



**CITY OF GLOUCESTER**  
**PLANNING BOARD**  
**MEETING MINUTES**  
**THURSDAY February 4, 2010 AT 7PM**  
**Kyrouz Auditorium, City Hall, 9 Dale Avenue**  
**Jeneth Fahey, Chair**

**Members Present:**  
**Mary Black, Vice Chairperson**  
**Shawn Henry**  
**Marvin Kushner**  
**Henry McCarl**  
**Rick Noonan**

**Staff: Gregg Cademartori, Planning Director**  
**Pauline Doody, Recording Clerk**

**Not Present:**  
**Karen Gallagher**  
**Jeneth Fahey, Chairperson**

**I. BUSINESS**

- A. Call to Order with a Quorum of the Planning Board
- B. Introduction of Planning Board Members and Staff
- C. Approval of Minutes of January 21, 2010.

**Motion: To approve**

**1<sup>st</sup>: Henry McCarl**

**2<sup>nd</sup>: Rick Noonan**

**Vote: All approved 5-0**

**II. PUBLIC COMMENT: None**

**III. PUBLIC HEARING**

In accordance with the provisions of MGL Chapter 40A, Section 5, and the Gloucester Zoning Ordinance, Section 1.11, the Gloucester Planning Board will hold a public hearing to consider amending the Zoning Ordinance by adding or amending the following proposed ordinances:

Section 2.2.1 Allowed, Prohibited and Conditional Uses

*(adding a reference to new Section 5.8 Site Plan Review)*

Section 2.3 Use Tables *(changing allowance of certain uses in the Marine Industrial (MI)*

*District to be consistent with the prohibitions and allowances under the Designated Port Area (DPA) regulations)*

Section 5.5 Lowland Requirements *(establishing exemption for industrial and commercial projects in the MI District)*

Section 5.8 Freight, Transportation Terminal Facilities *(old section to be converted to footnote to Section 2.3)*

Section 5.8 Site Plan Review *(new section proposed to provide a greater percentage of supporting commercial uses in the MI district consistent with the recommendations of the 2009 Harbor Plan)*

Section 5.18 Marine Industrial District *(change "factors" to needed findings for approval for MI special Permitted uses consistent with the 2009 Harbor Plan recommendations)*

**Ms. Black** gave an overview to the public of how the proceedings will be discussed.  
**Gregg Cademartori** gave a PowerPoint presentation reviewing the ordinance amendments.  
**Documentation is attached and available in the Planning Office and City Clerk's Office.**

**Public Comment:**

**Sunny Robinson 20 Harvard St., Citizens for Gloucester Harbor**

Ms. Robinson stated concern over the site plan review process. She stated that a lot of the approval comes from the planning staff and wants to know if creates space for public concern. She feels it is not clear in the site plan approval process. Will it decrease the ability for public comment and participation? Where are these opportunities for review and will they are sufficient for widespread concern? How early on in the process will the public be able to voice their concern? Can we be assured that we can be involved?. Ms. Robinson stated that she understands and agrees that a more efficient process is needed but not at the risk of losing a voice in the proceedings.

**Mr. Cademartori** clarified that the special permits and variances remain the same as they are currently and that there is no proposed change. This ordinance and process would be in addition to what is in place now.

**Mr. Hasting, Chamber of Commerce** was concerned about the broad overview statements which could suppress growth for the city and small building projects.

**Mr. John Witten** stated that the criteria that the Planning Board must follow is very limited and narrow. They cannot stray from these criteria. The Planning Board does have some limited level of discretion otherwise it would not be a site plan review.

**Ms. Black** clarified 5.8.6 stating that the Planning Board may impose reasonable conditions. She asked if those are set forth in A-L. The board is limited in its breath of authority.

**Mr. Witten** stated the ordinance is enabling authority. The conditions have to fit the ordinance and reiterated that the statements are not broad at all. He also stated that the transparency of process doesn't change. The purpose is to expedite not add an impediment to the process. The scale of authority for site plan review is benign.

**Sunny Robinson** clarified that her concern, that the Citizens for Gloucester Harbor is not opposed to the potential 50% increase of supporting use. The concern is the process through which the public participates and how they will be able to address the most important resource we have, which is the harbor. We want to be able to protect it.

**Meredith Fine** stated that she does not see where it is state that the Planning Board cannot deny a project.

**Mr. Cademartori** stated that the board may impose conditions, however the board cannot say no to a use. The ordinance specifically state the board "shall approve" and may impose conditions.

**Ms. Fine** stated that what she is hearing this evening is not expressed in the document. She stated that the document should reflect what has been said.

**Mr. Witten** clarified that if an applicant is not happy with the conditions, that they will not get a building permit or site plan review approval. If an agreement cannot be reached it would then go to the Board of Appeals.

**Mr. Henry** stated that he is afraid of creating a level of bureaucracy and nit picking of points that could be used again with other boards. Mr. Henry asked if there is any value specifying that these issues will be answered within the site plan review only and by the Planning Board.

**Mr. Witten** stated that the Planning Board has no overarching authority and that boards can from time to time duplicate each other's efforts. The boards will have to work together and streamline the process through staff.

**Ms. Black** asked if there was any written communication received.

**Mr. Cademartori** said there were none.

**Motion: Move to close the public hearing**

**1<sup>st</sup>: Henry McCarl**

**2<sup>nd</sup>: Rick Noonan**

**Vote: All approved 5-0**

*Discussion among the Planning Board members:*

**Mr. Kushner** stated that the ordinances are intended to streamline and make the process more efficient. All rights still exist for all parties continue to exist and there is no reason not to move forward.

**Mr. Cademartori** stated that process issues have been raised and that the process outlined should fit seamlessly within existing permitting processes. He noted that the residential uses were not initially included in this predominantly economic development/streamlined permitting proposal. So he asked or suggested if board is comfortable with this proposal it should be reinforced in recommendation to the City Council with the proposal as drafted.

**Mr. Noonan** stated that he had a recollection that harbor and site plan review is on a broader scale. He wants to streamline the process. He believes including the rest of the city in streamlining process, site plan review will create a better process and outcome for all.

**Mr. Cademartori** finally noted the need for an insertion in 5.8.4, 5<sup>th</sup> line down, it should say “after” before “a project appears on a Planning Board agenda.”

**Motion: In accordance with the provisions of MGL Chapter 40A, Section 5, and the Gloucester Zoning Ordinance, Section 1.11, the Gloucester Planning Board recommends to the City Council the amendments to the Zoning Ordinance as drafted and with revision stated above.**

**1<sup>st</sup>: Henry McCarl**

**2<sup>nd</sup>: Shawn Henry**

**Vote: All approved 5-0**

**A. MAJOR PROJECT REVIEW**

In accordance with Section 5.7.4 of the Gloucester Zoning Ordinance, the Planning Board to review the Hotel Major Project Special Permit application and plans submitted by Gloucester Hotel, LLC for 79-99 Essex Avenue (Assessor’s Map 218 Lots 1, 17, & 126) located in the Extensive Business (EB) District.

**Ms. Black** stated that the applicant has requested this matter be continued to March 18<sup>th</sup>.

**Motion: To continue 79-99 Essex Ave to March 18<sup>th</sup>.**

**1<sup>st</sup>: Rick Noonan**

**2<sup>nd</sup>: Marvin Kushner**

**Vote: All approved 5-0**

**IV. OTHER BUSINESS**

**A.** Update from Wind Turbine Ordinance Subcommittee

**Mr. Cademartori** gave an update from the Wind Turbine Ordinance Subcommittee meeting of Feb. 1<sup>st</sup>. He referred to a memorandum distributed to the Board. After general discussion at the meeting two

main questions were asked relating to the footprint of wind projects and lot thresholds. Mr. Cademartori relied on previously approved projects to provide estimates of land disturbance associated with wind turbine projects. The maximum disturbance is 60x60/ 3600-4000 sq for the footprint and clearing associated with the turbine itself and it will not be necessary to clear significant areas of trees. Additional disturbance could also be anticipated in the form of access roads for installation and service which would be akin to subdivision standard roads. They are erected by large cranes, and most likely will need to create a road to do the work. On a 10 to 15 acres site rough estimate of disturbance is around 3% of the land area. An analysis was done on a number of lots that are available and found about 50 with a 15-acre threshold in the R-80, R-40, and R-30 districts combined. This does not take into consideration wetland conditions and geometry of the sites. City and non-profits were however taken out. A 12 – 12-½ acre may be an appropriate threshold. The proposal would promote wind turbines in areas better-suited sites in more remote areas with less potential conflict with fewer abutters. The West Gloucester area and city-owned areas are also of interest for potential municipal lease or municipal wind projects.

**Mr. Noonan** stated that trying to decide where we want them, in drafting this proposal. The evolution of the ordinance may push these projects where they will be approved. It is taking an affirmative step for a renewable source. We must make it palatable for the city.

**Ms. Black** asked what the next step in the process is?

**Mr. Cademartori** suggested if the Board is comfortable with the responses from the questions and the language as drafted, the next step would be forwarding it to the City Council for initiation of the Zoning Amendment process.

**Motion: To move to recommend to City Council to initiate zoning amendment as drafted.**

**1<sup>st</sup>:Henry McCarl**

**2<sup>nd</sup>:Rick Noonan**

**Vote: All approved 5-0**

**B. Election of Chair and Vice-Chair**

**Nomination for Chairperson**

**1<sup>st</sup>: Shawn Henry nominates Rick Noonan**

**2<sup>nd</sup> Henry McCarl**

**Vote: All approved 4-0**

**Mr. Henry** stated his reasoning for nominating Mr. Noonan was that he believes it is in the best interest of any board that there be a rotation in leadership. It gives that board fresh insights and new perspectives on what is happening. It is not a criticism of Ms. Fahey at all.

The board thanked Ms. Fahey for her dedication, good humor and service.

**Nomination for Vice Chairperson**

**1<sup>st</sup> Henry McCarl nominates Mary Black**

**2<sup>nd</sup>: Shawn Henry**

**Vote: All approved 4-0**

**Mr. Cademartori** stated he believes it is of value for members to play different roles on a Board.

**Approval of Planning Board Subcommittee Minutes of February 1<sup>st</sup>.**

**Ms. Black** asked if everyone had a chance to approve the minutes.

**Mr. Cademartori** stated that a quorum was present. It was a meeting of the Planning Board which was also reflected in the minutes.

**Motion:** To accept minutes

**1<sup>st</sup>** Rick Noonan

**2<sup>nd</sup>** Marvin Kushner

Henry McCarl abstained

**Vote:** Approve 4-0

**V. ADJOURNMENT**

**Motion:** to adjourn

**1<sup>st</sup>:** Rick Noonan

**2<sup>nd</sup>:** Marvin Kushner

**Vote:** All approved 5-0

**VI. NEXT MEETING**

*Next meeting of the Planning Board is THURSDAY February 18, 2010*

*Planning Board Members: If you are unable to attend the next meeting please contact the Planning Office at (978)281-9781.*