of preference. Ranked-choice voting would be used in primary and general elections for all Massachusetts statewide offices, state legislative offices, federal congressional offices, and certain other offices beginning in 2022. Ranked-choice voting would not be used in elections for president, county commissioner, or regional district school committee member.

Under the proposed law, votes would be counted in a series of rounds. In the first round, if one candidate received more than 50 percent of the first-place votes, that candidate would be declared the winner and no other rounds would be necessary. If no candidate received more than 50 percent of the first-place votes, then the candidate or candidates who received the fewest first-place votes would be eliminated and, in the next round, each vote for an eliminated candidate would instead be counted toward the next highest-ranked candidate on that voter's ballot. Depending on the number of candidates, additional rounds of counting could occur, with the last-place candidate or candidates in each round being eliminated and the votes for an eliminated candidate going to the voter's next choice out of the remaining candidates. A tie for last place in any round would be broken by comparing the tied candidates' support in earlier rounds. Ultimately, the candidate who was, out of the remaining candidates, the preference of a majority of voters would be declared the winner.

Ranked-choice voting would be used only in races where a single candidate is to be declared the winner and not in races where more than one person is to be elected.

Under the proposed law, if no candidate received more than 50 percent of first-place votes in the first round, the rounds of ballot-counting necessary for ranked-choice voting would be conducted at a central tabulation facility. At the facility, voters' rankings would be entered into a computer, which would then be used to calculate the results of each round of the counting process. The proposed law provides that candidates in a statewide or district election would have at least three days to request a recount.

The Secretary of State would be required to issue regulations to implement the proposed law and conduct a voter education campaign about the ranked-choice voting process. The proposed law would take effect on January 1, 2022.

**A YES VOTE** would create a system of ranked-choice voting in which voters would have the option to rank candidates in order of preference and votes would be counted in rounds, eliminating candidates with the lowest votes until one candidate has received a majority.

**A NO VOTE** would make no change in the laws governing voting and how votes are counted.

**QUESTION 3:**

Shall the City of Gloucester be allowed to exempt from the provisions of Proposition two-and-one-half, so-called, the amounts required to pay for bonds issued in order to provide the necessary funding for the design, site work, construction and outfitting of a new East Gloucester/Veterans Memorial Elementary School?

**QUESTION 4:**

Shall the representative for this district be instructed to vote in favor of legislation that would require Massachusetts to achieve 100% renewable energy use within the next two decades, starting immediately and making significant progress within the first five years while protecting impacted workers and business?

**QUESTION 5:**

Shall the representative for this district be instructed to vote in favor of changes to the applicable House of Representative rules to make the results of all the votes in that body's Legislative committees publicly available on the Legislature's website?

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 13<sup>TH</sup> day of October 2020.

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City Council of Gloucester, Massachusetts

By Vote of the City Council

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City Clerk

October 13, 2020.