

Planning & Development Committee
March 4, 2015 – 5:30 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Greg Verga; Vice Chair, Councilor Paul Lundberg; Councilor Steven LeBlanc
Absent: None.

Also Present: Councilor Paul McGeary; Linda T. Lowe; Fire Chief Eric Smith

The meeting was called to order at 5:33 p.m. Matters were taken out of order.

1. **SCP2014-012: Thatcher Road #78, Map 179, Lot 44, GZO 2.3.1.7 conversion to or new multi-family or apartment dwelling, four to six dwelling units and Sec. 5.7.1 Major Projects (Cont'd from 01/21/15)**

Joel Favazza, Seaside Legal Solutions, Gloucester, MA, was present to represent the applicant, 78 Thatcher Road LLC (owner) and reviewed the Special Council Permit under GZO Sec. 2.3.1.7 for a new multi-family or apartment dwelling, four to six dwelling units, and Sec. 5.7.1 Major Projects continued from the last P&D Meeting. He reminded the Committee the only reason this project is being considered under GZO Sec. 5.7.1 is because a 12 unit condominium project which abuts this property on Witham Street had received a Major Project multi-family permit within the last 36 months. The six-unit project has been before the Planning Board, the required department staff review, and the Conservation Commission (ConCom) with an Order of Conditions. He conveyed the applicant is seeking a positive recommendation from this Committee to the Council.

Linda T. Lowe, City Clerk, confirmed that the Council has all the required documentation on file with her office related to GZO Sec. 5.7, Major Project. All six departments have provided memos to the Committee.

Councilor Verga said at the last Committee meeting he had asked the Fire Chief to review the specific recommendation with the Committee regarding an elevator planned for the project.

Fire Chief Eric Smith who had, in his recommendation dated 2/5/15 to the Planning & Development Committee as required under GZO Sec. 5.7.3 for a Major Project, included in his memo a preliminary list of requirements that an elevator car will need to be larger than NFPA (National Fire Protection Association) minimum size. He reviewed his recommendation by saying that the interior of the elevator car should allow the full length of a Stryker Power-PRO™ XT stretcher to fully enter straight into the elevator without having to run on a diagonal, corner to corner of the car. He said if the applicant wishes to pursue a car at the minimum standard he would not stand in the way of that. He said he would appreciate seeing what the cost difference is to move to a car that is slightly larger. Additionally, he said that the car should accommodate a patient on the stretcher in the flat “transport” position. He said that the stretcher barely squeezes in on the diagonal to an elevator car meeting the NFPA standard but the minimum standard would be acceptable to him. He pointed out that stretchers are getting larger, and with the changes in the population, the standards for stretchers used now may not work in the future. With a new building planned to be around for some time, he said he would still recommend the larger sized car. The remainder of his recommendations found in his memo (on file) is industry standards. The elevator and the radio master box are both recommendations, he reiterated. The condominiums don’t have to use the municipal system for the radio master box, he noted, and are free to choose whomever they want for a provider, but they will have to ensure that the fire alarm transmits to the department because of the size of the facility and number of dwelling units.

Councilor Verga pointed out that the Inspector of Building’s memo dated 3/4/15 (on file) also endorsed the Fire Chief’s recommendation specifically regarding the elevator car size and spoke to the key box which the Councilor said sounded like a good idea.

Mr. Favazza said the recommendations that came out of the Fire Department with the exception of the elevator were run by the applicant, and he is in agreement. Some recommendations are mandated and the ones that are not are still being incorporated with the goal of building a safe building. He said the reason he is pushing back on the elevator is that the architectural firm for the project advised that there would have to be a project redesign and that the larger elevator would cost significantly more also. He asked that for the purpose of this specific permitting process that the standard for this project’s elevator be the NFPA minimum. He advised they would look at any recent incorporation of elevators in the city by way of comparison and would investigate the cost of installation and size of cars, but reiterated that for the purpose of this permitting process they would appreciate being held to the building code standards which this elevator car design meets as proposed by the applicant. **Chief Smith** said the most recent installation is for the Beauport Hotel that had incorporated into the design a smaller elevator car, but given the number of guests not only for the hotel rooms but for the ancillary event spaces the hotel agreed to

increase the size of the elevators to be installed. That being done early enough in the process, the hotel was able to revise their plans, he advised.

Chief Smith also advised the Committee that he and the Inspector of Buildings would like to move the elevator standard into the city codes into the future so that the ability to bring a stretcher straight into a car will become the norm. He said there is no simple way to bring a patient out of a building with a small elevator car who can't for medical reasons be transported sitting up or at an angle, or because they overhang the stretcher due to the nature of an injury. Alternate ways of exiting through windows and use of ladders to get the patient to an ambulance is risky and puts the patient and transporting crews in danger which is why they look to mitigate that. He reiterated that if it were a major cost consideration to the project they wouldn't push for the larger car, but it was a suggestion he indicated he thought to be important. **Mr. Favazza** said it was his understanding that several of the stairwells will accommodate an average-sized stretcher as they are wider. He pointed out this project is only six residential units versus a 100 unit hotel. **Councilor Verga** confirmed with **Mr. Favazza** that these are all flats with garages below each unit.

As to the lock box, **Mr. Favazza** said that was an acceptable recommendation. **Chief Smith** added that lock boxes are inexpensive and is a sound investment for the homeowners so that should an alarm go off and they have to enter; it would negate the need to break into a unit.

Councilor Lundberg asked if when the Lorraine Apartments were rebuilt was the elevator an issue. **Chief Smith** said it was, but it was an oversized elevator larger than the NFPA minimum, but he acknowledged that the building was rebuilt prior to his coming on as Fire Chief.

Councilor LeBlanc said if this were a project consisting of 10 stories he would agree there would be a need to adjust the elevator car size, but this is only six residential units that are on one floor.

Councilor McGeary, in whose ward the project is located, advised that there were two different ward meetings held on the project which was well received by the neighborhood. He said that people agree it is a good project and a good addition to the neighborhood. He advised that the developer has worked with the neighbors and answered some of the concerns that were raised. He offered his endorsement of the project and asked that the Committee support the project as well.

Ms. Lowe spoke briefly with the Committee before their vote regarding the particulars of their motion to put the matter of the Special Council Permit for 78 Thatcher Road before the Council.

MOTION: On a motion by Councilor Lundberg, seconded by Councilor LeBlanc, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council grant a Special Council Permit (SCP2014-012) to 78 Thatcher Road LLC for a Major Project for a six-unit condominium residential building located at 78 Thatcher Road, Gloucester, Massachusetts, Map 179, Lot 44, zoned Medium/High Density Residential (R-10) pursuant to GZO Sections 1.8.3 Special Permit Criteria; 2.3.1.7 conversion to or new multi-family or apartment dwelling, four to six dwelling units and 5.7. Major Projects, with the following conditions:

1. **That the City Council adopt as its own the Planning Board's recommended conditions of its memorandum dated February 5, 2015 and specifically recognize that the entire site is located in a flood plain and that the project has, per the recommendation of the Planning Board, met the guidelines of Section 5.7.5 for Major Projects; and that the five (5) conditions required by the Planning Board memorandum of February 5, 2015 shall be specifically incorporated.**
2. **That the City Council adopt as its own the Gloucester Conservation Commission Order of Conditions dated February 24, 2015 including special conditions therein relating to planting, control of stormwater/melt water to prevent migration of sediments and contaminants into nearby wetlands, and provisions for removal of excessive snow and including Planting Plan dated January 21, 2015 prepared by "Site Creative, Landscape Architects.**
3. **That the City Council adopt as its own the Major Project report made by the City Engineer under Zoning Ordinance Sec. 5.7.3 dated February 12, 2015 and the conditions therein relating to: Drainage and Grading; Utilities; Street Opening Permits and Curb Cuts; and Final Plans and As Built Plans.**
4. **That the City Council adopt as its own the recommendations of the Public Health Department that there be a pet waste control plan to be enforced through the condominium association.**
5. **That the applicant is required to form a Condominium Association which shall have responsibility for the stormwater system, the pet waste control plan, and any other conditions imposed by the Conservation Commission or the Planning Board.**

6. **That the City Council adopt as its own the recommendations of the Fire Chief under GZO Sec. 5.7.3 and dated 2/5/15 with the exception of the requested elevator size by the Chief. The elevator should meet the NFPA minimum requirements.**
7. **That this grant of a Special Council Permit is based on plans entitled, "Thatcher Road Condominiums, Site Redevelopment Plans for 78 Thatcher Road by Morin-Cameron Group, Inc. dated 11/10/14 revised through 1/12/15.**

This matter has previously been advertised for public hearing. The Council public hearing on this matter had been previously opened and continued to the Tuesday, March 10 City Council meeting.

2. ***Special Events Application re: Request from St. Peter's Fiesta Committee to hold St. Peter's Fiesta June 24, 2015 through June 28, 2015***

Joseph Novello and **Anthony Cusumano** representing the St. Peter's Fiesta Committee explained that plans are essentially unchanged from 2014, but to some degree this year's Fiesta is more limited due to the on-going Fort Infrastructure Project and the construction of the Beauport Hotel. **Ms. Lowe** advised that the 2015 St. Peter's Fiesta has gone through the Special Events Advisory Committee and the Licensing Commission process.

On an inquiry by **Councilor Verga** regarding the city's Fort infrastructure project, **Ms. Lowe** related that at the Licensing Commission meeting the previous day she had asked the DPW Director, Mike Hale about that issue who forwarded an email to the Committee today (on file) that assured that contractors won't carry out any work from June 24-28 that will interfere with the Fiesta, and therefore should and have no impact on the Fiesta activities. **Mr. Novello** said the concern is that the Fort streets are intact so that the Sunday procession and Tuesday evening procession of a shorter length being able to be done safely. **Councilor Verga** and **Mr. Cusumano** said they were confident the roads would be safe and that if need be the St. Peter's Fiesta Committee would put mats over metal plates.

Councilor Lundberg asked if the YMCA Fiesta 5K Road Race (typically the Thursday early evening of Fiesta) will start at Stage Fort Park again this year. The race is still in the planning stage, and will go to the Special Event Advisory Committee tomorrow for review, **Ms. Lowe** advised. She assured that Assistant Police Chief McCarthy, who was in attendance at the Licensing Commission meeting, has said he has no intention in changing the place of the race start and is looking to cap the number of race entrants this year.

Addressing the need for a paper plan outlining the areas used by the 2015 Fiesta in St. Peter's Park and the Fort area, **Mr. Novello** said the location for the trailer unit restrooms will be to the side of Tally's on Commercial Street, the same location as last year, with portable units stationed near the Chamber of Commerce for the beach crowds. He noted there will be attendants for the restrooms.

Councilor McGeary asked about the location of the effluent pump truck. **Mr. Novello** said it will be further down Commercial Street by Felicia Oil acknowledging several years ago it was parked was too close to residences causing an issue. He also confirmed that the first aid stations are handled the city's Fire Department Rescue Squad.

Chief Smith explained that the Fire Department plans to duplicate their arrangements during Fiesta from last year. With the hotel construction project, and the city's infrastructure project, there will be more coordination necessary with the DPW and Police Department, and his plans will remain fluid to assure the best coverage by his department throughout Fiesta.

Councilor Cox, who was unable to attend, and in whose ward Fiesta is held, conveyed through **Councilor Verga** that she is in support of the Fiesta and hadn't received any complaints that would need addressing stemming from the 2014 Fiesta.

MOTION: On motion by Councilor LeBlanc, seconded by Councilor Lundberg, the Planning & Development Committee voted 3 in favor, 0 opposed, to allow the 2014 annual St. Peter's Fiesta, commencing on Wednesday evening, June 24, 2015 through Sunday, June 28, 2015, the use and control of St. Peter's Park on Rogers Street; the streets and sidewalks of Rogers Street from Mansfield Way to the entrance of Commercial Street; Commercial Street up to Fort Square; and from the intersection of Main and Washington Streets to St. Peter's Park; and on Friday, June 26th, Saturday, June 27th and Sunday, June 28th on only the water side of Stacy Boulevard from "The Tavern" to the Fishermen's Memorial (to the extent allowable by law) and the Ciaramitaro/Gemellaro Playground at Fort Square for the purpose of conducting the St. Peter's Fiesta on the days and dates mentioned herein. Further, vendors are not allowed on the southwesterly side of Commercial Street nor on the streets and sidewalks from Tally's to the Chamber of Commerce (33 Commercial Street). In addition, all hawkers, peddlers, or vendors, who conduct their

business on June 24th through June 28th in these areas, must have the express consent of the St. Peter's Fiesta Committee; and with the following conditions:

- 1. That the kiddie rides (those restricted to children of a height of 42 inches or under) be kept at the St. Peter's Square Park;**
- 2. That the footprint of the Fiesta be drawn on a plan showing locations of, but not limited to, comfort stations and first aid stations to be placed on file with the City Council by May 22, 2015;**
- 3. That the music and the rides closest to the altar area be shut down at the opening and closing ceremonies;**
- 4. Temporary lighting shall be placed illuminating the area used as a crossing between St. Peter's Park and the Beauport Gloucester LLC parking lot;**
- 6. That Fiesta Shows, Inc. contribute \$3,000 for the added police coverage payable to the City of Gloucester c/o of the Police Chief to be paid 14 days in advance of the opening of the 2015 St. Peter's Fiesta;**
- 7. And that the Fiesta Committee and Fiesta Shows, Inc., comply with all regulations of the Licensing Commission.**

A motion was made, seconded and voted unanimously to adjourn the meeting at 5:55 p.m.

Respectfully submitted,

**Dana C. Jorgensson
Clerk of Committees**

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- Revisions to SCP2014-012: Thatcher Road #78 Plans dated January 21, 2015 of civil plans as submitted by Attorney Joel Favazza on behalf of the applicant