

CITY CLERK
GLOUCESTER, MA
15 OCT 15 PM 1:25



GLOUCESTER CITY COUNCIL
Planning & Development Committee
Wednesday, October 21, 2015 – 5:30 p.m.
1st Fl. Council Committee Room – City Hall
(Items May be taken out of order at the discretion of the Committee)

1. ***Special Events Applications:***
 - A) Request to hold the Gloucester Christmas Parade and Tree Lighting on November 29, 2015
 - B) Lobster Trap Tree Lighting on December 12, 2015
2. ***CC2015-007 Request informal review under GZO 1.11.3 with City Staff for informal review of Sections 5.13 Personal Wireless Service Facility and to retain expert legal counsel in order to amend & update the Zoning Ordinance and that the P&D Committee or its designated member work together with city Planning Director and General Counsel with outside expert legal counsel to recommend to the City Council amendments to Sec. 5.13 of the Zoning Ordinance so that it is compliance with current applicable federal laws & regulations (Cont'd from 09/16/15)***
3. ***CC2015-037 (LeBlanc) Request City Council amend GZO Sec. VI definition of "Junk Yard" and Amend GCO Chapter 19, Sec. 19-30(b), Sec. 19-32, Sec. 19-1, Sec. 19-1(3), Sec. 19-1(4) To be continued to Nov. 4 pending a recommendation of the Planning Board***
4. ***CC2015-039 (McGeary) Amend GZO Sec. 5.5 "Lowlands Requirements" (Also referred to PB)***
5. ***CC2015-040 (Ciolino) Amend GZO to create an "Atlantic Road Overlay District" (Also referred to PB)***

NOTE: Meeting scheduled for Wednesday, Nov. 4 now moved to Tuesday, Nov. 10

COMMITTEE
Councilor Greg Verga, Chair
Councilor Paul Lundberg, Vice Chair
Councilor Steven LeBlanc

CC: Mayor Theken
Jim Destino
Linda T. Lowe
Chip Payson
Tom Daniel
Gregg Cademartori
Bill Sanborn

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.

CITY OF GLOUCESTER – SPECIAL EVENTS PERMITS

NAME OF EVENT: Christmas Parade DATE OF EVENT: Nov. 29, 2015
Tree Lighting

Special Events

Permitting is required for most types of special events. A "Special Event" is an event open to the general public; it can be held on public or private property; it may feature entertainment, amusements, food & beverages; it may be classified as a festival, road race, parade or walk-a-thon. A special event in the City of Gloucester, depending on the size and nature of the event, may require a number of permits or approvals from various departments within the City before it is officially approved and is granted a "special event" permit. Furthermore, special events are also governed by the Gloucester Code of Ordinances §11-8 and §11-10.

In order to assure that the City, as well as the special event applicant, has as much information as needed before beginning the permitting process, the City requires the applicant to come to the City Clerk first. The applicant **must complete** a Special Events Application form in advance, including written approvals, (as provided in the application) which includes:

- Date of Event; hours of Event; Rain Date;
- A detailed site plan or map of the area showing all locations for the following: all American with Disabilities Act (ADA) accessibility, pedestrian and fire access, dimensions of stages & tents; type of equipment or generators & the placement of any vendors and any portable toilet facilities (Site plan/map must be 8-1/2 x11 inches and be legible – capable of copy reproduction);
- If the site of the event is privately owned, a letter from the landlord or property owner giving the applicant the right to use the property is required;
- If the event is featuring entertainment, you need to list all performances;
- If the event is featuring amusements, you need to list **all** rides & games;
- If this is the "first year" of your event, please attach any letters of support from local community and business organizations;
- A list of all vendors including food and if propane is used. Vendors will need state or city license before date of event and Health Department approvals;
- Certificate of Insurance listing City as the insured (Certificate Holder).

After the Applicant presents the application to the Special Events Advisory Committee, the applicant is to submit the completed permit form (download at: gloucester-ma.gov or available in City Clerk's office) signed and dated with cash or check made payable to the City of Gloucester: \$25.00 for non-profit organizations, \$50.00 for for-profit organizations, at the City Clerk's office. At that time, an appointment for a review prior to the submission of the permit to the City Council process must be made at the convenience of the City Clerk, in order to begin the approval process. **All first time applicants must file completed application and finalized at least 60 days in advance of their event; annual event applicants must file completed application and finalized at least 45 days in advance. Non-compliance with these filing deadlines may result in denial of the application.**

Linda T. Lowe, City Clerk
Gloucester City Hall, 9 Dale Avenue
Gloucester, MA 01930
PHONE: 978-281-9720
EMAIL: llowe@gloucester-ma.gov

Hours of Service:
Monday through Wednesday: 8:30 a.m.-4:00 p.m.
Thursday: 8:30 a.m. to 6:30 p.m.
Friday: 8:30 a.m. to 12:30 p.m.

Paul McGeary, City Council President & Councilor Greg Verga, Chair, Planning & Development Committee

Completed copy filed: Date: ✓ 10/1/15 Initial: LL Copy to Applicant: Date: _____ Initial: _____
Fee Paid: \$ _____ Date: _____ Initial: _____

CITY OF GLOUCESTER SPECIAL EVENT APPLICATION

SPECIAL EVENTS

City Clerk's Office: 978-281-9720 Fax: (978) 282-3051

Name and Type of Event: 35th CHRISTMAS PARADE / TREE LIGHTING CEREMONY

1. Date: Nov 29, 2015 Time: from 3pm to 7pm

Rain Date: Dec 6, 2015 Time: from 3pm to 7pm

2. Location: STATE FISH PIER KICKOFF / KENT CIRCLE

3. Description of Property: Public Private

4. Name of Organizer: GLOUCESTER CHRISTMAS PARADE City Sponsored Event: Yes No

Contact Person: JOE CLOING / RINGO TAHER

Address: 153 MAIN ST Telephone: 978-281-1227

E-Mail: WEATHER-VANES@VERIZON.NET Cell Phone: 978-325-2377

Day of Event Contact & Cell Phone: JOE AND RINGO

Official Web Site: JOE CELL 978-325-2377 RINGO 978-490-0001

6. Number of Attendees Expected: 2,000 Number of Participants Expected: 100

7. Is the Event Being Advertised? YES ? Where? LOCAL PRINT

7.(a) Is there a fee charged for tickets/attendance for event participation? Yes No List all fees if yes.

8. What Age Group is the Event Targeted to? CHILDRENS PARADE

9. Have You Notified Neighborhood Groups or Abutters? Yes No Who? NONE
Attach a copy of the notification to the abutters to this application.

10. For Profit Organization: Non-Profit Organization: Who will benefit financially from this event?

THE PARADE / TREE LIGHTING ACCEPT DONATIONS - AND BREAKS EVEN NEXT YEAR

Activities: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments:

A. Vending: Food NO VENDORS Beverages Alcohol Goods Total No. of Vendors*

B. Entertainment: (Subject to City's Noise Ordinance) Live Music YES DJ YES Radio/CD
Performers YES Dancing Amplified Sound YES Stage YES

C. Games/Rides: Adult Rides NO TO ALL Kiddie Rides Games Raffle (requires City permit)
Other: Total No.

Name of Carnival Operator (requires permit and inspection of rides):

Address: NONE

Telephone:

D. Clean Up: No. of additional trash receptacles required NO No. of additional recycling receptacles required NO
(To be provided by and removed by applicant at their expense.)

E. Portable Toilets: (To be provided by and removed by applicant at their expense. Each cluster of portable toilets must include at least one ADA accessible toilet)
No. : 1 standard No. : 1 ADA accessible KENT CIRCLE

FOR PARADES, ROAD RACES, BIKE RIDES AND WALK-A-THON EVENTS ONLY

PARADE X

ROAD RACE _____

WALK-A-THON _____

1. Name, land line & cell phone number of contact person on the ground Day of Event:

JOE CIOLO 978-223-2377 Cell
978-281-1227

2. Name, Address & 24/7 telephone number of person responsible for clean up if different from above:

RINGO TARR 978 490-0001
KENT CIRCLE

3. Locations of Water Stops (if any): NONE

4. Will Detours for Motor Vehicles be required? YES - If so, where and what length of time:

4A. Are street closures required? YES (This is determined by the Police Department)

5. Parade Formation Location & Time for Participants: 2 PM - State Fair Plac -

6. Dismissal Location & Time for Participants: 6 PM - KENT CIRCLE

7. Additional Parade Information:

• Number of Floats: STILL TO BE DETERMINED -

• Location of Viewing Stations: PARKER ST TO MAIN ST - TO WESTERN
AVENUE TO KENT CIRCLE

• Are Weapons Being Carried (If "Yes", Police approval may be required): Yes: No ✓

• Are Parade Marshalls Being Assigned to Keep Parade Moving: Yes: ✓ No:

8. Name and Address of Insurer: CITY OF GLOUCESTER

9. Attach or Provide a Certificate of Insurance naming the City of Gloucester the Certificate Holder.

CITY APPROVAL (FOR COMMITTEE MEMBERS USE ONLY):

You will need to obtain all necessary approvals, permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event and others may request payment in advance. **NOTE: Applicants must comply with the Code of Ordinances, Ch. 11 (Vendors) as applicable and as required by City Clerks and/or Licensing Commission and all other applicable ordinances.**

Approvals Required: Written approvals below should be submitted by time of applicant's appearance before the Planning & Development Committee by this form (below) and if necessary by memorandum or email from the appropriate City staff to the Office of the City Clerk.

Initials of
Dept. Head/
Designee

Notes by Department Head or Designee

- 10/1/15 1. Special Events Advisory Committee _____
- _____ 2. Planning & Development Committee _____
- _____ 3. Gloucester Police Department John
Is Police Detail Required? yes No. of Details off watch
Traffic, Parking & Transportation _____
- 10/1/15 4. Health Department Rosalie Neustadter
- 10/1/15 5. Building Inspector _____
- 10/1/15 6. Electrical Inspector Bill Sanborn
- _____ 7. Department of Public Works: _____
Use of City Property: Yes/No Location if yes: _____
- _____ 8. Gloucester Fire Department _____
Is a Fire Detail Required? _____ No. of Details _____ EMS _____ Use of Propane: _____
(Attach EMS Memo)
- _____ 9. Licensing Commission (includes vendors) (Through City Clerk: _____)
- 10/1/15 10. Other Maureen Harte 10/1/15
Carol Thiele - Community Development

The Departments or Committees listed above may have their own separate permit/application process. Applicants are responsible for applying for and obtaining all required permits & certificates from the various individual departments.

JA Covel
Signature of Applicant

Sept 12, 2015

RESPONSIBILITIES OF APPLICANT

1. All members of the organizing committee and concessionaires/vendors must adhere to the rules and regulations set forth by all applicable departments.
2. The applicant and concessionaire/vendor are responsible to pay all applicable fees required by applicable ordinances and State law. Any non-payment of fees to any City department will result in the denial of the application.
3. The applicant is responsible to ensure that there is no illegal activity on the areas under their supervision during the event.
4. All concessions must be stationary and placed in such a way to not hamper the access of pedestrians. They must be placed tight against curbs, not block fire hydrants or sidewalk ramps. Concessions must be moved if in the opinion of City officials on-site they pose a problem for access or public safety. Concessions utilizing compressed gas or generators or propane must comply with the regulations of the City of Gloucester Fire Department and receive approval through the Licensing Commission.
5. Federal & State law requires a minimum of 4 ft. of clear unobstructed sidewalk be available at all times for pedestrians. The applicant must keep sidewalks, ramps and curb cuts clear of any interference from their vendors or their event participants. No storage is allowed on the sidewalk.
6. Any items to be sold must be listed with their prices. All beverages in cans and plastic bottles and must be recycled according to the City of Gloucester recycling guidelines. The use of any type of glass containers is prohibited unless prior approval is granted by the *Department of Public Works*.
7. The applicant will be responsible for any damage to public property caused by the event.
8. All applicants are responsible for filing their applications in a timely manner: First time applicants must file completed application 90 days in advance and have finalized all necessary approvals at least 60 days in advance of their event. Annual event applicants should file completed application 75 days in advance and have finalized at least 45 days in advance. Non-compliance with these deadlines may result in denial of the application.
9. The applicant **shall indemnify and hold harmless the City of Gloucester and its employees** from any damage it may sustain or be required to pay by reason of said event, or by any reason of any act or neglect by the applicant or their agent relating to such event or by reason of any violation of the terms and condition of this license. Applicant shall also provide a **Certificate of Insurance** prior to approval by the Planning & Development Committee.
10. The City of Gloucester reserves the right to deny the application at any time.

I/We fully understand and agree to all the terms set forth in this application. The information that I/We have provided is truthful and accurate. I/We accept all responsibility related to this event.

[Handwritten Signature]
Signature of Applicant _____ Oct 5, 2015

CITY OF GLOUCESTER – SPECIAL EVENTS PERMITS

NAME OF EVENT: Lobster Trap Raffle Lighting DATE OF EVENT: 12/12/15 7 PM 2:12

Special Events

Permitting is required for most types of special events. A "Special Event" is an event open to the general public; it can be held on public or private property; it may feature entertainment, amusements, food & beverages; it may be classified as a festival, road race, parade or walk-a-thon. A special event in the City of Gloucester, depending on the size and nature of the event, may require a number of permits or approvals from various departments within the City before it is officially approved and is granted a "special event" permit. Furthermore, special events are also governed by the Gloucester Code of Ordinances §11-8 and §11-10.

In order to assure that the City, as well as the special event applicant, has as much information as needed before beginning the permitting process, the City requires the applicant to come to the City Clerk first. The applicant **must complete** a Special Events Application form in advance, including written approvals, (as provided in the application) which includes:

- Date of Event; hours of Event; Rain Date;
- A detailed site plan or map of the area showing all locations for the following: all American with Disabilities Act (ADA) accessibility, pedestrian and fire access, dimensions of stages & tents; type of equipment or generators & the placement of any vendors and any portable toilet facilities (Site plan/map must be 8-1/2 x 11 inches and be legible – capable of copy reproduction);
- If the site of the event is privately owned, a letter from the landlord or property owner giving the applicant the right to use the property is required;
- If the event is featuring entertainment, you need to list all performances;
- If the event is featuring amusements, you need to list all rides & games;
- If this is the "first year" of your event, please attach any letters of support from local community and business organizations;
- A list of all vendors including food and if propane is used. Vendors will need state or city license before date of event and Health Department approvals;
- Certificate of Insurance listing City as the insured (Certificate Holder).

After the Applicant presents the application to the Special Events Advisory Committee, the applicant is to submit the completed permit form (download at: gloucester-ma.gov or available in City Clerk's office) signed and dated with cash or check made payable to the City of Gloucester: \$25.00 for non-profit organizations, \$50.00 for for-profit organizations, at the City Clerk's office. At that time, an appointment for a review prior to the submission of the permit to the City Council process must be made at the convenience of the City Clerk, in order to begin the approval process. All first time applicants must file completed application and finalized at least 60 days in advance of their event; annual event applicants must file completed application and finalized at least 45 days in advance. Non-compliance with these filing deadlines may result in denial of the application.

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Thursday: 8:30 a.m. to 6:30 p.m.
Friday: 8:30 a.m. to 12:30 p.m.

Paul McGeary, City Council President & Councilor Greg Verga, Chair, Planning & Development Committee

Completed copy filed: Date: 10/7/15 Initial: dyj Copy to Applicant: Date: 10/7/15 Initial: dyj
Fee Paid: \$ 25.00 Date: 10/7/15 Initial: dyj

CITY OF GLOUCESTER SPECIAL EVENT APPLICATION

SPECIAL EVENTS

City Clerk's Office: 978-281-9720 Fax: (978) 282-3051

Name and Type of Event LIGHTING OF THE LOBSTER TRAP TREE

1. Date: DEC. 12 Time: from 4:30 to 5:30

Rain Date: DEC 13 Time: from 4:30 to 5:30

2. Location: GLOUCESTER POLICE DEPARTMENT

3. Description of Property: PLAZA Public [checked] Private

4. Name of Organizer: CAPE ANN ART HAVEN City Sponsored Event: Yes No [checked]
Contact Person: 978 335 2219 DAVID BROOKS
Address: 180 B MAIN ST. GLOUCESTER, MA Telephone: 978 335 2219
E-Mail david@arthaven.org Cell Phone:
Day of Event Contact & Cell Phone: DAVID BROOKS 978 335 2219
Official Web Site: www.arthaven.org

6. Number of Attendees Expected: 200 Number of Participants Expected 25

7. Is the Event Being Advertised? YES? Where? EVERYWHERE POSSIBLE
7.(a) Is there a fee charged for tickets/attendance for event participation? Yes No [checked] List all fees if yes.
8. What Age Group is the Event Targeted to? ALL

9. Have You Notified Neighborhood Groups or Abutters? Yes [checked] No [checked] Who?
Attach a copy of the notification to the abutters to this application.

10. For Profit Organization: Non-Profit Organization: [checked] Who will benefit financially from this event?
CAPE ANN ART HAVEN WILL AUCTION BOOKS AT A LATER EVENT.

Activities: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments:

A. Vending: Food [checked] Beverages Alcohol Goods Total No. of Vendors*
(*Local or State license required)

B. Entertainment: (Subject to City's Noise Ordinance) Live Music DJ Radio/CD
Performers Dancing Amplified Sound [checked] Stage

C. Games/Rides: Adult Rides n/a Kiddie Rides Games Raffle (requires City permit)
Other: Total No.

Name of Carnival Operator (requires permit and inspection of rides):
Address:
Telephone:

D. Clean Up: No. of additional trash receptacles required n/a No. of additional recycling receptacles required
(To be provided by and removed by applicant at their expense.)

E. Portable Toilets: (To be provided by and removed by applicant at their expense. Each cluster of portable toilets
must include at least one ADA accessible toilet)

No. : n/a standard No. : ADA accessible

n/a
X

FOR PARADES, ROAD RACES, BIKE RIDES AND WALK-A-THON EVENTS ONLY

PARADE _____

ROAD RACE _____

WALK-A-THON _____

1. Name, land line & cell phone number of contact person on the ground Day of Event:

2. Name, Address & 24/7 telephone number of person responsible for clean up if different from above:

3. Locations of Water Stops (if any): _____
4. Will Detours for Motor Vehicles be required? _____ If so, where and what length of time:
4A. Are street closures required? _____ (This is determined by the Police Department)

5. Parade Formation Location & Time for Participants: _____
6. Dismissal Location & Time for Participants: _____
7. Additional Parade Information:
 - Number of Floats: _____
 - Location of Viewing Stations: _____

 - Are Weapons Being Carried (If "Yes", Police approval may be required: Yes: __ No __
 - Are Parade Marshalls Being Assigned to Keep Parade Moving: Yes: __ No __
8. Name and Address of Insurer: _____
9. Attach or Provide a Certificate of Insurance naming the City of Gloucester the Certificate Holder.

CITY APPROVAL (FOR COMMITTEE MEMBERS USE ONLY):

You will need to obtain all necessary approvals, permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event and others may request payment in advance. **NOTE: Applicants must comply with the Code of Ordinances, Ch. 11 (Vendors) as applicable and as required by City Clerks and/or Licensing Commission and all other applicable ordinances.**

Approvals Required: Written approvals below should be submitted by time of applicant's appearance before the Planning & Development Committee by this form (below) and if necessary by memorandum or email from the appropriate City staff to the Office of the City Clerk.

Initials of
Dept. Head/
Designee

Notes by Department Head or Designee

Initials of City SEAC

- 1. Special Events Advisory Committee _____
- 2. Planning & Development Committee _____
- 3. Gloucester Police Department _____ *As/c John H. McManus*
 Is Police Detail Required? *off winter* No. of Details _____
 Traffic, Parking & Transportation _____
- 4. Health Department *Rashke Nicastro* *10/7/15*
- 5. Building Inspector *DS* *10/7/15*
- 6. Electrical Inspector *Chae Maly* *10/7/15*
- 7. Department of Public Works: _____
 Use of City Property: Yes/No Location if yes: _____
- 8. Gloucester Fire Department _____
 Is a Fire Detail Required? _____ No. of Details _____ EMS _____ Use of Propane: _____
 (Attach EMS Memo)
- 9. Licensing Commission (includes vendors) (Through City Clerk: _____)
- 10. Other *Jim Caulkett - Harbormaster* *JKR*
- 11. Tourism: *Carol Thistle (Comm. Dev.)* *CT*

The Departments or Committees listed above may have their own separate permit/application process. Applicants are responsible for applying for and obtaining all required permits & certificates from the various individual departments.

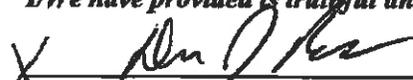
[Signature]
Signature of Applicant

X OCT. 7 TH _____, 20 15

RESPONSIBILITIES OF APPLICANT

1. All members of the organizing committee and concessionaires/vendors must adhere to the rules and regulations set forth by all applicable departments.
2. The applicant and concessionaire/vendor are responsible to pay all applicable fees required by applicable ordinances and State law. Any non-payment of fees to any City department will result in the denial of the application.
3. The applicant is responsible to ensure that there is no illegal activity on the areas under their supervision during the event.
4. All concessions must be stationary and placed in such a way to not hamper the access of pedestrians. They must be placed tight against curbs, not block fire hydrants or sidewalk ramps. Concessions must be moved if in the opinion of City officials on-site they pose a problem for access or public safety. Concessions utilizing compressed gas or generators or propane must comply with the regulations of the City of Gloucester Fire Department and receive approval through the Licensing Commission.
5. Federal & State law requires a minimum of 4 ft. of clear unobstructed sidewalk be available at all times for pedestrians. The applicant must keep sidewalks, ramps and curb cuts clear of any interference from their vendors or their event participants. No storage is allowed on the sidewalk.
6. Any items to be sold must be listed with their prices. All beverages in cans and plastic bottles and must be recycled according to the City of Gloucester recycling guidelines. The use of any type of glass containers is prohibited unless prior approval is granted by the *Department of Public Works*.
7. The applicant will be responsible for any damage to public property caused by the event.
8. All applicants are responsible for filing their applications in a timely manner: First time applicants must file completed application 90 days in advance and have finalized all necessary approvals at least 60 days in advance of their event. Annual event applicants should file completed application 75 days in advance and have finalized at least 45 days in advance. Non-compliance with these deadlines may result in denial of the application.
9. The applicant **shall indemnify and hold harmless the City of Gloucester and its employees** from any damage it may sustain or be required to pay by reason of said event, or by any reason of any act or neglect by the applicant or their agent relating to such event or by reason of any violation of the terms and condition of this license. Applicant shall also provide a **Certificate of Insurance** prior to approval by the Planning & Development Committee.
10. The City of Gloucester reserves the right to deny the application at any time.

I/We fully understand and agree to all the terms set forth in this application. The information that I/We have provided is truthful and accurate. I/We accept all responsibility related to this event.

X 
Signature of Applicant

X OCT 7, 2015



**CITY OF GLOUCESTER 2015
CITY COUNCIL ORDER**

ORDER: CC#2015-007
COUNCILLOR: Greg Verga

DATE RECEIVED BY COUNCIL: 04/14/15
REFERRED TO: P&D & Administration
FOR COUNCIL VOTE:

ORDERED that in connection with CC Order 2015-005 the Planning and Development Committee under section 1.11.2(e) of the Zoning Ordinance concerning amendments to the Zoning Ordinance work together with the Planning Director and the General Counsel under section 1.11.3 of the Zoning Ordinance on an informal review of section 5.13 "Personal Wireless Service Facility" and to retain expert legal counsel in order to amend and update the ordinance particularly as it relates to definitions of new technology and to changes in FCC regulations which apply to current federal law on wireless facilities especially as found in section 6409(a) of the Tax Relief and Job Creation Act of 2012.

FURTHER ORDERED that as part of the review under section 1.11.3, the Planning and Development Committee or a designated member together with the Planning Director and the General Counsel work together with the outside expert legal counsel to recommend to the City Council amendments to section 5.13 of the Zoning Ordinance so that it is in compliance with current applicable federal laws and regulations.

Greg Verga
Councillor at Large



**CITY OF GLOUCESTER 2015
CITY COUNCIL ORDER**

ORDER: CC#2015-037
COUNCILLORS: Steve LeBlanc

DATE RECEIVED BY COUNCIL: 10/13/15
REFERRED TO: O&A, P&D & PB
FOR COUNCIL VOTE:

ORDERED that the Ordinances & Administration Committee recommend to the City Council to amend the definition of “Junk Yard” in section **VI of the City of Gloucester Zoning Ordinance** by **DELETING** the definition of “Junk Yard” and by **ADDING**:

“Junk yard” shall mean a site or facility used for the collection, storage, salvage, disposal, dismantling, processing, recycling, sale, or resale of waste materials including paper, rags, cloth, metal, glass, batteries, rubber, parts from old or damaged motor vehicles and equipment, and other discarded goods and materials. These materials are generally but not necessarily, stored in the open air or under a roofed structure rather than within a fully enclosed building.”

FURTHER ORDERED that the Ordinances & Administration Committee recommend to the City Council to amend Chapter 19 “Second Hand Goods”, Sec. 19-30(b) by **DELETING** the definition of “junk yard” and by **ADDING**:

“Junk yard shall mean a site or facility used for the collection, storage, salvage, disposal, dismantling, processing, recycling, sale, or resale, of waste materials including paper, rags, cloth, metal, glass, batteries, rubber, parts from old or damaged motor vehicles and equipment, and other discarded goods and materials. These materials are generally but not necessarily, stored in the open air or under a roofed structure rather than within a fully enclosed building.”

FURTHER ORDERED that the Ordinances & Administration recommend to the City Council to amend Chapter 19 Sec.19-32 “Fee” by **DELETING** this section and by **ADDING** to Sec. 19-1 “License Fees” subsection (1) Secondhand furniture and articles \$100(Delete \$20); Sec.19-1(3) Junk \$100(Delete \$20) and Sec.19-1(4) Antiques \$100(Delete \$20).

FURTHER ORDERED that this matter be referred to the Planning Board for review and recommendation as concerns the GZO definition of “junk yard ;” and that the O&A review the Code of Ordinance amendments and make recommendations to the City Council.

Steven LeBlanc
Ward 3 Councillor



**CITY OF GLOUCESTER 2015
CITY COUNCIL ORDER**

ORDER: CC#2015-040
COUNCILLORS: Joe Ciolino

DATE RECEIVED BY COUNCIL: 10/13/15
REFERRED TO: P&D and Planning Board
FOR COUNCIL VOTE:

Propose that the City of Gloucester create an **Atlantic Road Overlay District** on the water side of Atlantic Road from the intersection of Grapevine Road and Atlantic Road to the intersection of Atlantic Road and Bass Rocks Road. The purpose of the overlay would be to protect the coastal shoreline known as **Gloucester's Back Shore** from any development. The overlay would **prohibit** any residential or commercial construction insuring protection of this valuable environmental resource, and to amend the GZO accordingly.

Councilor Joe Ciolino
Councilor at Large



CITY OF GLOUCESTER 2015 CITY COUNCIL ORDER

ORDER: CC#2015-039
COUNCILLORS: Paul McGeary

DATE RECEIVED BY COUNCIL: 10/13/15
REFERRED TO: P&D and Planning Board
FOR COUNCIL VOTE:

ORDERED that, in accordance with Section 1.11.3 Gloucester Zoning Ordinance Section 5.5 (LOWLANDS REQUIREMENTS) be **amended** as follows:

THAT the Caption for Section 5.5 "LOWLANDS REQUIREMENTS" be **DELETED** and **REPLACED** with this language:

"FLOODPLAIN REQUIREMENTS."

THAT section 5.5.1 be **DELETED** in its entirety and **REPLACED** with:

5.5.1 Sections 5.5.2 and 5.5.3 shall not apply to non-residential structures on lands bordering Gloucester Harbor north and east of a line from the mouth of Blynman Canal to the intersection of Farrington Avenue and Eastern Point Boulevard.

THAT Section 5.5.2 be **DELETED** in its entirety and **REPLACED** with the following language:

5.5.2 No building permit for a principal building for residential use shall be issued for construction in special flood hazard areas within the City of Gloucester as designated A, AE, AH, AO or VE zone (flood zones) as identified on the recent Essex County Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA) and adopted by the City of Gloucester, except on the approval of a Special Permit issued by the City Council. Such Special Permit shall be issued only if it is demonstrated by the applicant that the proposed development will pose no hazard to the health or safety of the occupants thereof.

THAT Section 5.5.3 be **DELETED** in its entirety and **REPLACED** with the following language:

5.5.3 Without limiting the generality of the foregoing, the following are presumed to be hazardous to health or safety:

- (a) Floor level of any structure for human occupancy less than the base flood elevation displayed on the FIRMs.
- (b) Individual sewage disposal systems subject to inundation in the event of coastal flooding in the flood zones.
- (c) Methods of filling or excavation subject to displacement by coastal flooding in the flood zones.
- (d) Water supplies subject to interruption or contamination in the event of coastal flooding in the flood zones.
- (e) Structures requiring pile or pier supported foundations in the VE flood zones.

And FURTHER ORDERED that this matter be referred to the Planning Board and the Council Committee on Planning and Development for Review and Recommendation.

Respectfully submitted,

Paul McGeary, Council President, Ward 1 Councilor