



# CITY OF GLOUCESTER

## PLANNING BOARD

### MEETING MINUTES

**May 1, 2014 - 7:00 P.M.**

**Kyrouz Auditorium, City Hall, 9 Dale Avenue, Gloucester**

**Richard Noonan, Chair**

**Members Present:** Rick Noonan- Chair, Doug Cook, Joe Orlando, Linda Charpentier, Henry McCarl, Shawn Henry, Mary Black, Vice Chair-**Absent**

**Staff:** Gregg Cademartori- Planning Director, Matt Coogan- Senior Planner, Pauline Doody- Recording Clerk

#### **I. BUSINESS**

A. Approval of Minutes of April 3, 2014

**Motion: To approve the minutes of April 3, 2014.**

**1<sup>st</sup>: Linda Charpentier**

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

**Vote: Approved 4-0 with Mr. Noonan & Mr. Orlando abstaining.**

#### **II. PUBLIC COMMENT- none**

#### **III. CONSENT AGENDA**

Planning Board to consider the *Approval Not Required* Plan submitted by 1 Stanwood Point Trust to divide one lot into three at **6 Stanwood Point** (Assessors Map 230, Lot 163).

**Mr. Cademartori** reported that the applicant has requested a continuance.

**Motion: To continue the Approval Not Required Plan submitted by 1 Stanwood Point Trust to divide one lot into three at 6 Stanwood Point (Assessors Map 230, Lot 163) to May 15, 2014.**

**1st: Joe Orlando**

**2nd: Doug Cook**

**Vote: Approved 6-0**

#### **IV. PUBLIC HEARINGS**

In accordance with MGL chapter 40A, Section 9, and City of Gloucester Zoning Ordinance, Section 5.10, the Gloucester Planning Board will hold a public hearing to consider the following:

An application from Varian Semiconductor Equipment Associates, Inc. for a *Watershed Protection Overlay District Special Permit* to construct a nitrogen generation plant at **35 Dory Road** (Assessors Map 263, Lot 30). Zoning Classification Business Park (BP).

**Attorney Joel Favazza, 111 Main Street**

**Attorney Favazza** explained that the site is in the Business Park district. Per the recommendation of the city engineer, the transformer will be relocated outside of the WPOD. The concern being the oil used in the transformer could leak into the WPOD. In the Zoning Use Table; the industrial uses allowed include manufacturing, processing, or research. The Nitrogen Generation plant will be used for manufacturing and processing for Varian. Part of the generator is the WPOD. For the WPOD, in section 5.10.5 it states that the non-prohibited use may be allowed by special permit by the planning board. Varian receives deliveries of nitrogen 2-3 times a week and has decided it would be beneficial to build its own generator. Traffic flow will

be reduced. The majority of Nitrogen Varian uses is in gas form and is not flammable. Nitrogen is a substance in the air that will be distilled. There are no additional impervious surfaces added and no impacts to the site. It is a sealed system and no pollutants will be dumped into the air.

**Peter S. Glick, Symmes, Maini & McKee Associates, 400 Westminster Street, Providence, RI.**

**Mr. Glick** explained the nitrogen manufacturing process. Nitrogen will be stored onsite.

**Mr. Cademartori** explained that the district came into being after Varian's building was in place. The water body is on the other side of the building. The plans have been reviewed by Conservation and Engineering. Finding: the use is consistent with the purpose and intent of the ordinance and it's a use that can be special permitted by the board. 2<sup>nd</sup> finding; it is appropriate to the natural topography or other characteristics of the site. Mr. Cademartori requested a set of revised stamped plans showing the transformer relocation.

**Public comment: None**

**Mr. Noonan** asked how much oil the transformer contained and what would happen if there was a failure. **Attorney Favazza** stated the transformer contains 250-300 gallons of oil. It is not in a contained building. The pitch of the land could be sloped so if there was a leak it would roll away from the WPOD.

**Motion: To approve the application from Varian Semiconductor Equipment Associates for the Watershed Protection Overlay District Special Permit to construct nitrogen generation plant at 35 Dory Road (Assessors Map 263, Lot 30) . A set of revised stamped plans must be submitted prior to the issuance of the special permit.**

**1st: Linda Charpentier**

**2nd: Joe Orlando**

**Vote: Approved 6-0**

## V. Other Business

1. Release of Covenant for Common Driveway at 89, 93, and 97 *Coles Island Road*.

**John Judd, Gateway Consultants**

**Sandy Patrician**

**Mr. Judd** stated that the applicant appeared before the board in December 2013. The request is to consider removing the provision under the special permit for the common driveway and not for the fire suppression. The common driveway serves three lots. The fire suppression issue is still being discussed with Fire Chief Smith. Tonight's discussion is to iron out the suitable location and orientation for Condition B under Subsection 9 of the special permit approval. It will provide Mr. Patrician to be able to start to conveying and marketing lots. Mr. Patrician is asking for the board to agree with the submitted letter and the As- Built Plan that the driveway meets the requirements of the section detail.

**Mr. Cademartori** stated for clarity that it is still the intention of Mr. Patrician to install the fire suppression systems for each house.

**Mr. Judd** stated yes it was.

**Mr. Cademartori** stated most of the conditions of the special permit have to be resolved prior to the building permit being issued. The water line and fire suppression system issues must be resolved prior to the building permit being issued. Flow test data has been submitted, as well as a submission from a fire protection engineer about therequirments for the fire suppression systems for the individual units. Mr. Judd submitted a letter that the common driveway exceeds the requirements.

Based on the December 9 letter from Mr. Judd which states his satisfaction with the compliance of the common driveway design, the supplemental letter on April 29, 2014, and other information provided regarding the adequacy of the water pressure and flow; it seems the issue can be addressed prior to the issuance of the building permit.

**Sandy Patrician**

**Mr. Patrician** explained that more time is needed to resolve the water line issue. He stated he was not requested to be released from the fire covenant, just from the common driveway conditions. It will be the new lot owner's responsibility to have a water suppression system designed and approved.

**Motion: To release the covenant for the Common Driveways at 89, 93, and 97 Coles Island Road with the agreed understanding that the sprinkler system requirements will be handled under the building permit process.**

**1st: Shawn Henry**

**2nd: Doug Cook**  
**Vote: Approved 6-0**

**2. Harbor Plan Update**

**Mr. Noonan** reported that the Harbor Planning Committee met last Wednesday. The meeting came after CZM approved the boundary review process. A section of waterfront has been removed from the Gloucester designated port area. It becomes outside the designated port and is now under local zoning. From a regulatory standpoint, the city planning board will have to take a look at the zoning for the future. Moving forward we are getting close to the final drafts of the chapters of the Harbor Plan. The goal is to get the plan up to the state before any changes are made at the state level.

**3. Planning Division Update**

**Mr. Cademartori** informed the board that a grant was received from CZM to start climate change vulnerability assessment planning. In 2007 planning participated in an exercise the Consensus Building Institute to start to address potential issues of changing conditions. Changing conditions will be a good discussion topic and will focus the energy of the discussion. The grant will be received in the next couple of weeks. An Adhoc group will be created and the results will be reported to the board.

**VI. ADJOURNMENT**

**Motion: To adjourn**

**1st: Henry McCarl**

**2nd: Joe Orlando**

**Vote: Approved 6-0**

**VII. NEXT MEETING**

*Next regular meeting of the Planning Board May 15, 2014*