

GLOUCESTER CITY COUNCIL CALENDAR OF BUSINESS

TUESDAY, November 14, 2017

7:00 P.M.

KYROUZ AUDITORIUM, CITY HALL

COUNCIL MEETING #2017-021

MEETINGS ARE RECORDED



FLAG SALUTE & MOMENT OF SILENCE

ORAL COMMUNICATIONS

PRESENTATIONS/COMMENDATIONS

Cameron's Project Update - Ilene Vogel, Director of Economic Development of North Shore Community Development Coalition

CONFIRMATION OF NEW APPOINTMENTS

None

CONSENT AGENDA

ACTION

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

1. Special Budgetary Transfer Request (#2018-SBT-2) from the Gloucester Public Schools Director of Finance & Operations (Refer B&F)
2. Memorandum, Grant Application & Checklist from Executive Director of Council on Aging re: acceptance of State Formula Grant in the amount of \$71,818.80 to fund certain positions (Refer B&F)
3. Memorandum from CFO re: Allocation of General Fund Free Cash & Supplemental Appropriations (Refer B&F)

- **COMMUNICATIONS/INVITATIONS**

1. Response from Mayor's Office to Oral Communications of October 24, 2017 City Council Meeting to Linda Brayton (Info Only)
2. Response from Mayor's Office to Oral Communications of October 24, 2017 City Council Meeting to Brian King (Info Only)
3. Response from Mayor's Office to Oral Communications of October 24, 2017 City Council Meeting to Philip Bonarowitz (Info Only)
4. Response from Mayor's Office to Oral Communications of October 24, 2017 City Council Meeting to Alexander Thompson (Info Only)
5. Response from Mayor's Office to Oral Communications of October 24, 2017 City Council Meeting to Tonya Woolcott (Info Only)

- **INFORMATION ONLY**

- **APPLICATIONS/PETITIONS**

1. SCP2017-013: 120 Maplewood Avenue, Map 39, Lot 4, Modification of SCP2015-004 (granted under GZO Secs. 1.8.3, 2.3.1(8) 5.7.1, 1.10.1(a)(1), 1.10.1(a)(3), 3.2.2 footnote (a) and Major Project Sec. 5.7.1) (Refer P&D)

- **COUNCILLORS ORDERS**

1. CC#2017-050(LeBlanc): Amend GCO Ch. 22, Sec. 22-279 "Thirty-minute parking" re: Cleveland Street and Maplewood Avenue (Refer O&A & TC)
2. CC#2017-051(Cox): Amend GZO Sec. 5.11.8 "Alternative Methods of Affordability" subsection (b)(2) "Cash Contribution" and subsection (c) "Administration of Funds" (Refer P&D & PB)
3. CC#2017-052(Cox, O'Hara): Amend GCO Ch. 22, Sec. 22-284 "Service or loading zones" and Amend GCO Ch. 22-280 "Fifteen Minute Parking" re: Main Street, southerly side, beginning at its intersection with Mansfield Street (Refer O&A & TC)

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

1. City Council Meeting: 10/24/2017 (Approve/File)
2. Standing Committee Meetings: B&F 11/9/2017 (under separate cover), O&A 11/6/2017, P&D 11/8/2017 (under separate cover) (Approve/File)

STANDING COMMITTEE REPORTS

ACTION

B&F 11/9/2017, O&A 11/6/2017, P&D 11/8/2017

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

SCHEDULED PUBLIC HEARINGS

1. PH2017-063: Tax Classification in accordance with MGL c. 40 §56 and GCO Ch. 2, Sec. 2-26 to determine the percentage of the local tax levy for the Fiscal Year 2018 to be borne by each class of real and personal property
2. PH2017-064: Amend GCO Ch. 8 "Fire Prevention and Protection" by ADDING Sec. 8.6 entitled "Use of Sky Lanterns"
3. PH2017-065: Amend GCO Ch. 9 "Trash, Recycling and Litter", Sec. 9-12(reserved) by ADDING a new Article II – Plastic Bags; Amend Sec. 9-13(reserved) by ADDING a new Sec. 9-13 "Requirements"; Amend 9-14(reserved) by ADDING a new Sec. 9-14 "Enforcement and Penalties"; Amend Sec. 9-15(reserved) by ADDING a new Sec. 9-15 "Exemptions"; and Amend Sec. 9-16(reserved) by ADDING a new Sec. 9-16 "Effective Date" re: prohibition of plastic checkout bags

FOR COUNCIL VOTE

1. CC#2017-047(O'Hara): request that the MassDOT Highway Division conduct a feasibility study re: installing divider lines entering onto Grant Circle Rotary from the north and south entrances of Washington Street (FCV)
2. CC#2017-048(O'Hara): Petition the MassDOT Highway Division to repaint the formal divider lines on Route 127 and Route 128 re: Eastern Avenue (FCV)

UNFINISHED BUSINESS

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

Update of the Council on Aging Board by the City Council Representative, Councillor Valerie H. Gilman

COUNCILLOR'S REQUESTS TO THE MAYOR

ROLL CALL – Councillor Joseph M. Orlando, Jr.



City Clerk

Meeting dates are subject to change. Check with City Clerk's Office

NEXT REGULAR CITY COUNCIL MEETING, November 28, 2017

Minutes filed in City Clerk's Office of other Boards and Commissions October 19, 2017 thru November 9, 2017

Bd. of Assessors 10/5/17; Bd. of Health 8/3/17, 8/31/17, 9/7/17, 9/27/17; Comm. Preservation Committee 9/20/17;
Planning Bd. 7/20/17, 9/7/17, 9/14/17, 9/21/17; School Committee 4/12/17, 4/26/17, 5/10/17, 5/24/17, 6/1/17, 6/14/17,
6/28/17, 7/12/17; Special Event Advisory Commission 10/5/17; Traffic Commission 9/21/17; Waterways Bd. 4/4/17, 6/6/17;
ZBA 10/12/17

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.

Cameron's Project Update

Ilene Vogel, Director of Economic Development of North Shore
Community Development Coalition

HARBOR VILLAGE – 206 MAIN STREET GLOUCESTER – UPDATE AS OF NOVEMBER 2017

Project Financing

Harbor Village will be financed with a combination of private equity generated from the sale of state and federal low income housing tax credits (LIHTC) state affordable housing subsidies, local funding and conventional bank financing. LIHTC and state subsidy funding rounds occur annually and are very competitive – usually about a third of all projects at best are funded each year and developers usually build 2-3 funding rounds into their timelines. We are cautiously optimistic that we can get this project approved in the upcoming round, since it will be the first project of its kind in Gloucester and has significant city and local support.

Development Schedule

June-July 2015	Community & Design Process
July 2015	Acquisition of Property
August 2015	Submission of Zoning Application
June 2016	Secure Zoning Permit
December 2016	Pre-application Submission to DHCD – Round #1
December 2017	Pre-application Submission to DHCD – Round #2
March 2018	DHCD One Stop Application - Round #1
August 2018	Secure DHCD Funding Commitments
February 2019	Construction Closing
April 2019-June 2020	Construction Completion/Occupancy

City Hall
Nine Dale Avenue
Gloucester, MA 01930



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

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

CITY CLERK
GLOUCESTER, MA

NOV -9 PM 2:50

TO: City Council
FROM: Sefatia Romeo Theken, Mayor
DATE: November 9, 2017
RE: Mayor's Report for the November 14th, 2017– City Council Meeting

Councilors:

With the calendar year winding down, the administration is finalizing our 2017 Annual Report, which highlights the city's many accomplishments. Naturally, these achievements wouldn't be possible if it wasn't for the tireless work from our city staff and the City Council alike. We are grateful to be part of one Gloucester team and send our gratitude again to all of our community's leaders. As always, we are available for any questions or concerns.

Financial Matters:

- **Enclosure 1** is a Special Budgetary Transfer (2018-SBTR-#2) from Tom Lafleur, CPA, School Director of Finance and Operations, for funding the Gloucester High School Resource Officer for Fiscal Year 2018 and requesting approval to pay the outstanding FY17 invoice with FY18 Funds. ***Please refer this matter to the Budget and Finance subcommittee for review and approval.*** Director of Finance and Operations Tom Lafleur or appropriate personnel will be present to answer any questions.
- **Enclosure 2** is a memo from Lucy Sheehan, Executive Director Council on Aging requesting that a State Formula Grant in the amount of \$71,818.80 be accepted to fund the salary for Senior Clerk, Outreach Social Worker, Video Production Coordinator and partial salary for Outreach Coordinator and the acceptance of the Title III Older American's Grant in the amount of \$8,190.30 to fund partial salary for Outreach Coordinator. ***Please refer this matter to the Budget and Finance subcommittee for review and approval.*** COA Director Lucy Sheehan or appropriate personnel will be present to answer any questions.
- **Enclosure 3** is a memo from CFO John Dunn regarding a request for allocation of General Fund Free Cash, with \$2,976,408.84 left to be allocated according to the Capital Plan Funding and Free Cash Distribution Policy. Additionally, a batch of Supplemental Appropriations are included with this memo (2018-SA-#2 through 2018-SA-#6) for Council consideration. ***Please refer this matter to the Budget and Finance subcommittee for review and approval.*** CFO John Dunn or appropriate personnel will be present to answer any questions.

###

Sefatia Romeo Theken, Mayor

ENCLOSURE 1



The GLOUCESTER PUBLIC SCHOOLS
Business Office

2 Blackburn Drive
Gloucester, Massachusetts 01930

T: 978-281-9812
F: 978-281-9899
www.gloucesterschools.com

November 1, 2017

Hon. Mayor Romeo Theken and Gloucester City Council
9 Dale Avenue
Gloucester, MA 01930

RE: Special Budgetary Transfer for School Resource Officer

Honorable Mayor Romeo Theken and City Council,

1. I am requesting City Council approval for a Special Budgetary Transfer in the amount of \$60,000.00:

From account: S1102505/511101 (SAL-GHS-SCHLDR-GHS-UND-PROF)

To account: 0121151/513000 (Police Dept Overtime).

For the purpose of funding the Gloucester High School Resource Officer for Fiscal Year 2018.

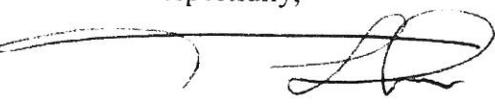
2. I am also requesting City Council approval to pay the following outstanding FY17 invoice with FY18 funds:

Gloucester Police Department: Invoice #17-233-DV for \$788.00 dated 6/11/2017.

I have attached the Gloucester School Committee Meeting Minutes of October 25, 2017 authorizing me to make the two requests of the City Council.

Please refer this request to the City Council subcommittee for Budget and Finance.

Respectfully,


Tom Lafleur, CPA
Director of Finance and Operations

November 2, 2017

I, Maria C. Puglisi, Recording Secretary, hereby state that the Gloucester School Committee took the following votes on October 25, 2017:

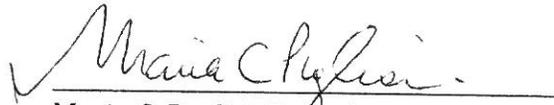
After discussion, on a motion by Tony Gross, seconded by Michelle Sweet, it was unanimously

VOTED: 6 in favor, 0 opposed to authorize the CFO to request permission from City Council to transfer \$60,000.00 to the Gloucester Police Department for the School Resource Officer.

After discussion, on a motion by Michelle Sweet, seconded by Melissa Teixeira, it was unanimously

VOTED: 6 in favor, 0 opposed to authorize the CFO to request permission from City Council to pay an outstanding bill from the Gloucester Police Department in the amount of \$788.00.

Signed under the pains and penalties of perjury this 2nd day of November, 2017.



Maria C. Puglisi, Recording Secretary
Gloucester School Committee

**City of Gloucester
Special Budgetary Transfer Request
Fiscal Year 2018**

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

TRANSFER # 2018-SBT- 2 Auditor's Use Only

DEPARTMENT REQUESTING TRANSFER: _____ Gloucester Public Schools

DATE: 10/18/2017 BALANCE IN ACCOUNT: \$60,000.00

(FROM) PERSONAL SERVICES ACCOUNT # _____ MUNIS ORG - OBJECT S1102505-511101

(FROM) ORDINARY EXPENSE ACCOUNT # _____ MUNIS ORG - OBJECT _____

SAL-GHS-SCHLDR-GHS-UND-PROF
MUNIS ACCOUNT DESCRIPTION

DETAILED EXPLANATION OF SURPLUS _____
Transfer funds for the purpose of funding the Gloucester High School
 Resource Officer to the Gloucester Police Department for FY2018.

(TO) PERSONAL SERVICES ACCOUNT # _____ MUNIS ORG - OBJECT 0121151-513000

(TO) ORDINARY EXPENSE ACCOUNT # _____ MUNIS ORG - OBJECT _____

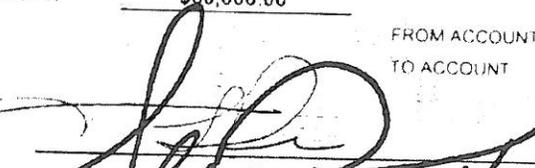
Overtime
MUNIS ACCOUNT DESCRIPTION

DETAILED ANALYSIS OF NEED(S): _____

TOTAL TRANSFER AMOUNT: \$60,000.00

FROM ACCOUNT _____
 TO ACCOUNT _____

APPROVALS:

DEPT. HEAD:  DATE: 10/18/2017

ADMINISTRATION:  DATE: 11/9/2017

BUDGET & FINANCE: _____ DATE: _____

CITY COUNCIL: _____ DATE: _____



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

Chief John McCarthy
 (978)281-9775

City of Gloucester High School
 Attention: James Cook
 32 LESLIE O JOHNSON RD
 Gloucester, MA 01930

Invoice For Details

EXTRA POLICE DETAIL ACCOUNT
 293009.10.210.43700.0000.00.000.00.040

Today's Date	06/14/2017
Page	1 of 1
Billing Date	06/11/2017
Invoice #	17-233-DV
Total	788.00

Make checks payable to the City of Gloucester. Net 30 Terms.

ID/Name: P1068 - Patrol Officer Bryan W Sanborn				
Worked: 06/09/2017	Entered: 06/11/2017	Comments: PROM		
Hours: 4.0	Cost Code: CONS	Cost: 192.00	Admin Fee: 0.00	Other Fee: 0.00
				Total: 192.00
ID/Name: P1064 - Patrol Officer Alexander Aiello				
Worked: 06/09/2017	Entered: 06/11/2017	Comments: PROM		
Hours: 4.0	Cost Code: CONS	Cost: 192.00	Admin Fee: 0.00	Other Fee: 0.00
				Total: 192.00
ID/Name: P1069 - Patrol Officer William Kendall Jr.				
Worked: 06/09/2017	Entered: 06/11/2017	Comments: PROM		
Hours: 4.0	Cost Code: CONS	Cost: 192.00	Admin Fee: 0.00	Other Fee: 0.00
				Total: 192.00
ID/Name: P1011 - Lieutenant Eugene MacDonald				
Worked: 06/09/2017	Entered: 06/11/2017	Comments: PROM		
Hours: 4.0	Cost Code: DETR	Cost: 212.00	Admin Fee: 0.00	Other Fee: 0.00
				Total: 212.00
All Charges For This Invoice		Cost: 788.00	Admin Fee: 0.00	Other Fee: 0.00
				Total: 788.00

Accounts past due will be charged 14% interest.
 Police details bill a four hour minimum.
 Detail overtime rates apply for night, weekend, and holiday work or jobs that exceed eight hours.

ENCLOSURE 2

Rose Baker Senior Center
6 Manuel F Lewis St.
Gloucester, MA 01930



TEL 978-281-9765
FAX 978-282-1350
lsheehan@gloucester-ma.gov

CITY OF GLOUCESTER
OFFICE OF THE COUNCIL ON AGING

To: Mayor Sefatia Romeo Theken
Office of Mayor Sefatia Romeo Theken

From: Council on Aging

Date: November 8, 2017

I am enclosing two Grants requests for the Mayor's Report that are needing City Council approval:

- 1) State Formula Grant in the amount of \$71,818.80
Funding salary for Senior Clerk, Assistant Outreach Social Worker,
Video Production Coordinator and partial salary for Outreach Coordinator
- 2) Title III Older American's Grant in the amount of \$8,190.30
Funding partial salary for Outreach Coordinator



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

Granting Authority: State Federal Other

Name of Grant: Council on Aging Formula Grant

Department Applying for Grant: Council on Aging

Agency-Federal or State application is requested from: Executive Office of Elder Affairs

Object of the application: Salaries

Any match requirements: N/A

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

ACCOUNT BUDGET

DEPARTMENT NAME: Council on Aging
 ACCOUNT NAME: Grnt: COA Formula, Other State Revenue
 FUND NUMBER AND NAME: (N/A FOR NEW FUND) 24074 468000
 CFDA # (Required for Federal Grants): _____
 DATE PREPARED: November 8, 2017

APPROVED
 AMENDED BUDGET

OBJECT	ORIGINAL BUDGET	AMENDED BUDGET (IF APPLICABLE)	AMENDED REQUEST	REVISED BUDGET
REVENUE (468000)	71,818.80			
				\$0.00
				\$0.00
				\$0.00
Total:	\$0.00	\$0.00	\$0.00	\$0.00
EXPENSE (31000)				
Salaries				\$0.00
Senior Clerk	40,548.00			\$0.00
Outreach Assistant / Social Worker	23,802.32			\$0.00
Video Production Coordinator	6,890.40			\$0.00
Outreach Coordinator	578.08			\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
Total:	\$0.00	\$0.00	\$0.00	\$0.00

DEPARTMENT HEAD SIGNATURE *Lucy S. ...*

DATE ENTERED (AUDIT) _____ AUDITING DEPARTMENT INITIALS _____

**FY2018 FORMULA GRANT/ALLOCATION -- STATEMENT OF AUTHORIZATION
(Affix to your Attachment B budget.)**

GLOUCESTER
(Name of COA/Agency)

978 281-9765
(Daytime Phone)

6 Manuel F. Lewis Street
(Mailing Address)

978 282-1350
(Fax number)

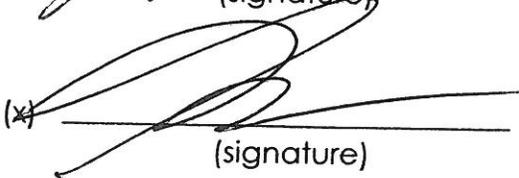
Gloucester 01930
(ZIP)

6 Manuel F. Lewis Street
(Street Address)

lsheehan@gloucester-ma.gov
E-MAIL

The persons whose signatures appear below are authorized to commit the Council on Aging to the Attachment B Formula Grant Allocation Budget and hereby agree to its submission to the Executive Office of Elder Affairs (Elder Affairs).

Elder Affairs reserves the right to modify the purposes and/or proposed Attachment B expenditures prior to execution of the contract agreement. The allocation amount is subject to final appropriation by the General Court.

<u>Lucia E. Sheehan</u> (PRINT) Director/Coordinator	(x) <u></u> (signature)	<u>10-23-2017</u> (date)
<u>Jay Gustafarro</u> (PRINT) Chairperson	(x) <u></u> (signature)	<u>10-23-17</u> (date)
<u>Sefatia Romeo Theken</u> (Print) Mayor;	(x) <u></u> (signature)	<u>10/23/17</u> (date)

For **contract purposes**, please note:

The legal address of the municipality: 9 Dale Avenue, Gloucester, MA 01930

The payment remittance address of the municipality (from your W-9): 9 Dale Avenue, Gloucester, MA 01930

Non-Personnel Cost Category	(A) Budget Request	(B) Revision if applicable	NOTES	pg. 2 of 2
Staff/Volunteer Transport.				
Client Transportation			Rate determined locally.	
Rent/Mortgage			Secure & retain contracts/agreements.	
Utilities			Retain quotes/estimates. Note completion date.	
Renovation/Construction (include estimates)			Specify/itemize and attach to budget.	
Repairs and Maintenance				
Equipment/Furnishings				
Supplies--Office				
Facility Maintenance				
Printing/Copy (non-newsletter)			Cite representative items, costs.	
Postage			Cite representative items, costs.	
Dues/Licenses				
Newsletter Printing			ELD to be recognized as supporting this activity.	
Conference/Education			See "The Guide" (section B9)	
Training (Board/Staff)			Note training offered/available. Formal (meal) recognition may not exceed @ \$16.50 per volunteer. A minimum of (20) hours of volunteer service is required for Formula Grant recognition; note YOUR minimum of hours of service for this Note hourly rate(s) of pay and/or unit of service for contractor positions.	*VRS required (cf. EOEA-SGA)
Volunteer Recognition (please see note...)				
Contractors/Other				
Subtotal (P 2)	\$0.00	\$0.00	Date of THIS budget: 10/23/2017	
Sub Total (P 1)	\$0.00	\$71,818.80	Initials of preparer:	Volunteer Resource Sheet
TOTALS - (P 1 & P 2)	\$0.00	\$71,818.80		

**City of Gloucester
Office of the COUNCIL ON AGING**

JOB DESCRIPTION

Title: Senior Clerk

Supervisor: Executive Director

Rate of Pay: Grade 5- \$22.17 / hour/ 35 hours/week - 52.2 wk/yr

Job Summary: Responsible for moderately complex clerical duties and office management functions for the Council on Aging, including maintenance of service records; facilitate newsletter preparation, editing and distribution. Routinely make needed operational decisions in the absence of the Executive Director, exercising initiative and judgment.

Duties:

- Oversees the general affairs of the Council on Aging office on an ongoing basis.
- Performs moderately complex clerical functions for the Executive Director and Council on Aging Chairperson.
- Coordinates monthly activities and services
- Ensure monthly activity statistics from staff tracking unduplicated clients and service units are routinely provided and recorded.
- Type materials as necessary and prepares monthly newsletter for distribution.
- Oversees special mailing projects of the COA such as Brochure & fundraising mailings.
- Performs all clerical functions relating organization's fiscal affairs, including recording all COA receipts, deposits, payroll for COA staff and stipend volunteers.
- Organizes and maintains files and records. Routinely screens telephone, correspondence and walk-in inquiries from the public, City Officials and staff. Makes referrals for problem resolution.
- Assists as needed with all of the varied COA functions and activities.

Qualifications:

- High School Graduate with supplemental business courses.
- Ability to type (30 wpm) and operate office equipment.
- Knowledge of Business English and Arithmetic.
- Ability to understand and follow both oral and written instructions.
- Ability to understand responsibilities of increasing variety with initiative and judgment.
- Excellent interpersonal skills, including effective communications with staff and the senior population.

City of Gloucester
Office of the Council on Aging

Job Description

TITLE: Outreach Assistant Social Worker

RATE OF PAY: \$24.00 / hr. 19 hrs./week

JOB SUMMARY: Assists Outreach Coordinator in the ongoing operation of the Rose Baker Senior Center Outreach Program; Assess the needs of Gloucester seniors, and makes appropriate recommendations to Executive Director for new or adjusted programming. Maintains program statistics and provide program reports as required.

REPORTS TO: Executive Director

SUPERVISES: Senior Aides and student interns as available

DUTIES AND RESPONSIBILITIES:

- Recruits, trains and provides support to volunteers who assist in friendly visiting and shopping assistance programs
- Provides informal counseling and support to elders, and family members
- Organizes and facilitates workshops to support elders with specific needs such as grief workshops, Caretakers Support Group, etc.
- Makes regular contact with clients in person and by telephone to assess needs and provide follow up
- Provides clients with information and referral to community service agencies
- Provide weekly case management assist clients to meet ongoing needs when necessary
- Makes regular contact with community service organizations. Follow up on services and to advocate for clients
- Prepares monthly statistics as required by funding sources and Executive Director
- Attends professional workshops and trainings
- Perform other duties as directed by Executive Director

QUALIFICATIONS:

- Bachelors of Arts Degree in Social Work, Gerontology or related field or
- Five years experience in elder services
- Sensitivity to the issues of aging
- Knowledge of local aging network or ability to learn same
- Knowledge of State Protective Service Regulations
- MA Drivers License

CITY OF GLOUCESTER
Office of the COUNCIL ON AGING

JOB DESCRIPTION

TITLE: Outreach Coordinator / Social Worker - Gloucester Council on Aging

RATE OF PAY: \$28.44/ 30 hrs/wk, 52.2 wks/yr.

JOB SUMMARY: Oversees the ongoing operation of the Outreach Program. Assess the needs of Gloucester seniors and make recommendations to Senior Center Executive Director for new and adjusted programming. Maintain program statistics and provide program reports as required. Provide S.H.I.N.E. assistance.

REPORTS TO: Senior Center Executive Director

SUPERVISES: Senior Aides and student interns as available

DUTIES AND RESPONSIBILITIES:

- Recruits, trains and provides support to volunteers who assist in friendly visiting and shopping assistance programs
- Provides case management and support to elders, and family members to meet ongoing needs
- Provide S.H.I.N.E. Counseling and Assistance (Serving Health Insurance Needs of Everyone)
- Organizes and facilitates workshops to support elders with specific needs such as grief workshops, Caretakers Support Group, etc.
- Makes regular contact with clients in person and by telephone to assess needs and provide follow up; To include home visits and elderly housing.
- Provides client with information and referral to community service agencies
- Makes regular contact with community service organizations to follow up on services and to advocate for clients
- Prepares monthly statistics as required by funding sources and Executive Director
- Provide necessary reports and statistics for Area Aging Service Grant Funding requests (Title IIIB) Monthly; Yearly
- Attends professional workshops and trainings
- Be informed and have knowledge of local aging network of services
- Perform other duties deemed necessary by Executive Director

QUALIFICATIONS:

- Bachelors of Arts Degree in Social Work, Gerontology or related field or
- Five years experience in elder services
- Certified S.H.I.N.E. Counselor
- Sensitivity to the issues of aging
- Knowledge of local aging network or ability to learn same
- Knowledge of State Protective Service Regulations

CITY OF GLOUCESTER
Office of the COUNCIL ON AGING

JOB DESCRIPTION

TITLE: Video Productions Coordinator

RATE OF PAY: \$22.00/hr 6 hours/week

JOB SUMMARY: Film, and edit, programming/activities at the Rose Baker Senior Center, for production and viewing on Cape Ann Cablevision. Oversee the ongoing operation and production of films

REPORTS TO: Senior Center Director

SUPERVISES: Senior and student Aides as available

DUTIES AND RESPONSIBILITIES:

Perform the following tasks:

- Serve as filming crew for Rose Baker Senior Center Cape Ann TV productions
- Work cooperatively with Cape Ann TV Staff and Rose Baker Senior Center Staff
- Cover activities for filming and edit for production
- Cover special events
- Operate the Cape Ann Cablevision cameras
- Produce films, announcements, promos, and programs from inception to completion
- Write, and submit community bulletin board announcements
- Perform other routine tasks required for production
- Adhere to the policies of the City of Gloucester and continued endorsement of all programs / activities associated with Council on Aging, its Boards and the City of Gloucester
- Serve as a marketing advisor in the production of senior center video
- Adhere to Cape Ann Cable policies
- Transportation is required and the ability to lift up to 20 pounds, and the ability to move in various directions.

SKILLS:

- Ability to work cooperatively with people
- Experience working with cameras
- Ability to listen
- Excellent marketing idea



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

Granting Authority: State _____ Federal Other _____

Name of Grant: Title III Older American's Grant

Department Applying for Grant: Council on Aging

Agency-Federal or State application is requested from: SeniorCare, Inc.

Object of the application: Partial Salary Outreach Program Coordinator

Any match requirements: N/A

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

CITY OF GLOUCESTER

ACCOUNT BUDGET

DEPARTMENT NAME: Council on Aging
 ACCOUNT NAME: Title III B Older American's Grant
 FUND NUMBER AND NAME: (N/A FOR NEW FUND) 202915 454000
 CFDA # (Required for Federal Grants): 94.044
 DATE PREPARED: November 6, 2017

APPROVED
 AMENDED BUDGET

OBJECT	ORIGINAL BUDGET	(IF APPLICABLE)	AMENDED REQUEST	REVISED BUDGET
REVENUE (4,510 ⁰⁰)	\$ 8,190.30			
				\$0.00
				\$0.00
				\$0.00
Total:	\$8,190.30	\$0.00	\$0.00	\$0.00
EXPENSE (5,100 ⁰⁰)				
Salary				\$0.00
City Funded	30,347.00			\$0.00
Title III B	8,190.30			\$0.00
Formula Grant	578.08			\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
Total:	\$0.00	\$0.00	\$0.00	\$0.00

DEPARTMENT HEAD SIGNATURE _____

DATE ENTERED (AUDIT) _____ AUDITING DEPARTMENT INITIALS _____

SENIORCARE INC.

TITLE III-B FUNDING AGREEMENT

THIS TITLE III-B FUNDING AGREEMENT is entered into this 1st day of October, 2017 (hereinafter called the "Agreement") by and between SeniorCare Inc., a Massachusetts non-profit corporation having a notice address of 49 Blackburn Center, Gloucester, Massachusetts 01930 (hereinafter called "SeniorCare"), and Gloucester Council on Aging

a _____
having a notice address of Six Manuel F. Lewis Street, Gloucester MA 01930
_____ (hereinafter called the "Provider").

WHEREAS, Title III-B of the Older American Act of 1965 (the "Act"), as amended from time to time, established community-based systems where federally authorized funds flow through State Units on Aging to certain Area Agencies on Aging (the "AAA") in order to provide community-based supportive services to older persons;

WHEREAS, the Executive Officer of Elder Affairs (the "EOEA") is the designated State Unit on Aging in the Commonwealth of Massachusetts;

WHEREAS, in accordance with Title III-B and the Older American Act of 1965, the EOEA provides certain federal funds to SeniorCare, a federally designated AAA, to solicit and contract with community-based private vendors for services, administer the disbursement of funding, monitor programs for regulatory compliance and maintenance of quality, and generally coordinate operation of services and resources; and

WHEREAS, SeniorCare now desires to engage the Provider to render a certain social service program supported by said Title III-B funds, which services shall be set forth in in Appendix A, attached hereto and incorporated herein (the "Provider Services").

NOW, THEREFORE, in consideration of the Title III-B funds and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, SeniorCare and the Provider, intending to be legally bound, hereby mutually agree as follows:

1. PERFORMANCE. The Provider shall perform the Provider Services in accordance with the terms and conditions set forth in this Agreement, and as more fully described in the Appendices attached hereto and incorporated herein. The Provider and SeniorCare hereby agree that the Title III-B funds awarded as a result of this Agreement are to be expended for the purposes set forth herein and in accordance with all applicable laws, regulations, policies and procedures of SeniorCare, the EOEA and the Administration on Aging U.S. Department of Health and Human Services.

2. **TIME OF PERFORMANCE.** The Provider shall commence Provider Services in accordance with this Agreement on or about the first day of October, 2017, and shall complete such Provider Services no later than the September 30, 20 18(the "**Term**").
3. **FUNDING.** The total net anticipated funds and services to be used for the Term shall be Eight Thousand One Hundred Ninty and 00/100 (\$8,190.00) Dollars of Title III-B funds, excluding any match provided by the Provider, as described below (the "**Funds**"). The Provider hereby agrees to provide as a match an in-kind donation of goods or services and/or a cash amount of not less than ten (10%) percent of the Funds, which shall consist of client donations, miscellaneous other income and in-kind contributions.
4. **METHOD OF PAYMENT.** SeniorCare shall make payments to the Provider on a regular basis according to documentation submitted in accordance with the provisions in **Appendix D**, attached hereto and incorporated herein. No Funds will be released until a fully executed Agreement is returned to SeniorCare.
5. **ACKNOWLEDGEMENT OF FUNDING SOURCE.** All publicity and printed material relating to the performance of this Agreement shall indicate the assistance of SeniorCare and the EOEA.
6. **AVAILABILITY OF FUNDS.** It is expressly understood that all payments of Funds obligated by this Agreement are contingent upon the availability of said Funds, as determined on an annual basis by the EOEA's funding formula and as set forth in **Appendix B**, attached hereto and incorporated herein. If additional Funds become available during the Term, SeniorCare reserves the right to increase the maximum obligation to some or all providers executed as a result of this Agreement, or to execute contracts with contractors not funded in the initial selection process, subject to available funding, satisfactory contract performance and service or commodity need.
7. **TERMINATION OF AGREEMENT.** In the event the Provider or SeniorCare should, for any cause, fail to perform in a timely and proper manner any of the terms and conditions contained in this Agreement, including but not limited to Section 1 above, SeniorCare or Provider shall thereupon have the right to terminate this Agreement by giving thirty (30) days prior written notice and the date of such termination to the defaulting party. In such an event, the Provider shall receive suitable compensation for Provider Services satisfactorily performed by the Provider up to the date of the termination, as mutually agreed upon by the parties. In the event of termination, the EOEA will provide a final audit prior to settlement.
8. **CONFLICT OF INTEREST.** No employee of SeniorCare or the EOEA shall have any financial interest, directly or indirectly, in this Agreement except for his/her

official salary or work done in connection with any agreement for which the Provider or SeniorCare enter into with any subcontractors.

9. **INSURANCE**. The Provider, upon notification of execution and approval of this Agreement and prior to commencing Provider Services, shall obtain and maintain, at its sole cost and expense, insurance policies that are sufficient to protect Provider's business against all applicable risks and as required by federal and state law. Said insurance shall remain in full force and effect during the Term of this Agreement. The Provider shall furnish SeniorCare with Certificate(s) of Insurance prior to the commencement of Provider Services. Provider's compliance with the above insurance provisions shall not constitute a limitation of liability or in any way limit or affect Provider's indemnification obligations under this Agreement. SeniorCare reserves the right to require additional insurance coverage or coverage amounts based on its evaluation of specific requirements and nature of the Provider Services. Any material change or cancellation of any policy under which Certificates are issued shall not be valid until SeniorCare has received thirty (30) days prior written notice of such change or cancellation.

10. **INDEMNIFICATION**. To the fullest extent permitted by law, the Provider agrees to indemnify, defend, and hold harmless SeniorCare, its officers, directors, employees, agents and representatives from and against all liabilities, losses, damages, demands, claims, suits, fines and penalties, attorneys' fees and other costs of settlement and defense, which liabilities, losses, damages, demands, claims, suits, fines and penalties or costs arise out of or are related to this Agreement and the Provider Services, except to the extent they are caused by SeniorCare's negligence.

11. **ASSIGNMENT AND SUBCONTRACT**. The Provider shall not assign or subcontract any interest in this Agreement without the prior written consent of SeniorCare. The Provider shall not subcontract any of Provider Services to any other organization, association, individual, partnership or group of individuals without the prior written consent of SeniorCare.

12. **AMENDMENT**. This Agreement may be amended only by a written document signed by persons authorized to bind in contract SeniorCare and the Provider. All amendments must be attached to this Agreement.

13. **PERSONAL DATA PROTECTION AND CONFIDENTIALITY**.

13.1 For purposes of this Section 13, personal data shall include, but not be limited to, a Massachusetts resident's first and last name, addresses, telephone numbers, social security number, driver's license number or state-issued identification card number, financial account number, or credit or debit card number (the "**Personal Data**").

13.2 With regard to the maintenance of Personal Data pursuant to this Agreement, the Provider shall comply with the provisions of Massachusetts General Laws ("M.G.L."), Chapter 66A, Section 2, "The Fair Information Practices Act", and shall

comply with all regulations established by the EOEa governing the use, safeguarding and access to Personal Data.

13.3 The Provider agrees to take reasonable steps to insure the physical security of such Personal Data under its control.

13.3.1 The Provider agrees that it will inform each of its employees having any involvement with such Personal Data or other confidential information, of the laws and regulations relating to such Personal Data and confidentiality.

13.3.2 SeniorCare shall have access at all times to any Personal Data maintained pursuant to this Agreement, without the consent of the data subject.

13.3.3 The Provider shall use Personal Data and material derived from such Personal Data only as necessary for the performance of the Provider Services.

13.4 The Provider shall furnish to SeniorCare, within thirty (30) days following a request by SeniorCare a written description of the Provider's system for gathering, storing and releasing Personal Data so that SeniorCare may determine compliance with Section 13 of this Agreement and 201 CMR 17.00.

13.5 The Provider shall immediately notify SeniorCare, both orally and in writing, if any Personal Data in the Provider's possession regarding elder clients served under this Agreement is subpoenaed, improperly used, copied or removed by anyone except an authorized representative of SeniorCare, the EOEa, or the Commonwealth of Massachusetts.

13.6 The Provider shall cooperate with SeniorCare to enjoin or prevent misuse, regain possession, and otherwise protect the Commonwealth's rights in such Personal Data and to ensure the data subject's privacy. The Provider shall allow SeniorCare access to any Personal Data held by the Provider.

14. MISCELLANEOUS.

14.1 Any notice required or desired to be given under this Agreement shall be deemed given if hand-delivered or mailed by certified mail, return receipt requested, to SeniorCare's principal office address as set forth herein, or to the Provider's address as set forth herein (as the same may be changed from time to time upon written notice to SeniorCare). Any notice sent via certified mail shall be deemed to have been given three (3) days after said mailing.

14.2 If any covenant or part thereof, or other provision of this Agreement is found to be invalid, illegal or incapable of being enforced by reason of any rule of law or public policy, all other conditions and provisions of this Agreement shall nevertheless,

remain in full force and effect, and no covenant or provision shall be deemed dependent upon any other covenant or provision unless so expressed herein.

14.3 This Agreement contains the entire understanding of the parties on the matters contained herein. This Agreement may not be changed orally, but only in writing by an amendment signed by both parties. All items incorporated herein by reference are attached or available for review at the Executive Office of Elder Affairs, One Ashburton Place, 5th Floor, Boston, MA 02108. No other understandings, oral or otherwise regarding the subject matter or this Agreement, shall be deemed to exist.

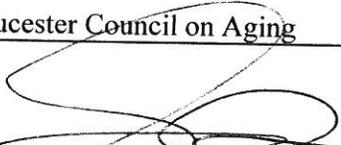
14.4 This Agreement is executed and delivered and shall be governed by and interpreted in accordance with the laws of the Commonwealth of Massachusetts.

WHEREFORE, the parties have hereunto set their hands on the day and date first written above.

SENIORCARE INC.:

PROVIDER:

By: 
Name: SCOTT M TRENT
Title: E.D.

Gloucester Council on Aging
By: 
Name: _____
Title: _____

REQUIRED ASSURANCES

The following federal and state requirements must be adhered to by the Provider and any of its subcontractors:

a. Non-Discrimination in Service Delivery:

- (1) Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in all programs receiving federal financial assistance; and
- (2) Section 504 of the Rehabilitation Act of 1973 and the regulations promulgated thereunder prohibits discrimination against qualified handicapped individuals on the basis of handicap in any program, or actively receiving or benefiting from federal financial assistance and required programs and activities, when viewed in their entirety, to be readily accessible to handicapped persons.

b. Non-Discrimination in Employment:

- (1) Title VII of the Civil Rights Act of 1964 prohibits discrimination in employment on the basis of race, color, religion, sex, or national origin;
- (2) M.G.L., C. 151 B, s. 4(1) prohibits discrimination in employment on the basis of race, color, sex, religion, creed, national origin, ancestry or age; and
- (3) Section 504 of the Rehabilitation Act of 1973 and the regulations promulgated thereunder prohibits discrimination against qualified handicapped individuals on the basis of handicap and requires employers to make reasonable accommodations to known physical or mental limitations.

c. Affirmative Action:

The Provider shall have in effect, maintain and adhere to a current Affirmative Action Plan which is consistent with federal and state laws and regulations. The Affirmative Action Plan shall, among other things, certify that the principle of equal employment opportunity is observed in the Provider's personnel practices. This principle applies to all individuals regardless of race, national origin, political or religious opinion or affiliation, sex, age, and physical disability, or other non-meritorious consideration. Specific sex, age, or physical qualifications, which are bona fide, job-related and necessary to proper and efficient administration, may, however, be required. All subcontractors of the Provider with a contract value of more than \$10,000 shall have in effect, maintain and adhere to an Affirmative Action Plan which meets the requirements set forth above.

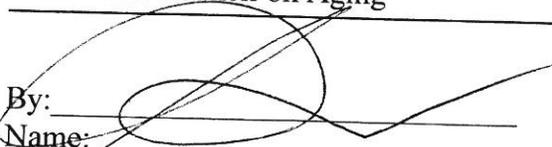
The Provider understands that non-compliance with these standards may jeopardize continued Title III-B funding. This application must be signed by the Project Director of

the Provider (Board of Directors, Board of Selectmen, etc.) to contract for Title III-B funding.

SENIORCARE INC.:

PROVIDER:

By: 
Name: SCOTT M TRENT
Title: E.D.

Gloucester Council on Aging
By: 
Name: _____
Title: _____

APPENDIX A

PROPOSAL SUBMITTED TO SENIORCARE

APPENDIX B

AGREEMENT CONDITIONS

1. This Agreement is time limited for the federal Fiscal Year (“FY”) 2018 and is contingent upon Final FY’- 2018 Congressional allocations for Social and Nutrition Services under the Older Americans Act of 1965, as amended.
2. Funding for the program in subsequent years is dependent upon the following:
 - a. The amount and availability of Title III-B funds;
 - b. The Provider’s ability to meet one or more of the planned objectives as noted in that year's area plan;
 - c. The Provider's past performances in carrying out the terms of previous Agreements as noted in SeniorCare’s monitoring and evaluation procedures;
 - d. The relative need for Provider Services as indicated in SeniorCare’s needs assessment, and/or the priorities for funding which may be set out by the EOEA and/or Administration on Aging; and
 - e. The Provider's ability to demonstrate how the program can within a reasonable time become independent of Title III-B funds.
3. All FY' 2018 Title III-B projects must participate in SeniorCare’s development of a comprehensive and coordinated system of service delivery for all elders in the project service area with priority for services given to those elders with the greatest social and economic need as defined in the Area on Aging regulations 1987, and with special attention to low-income minority elders as per specific objectives established by SeniorCare in the 2018 Area Plan. Special emphasis may also be given to older individuals with severe disabilities and limited English speaking ability.
4. All FY' 2018 Title III-B providers must agree to participate in the development of community focal points and where feasible locate direct services at the focal point.
5. Elders being served by the providers must be informed of the opportunity to make voluntary donations towards the cost of services. Means tests or mandatory contributions are not allowed. The privacy of the individual must be protected with respect to contributions. Donations for Title III-B funded programs must be labeled as such and used to expand services in the funded program.
6. Each Provider must specify in writing the outreach efforts it will undertake to assure that it serves low-income minority elders in proportion to the number of older minorities in the service area.

7. The Provider agrees to provide services to the maximum extent feasible to low-income minority elders in accordance with their need for such service.
8. The Provider agrees to target services to all low income minorities in the service area.
9. Each Provider must submit program reports and other information necessary for SeniorCare to plan, coordinate and evaluate its programs and meet reporting requirements of the Commonwealth of Massachusetts. (See **Appendix F**).
10. The Provider will request permission in writing from SeniorCare Inc. prior to any Agreement modifications.

APPENDIX C

PROGRAM RECORDS AND RECORDING

1. Client Records

For all clients receiving Provider Services, the following information shall be kept, at minimum:

- a. Name of Client
- b. Address
- c. Date of Birth
- d. Date of Service Provision
- e. Type of Service Provided
- f. Minority Status
- g. Poverty Status

APPENDIX D

BILLING PROCEDURES

1. A separate ledger account must be maintained for Title III-B funds and an account must be maintained for any project income received (i.e., client contributions or donations, etc.).
2. A monthly billing report must be submitted on or before the seventh (7th) day of each month for the previous month. The Provider shall insure that each monthly claim for reimbursement to SeniorCare includes:
 - a. Costs incurred under each line item funded in the approved budget contained in Section A of Appendix E or for the agreed rate per unit of service.
 - b. An accounting of the project income received and disbursed during the month and the balance remaining in the project income account.
 - c. An accounting of match provided by each agency or corporation identifying the source and whether the match is cash or in-kind.
 - d. The total amount of reimbursement requested from SeniorCare.
 - e. The monthly program report as noted in Appendix F.

BACK UP DOCUMENTATION

SeniorCare requires that in addition to the above, the Provider maintain and furnish upon request the following back-up documentation:

1. Time sheets for personnel funded under this grant, and for in-kind time donated by other individuals used toward meeting match.
2. Records of expenditures maintained according to sound accounting practices.
3. Service cases or other individual client records which show dates of service provision and number of service units provided to each client.

PAYMENT

Upon receipt of a properly executed claim for reimbursement SeniorCare will reimburse the Provider within sixty (60) days, contingent upon receipt of payment from the EOEA.

AUDIT

1. An independent audit of the Title III-B accounts must be performed by an independent auditing firm within sixty (60) days of the close of the Agreement period, the result of which should be made available to SeniorCare or its auditors.
2. A statement of account will be required by our auditing firm on a form provided by SeniorCare.

APPENDIX E

TITLE III-B PROGRAM – MONTHLY BILLING STATEMENT

Name of Grantee: Gloucester Council on Aging

Month: _____

A. EXPENSES: Portion of Grant Award for Provider Services

Cost Incurred:

Current Month

Total: Year to Date

\$ _____

\$ _____

B. PROJECT INCOME: Donations:

Amount received for month

\$ _____

Amount Disbursed for month

\$ _____

Balance:

\$ _____

Accumulative Donation Amount:

\$ _____

C. PROGRAM MATCH PROVIDED:

++ any federal match resources? yes, \$ _____ no

Current Month

Total: Year to Date

\$ _____

\$ _____

REQUESTED AMOUNT: \$ _____
(1/12 of total award)

Signature: _____

Title: _____

Date: _____

++Please check if any or all of the program matches listed on this invoice are, to the best of your knowledge, derived from federal resources. If yes, you must state the amount.

Monthly billings are to be submitted on or before the 10th day of each month for the previous month, unless other arrangements have been agreed upon by SeniorCare and the subgrantee.

APPENDIX F
MONTHLY PROGRAM REPORT FORM

APPENDIX F

TITLE III-B MONTHLY PROGRAM REPORT*

AGENCY: _____

MONTH: _____

COMPLETED BY: _____

PHONE: _____

I affirm that all information contained in this report is complete and accurate to the best of my knowledge.

AUTHORIZED SIGNATURE: _____

DATE: _____

RACIAL/ETHNIC COMPOSITION	ESTIMATED PARTICIPANTS		PRIMARY NEEDS PARTICIPANTS			
	NEW	TTL CLI. THIS MO.	Extreme Social Need		Economic Need – Those Judged to Fall below poverty line	
			NEW	TTL CLI. THIS MO.	NEW	TTL CLI. THIS MO.
African -- American						
Asian/Pacific Islander (includes Native Hawaiian)						
Hispanic Origin						
American Indian/Native Alaskan						
Non-minority White, not of Hispanic Origin						
Limited English Proficiency						
TOTALS						

How many units of service did you supply for this month (For description of standard unit of service see Appendix I)

year-to-date

How many of your "New" clients are from the following communities?

Bev ____, Essex ____, Glou ____, Ham ____, Ips ____, Manch ____, Rkpt ____, Tops ____, Wen ____.

Monthly reports should be received by the seventh (7th) of the following month (i.e.: November 20__, report is due by December 7, 20__.

***Definitions:**

The "Estimated Participants" category is a breakdown by racial/ethnic composition of new clients and a total number of clients serviced for the month (this figure should include the new clients as well).

The "Primary Needs" category is sub-divided into 'Economic' and 'Extreme Social Need'. Again, this is an estimated figure and should be treated as described above. Also, it is possible for a client to have both economic and extreme social needs and if so, should be counted in both sub-divisions.

ENCLOSURE 3

City Hall
Nine Dale Avenue
Gloucester, MA 01930



TEL 978-281-9707
FAX 978-281-8472
jdunn@gloucester-ma.gov

CITY OF GLOUCESTER
OFFICE OF THE TREASURER/COLLECTOR

To: Sefatia Romeo Theken, Mayor
From: John P. Dunn, CFO 
Date: November 8, 2017
Re: Allocation of General Fund Free Cash

As you know, the Massachusetts Department of Revenue Division of Local Services certified General Fund Free Cash on November 7, 2017 in the amount of \$3,706,217 (attached). We have committed to use \$430,912.34 of this to amortize the third and final year of the FY 2015 Snow & Ice deficit. In addition we have a Fiscal 2017 Snow & Ice deficit of 298,895.82 for total Snow & Ice coverage of \$729,808.16. That leaves \$2,976,408.84 to be allocated according to the Capital Plan Funding and Free Cash Distribution Policy (attached).

The distribution of the \$2,976,408.84 according to the policy would be as follows:

To Capital Projects Stabilization Fund (40%)	\$1,190,563.54
To Building Maintenance Stabilization Fund (20%)	\$ 595,281.77
To General Stabilization Fund (10%)	\$ 297,640.88
Remaining as Unreserved Free Cash (30%)	\$ 892,922.65
Total	\$2,976,408.84

In addition, I would recommend a transfer of \$50,000 of the remaining Unreserved Free Cash to the Other Post Employment Benefit (OPEB) trust fund. Though this is a modest amount given the very large OPEB liability and we do not have a requirement to fund such at this time, it would be good policy to fund some of this liability in each year. Such policy is viewed favorably by the credit rating agencies.

Attached are five Supplemental Appropriations to accomplish the transfers from Free Cash to the Snow & Ice Deficit, the three stabilization funds and the OPEB trust. If you are in agreement with this proposal, please sign the attached Supplemental Appropriations and forward this information to the City Council in the next Mayor's report. Thank you.

**City of Gloucester
SUPPLEMENTAL APPROPRIATION - BUDGETARY REQUEST
Fiscal Year 2018**

****CITY COUNCIL APPROVAL- 6 VOTES NEEDED****

APPROPRIATION # 2018-SA- 2 Auditor's Use Only

DEPARTMENT REQUESTING TRANSFER: _____ Treasurer/Collector

APPROPRIATION AMOUNT: \$729,808.16

Account to Appropriate from:	MUNIS ORG - OBJECT	0001/359000
	MUNIS ACCOUNT DESCRIPTION	GF - Undesignated Fund Balance - Free Cash
Balance Before Appropriation		\$3,706,217.00
Balance After Appropriation	\$	2,976,408.84

Account Receiving Appropriation:	MUNIS ORG - OBJECT	0001/359201
	MUNIS ACCOUNT DESCRIPTION	GF - Designated for Authorized Snow & Ice Deficit
Balance Before Appropriation	\$	(729,808.16)
Balance After Appropriation	\$	-

DETAILED ANALYSIS OF NEED(S): To amortize the third and final year of the Fiscal 2015 deficit in the amount of \$430,912.34 and the Fiscal 2017 deficit in the amount of 298,895.82.

APPROVALS:

DEPT. HEAD: _____ DATE: 11/08/2017

ADMINISTRATION: _____ DATE: 11/9/2017

BUDGET & FINANCE: _____ DATE: _____

CITY COUNCIL: _____ DATE: _____

**City of Gloucester
SUPPLEMENTAL APPROPRIATION - BUDGETARY REQUEST
Fiscal Year 2018**

****CITY COUNCIL APPROVAL- 6 VOTES NEEDED****

APPROPRIATION # 2018-SA- 3 Auditor's Use Only

DEPARTMENT REQUESTING TRANSFER: _____ Treasurer/Collector

APPROPRIATION AMOUNT: \$1,190,563.54

Account to Appropriate from: MUNIS ORG - OBJECT 0001/359000
MUNIS ACCOUNT DESCRIPTION GF - Undesignated Fund Balance - Free Cash

Balance Before Appropriation _____ \$2,976,408.84

Balance After Appropriation \$ _____ 1,785,845.30

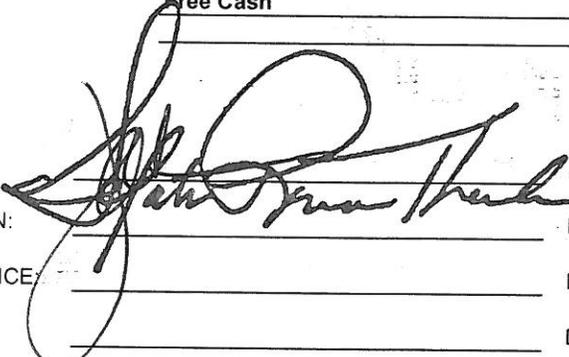
Account Receiving Appropriation: MUNIS ORG - OBJECT 760001/497001
MUNIS ACCOUNT DESCRIPTION Capital Projects Stabilization Fund

Balance Before Appropriation \$ _____ 1,360,286.46

Balance After Appropriation \$ _____ 2,550,850.00

DETAILED ANALYSIS OF NEED(S): Transfer in to the Capital Project Stabilization Fund from General Fund
Free Cash

APPROVALS:

DEPT. HEAD:  DATE: 11/08/2017

ADMINISTRATION: _____ DATE: 11/9/2017

BUDGET & FINANCE: _____ DATE: _____

CITY COUNCIL: _____ DATE: _____

**City of Gloucester
SUPPLEMENTAL APPROPRIATION - BUDGETARY REQUEST
Fiscal Year 2018**

****CITY COUNCIL APPROVAL- 6 VOTES NEEDED****

APPROPRIATION # 2018-SA- 4 Auditor's Use Only

DEPARTMENT REQUESTING TRANSFER: _____ Treasurer/Collector

APPROPRIATION AMOUNT: _____ \$595,281.77

Account to Appropriate from: MUNIS ORG - OBJECT 0001/359000
MUNIS ACCOUNT DESCRIPTION GF - Undesignated Fund Balance - Free Cash

Balance Before Appropriation _____ \$1,785,845.30

Balance After Appropriation \$ _____ 1,190,563.53

Account Receiving Appropriation: MUNIS ORG - OBJECT 770001/497006
MUNIS ACCOUNT DESCRIPTION Building Maintenance Stabilization Fund

Balance Before Appropriation \$ _____ 724,090.00

Balance After Appropriation \$ _____ 1,319,371.77

DETAILED ANALYSIS OF NEED(S): Transfer in to the Building Maintenance Stabilization Fund from General Fund
Free Cash

APPROVALS:

DEPT. HEAD: _____ DATE: 11/08/2017

ADMINISTRATION: _____ DATE: 11/9/2017

BUDGET & FINANCE: _____ DATE: _____

CITY COUNCIL: _____ DATE: _____

City of Gloucester
SUPPLEMENTAL APPROPRIATION - BUDGETARY REQUEST
Fiscal Year 2018

****CITY COUNCIL APPROVAL- 6 VOTES NEEDED****

APPROPRIATION # 2018-SA- 5 Auditor's Use Only

DEPARTMENT REQUESTING TRANSFER: _____ Treasurer/Collector

APPROPRIATION AMOUNT: _____ \$297,640.88

Account to Appropriate from: MUNIS ORG - OBJECT 0001/359000
MUNIS ACCOUNT DESCRIPTION GF - Undesignated Fund Balance - Free Cash

Balance Before Appropriation _____ \$1,190,563.53

Balance After Appropriation \$ _____ 892,922.65

Account Receiving Appropriation: MUNIS ORG - OBJECT 75004/497001
MUNIS ACCOUNT DESCRIPTION General Stabilization Fund

Balance Before Appropriation \$ _____ 1,953,544.00

Balance After Appropriation \$ _____ 2,251,184.88

DETAILED ANALYSIS OF NEED(S): Transfer in to the General Stabilization Fund from General Fund
Free Cash

APPROVALS:

DEPT. HEAD: _____ DATE: 11/08/2017

ADMINISTRATION: _____ DATE: 11/9/2017

BUDGET & FINANCE: _____ DATE: _____

CITY COUNCIL: _____ DATE: _____

City of Gloucester
SUPPLEMENTAL APPROPRIATION - BUDGETARY REQUEST
Fiscal Year 2018

****CITY COUNCIL APPROVAL- 6 VOTES NEEDED****

APPROPRIATION # 2018-SA- 6 Auditor's Use Only

DEPARTMENT REQUESTING TRANSFER: _____ Treasurer/Collector

APPROPRIATION AMOUNT: _____ \$50,000.00

Account to appropriate from: MUNIS ORG - OBJECT _____ 0001/359000
MUNIS ACCOUNT DESCRIPTION _____ GF - Undesignated Fund Balance - Free Cash

Balance Before Appropriation _____ \$892,922.65

Balance After Appropriation \$ _____ 842,922.65

Account Receiving Appropriation: MUNIS ORG - OBJECT _____ 84004/497001
MUNIS ACCOUNT DESCRIPTION _____ OPEB Trust

Balance Before Appropriation \$ _____ 239,865.00

Balance After Appropriation \$ _____ 289,865.00

DETAILED ANALYSIS OF NEED(S): Transfer in to the OPEB Trust Fund from General Fund
Free Cash

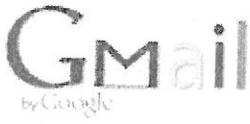
APPROVALS:

DEPT. HEAD: _____ DATE: 11/08/2017

ADMINISTRATION: _____ DATE: 11/9/2017

BUDGET & FINANCE: _____ DATE: _____

CITY COUNCIL: _____ DATE: _____



John Dunn <jdunn@gloucester-ma.gov>

Notification of free cash approval - Gloucester

1 message

dlssupport@dor.state.ma.us <dlssupport@dor.state.ma.us> Tue, Nov 7, 2017 at 9:35 AM
 To: npapows@gloucester-ma.gov, mfleming@gloucester-ma.gov, gjohnstone@gloucester-ma.gov,
 bbrousseau@gloucester-ma.gov, tgood@gloucester-ma.gov, jdunn@gloucester-ma.gov, jcorliss@gloucester-
 ma.gov, achhayani@gloucester-ma.gov, kcosta@gloucester-ma.gov, dlsitgroup@dor.state.ma.us
 Cc: whouleys@dor.state.ma.us

Massachusetts Department of Revenue Division of Local Services

Christopher C. Harding, Commissioner

Sean R. Cronin, Senior Deputy Commissioner of Local Services

11/7/2017

NOTIFICATION OF FREE CASH APPROVAL - City of Gloucester

Based upon the un-audited balance sheet submitted, I hereby certify that the amount of available funds or "free cash" as of July 1, 2017 for the City of Gloucester is:

General Fund		\$3,706,217.00
Enterprise Fund	Ch. 44 Sec. 53F 1/2	\$155,148.00
Enterprise Fund	Ch. 44 Sec. 53F 1/2	(\$1,626,283.00)
Enterprise Fund	Ch. 44 Sec. 53F 1/2	\$70,348.00
Enterprise Fund	Ch. 44 Sec. 53F 1/2	\$33,117.00

This certification is in accordance with the provisions of G. L. Chapter 59, §23, as amended.

Certification letters will be emailed to the mayor/manager, board of selectmen, prudential committee, finance director and treasurer immediately upon approval, provided an email address is reported in DLS' Local Officials Directory. Please forward to other officials as you deem appropriate.

Sincerely,

Mary Jane Handy
 Director of Accounts
 Massachusetts Department of Revenue

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this mail in error please notify the postmaster at dor.state.ma.us.

FC 063017.pdf
 52K

Year 2016

**Snow and Ice Amortization Schedule
Chapter 10, Section 58 of the Acts of 2015**

Gloucester
City / Town

Deficit as of 6-30-2015	\$ 2,621,014.10
Less FEMA Reimbursement (Est.)	\$ 300,000.00
Net Deficit as of 6-30-2015	\$ 2,321,014.10
	\$ 773,671.00

In FY2016, you must provide for a minimum of one-third (1/3) of the net balance sheet deficit as of 6-30-2015.

We have adopted the following amortization schedule:

FY2016	\$ 1,400,000.00
FY2017	\$ 460,507.05
FY2018	\$ 460,507.05
Total	\$ 2,321,014.10

Amortization Tracking Schedule

	General Fund - Balance Sheet Net Deficit as of 6-30	Less Reimbursements (Non FEMA)	Less Appropriations (Any Revenue Source)	Other Amount Raised on Page 2 Recap	Amount Deferred
FY2016	\$ 2,321,014.10		\$ 1,000,000.00	\$ 400,000.00	\$ 921,014.10
FY2017	\$ 921,014.10		\$ 460,507.05		\$ 460,507.05
FY2018	\$ 460,507.05		\$ 460,507.05		\$ 0.00

SECTION 58. Notwithstanding section 23 of chapter 59 of the General Laws, section 31D of chapter 44 of the General Laws or any other general or special law to the contrary, a city or town may amortize over fiscal years 2016 to 2018, inclusive, in equal installments or more rapidly, the amount of its fiscal year 2015 snow and ice removal deficit. The local appropriating authority as defined in section 21C of said chapter 59 shall adopt a deficit amortization schedule in accordance with the preceding sentence before setting the municipality's fiscal year 2016 tax rate. The commissioner of revenue may issue guidelines or instructions for reporting the amortization of deficits authorized by this section.

For Cities: City Councilors, Aldermen, Mayor
For towns: Board of Selectmen

(Authorized Signature)	Date
(Authorized Signature)	Date
(Authorized Signature)	Date

Capital Plan Funding and Free Cash Distribution Policy

The purpose of this recommendation is to improve the City of Gloucester's capital planning and investment through the creation and funding of a Capital Stabilization Fund and a Building Maintenance Stabilization Fund in accordance with MGL Ch. 40, Section 5B. Furthermore, we are recommending a standard for the distribution of free cash.

Capital Stabilization Fund – The Capital stabilization fund would be established for planned capital improvements as determined through our current Capital Improvement Plan process. The source of the funding would be 40% of the annual certified free cash. This fund would not be used for routine annual maintenance expenses.

Building Maintenance Stabilization Fund – This fund would be for extraordinary unforeseen Facility Maintenance expenditures relating to all city building facilities (School and City). For the purpose of this fund, maintenance shall mean repair and upkeep of city facility assets. The idea is to allow this fund to grow over time to hedge against unexpected events. The source of funding for this fund would be 20% of annual free cash certified.

Certified Free Cash Distribution – The proposed distribution of free cash would be executed annually at the time of certification. The purpose is to provide structure and discipline relative to the use of free cash and in so doing, allow the City to improve strategic planning. The recommended distribution for future year's free cash is as follows:

Capital Stabilization Fund – 40%

Building Maintenance Stabilization Fund – 20%

General Stabilization Fund – 10%

Remaining as unreserved Free Cash – 30%

CITY MEMORANDUM

CITY CLERK
GLOUCESTER, MA

2017 NOV -2 AM 11:47

TO: LINDA BRAYTON (527 WASHINGTON STREET)
FROM: OFFICE OF THE MAYOR, GLOUCESTER CITY HALL
SUBJECT: RESPONSE TO ORAL COMMUNICATIONS, OCTOBER 24, 2017
DATE: OCTOBER 31ST, 2017
CC: JOANNE SENOS, GLOUCESTER CITY CLERK

This memorandum is in response to Oral Communications to City Council on Tuesday, October 24th, 2017 regarding the efforts in reaching a more dog friendly Gloucester.

Dear Linda,

Thank you so much for coming to our last City Council meeting and offering your personal testimony and praise regarding the efforts of those that contributed to the online survey that presented issues concerning the City's dog ordinances. We are aware of the confusion the even/odd signage presents to dog owners wanting to bring their dogs to our City's beaches. Currently, the Mayor's Office and the Legal Department are in the process of resolving this issue.

Your advocacy and leadership regarding this matter does not go unnoticed and we appreciate your dedication to ensuring a dog friendly Gloucester for our City's residents.

We thank you for your remarks and if you have further questions or concerns, please do not hesitate to reach out to our office.

Warm Regards,

Christopher Sicuranza
Director of Communications & Constituent Services
Office of the Mayor, Gloucester City Hall
9 Dale Ave, Gloucester MA, 01930
P: (978) 281-9700
E: csicuranza@gloucester-ma.gov

Linda Brayton, 527 Washington Street, extended her thanks to residents who responded to an on-line survey at Dog Friendly Gloucester. She spoke of work done by the Dog Ad Hoc Committee and the Animal Advisory Committee highlighting the research done about extending dog off-leash areas in the city. Through the survey people brought up signage issues and the odd/even day off-season system of dogs allowed on certain city beaches. She acknowledged there was a need for more public education of the city's dog ordinances. She said respondents also unanimously supported the Mutt Mitt program. She mentioned collaboration among other city volunteer groups dedicated to the environment with Dog Friendly Gloucester efforts. She asked for open-mindedness for creative solutions moving forward. **Council President Ciolino** thanked Ms. Brayton for all the work she does on this issue as well as serving on a city Commission.

CITY MEMORANDUM

CITY CLERK
GLOUCESTER, MA
2017 NOV - 6 PM 3: 15

TO: BRIAN KING (33 EASTERN AVENUE)
FROM: OFFICE OF THE MAYOR, GLOUCESTER CITY HALL
SUBJECT: RESPONSE TO ORAL COMMUNICATIONS, OCTOBER 24, 2017
DATE: NOVEMBER 6, 2017
CC: JOANNE SENOS, GLOUCESTER CITY CLERK

This memorandum is in response to Oral Communications to City Council on Tuesday, October 24th, 2017 regarding concerns of traffic issues on Eastern Avenue.

Dear Brian,

Thank you so much for coming to our last City Council meeting and offering your personal testimony and concerns about traffic issues on Eastern Avenue. Your testimony has been acknowledged by the City of Gloucester and as more concerns regarding this issue are being brought to our attention, we are focusing our efforts on resolving this matter.

Our citizen's safety is our first priority and we thank you for your concern. Your suggestion of posting a sign deferring truck traffic to an alternate route in order to avoid driving through a residential area will be taken into consideration. We are currently in conversation with Senator Tarr's office in addition to the Traffic Commission, and are actively trying to pursue a common sense solution.

As a Massachusetts State road, Eastern Avenue does not fall under the City of Gloucester's jurisdiction. However, Gloucester's City Council is petitioning the State to fix this traffic issue. On November 14, 2017, the City Council will be discussing this matter and we urge you to attend to voice your concerns.

We thank you for your remarks and if you have further questions or concerns, please do not hesitate to reach out to our office.

Warm Regards,

Christopher Sicuranza
Director of Communications & Constituent Services
Office of the Mayor, Gloucester City Hall
9 Dale Ave, Gloucester MA, 01930
P: (978) 281-9700
E: csicuranza@gloucester-ma.gov

Brian King, 33 Eastern Avenue, spoke to traffic on Eastern Avenue between Route 128 and Main Street and recounted that in August a tractor trailer truck sideswiped a parked car on Eastern Avenue near Cross Street damaging it unknowingly. He pointed out that this is a residential neighborhood. He highlighted the narrowness of the road at the turn in that part of Eastern Avenue and leads to a steep incline. He advised his mother documented about 27 trucking companies travelling that portion of Eastern Avenue to Main Street in one week. He explained that all these trucks are using Eastern Avenue instead of the extension, and that while GPS directs truckers to take the Eastern Avenue route, it would be a wiser way to have them travel to the lights at Bass Avenue and bear right onto Main Street thereby avoiding the residential portion of Eastern Avenue to Main Street. He expressed his concern for children and the nearby school on the street. He read a statement by Joan Melanson who resides at 10 Eastern Avenue (not on file) who offered that the area of Eastern Avenue in question is an already congested roadway simply by local traffic and the trucks only add to it creating a safety issue. She expressed her concern for pedestrians and parked vehicles. **Mr. King** concluded his remarks by noting there had been a sign posted a while ago on Route 128 and suggested that the state asked for it to be removed and are petitioning that it be reposted and enforced. He did not indicate how the sign directed drivers.

CITY MEMORANDUM

CITY CLERK
GLOUCESTER, MA

2017 NOV -2 AM 11:48

TO: PHILIP BONAROWITZ (83 EASTERN AVENUE)
FROM: OFFICE OF THE MAYOR, GLOUCESTER CITY HALL
SUBJECT: RESPONSE TO ORAL COMMUNICATIONS, OCTOBER 24, 2017
DATE: OCTOBER 31ST, 2017
CC: JOANNE SENOS, GLOUCESTER CITY CLERK

This memorandum is in response to Oral Communications to City Council on Tuesday, October 24th, 2017 regarding the traffic issues on Eastern Ave .

Dear Philip,

Thank you so much for coming to our last City Council meeting and offering your personal testimony and concerns about traffic issues on Eastern Avenue. Your testimony has been acknowledged by the City of Gloucester and as more concerns regarding this issue are being brought to our attention, we are focusing our efforts on resolving this matter.

We are currently in conversation with Senator Tarr's office in addition to the Traffic Commission, and are actively trying to pursue a common sense solution.

As a Massachusetts State road, Eastern Avenue does not fall under the City of Gloucester's jurisdiction. However, Gloucester's City Council is petitioning the State to fix this traffic issue. On November 14, 2017, the City Council will be discussing this matter and we urge you to attend to voice your concerns.

We thank you for your remarks and if you have further questions or concerns, please do not hesitate to reach out to our office.

Warm Regards,

Christopher Sicuranza
Director of Communications & Constituent Services
Office of the Mayor, Gloucester City Hall
9 Dale Ave, Gloucester MA, 01930
P: (978) 281-9700
E: csicuranza@gloucester-ma.gov

Philip Bonarowitz (sp.), 83 Eastern Avenue, highlighted there is a sign “on the opposite side” that says trucks should go to the red light and turn. He recounted coming into Gloucester by Russell’s Florist and an 18 wheeled truck came upon him very quickly.

CITY MEMORANDUM

CITY CLERK
GLOUCESTER, MA

2017 NOV -2 AM 11:48

TO: ALEXANDER THOMPSON (2 CROSS STREET)
FROM: OFFICE OF THE MAYOR, GLOUCESTER CITY HALL
SUBJECT: RESPONSE TO ORAL COMMUNICATIONS, OCTOBER 24, 2017
DATE: OCTOBER 31ST, 2017
CC: JOANNE SENOS, GLOUCESTER CITY CLERK

This memorandum is in response to Oral Communications to City Council on Tuesday, October 24th, 2017 regarding the traffic issues on Eastern Ave .

Dear Alexander,

Thank you so much for coming to our last City Council meeting and offering your personal testimony and concerns about traffic issues on Eastern Avenue. Your testimony has been acknowledged by the City of Gloucester and as more concerns regarding this issue are being brought to our attention, we are focusing our efforts on resolving this matter.

Our citizen's safety is our first priority and we thank you for your concern. Your suggestion of posting a sign deferring truck traffic to an alternate route in order to avoid driving through a residential area will be taken into consideration. We are currently in conversation with Senator Tarr's office in addition to the Traffic Commission, and are actively trying to pursue a common sense solution.

As a Massachusetts State road, Eastern Avenue does not fall under the City of Gloucester's jurisdiction. However, Gloucester's City Council is petitioning the State to fix this traffic issue. On November 14, 2017, the City Council will be discussing this matter and we urge you to attend to voice your concerns.

We thank you for your remarks and if you have further questions or concerns, please do not hesitate to reach out to our office.

Warm Regards,

Christopher Sicuranza
Director of Communications & Constituent Services
Office of the Mayor, Gloucester City Hall
9 Dale Ave, Gloucester MA, 01930
P: (978) 281-9700
E: csicuranza@gloucester-ma.gov

Alexander Thompson, 2 Cross Street noted since the installation of the lights at Route 128 and Eastern Avenue all 18-wheelers are directed down Eastern Avenue and was constructed as a narrow byway to prohibit large trucks from travelling down the lower portion of Eastern Avenue. He said until a few years ago this wasn't an issue. He said every night and at all hours he and his neighbors are awakened by tractor trailers rumbling through their neighborhood and braking for the intersection of Main Street and Eastern Avenue. He asked that signage be installed to designate a truck route from the Eastern Avenue light to the second light and for the trucks to then take a right onto Main Street. He said there is no grade to attempt or interruption by using this flat route. He added the trucks come around the corner and barely slow down from coming off of Route 128 and expressed further concern for the safety of the children walking to and from Veterans Memorial School.

CITY MEMORANDUM

CITY CLERK
GLOUCESTER, MA
2017 NOV -2 AM 11:48

TO: TONYA WOOLLCOTT (392 MAIN STREET)
FROM: OFFICE OF THE MAYOR, GLOUCESTER CITY HALL
SUBJECT: RESPONSE TO ORAL COMMUNICATIONS, OCTOBER 24, 2017
DATE: OCTOBER 31ST, 2017
CC: JOANNE SENOS, GLOUCESTER CITY CLERK

This memorandum is in response to Oral Communications to City Council on Tuesday, October 24th, 2017 regarding the traffic issues on Eastern Ave .

Dear Tonya,

Thank you so much for coming to our last City Council meeting and offering your personal testimony and concerns about traffic issues on Eastern Avenue. Your testimony has been acknowledged by the City of Gloucester and as more concerns regarding this issue are being brought to our attention, we are focusing our efforts on resolving this matter.

We are currently in conversation with Senator Tarr's office in addition to the Traffic Commission, and are actively trying to pursue a common sense solution.

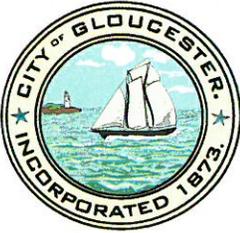
As a Massachusetts State road, Eastern Avenue does not fall under the City of Gloucester's jurisdiction. However, Gloucester's City Council is petitioning the State to fix this traffic issue. On November 14, 2017, the City Council will be discussing this matter and we urge you to attend to voice your concerns.

We thank you for your remarks and if you have further questions or concerns, please do not hesitate to reach out to our office.

Warm Regards,

Christopher Sicuranza
Director of Communications & Constituent Services
Office of the Mayor, Gloucester City Hall
9 Dale Ave, Gloucester MA, 01930
P: (978) 281-9700
E: csicuranza@gloucester-ma.gov

Tonya Woolcott, 392 Main Street, intersection of Eastern and Main Street said she lives right where the trucks struggle to stop at the intersection of Main Street and Eastern Avenue. She recounted her car being parked on the street and heard a truck having issues with braking and that the truck nearly stuck on her car. She said she has previously lost her side view mirror. She urged the alternate route be used.



CITY OF GLOUCESTER
GLOUCESTER, MASSACHUSETTS 01930

CITY CLERK
GLOUCESTER, MA
2017 NOV -9 PM 12: 23

CITY OF GLOUCESTER
Special Council Permit - Application

January 16, 2018
(Public hearing to be held no later than
above date)

In conformance with the requirements of the Zoning Ordinance of the City of Gloucester, the undersigned hereby applies for a Special Council Permit (CC or CCS) in accordance with Section 1.8.3 of the Ordinance and other Sections as listed below:

Type of Permit (Give specific section of Zoning Ordinance)

Amend existing Special Council Permit 2015-004 (relief previously granted under Sections 1.8.3, 2.3.1(8), 5.7.1, 1.10.1(a)(1), 1.10.1(a)(3), 3.2.2 footnote (a) & Major Project Permit - Section 5.7.1 - no additional relief requested). See attached supplement for requested changes

Applicant's Name: Schoolhouse Residences, LLC

Owner's

Name: City of Gloucester (Maplewood Avenue School)

(if different from applicant)

Location: 120 Maplewood Avenue Map # 39 Lot # 4
(Street Address)

Zoning Classification: R-5

- Attached is a list of owners (with complete addresses) of land directly opposite on any public or private street or way, direct abutters, and abutters to the abutters of land within three hundred (300) feet of the property line, as they appear on the most recent City of Gloucester Assessor's Maps and Tax list.
- Attached is a listing of criteria set forth in Section 1.8.3 of the Zoning Ordinance, including any supportive material or comments the applicant may wish to include (i.e. ZBA decisions, Order of Conditions, etc.) if necessary.
- Attached are the necessary plans as set forth in Section 1.5.3, of the Zoning Ordinance, which at a minimum consist of an accurate plot plan (to scale) showing existing and/or proposed building or structures.

City of Gloucester - Action	
Fee:	<u>\$350.00 sms</u>
City Clerk (received):	<u>11/9/17</u>
City Council (received):	<u>11/14/17</u>
Public Hearing (ordered):	_____
Public Hearing (opened):	_____
Public Hearing (closed):	_____
Final Decision:	_____
Disposition	_____
(Approved, Denied, Approved w/conditions)	_____

APPLICANT: Schoolhouse Residences, LLC
[Signature]
Name (Signature)

1588 Cambridge St, Cambridge, MA 02138
Address
617-894-2512
Telephone

Certified for completeness:
Building Inspector: [Signature] Date: 11/8/17
Planning Director: [Signature] Date: 11/8/17

Section 1.8.3 (Use additional sheets, if necessary)

1. Social, Economic, or community need served by the proposal:

No changes are being requested that would alter the Council's previous findings with respect to the social, economic, or community need.

2. Traffic flow and safety:

No changes are being requested that would alter the Council's previous findings with respect to traffic flow and safety.

3. Adequacy of utilities and other public services:

No changes are being requested that would alter the Council's previous findings with respect to adequacy of utilities and other public services.

4. Neighborhood character and social structure:

No changes are being requested that would alter the Council's previous findings with respect to neighborhood character and social structure.

5. Qualities of the natural environment:

No changes are being requested that would alter the Council's previous findings with respect to qualities of the natural environment.

6. Potential fiscal impact:

No changes are being requested that would alter the Council's previous findings with respect to the fiscal impact of the project.

The applicant is advised that City staff is available to assist the applicant in preparing the Application, including the Inspector of Buildings and City Planner

Application for Special Permit

The undersigned applicant hereby applies for a special permit under M.G.L., Ch. 40A, § 9 as follows.

1. Applicant (includes equitable owner or purchaser on a purchase and sales agreement):

Name: Schoolhouse Residences, LLC (James J. Perrine, Managing Member)

Address: 1588 Cambridge Street, Cambridge, MA 02138

Tel.# Days 617-894-2512 Evenings 617-894-2512

Check here if you are the purchaser on a purchase and sales agreement.

2. Owner, if other than applicant:

Name: City of Gloucester

Address: 9 Dale Avenue, Gloucester, MA 01930

Tel.# Days 978-281-9700 Evenings

3. Property:

Street address: 120 Maplewood Avenue, Gloucester, MA 01930

Assessor's Map: 39 Lot: 4

Registry of Deeds where deed, plan, or both records:

Essex South District Registry of Deeds

Deed recording: Book 1356 Page 28 & 29

Plan recording: Plan #

Property is located in the R-5 zoning district.

4. Nature of relief requested:

Special permit pursuant to Article/Section of the Zoning Ordinance/By-Law

which authorizes See Attached - requesting amendment to previous relief only. to permit

Detailed explanation of request:

On November 17, 2015 the City Council issued a decision granting Special Council Permit 2015-004 and a Major

Project Permit to permit the conversion of the vacant Maple Avenue School building into 12 residential units

(the "Decision"). Applicant is submitting this application to request an extension of the relief granted in the Decision

and to request other minor modifications as detailed in the attached Supplemental Information Sheet in order to

enable Applicant to close on the purchase of the property, obtain a building permit and commence construction.

5. Evidence to support grant of special permit:

Because of reasons set forth below, the special permit requested will be in harmony with the intent and purpose of the Zoning Ordinance/By-Law:

Please see attached Supplemental Information Sheet.

Because of reasons set forth below, the special permit requested will meet the additional requirements of the Zoning Ordinance/By-Law as follows:

Please see attached Supplemental Information Sheet.

If someone other than owner or equitable owner (purchaser on a purchase and sales agreement) is the Applicant or will represent the Applicant, owner or equitable owner, must designate such representative below.

Name of Representative: Schoolhouse Residences, LLC (James J. Perrine, Managing Member)

Address of Representative: 1588 Cambridge Street, Cambridge, MA 02138

Tel. # Days 617-894-2512 Evenings 617-894-2512

Relationship of representative to owner or equitable owner:

Buyer pursuant to a Purchase and Sales Agreement dated August 28, 2017.

I hereby authorize Schoolhouse Residences, LLC (James Perrine) to represent my interests before the
Special Permit Granting Authority with respect to this Special Permit Application.

(Signed by owner/equitable owner) _____

I hereby certify under the pains and penalties of perjury that the information contained in this
Application is true and complete.

Schoolhouse Residences LLC
By James Perrine 11/9/17

Signature of Applicant

Date

Signature of Owner, if other
than Applicant

Date

Signature of Equitable Owner
who is filing application to
satisfy condition of
Purchase and Sales agreement

Date

Special Council Permit and Major Project Permit Amendment Application
Schoolhouse Residences, LLC, Applicant
Maplewood Avenue School (the “School”), 120 Maplewood Avenue

Supplemental Information Sheet

4. Nature of Relief Requested:

On August 28, 2013 the City and Gloucester Development Team, Inc. (“GDT”) entered into a Purchase & Sale Agreement for the purchase and residential development of the former Maplewood Avenue School (the “Project”).

On March 21, 2014, without any public opposition, the Zoning Board of Appeals (“ZBA”), by unanimous vote, granted to GDT a Special Permit and Variances for the conversion of the School into 12 residential units. Applicant’s understanding is that this decision remains valid as long as the related City Council Permits remain valid.

On July 15, 2015 GDT submitted an application to the City Council for a Special Council Permit and Major Project Permit to allow for the conversion of the School, as approved by the ZBA, into 12 residential units.

On December 11, 2015, without any public opposition, the City Council, by unanimous vote, adopted a decision (the “Decision”) granting the requested permits, there was no legal challenge, and the Decision and the ZBA permits, remain valid until December 11, 2017.

In February of 2016 the 2013 Purchase & Sale Agreement expired when GDT was unable to secure an appraisal that would support standard underwriting guidelines in support of a construction loan.

On August 28, 2017 the City entered into a new Purchase and Sale Agreement with a related GDT entity, Schoolhouse Residences, LLC (“Applicant”), to purchase and develop the School in a manner very similar to the Project as previously permitted. However, the Applicant’s construction lender is requiring that the Applicant revise the approved floor plans in order to re-label rooms labeled as “study” or “family room” in 10 of the 12 units as a bedroom in order to meet appraisal requirements and improve marketability of the units. No significant modifications to the unit layout shown on the previously approved floor plans is required in connection with this change.

The Applicant is now prepared to proceed with the purchase and construction of the Project as previously approved if the following three minor modifications to the Decision are accepted:

1. Page 4 of the Decision currently references the no longer valid August 28, 2013 Purchase and Sale Agreement. Therefore, it is requested that this one sentence reference be deleted.
2. The Decision, by reference, approved floor plans identifying 10 units with a room identified as either a “study” or a “family room.” It is requested that a modified set of floor plans be substituted, with those 10 rooms being labeled as an additional “bedroom.” Doing so will clarify the permitted “12 residential units” as consisting of 10 two-bedroom and 2 one-bedroom units.
3. An extension of the Decision and the permits granted by the ZBA and the City Council for approximately 180 days (through June 1, 2018) to allow adequate time for Applicant to close on financing and complete the acquisition of the School.

5. Evidence to support grant of special permit:

Because of reasons set forth below, the requested relief will be in harmony with the intent and purpose of the Zoning Ordinance/By-Law:

The Zoning Board of Appeals and City Council have previously determined that the Project, as permitted, is in harmony and the intent and purpose of the Zoning Ordinance By-Law. The permits granted to date clearly state that the project, as proposed, satisfies the following mandates of the Zoning Ordinance:

- Provide housing for persons of all income levels;
- Conserve the value of land and buildings;
- Conserve natural resources;
- Prevent blight; and
- Encourage the most appropriate use of land and historic structures.

Further, the ZBA and City Council have determined that this project:

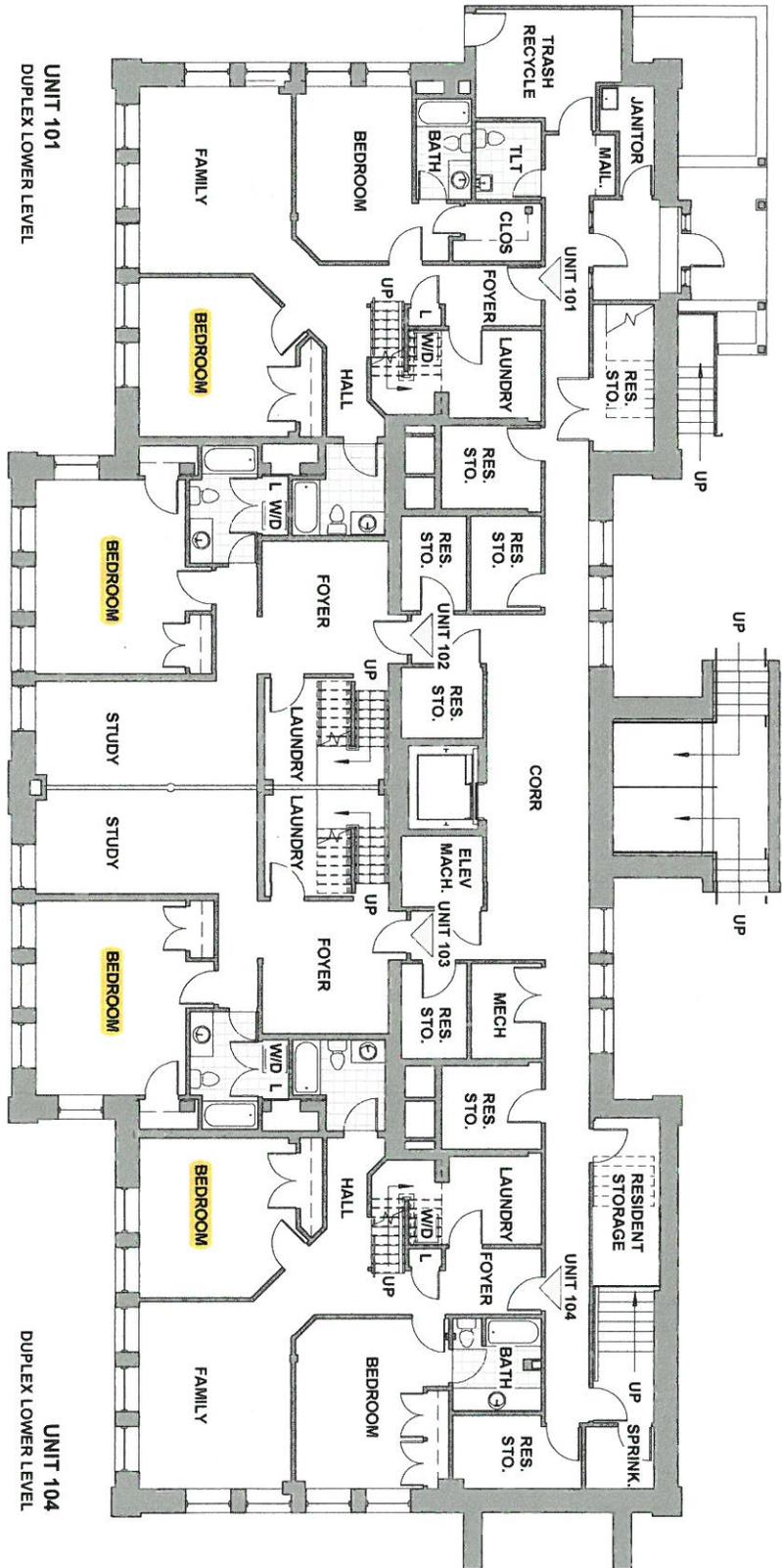
- Meets social and community needs;
- Does not hinder traffic flow or safety;
- Is serviced by adequate utilities and other public services;
- Reinforces neighborhood character and social structure;
- Protects qualities of the natural environment; and
- Has a positive fiscal impact on the City.

Nothing being requested by this modification to the current Decision negatively impacts on any of these items.

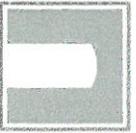
Schedule 1

Permitted Floor Plans with Requested Room Identification Changes

ACACIA STREET



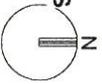
MAPLEWOOD AVENUE



Derby Square Architects

10 Derby Square
Garden Suite NB
Salem, MA 01970
978.740.9979
admin@derbysquarearch.com

Schoolhouse Residences, LLC.
Maplewood School Residences
120 Maplewood Avenue, Gloucester, MA 01930

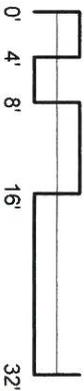


GROUND FLOOR

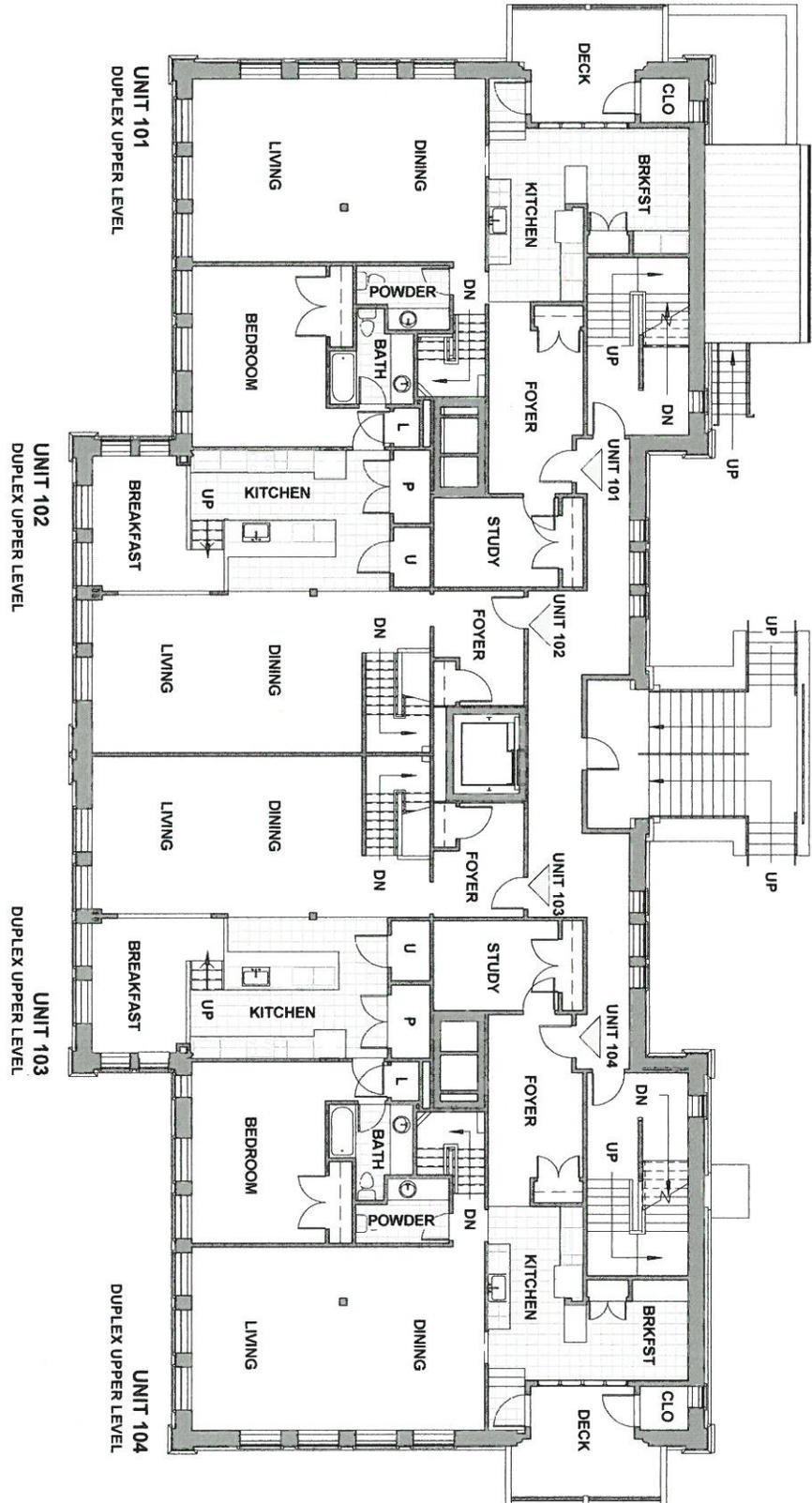
Project number 14011-MAAR
Date 7/27/17
Drawn by AKP
Checked by WJP

A1.0

Scale 3/32" = 1'-0"



ACACIA STREET



MAPLEWOOD AVENUE



Derby Square Architects

10 Derby Square
Garden Suite NB
Salem, MA 01970
978.740.9979
admin@derbysquarearch.com

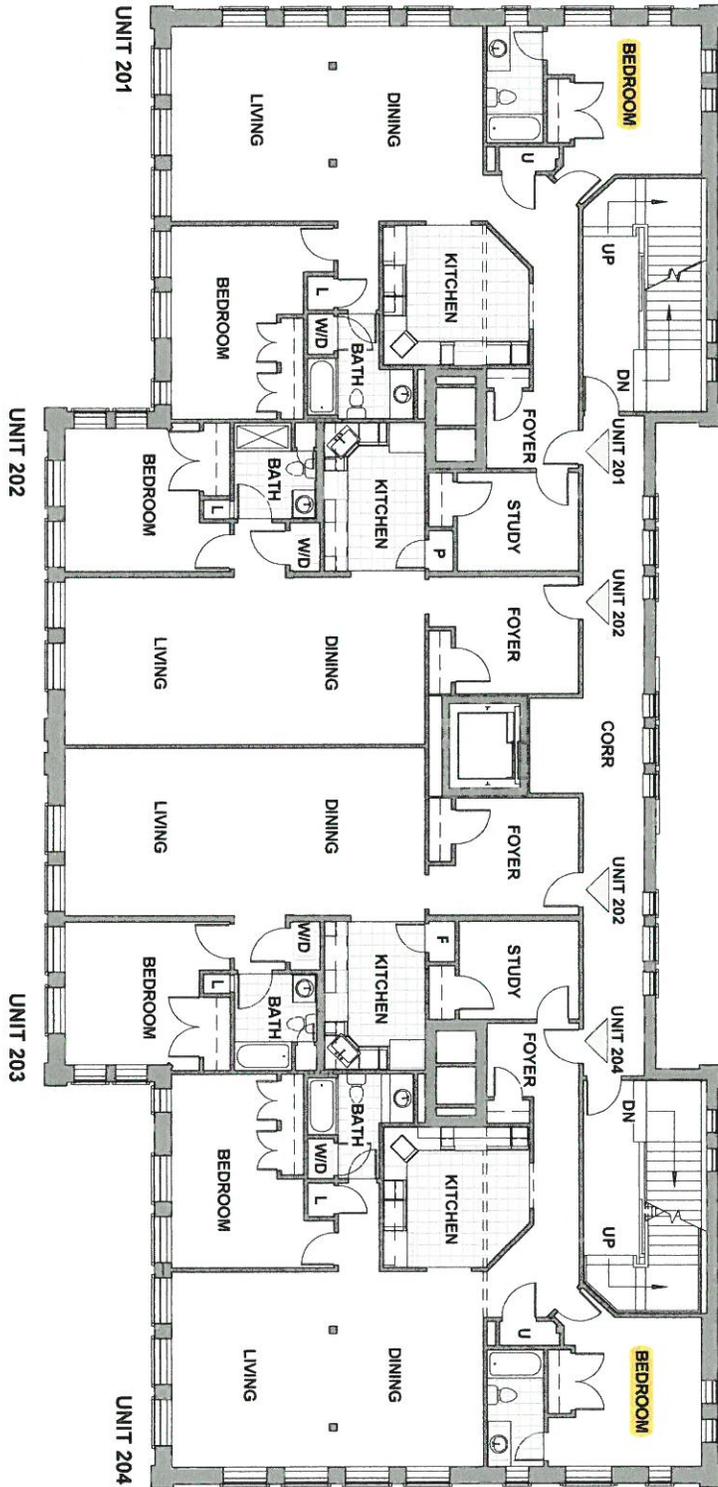
Schoolhouse Residences, LLC.
Maplewood School Residences
120 Maplewood Avenue, Gloucester, MA 01930

FIRST FLOOR

Project number 14011_MAAAR
Date 7/27/17
Drawn by AKP
Checked by WJP
Scale 3/32" = 1'-0"

A1.1

ACACIA STREET



MAPLEWOOD AVENUE

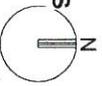


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10 Derby Square
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978.740.9979

Schoolhouse Residences, LLC.
Maplewood School Residences
120 Maplewood Avenue, Gloucester, MA 01930

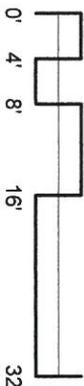


SECOND FLOOR

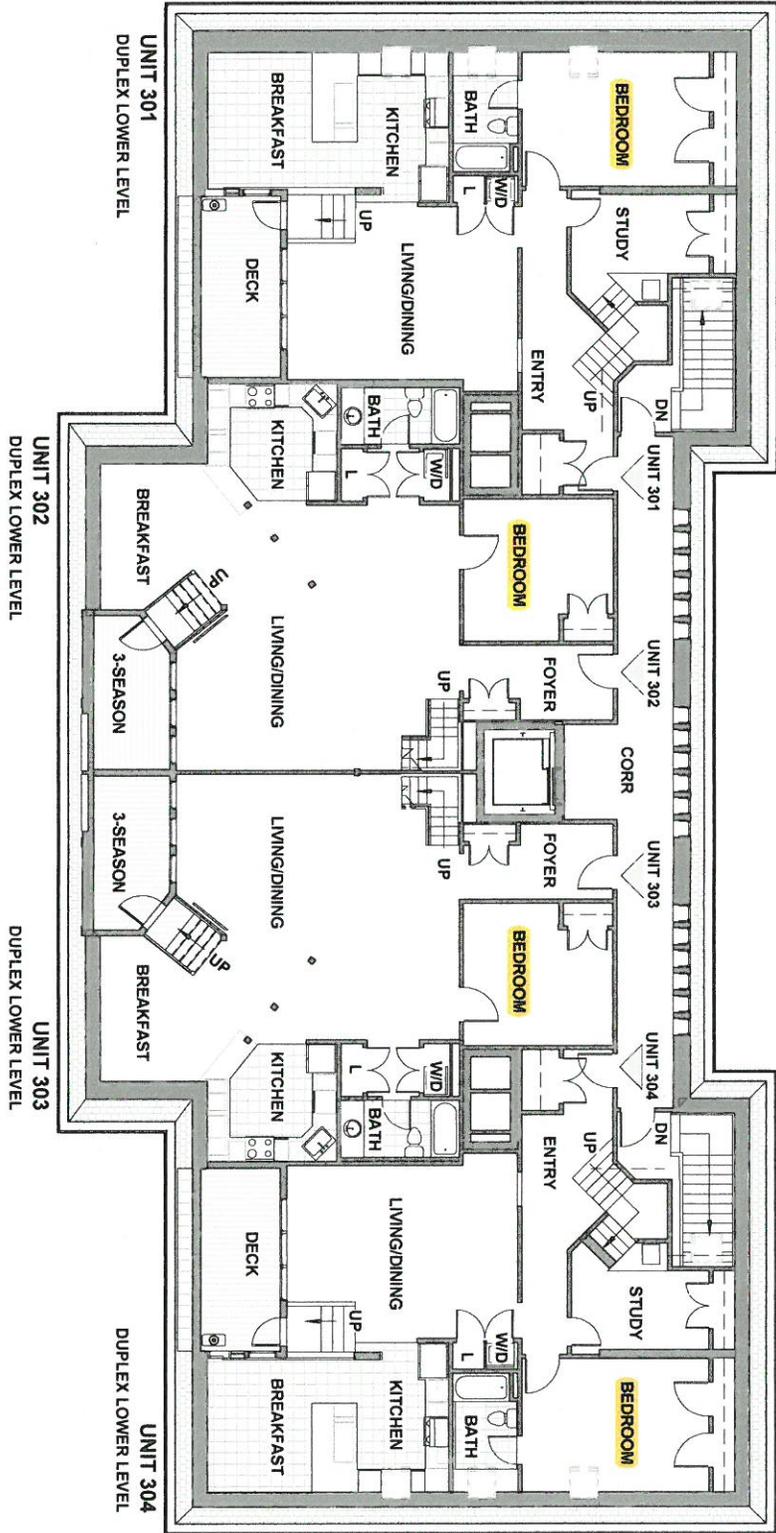
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Date	7/27/17
Drawn by	AKP
Checked by	WJP

A1.2

Scale 3/32" = 1'-0"



ACACIA STREET



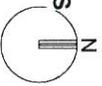
MAPLEWOOD AVENUE



Derby Square Architects

10 Derby Square
Garden Suite NB
Salem, MA 01970
978.740.9979
admin@derbysquarearch.com

Schoolhouse Residences, LLC.
Maplewood School Residences
120 Maplewood Avenue, Gloucester, MA 01930



THIRD FLOOR

Project number	14011 MAAR
Date	7/27/17
Drawn by	AKP
Checked by	WJP

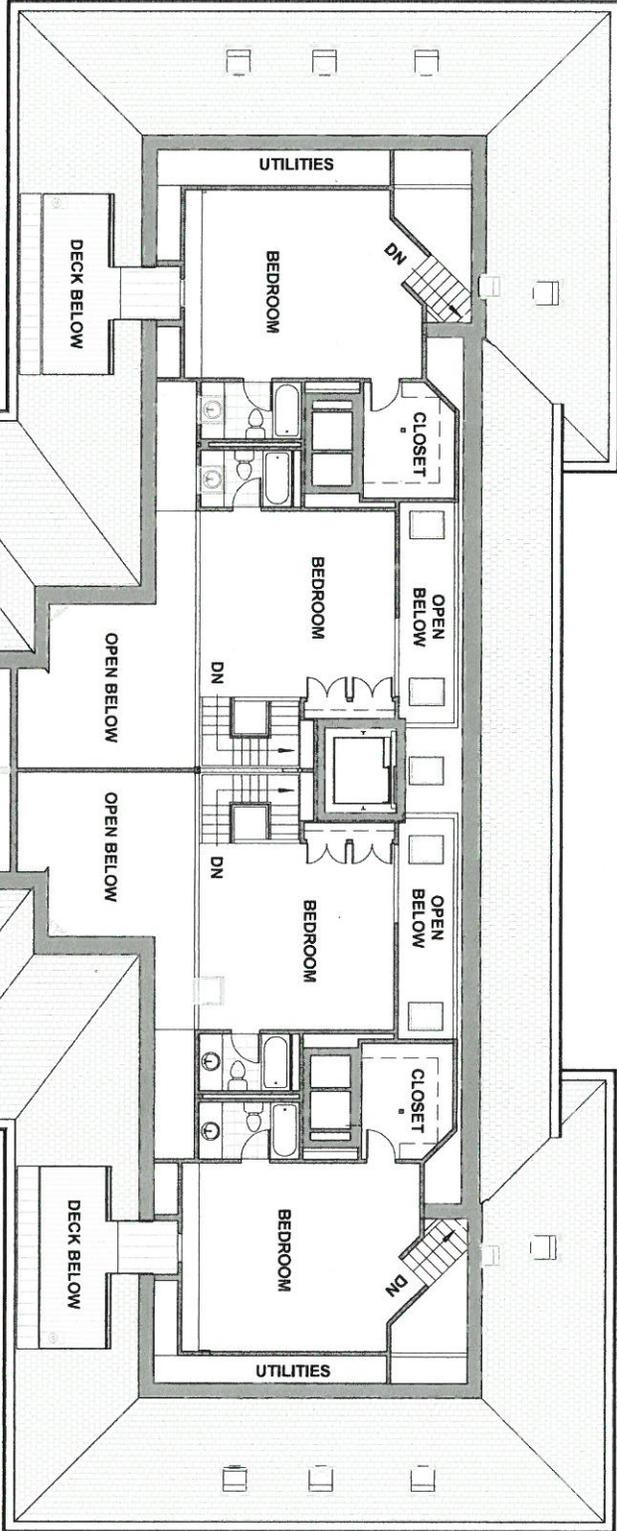
A1.3

Scale 3/32" = 1'-0"

(c) All Rights Reserved

ACACIA STREET

UNIT 301
DUPLIX UPPER LEVEL



UNIT 302
DUPLIX UPPER LEVEL

UNIT 303
DUPLIX UPPER LEVEL

UNIT 304
DUPLIX UPPER LEVEL

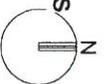
MAPLEWOOD AVENUE



Derby Square Architects

10 Derby Square
Garden Suite NB
Salem, MA 01970
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Schoolhouse Residences, LLC.
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120 Maplewood Avenue, Gloucester, MA 01930

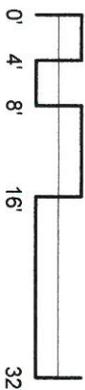


LOFT FLOOR

Project number	14011_MAAAR
Date	7/27/17
Drawn By	AKP
Checked By	WJP

A1.4

Scale 3/32" = 1'-0"





City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit **39-4**

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 as required by the City's Zoning Board of Appeals or City Council and it reflects the abutters to the Parcel known as Map 39 Lot 4 as further shown on the attached map dated 11/9/2017.

ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
39-81 MACDOUGALL DONNA COSTA & P	7 ACACIA ST	39-81	MACDOUGALL DONNA COSTA & P 7 ACACIA ST GLOUCESTER, MA 01930
39-82 ESTES SHERRY L TR C/O WEBSTER BENJAMIN	9 ACACIA ST	39-82	ESTES SHERRY L TR C/O WEBSTER BENJAMIN 9 ACACIA ST GLOUCESTER, MA 01930
39-71 QUINN DAVID QUINN PATRICIA TE	10 ACACIA ST	39-71	QUINN DAVID QUINN PATRICIA TE 10 ACACIA ST GLOUCESTER, MA 01930
39-19 SPOON BETTY ANN	12 ACACIA ST	39-19	SPOON BETTY ANN 12 ACACIA ST GLOUCESTER, MA 01930
39-20 STOKES JEREMIAH JAMES C/O JEROME AARON MICHAEL & HOLLAND HATTI	16 ACACIA ST	39-20	STOKES JEREMIAH JAMES C/O JEROME AARON MICHAEL & HOLLAND HATTI 16 ACACIA ST GLOUCESTER, MA 01930
39-18 ROMEO PETER & RHONDA M	17 ACACIA ST	39-18	ROMEO PETER & RHONDA M 17 ACACIA ST GLOUCESTER, MA 01930
39-17 PORT DEBORAH J C/O COLLINS DEBORAH J	19 ACACIA ST	39-17	PORT DEBORAH J C/O COLLINS DEBORAH J 19 ACACIA ST GLOUCESTER, MA 01930 0000
39-70 GERAGHTY ANNA C/O BYBYEE JOANN	44 MADISON AV	39-70	GERAGHTY ANNA C/O BYBYEE JOANN 44 MADISON AV GLOUCESTER, MA 01930
39-2 SMITH JOSEPH R & GEORGIA	116 MAPLEWOOD AV	39-2	SMITH JOSEPH R & GEORGIA PO BOX 7024 GLOUCESTER, MA 01930
40-83 CARROLL JOHN P & LINDA L C/O VENTIMIGLIA MARK & BOUCHIE SCOTT	117 MAPLEWOOD AV	40-83	CARROLL JOHN P & LINDA L C/O VENTIMIGLIA MARK & BOUCHIE SCOTT 4 GLENMERE RD ROCKPORT, MA 01966



City of Gloucester Abutters Report

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Gloucester Board of Assessors.

Abutters to Parcel: Map-Lot-Unit **39-4**

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ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
39-3 SOPER JOANN D	118 MAPLEWOOD AV	39-3	SOPER JOANN D 118 MAPLEWOOD AV GLOUCESTER, MA 01930
40-82 VICARI ROBERT & AMY	119 MAPLEWOOD AV	40-82	VICARI ROBERT & AMY 119 MAPLEWOOD AV GLOUCESTER, MA 01930
39-4 GLOUCESTER CITY OF	120 MAPLEWOOD AV	39-4	GLOUCESTER CITY OF 9 DALE AV GLOUCESTER, MA 01930
40-81 FRITHTSEN JODI M & JEFFREY D	121 MAPLEWOOD AV	40-81	FRITHTSEN JODI M & JEFFREY D 121 MAPLEWOOD AV GLOUCESTER, MA 01930
39-5 CHRISTOPHER JOHN J & IDA M	122 MAPLEWOOD AV	39-5	CHRISTOPHER JOHN J & IDA M 122 MAPLEWOOD AVE GLOUCESTER, MA 01930 0000
40-80 LAFLAM SHIRLEY	123 MAPLEWOOD AV	40-80	LAFLAM SHIRLEY 123 MAPLEWOOD AV GLOUCESTER, MA 01930
39-6 GUCCIARDI JOSEPH & DELLA MARTA JULIE	124 MAPLEWOOD AV	39-6	GUCCIARDI JOSEPH & DELLA MARTA JULIE 124 MAPLEWOOD AV GLOUCESTER, MA 01930



City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit **39-4**

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 as required by the City's Zoning Board of Appeals or City Council and it reflects the abutters to the Parcel known as Map 39 Lot 4 as further shown on the attached map dated 11/9/2017.

ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
<p>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.</p> <p>Nancy A. Papows, MAA Gary I. Johnstone, MAA Bethann B. Godinho, MAA GLOUCESTER BOARD OF ASSESSORS</p> <p>City of Gloucester Assessors' Office, City Hall, 9 Dale Avenue, Gloucester, MA 01930</p> <p>11/9/2017</p>			



City of Gloucester Abutters Report

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.

Abutters to Parcel: Map-Lot-Unit **39-4**

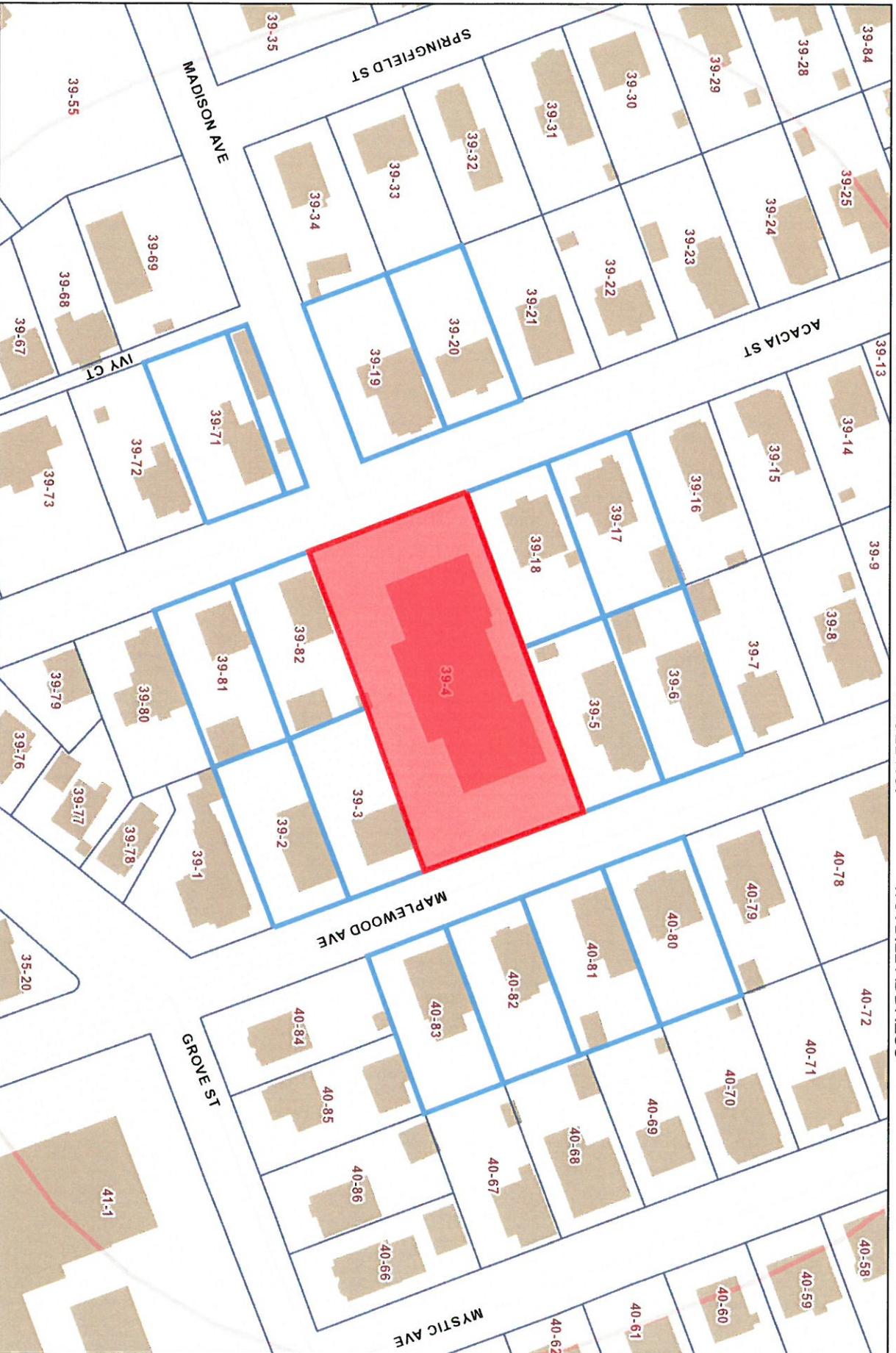
This list of owners of record as shown on the most recent tax list of the City of Gloucester has been prepared for the purposes of notifying abutters as required by the City's Zoning Board of Appeals or City Council and it reflects the abutters to the Parcel known as Map 39 Lot 4 as further shown on the attached map dated 11/9/2017.

ABUTTER

STREET ADDRESS

PARCEL NO.

TAX BILL ADDRESS



RECEIVED

FEB 18 2014

Per _____



CITY OF GLOUCESTER

GLOUCESTER * MASSACHUSETTS * 01930

Decision: Gloucester Zoning Board of Appeals
Petitioner: Gloucester Development Team, Inc.
Petition: Seeking variances for side yard setbacks, lot area per dwelling unit, lot coverage, percentage of vegetative cover and §4.14a allowing parking in both front yards, and Special Permit to change alterations of the pre-existing, nonconforming structure and use (§§ 1.9 and 2.4) so as to apply to the City Council for a multi-family Special Permit at 120 Maplewood Avenue (Assessor's Map 39, Lot 4).

14 FEB 28 AM 11:11
CITY CLERK
GLOUCESTER, MA

The Board finds that proper notice has been given by mailing and advertising. The hearing was commenced at the time and place as advertised: Thursday, January 9, 2014 at 7:00 p.m., Kyrouz Auditorium, Gloucester City Hall, Dale Avenue, Gloucester, Massachusetts, as aforesaid, and at which time all testimony was taken.

Board Members Present: James P. Movalli, Chairman
Virginia Bergmann, Vice Chairman
David B. Gardner, Esquire
Francis Wright
Michael C. Nimon

The zoning classification of the subject land with public school building thereon at 120 Maplewood Avenue, Gloucester, is R-5 (High Density Residential).

First, speaking for the Petitioner was Marc N. Sandler, of 28 Dale Avenue, Gloucester, who introduced himself as the President and a member of the Board of Gloucester Development Team, Inc., the Petitioner, which is a Massachusetts non-profit corporation with an address of 28 Dale Avenue. Mr. Sandler informed the Zoning Board of Appeals that in response to the City's most recent request for a proposal (RFP) dated July 10, 2012, the City and Petitioner entered into a Purchase & Sale Agreement, dated August 28, 2013, whereby the Petitioner agreed to purchase the City land and building as aforesaid, for the conversion thereof to a twelve unit unit dwelling structure in accordance with plans submitted with this Application as required, and subject to obtaining the requisite variances and Special Permits from the Board of Appeals and City Council.

The reasons for the Petitioner's requests of three variances and two Special Permits are set forth on page 5 of the Application for Variance or Special Permit, and supplemented by a site plan and elevation and floor plans (attached to the Petitioner's Application), were addressed by Mr. Kirk Noyes, a member of the Petitioner's Board and knowledgeable as to the applicable dimensional requirements of the zoning ordinance.

2.18.14

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[Signature]
CITY CLERK

Mr. Noyes explained that in the application chart entitled "Form 001" Petitioner does not require variances from minimum lot area, minimum lot width, minimum lot frontage, minimum front yard – east, minimum front yard – west, minimum side yard – south, maximum lot coverage, frontage width to principal building, and minimum off street parking for a dwelling unit.

However, three variances from the requirements of the zoning ordinance as set forth in Petitioner's application are requested as shown in the Application and on the abbreviated chart below, as follows:

Variance Relief Being Requested	A. Required Dimensions	B. Existing or Proposed Dimension	A minus B equals Requested Relief
Minimum Side Yard – North § 3.2.2	19.30'	13.25'	6.05'
Vegetative Cover in Front Yard § 3.2.2 footnote (b)	65%	18%	47%
Parking Within Front Yard §§ 1.7 & 4.1.4 (a)(2)	None Allowed		Allow in both yards

Mr. Noyes also asked that the Board grant two Special Permits as requested in the Application (in red ink on page 5) applicable to Section 1.9 and 2.4 of the Zoning Ordinance for the change, extension or alteration of a pre-existing nonconforming structure and for a nonconforming use.

No other persons spoke in favor of the petition, and no one spoke in opposition. The public hearing was closed, after which the Board Members discussed the petition. Chairman Movalli then offered, and to which all Board Members agreed, that the standard to be applied in the three above mentioned requests for variances have been met, as follows:

1. That there exists a hardship from circumstances relating to the soil conditions, shape or topography of the land or structure(s) in question, which circumstances particularly affect such land or structures, but which do not generally affect the zoning district in which they are located; and
2. That the desired variances may be granted without substantial detriment to the public good, and without nullifying or substantially derogating from the intent or purpose of the Zoning Ordinance.

Thereafter, the members of the Board discussed, and agreed, that the criteria for granting the Special Permits have been considered as follows:

1. Social, economic or community needs served by the proposal;
2. Traffic flow and safety;
3. Adequacy of utilities and other public services;
4. Neighborhood character and social structure;
5. Qualities of the natural environment; and
6. Potential fiscal impact.

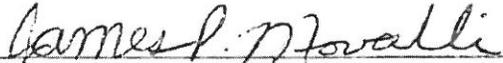
Lastly, Vice Chairman, Virginia Bergmann, requested, and to which the Petitioner agreed, that the imbedded Maplewood School sign over the front door of the building, not be removed and be suitably maintained by the Petitioner.

Accordingly, Petitioner's Application for Variances and Special Permits, are hereby granted as follows:

- Variance No. 1: That a variance for the minimum north side yard width to be reduced from 19.30 feet to 13.25 feet is granted;
- Variance No. 2: That a variance from the minimum vegetative cover in both front yards be reduced from 65% to a combined 18% is granted; and
- Variance No. 3: That a variance from the prohibition of parking within either front yard to allow nine parking spaces in the east front yard, and thirteen parking spaces in the west front yard is granted.
- Special Permit No. 1 That a Special Permit (under section 1.9 and 2.4 of the Zoning Ordinance): allowing the change, extension or alteration of a pre-existing nonconforming structure is granted; and
- Special Permit No. 2 That a Special Permit (under Section 1.9 and 2.47 of the Zoning Ordinance): allowing the change, extension or alteration of a pre-existing nonconforming use is granted.

VOTE OF THE BOARD

In favor


James P. Movalli, Chairman


Virginia Bergmann, Vice Chairman


David B. Gardner, Esquire


Francis Wright


Michael C. Nimon

The within vote is in accordance with the plans submitted and approved by the Board on January 9, 2014. The petitioner must construct according to those plans. This decision is granted in accordance with the Zoning Ordinance of 2008.



City of Gloucester
Office of the City Clerk
9 Dale Avenue
Gloucester, Massachusetts 01930

Office (978) 281-9720 Fax (978) 282-3051

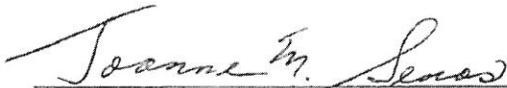
Attachment to Board of Appeals

Gloucester Development Team, Inc.
120 Maplewood Ave
Gloucester, Massachusetts 01930

Map 39, Lot 4 Locus (if different from above): 120 Maplewood Avenue

Addendum to the above:

I, Joanne M. Senos, Assistant City Clerk for the City of Gloucester, hereby certify that this decision is a true and accurate copy of the original decision, which decision is filed in the City Clerk's Office, and that 20 days has elapsed since the filing of such decision, and I further certify that no notice of appeal concerning this decision has been filed in said office. It is the obligation of the above named applicant to determine if an appeal has been filed with the courts.



Joanne M. Senos, Assistant City Clerk

March 21, 2014
Date

Seal:

CITY CLERK
GLOUCESTER, MA
15 NOV 19 AM 10:04

In Re:

Application of Gloucester Development)
Teams, Inc. for a Special Council Permit)
for Maplewood Avenue School)
Pursuant to the)
City of Gloucester Zoning Ordinance)
Section 1.8.3)
Sections 2.3.1(8) and 5.7.1)
Section 1.10.1(a)(1))
Section 1.10.1(a)(3) and 3.2.2 footnote (a))
Major Project Permit – Section 5.7.1)
SCP 2015-004)

**DECISION OF THE CITY
COUNCIL OF THE CITY
OF GLOUCESTER**

The City Council of the City of Gloucester, Massachusetts, constituting the Special Permit granting authority under the laws of the Commonwealth of Massachusetts and the Zoning Ordinance of the City of Gloucester, hereby adopts the following findings and decision (“Decision”) with regard to the application of Gloucester Development Teams, Inc. (“GDT”) for a Special Council Permit (“Special Permit”) for the Maplewood Avenue School pursuant to Section 1.8.3 of the City of Gloucester Zoning Ordinance.

On July 22, 2015, GDT filed an Application for a Special Permit to convert an empty former public school building into 12 residential units. The application is incorporated herein by reference. The building has been vacant for the last ten years.

The property is located at 120 Maplewood Avenue, Gloucester and is shown on Assessor’s Map 39, as Lot 4 (“Site”). The Site is located in a High Density residential (R-5) zoning district. GDT seeks a Special Permit as required by Section 1.8.3 of the Ordinance. Section 1.8.3 of the Ordinance states that a special permit “shall be granted only upon a written determination by the Special Permit Granting Authority that the proposed use will be in harmony with the general purpose and intent of the Ordinance, and that it will not adversely affect the neighborhood, the zoning district or the City to such an extent as to outweigh the beneficial effects of said use.” GDT also seeks a Special Permit for a multi-family building in an R-5 District (GZO 2.3.1(8) and 5.7.1), a building over 30 feet high (GZO 1.10.1(a)(1)), minimum lot area per dwelling unit, minimum open space per dwelling unit (GZO 1.10.1(a)(3) and 3.2.2 footnote (a)), and a project containing more than 11 dwelling units (GZO 5.7.1).

PLANNING AND DEVELOPMENT COMMITTEE

On August 5, 2015, the Planning and Development Committee (“Committee”) held a properly noticed meeting. Kirk Noyes, representing GDT, explained that the

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[Handwritten Signature]

building will have 12 units. There will be 21 parking spaces including 2 handicapped spaces.

Linda Lowe, City Clerk, explained that under the Major Projects, GZO Sec. 5.7.3, six city departments need to review the project. GZO Sec. 5.7.3 requires that the project be reviewed by Public Health, Building, Public Works, Engineering, Fire and Conservation. Once those recommendations are received, the Committee reviews those recommendations and may condition the permit upon them.

A site visit was scheduled for August 10, 2105 and a neighborhood meeting was scheduled for August 12, 2015.

On September 16, 2015, the Committee held a properly noticed meeting. Councilor Verga noted that he confirmed with City Clerk Linda Lowe that all department sign offs pursuant to GZO Section 5.7.3 were in place and the recommendation of the Planning Board as is required under GZO Section 5.7.4 and 5.7.5, was completed. Councilor LeBlanc noted that the Applicant had met with the neighbors in several meetings and had addressed most of the concerns of the neighborhood.

After discussion, the Committee voted 3 in favor, 0 opposed to recommend that the City Council grant a Special Permit for Major Project for 120 Maplewood Avenue to Gloucester Development Teams, Inc. Map 39, Lot 4 pursuant to GZO Section 2.3.1(8) multifamily use dwelling and Section 5.7.1 Major Project. The Committee found that the project was in harmony with GZO Sec. 1.8.3 pursuant to the six Special Council Permit conditions governing criteria with the following conditions:

1. That if occupants are allowed to have pets, provisions should be made, whether in a letting agreement or condominium association master deed, for the requirement of collecting and properly disposing of pet waste.
2. That property maintenance including snow removal and trash removal is the obligation of the property owner(s).
3. That the applicant will pay for a Third Party Code Review conducted by a Code Reviewer of the City of Gloucester's choosing. All identified areas of concern as enumerated by the Gloucester Fire Chief and his staff are covered under Fire Safety Code (527 CMR 1.00) and Mass. G.L. on Fire Prevention (MGL c. 48). The conclusions of the Third Party Fire Safety Review are to be adhered to and additionally are incorporated herein.
4. The Fire Alarm System is to be connected by radio control master box to the City of Gloucester's municipal fire notification system and the building shall be sprinkled.
5. Detailed plans are to be designed and stamped by a registered design professional at the time of the building permit application as directed by the Building Inspector.
6. A final set of construction level site and utility plans are to be provided to the Gloucester Department of Public Works, both the Engineering Division and the Utility Division not less than 30 days prior to the request for sign-off as part of the

Building Permit Process. In addition to two hard copies of the plans, an electronic version (PDF) shall be provided for the city's Electronic Filing Cabinet (ECF) application.

7. A final set of "As Built" site and utility plans are to be provided to the Gloucester Department of Public Works, both the Engineering Division and the Utility Division not less than 30 days prior to the request for sign-off as part of the Certificate of Occupancy Process. This plan shall be a survey level document (250 CMR 6 et seq.) prepared in accordance with the Standards of the City Department of Public Works, and shall be prepared to the satisfaction of the City Engineer, and further shall include ties to critical components of underground utility systems.
8. The Zoning relief granted at the request of the Applicant for 120 Maplewood Avenue by the Gloucester Zoning Board of Appeals in a decision dated February 28, 2014 is incorporated herein.

The Committee also voted 3 in favor, 0 opposed to recommend that the City Council grant a Special Permit for Major Project for 120 Maplewood Avenue to Gloucester Development Team, Inc., Map 39, Lot 4, pursuant to GZO Sections 1.10.1(a)(3) and 3.2.2 footnote (a) for a minimum lot area per dwelling unit from 2,500 square feet to 1,695 square feet and minimum open space per dwelling unit from 1,250 square feet to 424 square feet and a Special Permit for Height Exception under Sec. 1.10(a)(1) to a height of 53.91 feet for a height exception of 23.91 feet. The Committee also found that the Application complies with the requirements of Zoning Ordinance Sections 5.7.5 Major Projects Special Permit criteria (a) through (d) and the project construction is subject to Zoning Ordinance 5.7.6 in that the Special Council Permit is made conditional upon project execution not deviating from supporting documentation without explicit authorization.

The matter moved forward to the full City Council and was advertised for public hearing on September 22, 2015.

CITY COUNCIL

The public hearing was continued at the request of the Applicant to October 13, 2015. On October 13, 2015, the City Council opened the public hearing on the Application at 9:07 p.m.

Attorney Mark Sandler of 28 Dale Avenue, Gloucester appeared on behalf of GDT and stated that GDT has developed several rehabilitated schools. He noted that GDT has tried to be a positive influence on housing on Cape Ann.

Kirk Noyes, 1 Woodbury Street, Gloucester also spoke for GDT and explained the project. There are four special permit conditions: (1) to build more than seven units, (2) the building is 54 feet high, (3) the project has less than the minimum open space for a dwelling unit and needs parking, (4) the Major Project permit is required for over 11

The City Council closed the public hearing at 9:44 p.m.

The City Council then read the recommendation of the Planning and Development Committee recommending that the City Council grant the Special Permit.

On a motion to add a condition that first preference for residential units be given to Gloucester residents who are veterans of the U.S. Armed Services, the vote was 9 in favor, 0 opposed.

On a motion to add a condition that snow is to remain on the property or be removed off site at the expense of the property owner(s), the vote was 8 in favor, 1 opposed.

FINDINGS OF THE CITY COUNCIL

MOTION: The City Council voted by ROLL CALL 9 in favor, 0 opposed, to grant the Special Council Permit for 120 Maplewood Avenue, Map 39, Lot 4 for Major Project for 120 Maplewood Avenue to Gloucester Development Teams, Inc. pending completion of the sale pursuant to terms outlined in the previously executed Purchase and Sale Agreement dated August 28, 2013 and subsequent transfer of deed to Gloucester Development Team pursuant to GZO Section 2.3.1(8) Multi-Family Use and Section 5.7.1 Major Project for a project containing more than 11 dwelling units as shown on site plans entitled, "Maplewood School Residences" by Kontseptual Architects stamped by William Peterson, Registered Architect, dated June 25, 2015 consisting of 10 sheets and "Site Plan" for 120 Maplewood Avenue, Gloucester, Massachusetts, prepared by Mill River Consulting with no revisions noted, labelled as "Not for Construction" and stamped by Raymond L. Willis, III on July 14, 2015 consisting of 3 sheets. The City Council finds that this project is in harmony with the six Special City Council permit conditions pursuant to GZO Sec. 1.8.3 with the following conditions:

1. That if occupants are allowed to have pets, provisions should be made, whether in a letting agreement or condominium association master deed, for the requirement of collecting and properly disposing of pet waste.
2. That property maintenance including snow removal and trash removal is the obligation of the property owner(s).
3. That the applicant will pay for a Third Party Code Review conducted by a Code Reviewer of the City of Gloucester's choosing. All identified areas of concern as enumerated by the Gloucester Fire Chief and his staff are covered under Fire Safety Code (527 CMR 1.00) and Mass. G.L. on Fire Prevention (MGL c. 48).

The conclusions of the Third Party Fire Safety Review are to be adhered to and additionally are incorporated herein.

4. The Fire Alarm System is to be connected by radio control master box to the City of Gloucester's municipal fire notification system and the building shall be sprinkled.
5. Detailed plans are to be designed and stamped by a registered design professional at the time of the building permit application as directed by the Building Inspector.
6. A final set of construction level site and utility plans are to be provided to the Gloucester Department of Public Works, both the Engineering Division and the Utility Division not less than 30 days prior to the request for sign-off as part of the Building Permit Process. In addition to two hard copies of the plans, an electronic version (PDF) shall be provided for the city's Electronic Filing Cabinet (ECF) application.
7. A final set of "As Built" site and utility plans are to be provided to the Gloucester Department of Public Works, both the Engineering Division and the Utility Division not less than 30 days prior to the request for sign-off as part of the Certificate of Occupancy Process. This plan shall be a survey level document (250 CMR 6 et seq.) prepared in accordance with the Standards of the City Department of Public Works, and shall be prepared to the satisfaction of the City Engineer, and further shall include ties to critical components of underground utility systems.
8. The Zoning relief granted at the request of the Applicant for 120 Maplewood Avenue by the Gloucester Zoning Board of Appeals in a decision dated February 28, 2014 is incorporated herein.
9. It is requested that preference for residential units be given to Gloucester residents who are veterans of the U.S. Armed Services.
10. It is required that any snow is to remain on the property or be removed off site at the expense of the property owner(s).

MOTION: The City Council voted by ROLL CALL 9 in favor, 0 opposed, to grant the Special Council Permit for Major Project, Gloucester Development Teams, Inc. Map 39, Lot 4, R-5 (High Density Residential) zoning classification, pursuant to GZO Sections 1.10(a)(3) and 3.2.2 footnote (a) for minimum lot area per dwelling unit from 2,500 square feet to 1,695 square feet and minimum open space per dwelling unit from 1,250 square feet to 424 square feet and a Special Permit for height exception under Section 1.10.1(a)(1) to a height of 53.91 feet for a height exception of 23.91 feet as shown on site plans entitled "Site Plan" for 120 Maplewood Avenue, Gloucester, Massachusetts, prepared by Mill River

Consulting with no revisions noted, labelled as "Not for Construction" and stamped by Raymond L. Willis, III on July 14, 2015 consisting of 3 sheets.

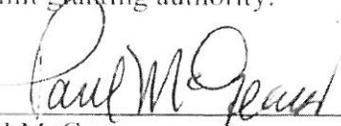
Further, the Application complies with the requirements of Zoning Ordinance 5.7.5 Major Project Special Permit criteria (a) through (d), and the project construction is subject to Zoning Ordinance 5.7.6 in that the Special Council Permit is made conditional upon project execution not deviating from supporting documentation without explicit authorization.

GENERAL CONDITIONS

1. The minutes of the Planning and Development Committee meetings and the October 13, 2015 City Council public hearing and all documents and testimony received during the hearings are incorporated into this Decision.
2. Each finding, term and condition of this Decision is intended to be severable. Any invalidity in any finding, term or condition of this Decision shall not be held to invalidate any other finding, term or condition of this Decision.

On November 19, 2015, the City Council adopted this Decision.

Pursuant to Rule 25 of the City Council Rules of Procedure, the President of the City Council and the City Clerk have signed this decision demonstrating that it is a true and accurate reflection of the October 13, 2015 vote of the City Council sitting as the special permit granting authority.

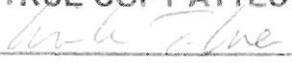


Paul McGeary
President, Gloucester City Council



Linda T. Lowe
City Clerk

Dated: 11/17, 2015

A TRUE COPY ATTEST


RIGHT OF APPEAL

This decision may be appealed pursuant to General Laws, Chapter 40A, Section 17, to the Superior Court of Essex County or the District Court of Eastern Essex by bringing an action within twenty days after this decision has been filed in the Office of the City Clerk.

CERTIFICATE OF NOTICE

I hereby certify that notice of this decision was mailed forthwith to the applicant, to the parties in interest designated in G.L. Ch. 40A, Section 11, and to every person present at the hearing who requested that notice be sent to him and stated the address to which notice should be sent on this date.

120 Maplewood Ave.
Linda T. Lowe
Linda T. Lowe, City Clerk

11-19-15

CERTIFICATE OF LAPSE OF APPEAL

I hereby certify that twenty (20) days have elapsed from the date of the filing of this decision with the Office of the City Clerk and that no appeal has been filed with said office.

Date: 12/11/15

Linda T. Lowe
Linda T. Lowe, City Clerk

15 DEC 11 AM 10:31
CITY CLERK
GLOUCESTER, MA

APPEAL FILED

Date of Filing:

Linda T. Lowe, City Clerk

APPEAL DISMISSED

I hereby certify that an appeal of this decision was filed in Essex Superior Court, Civil Action # _____ . The Appeal was dismissed with prejudice by agreement of the parties on _____ .

Linda T. Lowe, City Clerk

A TRUE COPY ATTEST

Linda T. Lowe



CITY OF GLOUCESTER
GLOUCESTER, MASSACHUSETTS - 01950

City of Gloucester
Special Council Permit - Application

(Public hearing to be held no
later than above date)

In conformance with the requirements of the Zoning Ordinance of the City of Gloucester, the undersigned hereby applies for a Special Council Permit (CC or CCS) in accordance with Section 1.8.3 of the Ordinance and other Sections as listed below:

Type of Permit:

Special Permits for - Section 2.3.1(8) & 5.7.1	Multi-family use in an R-5 District
Section 1.10.1(a)(1)	Building over 30 feet high
Sections 1.10.1(a)(3) & 3.2.2 footnote (a)	Minimum lot area per dwelling unit
Sections 1.10.1(a)(3) & 3.2.2 footnote (a)	Minimum open space per dwelling unit
Major Project Permit - Section 5.7.1	Project containing more than 11 dwelling units

Applicant's Name: Gloucester Development Teams, Inc.

Owner's Name: City of Gloucester - Maplewood Avenue School

Location: 120 Maplewood Avenue Map #: 39 Lot #: 4

Zoning Classification: R-5

- Attached is a list of owners (with complete addresses) of land directly opposite on any public or private street or way, direct abutters, and abutters to the abutters of land within three hundred (300) feet of the property line, as they appear on the most recent City of Gloucester Assessor's Maps and Tax list.
- Attached is a listing of criteria set forth in Section 1.8.3 of the Zoning Ordinance, including any supportive material or comments the applicant may wish to include (i.e. ZBA decisions, Order of Conditions, etc.) if necessary.
- Attached are the necessary plans as set forth in Section 1.5.3, of the Zoning Ordinance, which at a minimum consist of an accurate plot plan (to scale) showing existing and/or proposed building or structures.

City of Gloucester - Action

Fee: _____
City Clerk (received): _____
City Council (received): _____
Public Hearing (ordered) _____
Public Hearing (opened) _____
Public Bearing (closed) _____
Final Decision _____
Disposition _____
(Approved, Denied, Approved w/conditions)

Applicant:

Nick Noyes

Name (Signature)

1 KLOBBERY ST., Gloucester

Address

978-281-1211

Telephone

Certified for completeness:

Building Inspector: *AS* Date: *7/15/15*

Planning Director: *BMC* Date: *7/15/15*

Application for Special Permit & Major Project Permit

The undersigned applicant hereby applies for a special permit under M.G.L., Ch. 40A, Section 9 as follow.

1. Applicant (includes equitable owner or purchaser on a purchase and sales agreement):

Name: Gloucester Development Team, Inc. %Kirk Noyes

Address: 1 Woodbury Street, Gloucester, MA 01930

Tel # Days 978-281-1211 Evenings 978-281-1211

2. Owner, if other than applicant:

Name: City of Gloucester %Michael Hale, DPW Director

Address: Poplar Street, Gloucester, MA

Tel # Days: 978—281-9785 Evenings:

3. Property:

Street Address: 120 Maplewood Avenue – The Maplewood Avenue School

Assessor's Map: 39 Lot: 4

Registry of Deeds where deed, plan, or both records:

Essex South District Registry of Deeds, Salem, MA

Deed recording: Book 1356 Page 28 & 29 Dated: Sept. 5, 1892

Plan recording: Plan # None

Property is located in the R-5 zoning district.

4. Nature of relief requested:

<p><i>Special Permits Being Requested Pursuant to the Following Sections of The Zoning Ordinance</i></p>	<p><i>A. Required Dimensions By Ordinance</i></p>	<p><i>B. Existing or Proposed Dimension</i></p>	<p><i>A minus B Equals Relief Requested</i></p>
<p><i>Section 2.3.1(8) & 5.7.1 of the Zoning Ordinance</i></p>	<p><i>For multi-family use, in an R-5 District, of 7 or more residential units. (See the specific requirements of Sections 2.3.1(8) and 5.7.1) of the Gloucester Zoning Ordinance</i></p>		
<p><i>Maximum Building Height Section 1.10.1(a)(1) of the Zoning Ordinance</i></p>	<p><i>30 feet</i></p>	<p><i>53.91 feet</i></p>	<p><i>23.91 feet</i></p>
<p><i>Minimum Lot Area per D. U. Sections 1.10.1(a)(3) & 3.2.2 Footnote (a) of the Zoning Ordinance</i></p>	<p><i>2500 sf</i></p>	<p><i>1695 sf</i></p>	<p><i>805 sf</i></p>
<p><i>Minimum Open Space per D. U. Sections 1.10.1(a)(3) & 3.2.2 Footnote (a) of the Zoning Ordinance</i></p>	<p><i>1250 sf</i></p>	<p><i>424 sf</i></p>	<p><i>826 sf</i></p>
<p><i>City Council Major Project Special Permit</i></p>	<p><i>Major Project Permit Required for projects containing 11 or more residential units. Section 5.7.1 of Zoning Ordinance</i></p>		

Detailed explanation of request:

The City of Gloucester has, over a ten year period, attempted to market the former Maplewood Avenue School to private developers in the hope that the building could be adapted for reuse as a multi-family building. This process has also reflected the desires of the residents of the immediate neighborhood. This Major Project Special Permit application is in response to the existing conditions on the site and the stated goals of both the City and most neighbors.

The City has specifically requested that the building be converted into 12 residential units. Accordingly, that number, combined with the existing lot and building size, mandates the above referenced relief from the existing Zoning Ordinance may be granted, provided:

1. A CCS permit is granted to allow for 12 dwellings in this R-5 District;
2. A CC permit is granted because the existing building is 53.91 feet high, 23.91 feet higher than allowed;
3. A CC permit is granted because the existing 20,339 lot area can only provide 1695 sq. ft. of lot area (with 12 residential units on-site), short of the minimum 2500 sq. ft. of lot area per dwelling unit as required by Ordinance; and
4. A CC permit is granted because the existing site, existing building footprint, and desire to maximize parking along the property's two street frontages, reduces the minimum open space per dwelling unit from 1250 sq. ft. required by Ordinance to 294 sq. ft.

A Major Project permit is granted because the City requested, and this applicant proposes, reuse of the existing building for 12 residential units, and is mandated by Ordinance for any project having 11 or more residential units.

5. Evidence in support of special permits:

The Zoning Ordinance is a document providing clear guidance to those proposing to build or change use of existing structures within a given neighborhood; and, in so doing, also assures existing residents that changes will be appropriate and compatible with the existing neighborhood. But, like all such documents, not every potential situation can be anticipated. This is a classic case in point. The building is a neighborhood landmark, its site is small, and the financial requirements of its reuse dictate a higher concentration of dwelling units than is typical in the neighborhood. But the school's reuse is certainly not incompatible with the neighborhood and will be far less disruptive to neighborhood life as a residential building than it was as a public school. The continued involvement and input from the immediate neighbors is reflected in the City's Request for Proposals. The ZBA has acted and granted it's requisite relief as required under the City's Zoning Ordinance. And now the City Council has the final word, by granting these Special Permit requests, to confirm that these deviations from the prescribed Ordinance standards are not detrimental to the neighborhood.

Because of reasons set forth below, the special permits requested will meet the additional requirements of the Zoning Ordinance/By-Law as follows:

The reuse of this historic neighborhood public building supports exactly the purposes of the existing Zoning Ordinance. Specifically, as clearly stated in Section 1.2 of the Ordinance, the purpose is to encourage housing for persons of all income levels, to conserve the value of land and buildings, conserve natural resources, prevent blight, and encourage the most appropriate use of land (and might we add – historic structures). This proposed reuse does all of the above.

Section 1.8.3

1. ***Social, economic, or community need served by the proposal:*** The reuse of a historic neighborhood landmark, particularly one that has been vacant and deteriorating for more than ten years will have a major positive impact on the immediate surrounding neighborhood. It is probably the only major abandoned building in the City and in a prominent location unfairly suggesting a neighborhood in trouble. Not only will the school's reuse reinforce the residential nature and quality of the neighborhood, but it will also stimulate new housing opportunities for a variety of home owners with a variety of incomes.
2. ***Traffic Flow and safety:*** The existing site is well situated for easy access to major traffic thoroughfares, including Route 128. And, as proposed, the parking requirements are all met on-site, but accessible from two streets, Maplewood Avenue and Acacia Street. This parking arrangement dilutes the traffic flow to and from the site to minimize the impact on either street. The residential reuse of the building will also create much less traffic and vehicular disruption to the neighborhood than the historic use of the building as a public grade school.
3. ***Adequacy of utilities and other public services:*** The site is presently well served by all necessary utilities, including, gas, water, sewer, electricity, and communications. The site is also easily accessible to public service providers including fire, ambulance, and police.
4. ***Neighborhood character and social structure:*** The existing neighborhood is so strongly residential, even along Maplewood Avenue, that a residential reuse of this neighborhood landmark will only reinforce that existing pattern. The scale of the building and its proximity to Maplewood Avenue will, in no uncertain terms, reinforce the residential character of this portion of the avenue. The neighborhood is comprised of working families and retirees. This building, redone for the use of older residents, will reinforce that existing pattern. This new housing is not intended to be luxury housing, but rather a reasonably priced alternative for older residents in the neighborhood who would like to reduce the burdens of home maintenance without the loss of security, and spacious living quarters offered by home ownership.
5. ***Qualities of the natural environment:*** The proposed changes to the site should have a positive impact on the neighborhood and improve on the site's existing conditions. A major change will be the re-grading and retaining wall demolition at the site's northwest corner, providing grades more compatible with those of the immediate abutter and reflective of the original 1890's grades. The proposed site improvements will also remove 60% of the asphalt paving that presently covers the entire site. Replacing this asphalt will be vegetant ground cover. The one on-site existing tree will be retained and five additional trees planted. Also, all site water drainage will be concentrated in two below grade absorption tanks so that site storm water runoff is minimized.
6. ***Potential fiscal impact:*** This vacant school building provides no local tax revenue nor is its condition supportive of housing prices in the immediate neighborhood. The proposed residential reuse of this building should generate an assessed value of approximately \$3,400,000. That valuation, given Gloucester's current tax rate (\$13.65/1000), corresponds to additional annual tax revenue of \$46,400. The addition of 11 new fairly expensive homes, in a historic structure, should also have a positive impact on the prices of existing homes in the immediate neighborhood.

If someone other than owner or equitable owner (purchaser on a purchase and sales agreement) is the Applicant or will represent the Applicant, owner or equitable owner, must designate such representative below.

Name of Representative: _____

Address of Representative: _____

Tel. # Days _____ Evenings: _____

Relationship of representative to owner or equitable owner: _____

I hereby authorize _____ to represent my interest before the Special Permit Granting Authority with respect to this Special Permit Application.

(Signed by owner/equitable owner) _____

I hereby certify under the pains and penalties of perjury that the information contained in this Application is true and complete.

Signature of Applicant Kirk Noyes Date July 15, 2015

Signature of owner _____ Date _____
if other than Applicant

Signature of Equitable Owner Kirk Noyes Date July 15, 2015

Who is filing application to
Satisfy condition of
Purchase and sales Agreement



City of Gloucester Abutters Report

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

Abutters to Parcel: Map-Lot-Unit 39-4

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 as required by the City's Zoning Board of Appeals or City Council and it reflects the abutters to the Parcel known as Map 39 Lot 4 as further shown on the attached map dated 7/15/2015.

ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
39-81 MACDOUGALL DONNA COSTA & P	7 ACACIA ST	39-81	MACDOUGALL DONNA COSTA & P 7 ACACIA ST GLOUCESTER, MA 01930
39-82 GIANANCO PAMELA E & ESTES GARD H	9 ACACIA ST	39-82	GIANANCO PAMELA E & ESTES GARD H 9 ACACIA ST GLOUCESTER, MA 01930 0000
39-71 QUINN DAVID QUINN PATRICIA TE	10 ACACIA ST	39-71	QUINN DAVID QUINN PATRICIA TE 10 ACACIA ST GLOUCESTER, MA 01930
39-19 SPOON BETTY ANN	12 ACACIA ST	39-19	SPOON BETTY ANN 12 ACACIA ST GLOUCESTER, MA 01930
39-20 STOKES JEREMIAH JAMES	16 ACACIA ST	39-20	STOKES JEREMIAH JAMES 16 ACACIA ST GLOUCESTER, MA 01930
39-18 ROMEO PETER & RHONDA M	17 ACACIA ST	39-18	ROMEO PETER & RHONDA M 17 ACACIA ST GLOUCESTER, MA 01930
39-17 PORT DEBORAH J C/O COLLINS DEBORAH J	19 ACACIA ST	39-17	PORT DEBORAH J C/O COLLINS DEBORAH J 19 ACACIA ST GLOUCESTER, MA 01930 0000
39-70 MACCARTHY KENNETH	44 MADISON AV	39-70	MACCARTHY KENNETH 44 MADISON AV GLOUCESTER, MA 01930
39-2 SMITH JOSEPH R & GEORGIA	116 MAPLEWOOD AV	39-2	SMITH JOSEPH R & GEORGIA PO BOX 7024 GLOUCESTER, MA 01930
39-3 SOPER DAVID M & JOANN D	118 MAPLEWOOD AV	39-3	SOPER DAVID M & JOANN D 118 MAPLEWOOD AV GLOUCESTER, MA 01930
40-82 VICARI ROBERT & AMY	119 MAPLEWOOD AV	40-82	VICARI ROBERT & AMY 119 MAPLEWOOD AV GLOUCESTER, MA 01930
39-4 GLOUCESTER CITY OF C/O FULLER SCHOOL	120 MAPLEWOOD AV	39-4	GLOUCESTER CITY OF C/O FULLER SCHOOL 6 SCHOOL HOUSE RD GLOUCESTER, MA 01930 0000
40-81 CORCORAN BRENDAN P & SARA S	121 MAPLEWOOD AV	40-81	CORCORAN BRENDAN P & SARA S 121 MAPLEWOOD AV #2 GLOUCESTER, MA 01930
39-5 CHRISTOPHER JOHN J & IDA M	122 MAPLEWOOD AV	39-5	CHRISTOPHER JOHN J & IDA M 122 MAPLEWOOD AVE GLOUCESTER, MA 01930 0000
40-80 LAFLAM SHIRLEY	123 MAPLEWOOD AV	40-80	LAFLAM SHIRLEY 123 MAPLEWOOD AV GLOUCESTER, MA 01930
39-6 GUCCIARDI JOSEPH & DELLA MARTA JULIE	124 MAPLEWOOD AV	39-6	GUCCIARDI JOSEPH & DELLA MARTA JULIE 124 MAPLEWOOD AV GLOUCESTER, MA 01930



City of Gloucester Abutters Report

Abutters to Parcel: Map/Lot-Unit 39-4

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Gloucester Board of Assessors

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ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
<p>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.</p> <p>Nancy A. Papows, MAA Gary I. Johnstone, MAA Bethann B. Gouinho, MAA GLOUCESTER BOARD OF ASSESSORS</p> <p>City of Gloucester Assessors' Office, City Hall, 9 Dale Avenue, Gloucester, MA 01930</p> <p>7/15/2015</p>			



City of Gloucester Abutters Report

Abutters to Parcel: Map/Lot-Unit 39-4

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ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS

UTILITY DISCLAIMER

LOCATIONS OF ALL UTILITIES AND SUBSURFACE STRUCTURES ARE BASED UPON FIELD LOCATION OF VISIBLE STRUCTURES AND RECORDS OF PUBLIC AND PRIVATE UTILITY COMPANIES AND ARE CONSIDERED TO BE CORRECT. MILL RIVER CONSULTING, INC. MAKES NO GENERAL IDEA OF EXISTING CONDITIONS AND MAY BE RESPONSIBLE FOR ANY PROPOSED DESIGN, EXCAVATION OR CONSTRUCTION.

MILL RIVER CONSULTING, INC. ASSUMES NO RESPONSIBILITY FOR DAMAGES INCURRED AS A RESULT OF UTILITIES OMITTED OR INACCURATELY SHOWN.

EXISTING GRADE CALCULATIONS

EXISTING GRADES	61.42
Northwest Corner	= 61.71
Southwest Corner	= 61.71
Southwest Corner	= 61.65
246-1914	= 61.63
Average Grade	= 61.6

- LEGEND**
- WATER GATE
 - CATCH BASIN
 - CURB STOP
 - SEWER MANHOLE
 - GAS SERVICE GATE
 - UTILITY POLE W/LLPOT
 - TREE
 - SPOT GRADE
 - TOP OF CURB GRADE
 - PROPERTY LINE
 - CONTIGUOUS LINE
 - OVERHEAD WIRE
 - UNDERGROUND GAS LINE
 - UNDERGROUND WATER LINE

Owner:
The City of Gloucester

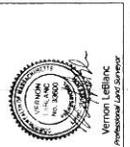
Property Address:
120 Maplewood Avenue
Gloucester, Massachusetts
01930

Map: 39

Lot: 4

Zoning District: R-5

- REFERENCES:**
- 1) Deed Book 1356 Pg. 28
 - 2) Plan Book 3 Plan 49
 - 3) Plan Book 13 Plan 37
 - 4) Plan Book 13 Plan 32
 - 5) Plan Book 3 Plan 51
 - 6) Plan of the layout of
Acacia and Rockland
Mass May 13, 1889



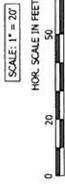
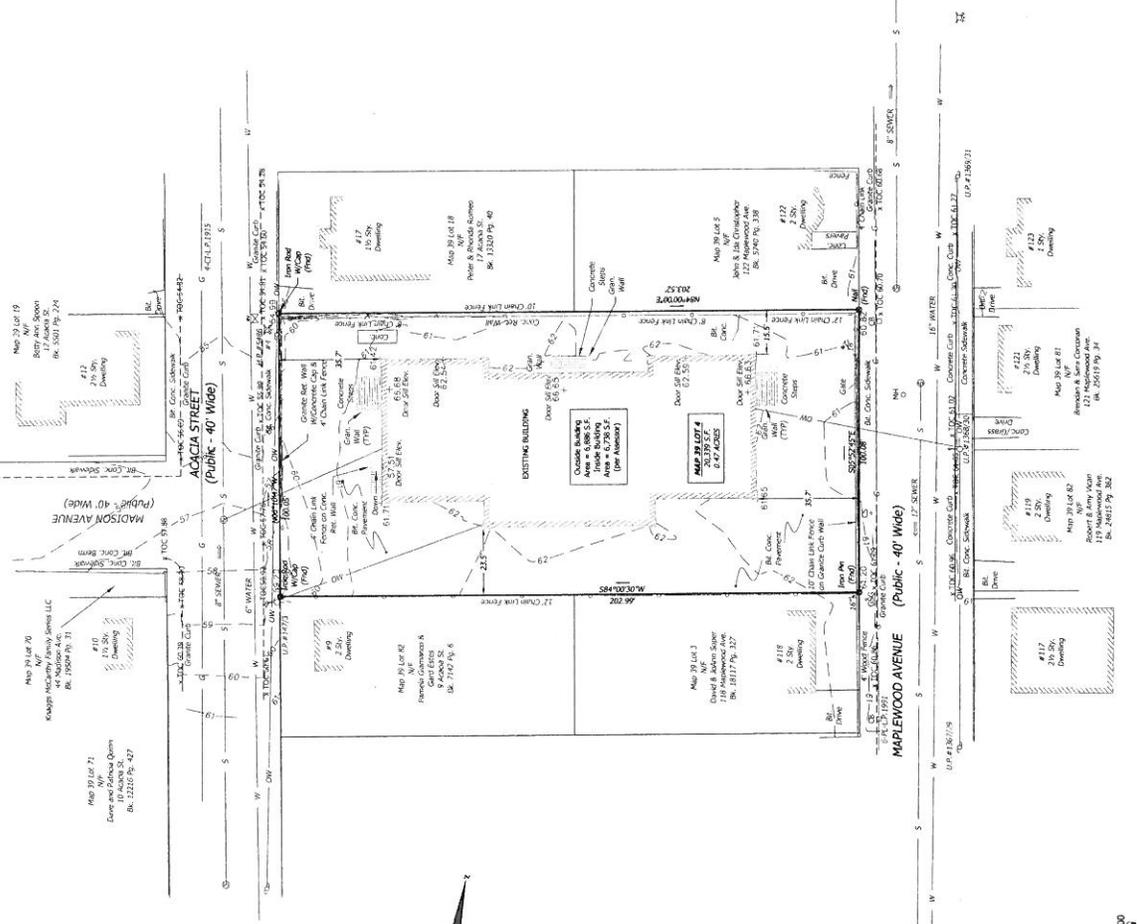
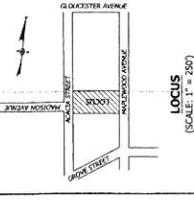
Prepared For:
Gloucester Development Team, Inc.
Gloucester, MA 01930

DATE	REVISION	BY

Mill River Consulting
6 Sargent Street, Gloucester, Massachusetts
Phone: 978-282-0014 Fax: 978-282-1318
www.millriverconsulting.com

Existing Conditions Site Plan for
120 Maplewood Avenue, Gloucester, Massachusetts

Map 39, Lot 4
November 26, 2013
Sheet 1 of 1



Maplewood School Residences

Residential Development

Gloucester Development Team, Inc.

Permit Set Draft 6/6/2016

Project Site:
Former Maplewood School
120 Maplewood Avenue
Gloucester, MA 01930

Client:
Gloucester Development Team, Inc.
58 Middle Street
Gloucester, MA 01930

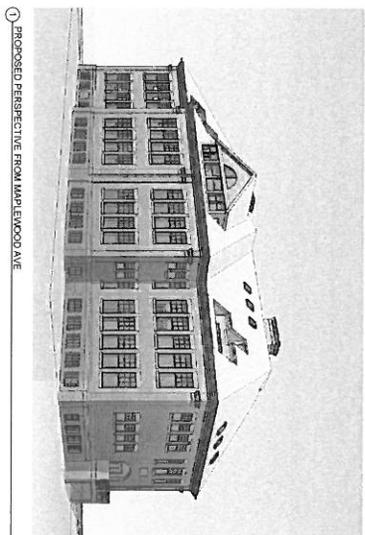
Architect:
Kontseptual, Inc.
10 Derby Square, Garden Suite NB
Salem, MA 01970

Landscape Designer:
Walker Creek Garden Design
19 R. Walker Street
Gloucester, MA 01930

Structural Engineer:
McBride, LLC Structural Design & Sales
160 Sylvan Street
Danvers, MA 01923

Mechanical Engineer:
Sun Engineering Inc.
491 Maple Street, Suite 209
Danvers, MA 01923

Surveyor:
Mill River Consulting
6 Sargent Street
Gloucester, MA 01930



DRAWING INDEX

GENERAL	COVER SHEET
G001	CODE SUMMARY
G002	PROJECT SPECS
G003	ABBREVIATIONS + SYMBOLS
EXISTING/DEMOLITION	
X100	EXISTING DEMO FLOOR PLANS I
X101	EXISTING DEMO FLOOR PLANS II
X102	EXISTING DEMO FLOOR PLANS III
X103	EXISTING DEMO ELEVATIONS
ARCHITECTURAL	
A100	ROOF PLAN
A101	SECOND FLOOR PLAN
A102	THIRD FLOOR PLAN
A103	FOURTH FLOOR PLAN
A104	LOFT FLOOR PLAN
A105	ROOF PLAN
A200	FIRST FLOOR RCP
A201	SECOND FLOOR RCP
A202	THIRD FLOOR RCP
A203	FOURTH FLOOR RCP
A300	ELEVATIONS I
A301	ELEVATIONS II
A302	ELEVATIONS III
A400	BUILDING SECTIONS I
A401	BUILDING SECTIONS II
A402	BUILDING SECTIONS III
A403	ELEVATOR SECTION + DETAIL PLANS
A500	EXTERIOR DETAILS I
A501	EXTERIOR DETAILS II
A502	EXTERIOR DETAILS III
A600	KITCHEN PLANS + ELEVATIONS I
A601	KITCHEN PLANS + ELEVATIONS II
A700	FINISH SCHEDULE + DETAILS
A800	DOOR SCHEDULE
A900	PARTITION TYPES



WEST STAIR



WEST HALLWAY AT STAIR LOOKING WEST



SOUTHWEST CORNER OF CLASSROOM



WEST STAIR

WEST STAIR



SOUTHWEST CORNER OF CLASSROOM



SOUTHWEST CORNER OF CLASSROOM



SOUTHWEST CORNER OF CLASSROOM



SOUTHWEST CORNER OF CLASSROOM



WEST STAIR



WEST STAIR

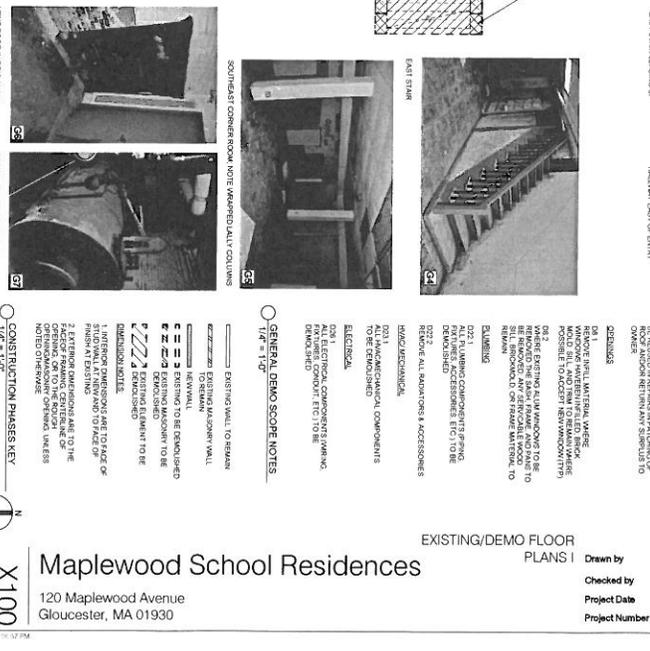
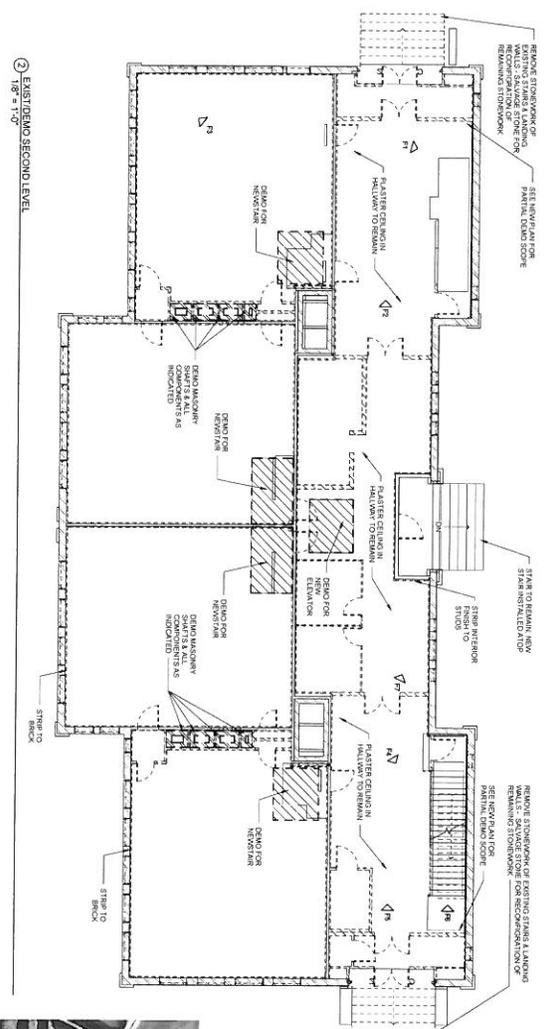


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WEST STAIR

WEST STAIR

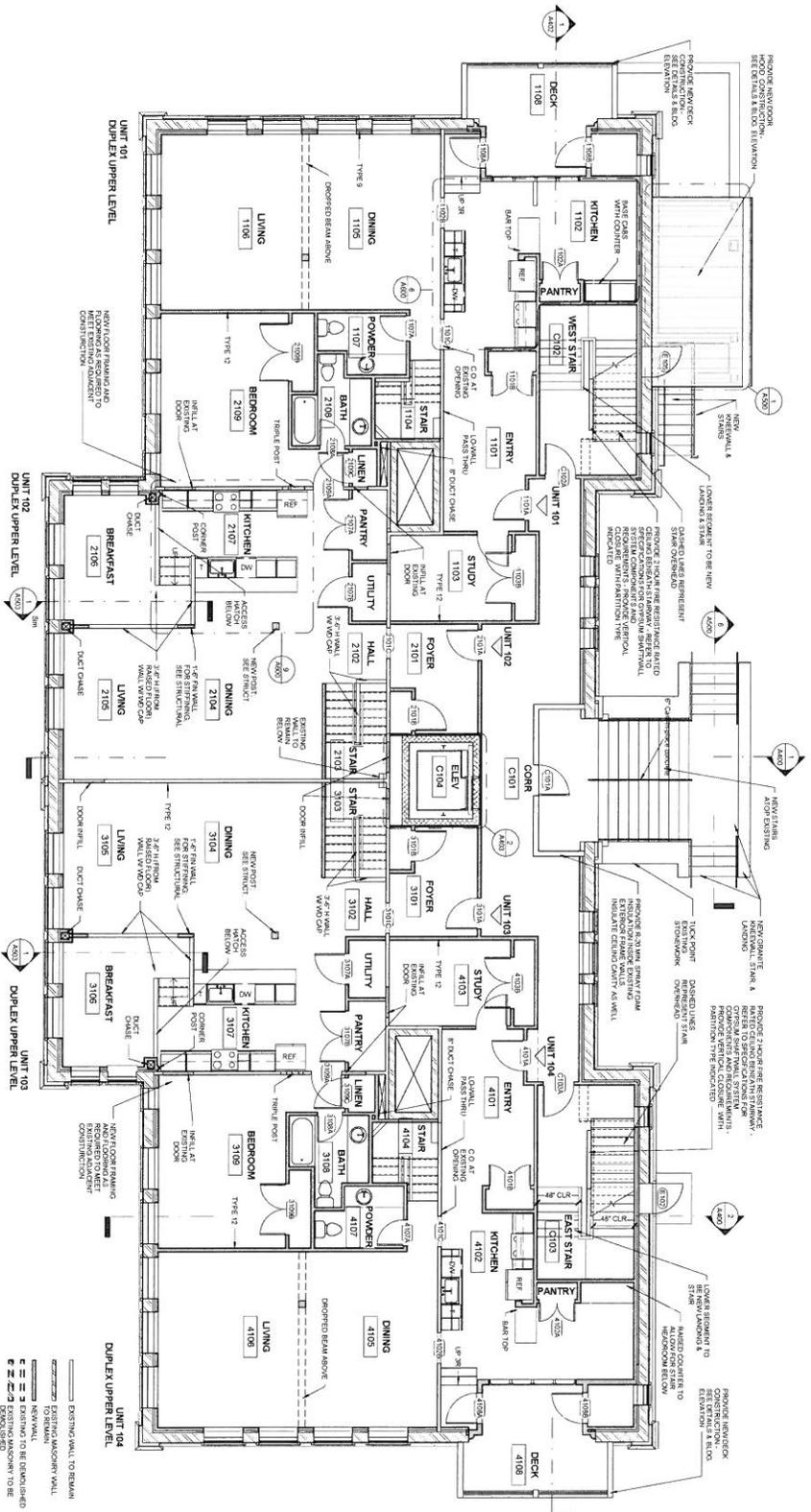


Maplewood School Residences
 120 Maplewood Avenue
 Gloucester, MA 01930

Drawn by: AKP
 Checked by: WJP
 Project Date: 6/6/16
 Project Number: 14011 MAAR

120 Maplewood Avenue
 Gloucester, MA 01930

120 Maplewood Avenue
 Gloucester, MA 01930



1 NEW SECOND LEVEL
 SHEET 1-107

- GENERAL NOTES - FLOOR PLANS**
1. All dimensions are to the outside unless otherwise noted.
 2. Existing dimensions are to the inside of studs at new walls and to the face of existing walls.
 3. Existing dimensions are to the face of existing concrete or masonry walls.
 4. All dimensions are to the face of existing concrete or masonry walls unless otherwise noted.
 5. All dimensions are to the face of existing concrete or masonry walls unless otherwise noted.

CONSTRUCTION PHASE KEY

1-1" = 1'-0"

GENERAL NOTES - FLOOR PLANS

Maplewood School Residences
 120 Maplewood Avenue
 Gloucester, MA 01930

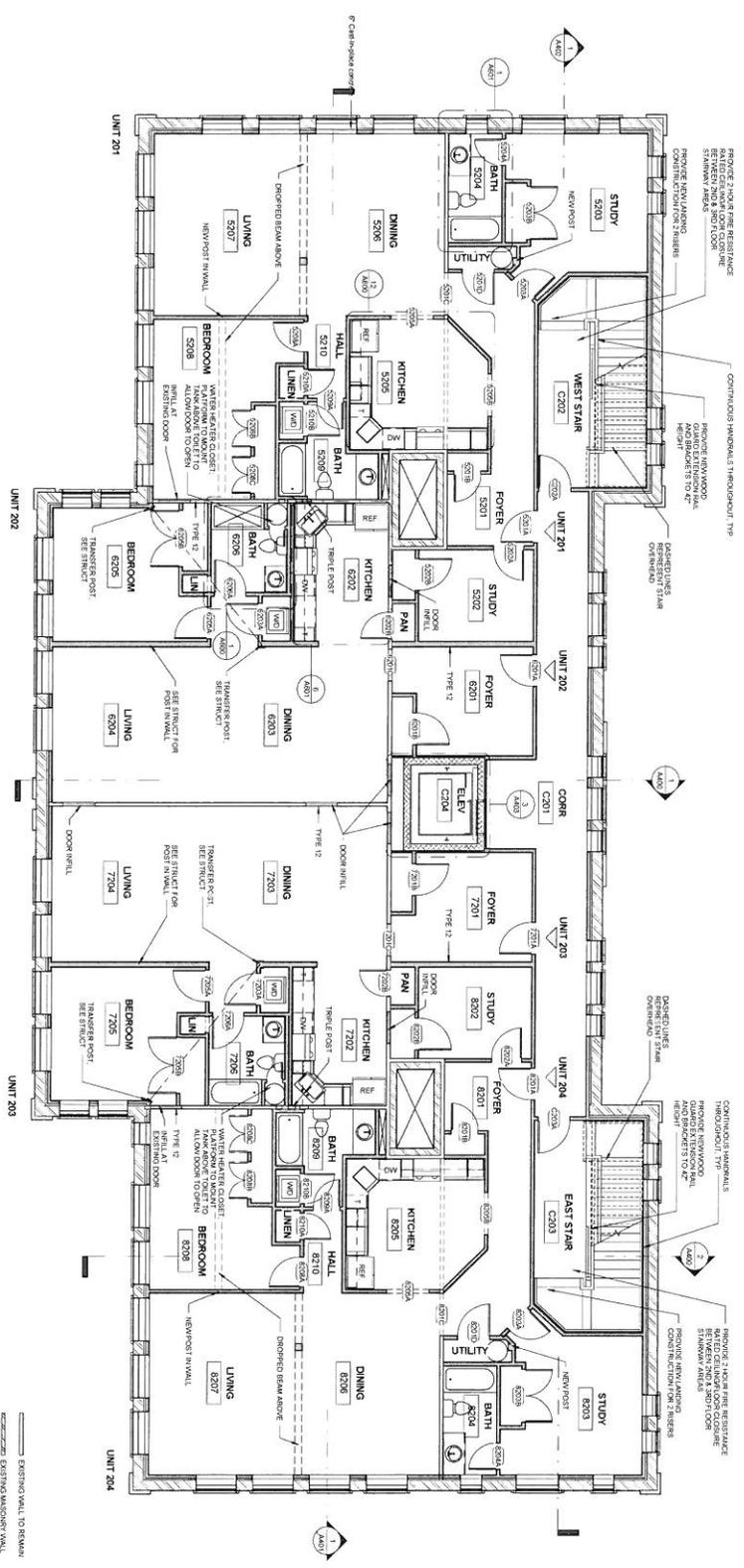
SECOND FLOOR PLAN
 Drawn by: AKP
 Checked by: WJP
 Project Date: 6/6/16
 Project Number: 14011_MAA8

kontseptual
 architects interior designers

10 Duffley Square
 Gloucester, MA 01930
 (978) 218-8896
 www.kontseptual.com

A101

NEW THIRD LEVEL
316-119



- EXISTING WALL TO REMAIN
EXISTING MASONRY WALL
TO REMAIN
EXISTING TO BE DEMOLISHED
EXISTING MASONRY TO BE
DEMOLISHED
NEW
CONSTRUCTION PHASES NEW

GENERAL NOTES - FLOOR PLANS

1. All dimensions are in feet and inches.
2. Unless otherwise noted, all dimensions are to the face of framing, concrete or steel.
3. Existing dimensions are to the face of framing, concrete or steel.
4. Existing dimensions are to the face of framing, concrete or steel.
5. All dimensions are to the face of framing, concrete or steel.
6. All dimensions are to the face of framing, concrete or steel.
7. All dimensions are to the face of framing, concrete or steel.
8. All dimensions are to the face of framing, concrete or steel.
9. All dimensions are to the face of framing, concrete or steel.
10. All dimensions are to the face of framing, concrete or steel.



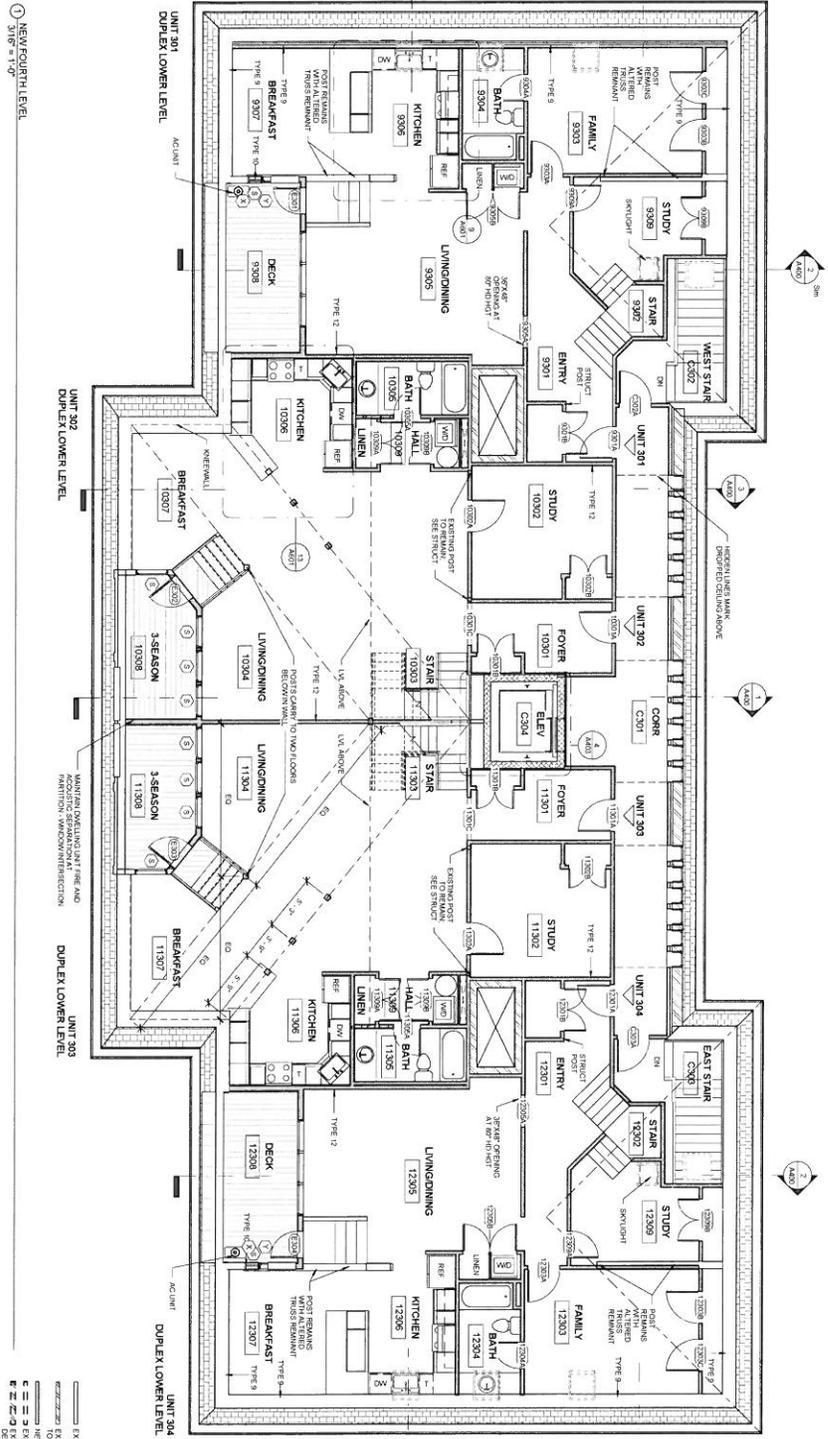
A102

Maplewood School Residences
120 Maplewood Avenue
Gloucester, MA 01930

THIRD FLOOR PLAN
Drawn by: AKP
Checked by: WJP
Project Date: 6/8/16
Project Number: 14011-MAAR

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Tel: 978-686-8694
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A102



NEW FOURTH LEVEL
 3/16" = 1'-0"

- CONSTRUCTION PHASES KEY**
- 1st" = 1'-0"
 - 2nd" = 1'-0"
 - 3rd" = 1'-0"
 - 4th" = 1'-0"
 - 5th" = 1'-0"
- GENERAL NOTES - FLOOR PLANS**
1. All dimensions are to the window face to the center line.
 2. All dimensions are to the face of slab at new walls and to the face of existing walls.
 3. All dimensions are to the face of slab at new walls and to the face of existing walls.
 4. All dimensions are to the face of slab at new walls and to the face of existing walls.
 5. See floor elevations & sections for additional construction information.



A103

Maplewood School Residences
 120 Maplewood Avenue
 Gloucester, MA 01930

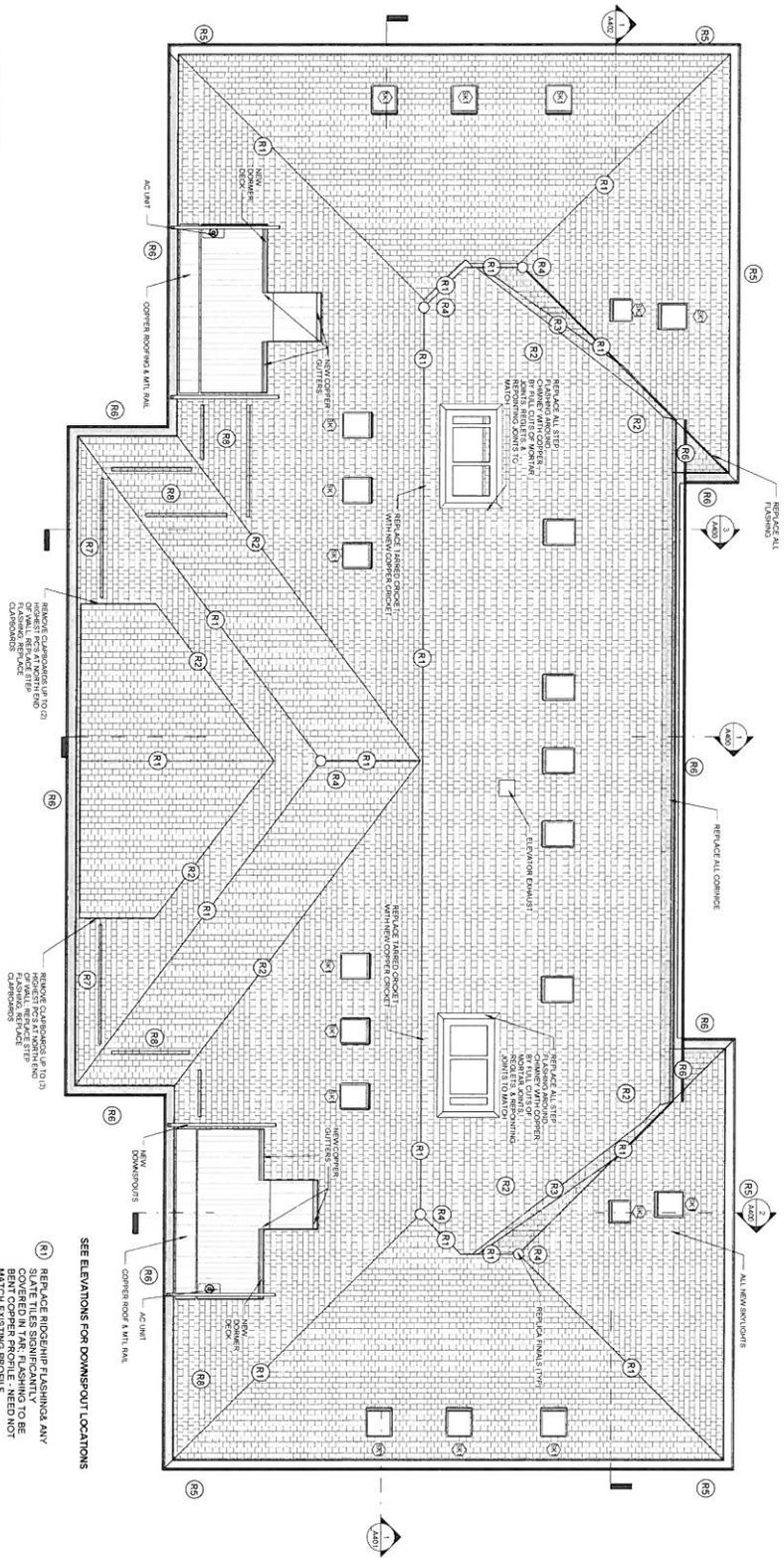
FOURTH FLOOR PLAN
 Drawn by: AKP
 Checked by: WJP
 Project Date: 6/6/16
 Project Number: 14011_MAA8

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A103

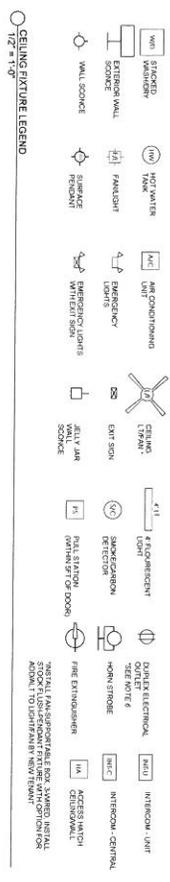
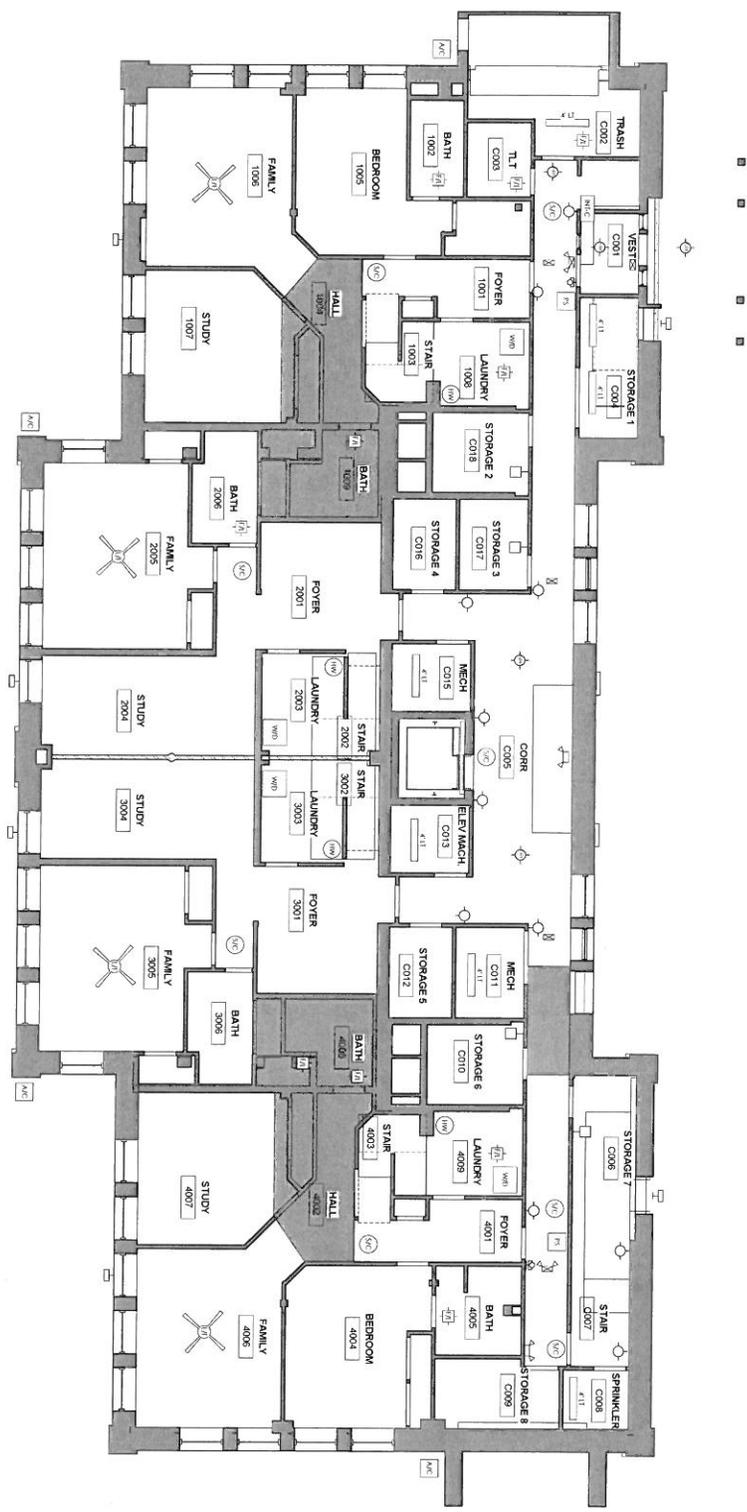
1 NEW ROOF PLAN
3/16" = 1'-0"



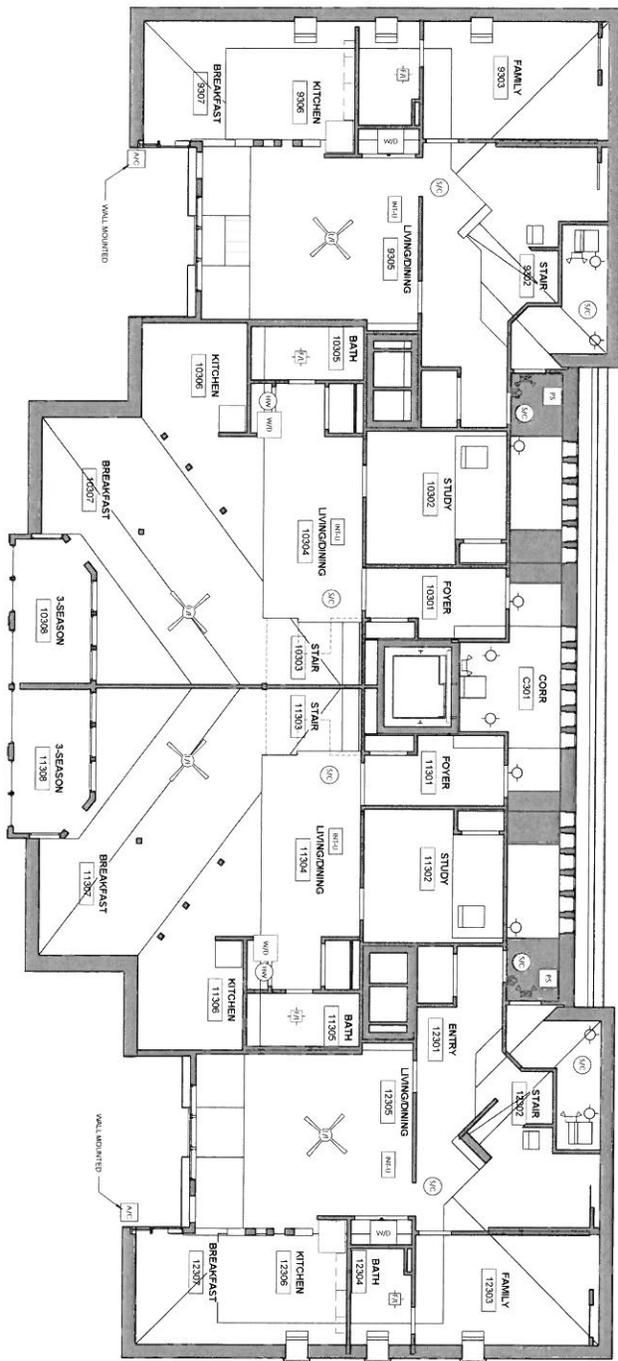
SEE ELEVATIONS FOR DOWNSPOUT LOCATIONS

- R1 REPAIR ROOFING FLASHING. ANY SLATE TILE ROOFING FLASHING TO BE COVERED IN TAR. FLASHING TO BE NEW COPPER PROFILE - NEEDED NOT TO BE REPLACED.
- R2 REPAIR AND REFINISH EXISTING SLATE TILES SIGNIFICANTLY COATED IN TAR
- R3 SLATE TILES COVERED IN ROOFING TAR REPAIR WITH COPPER FLASHING. MATCH EXISTING COLOR TO ORIGINAL.
- R4 CAP AREA OF ORIGINAL FINISH WITH ICE & WATERSHIELD. CONFIRM WITH OWNER IF TO BE REPLACED WITH A FINISH.
- R5 LINE THE EXISTING GUTTERS WITH RUBBER ROOFING TAPE AT ALL SEAMS.
- R6 EXISTING COPPER GUTTER RECENTLY REPLACED, TO REMAIN AS IS - SHOWN BY HATCH.
- R7 EXISTING SNOW GUARD BRACKETS TO REMAIN WITH NEW PALMS INSTALLED.
- R8 NEW SNOW GUARD 3-PIPE BRACKETS WITH _____

1 FIRST FLOOR
STR #1-19



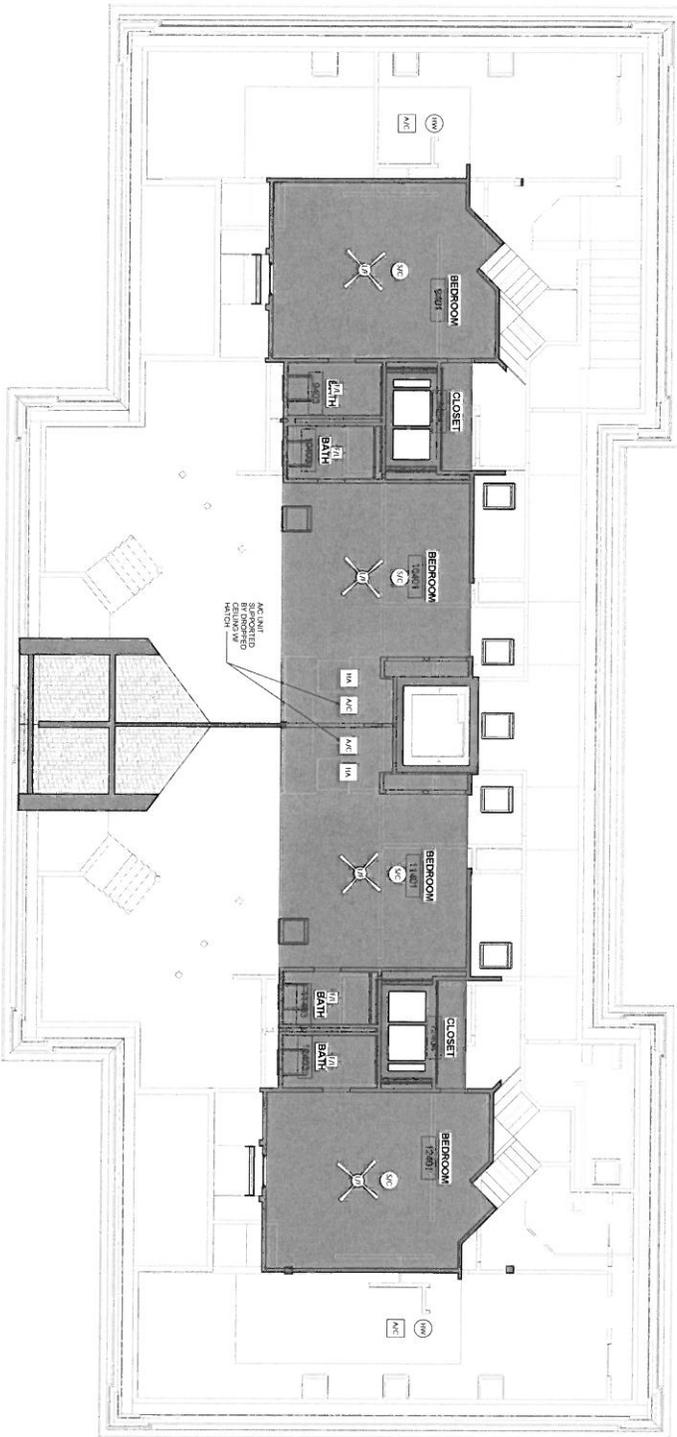
① FOURTH FLOOR
 3/16" = 1'-0"



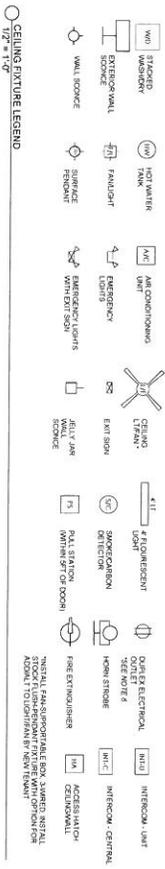
- CEILING FIXTURE LEGEND**
 1/2" = 1'-0"
- RECESSED CEILING LIGHT
 - SURFACE FLUORESCENT LIGHT
 - EMERGENCY LIGHT
 - EMERGENCY LIGHT WITH EXIT SIGN
 - CEILING LIGHT FIXTURE
 - WALL SCONCE
 - EXTERIOR WALL SCONCE
 - WALL MOUNTED LIGHT
 - WALL MOUNTED LIGHT FIXTURE
 - WALL MOUNTED LIGHT FIXTURE WITH SCONCE
 - WALL MOUNTED LIGHT FIXTURE WITH SCONCE AND EMERGENCY LIGHT
 - WALL MOUNTED LIGHT FIXTURE WITH SCONCE AND EMERGENCY LIGHT WITH EXIT SIGN
 - WALL MOUNTED LIGHT FIXTURE WITH SCONCE AND EMERGENCY LIGHT WITH EXIT SIGN AND EMERGENCY LIGHT WITH EXIT SIGN
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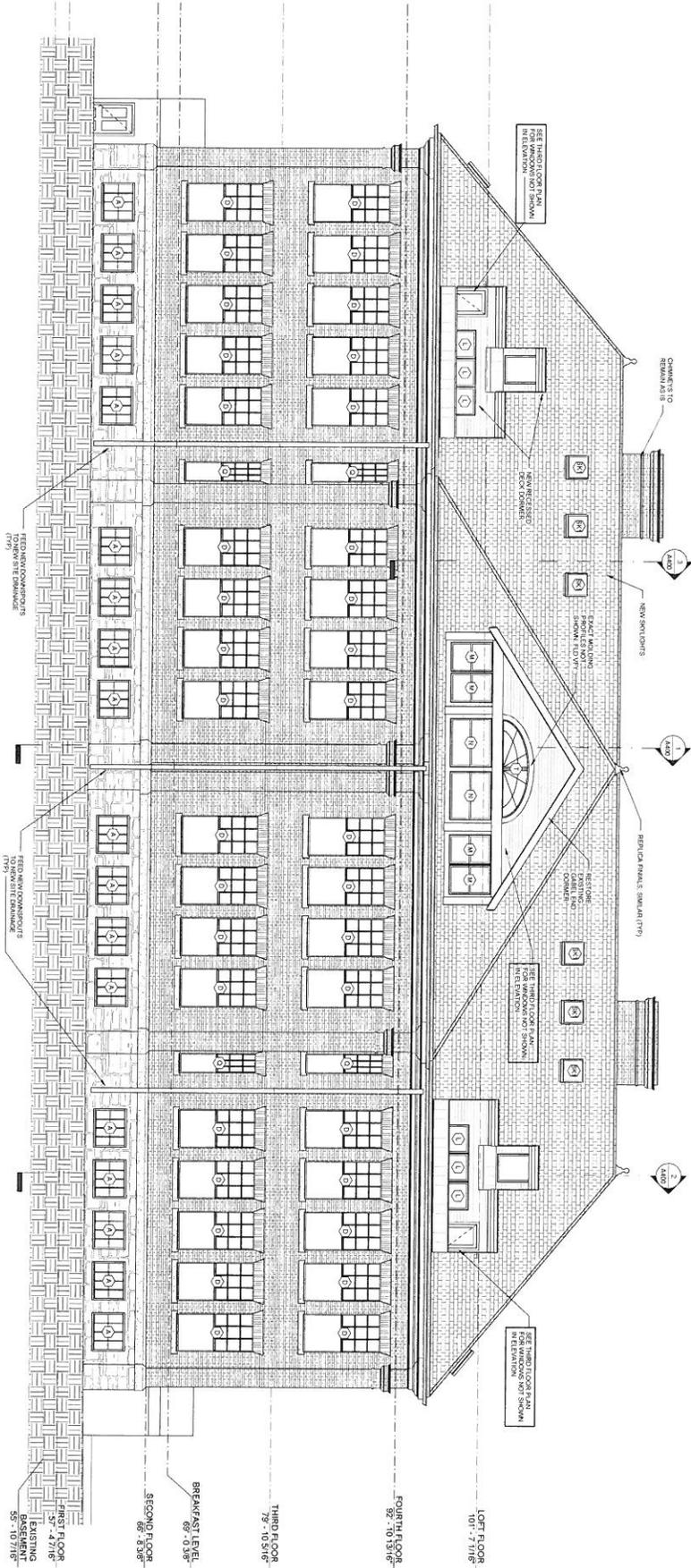
- RCP LEGEND**
 1/4" = 1'-0"
- 1' x 4' DROPPED CEILING
 - 4' x 4' DROPPED CEILING
 - 6' x 6' DROPPED CEILING
 - 8' x 8' DROPPED CEILING
 - 10' x 10' DROPPED CEILING
 - 12' x 12' DROPPED CEILING
 - 14' x 14' DROPPED CEILING
 - 16' x 16' DROPPED CEILING
 - 18' x 18' DROPPED CEILING
 - 20' x 20' DROPPED CEILING
 - 22' x 22' DROPPED CEILING
 - 24' x 24' DROPPED CEILING
 - 26' x 26' DROPPED CEILING
 - 28' x 28' DROPPED CEILING
 - 30' x 30' DROPPED CEILING
 - 32' x 32' DROPPED CEILING
 - 34' x 34' DROPPED CEILING
 - 36' x 36' DROPPED CEILING
 - 38' x 38' DROPPED CEILING
 - 40' x 40' DROPPED CEILING
 - 42' x 42' DROPPED CEILING
 - 44' x 44' DROPPED CEILING
 - 46' x 46' DROPPED CEILING
 - 48' x 48' DROPPED CEILING
 - 50' x 50' DROPPED CEILING
 - 52' x 52' DROPPED CEILING
 - 54' x 54' DROPPED CEILING
 - 56' x 56' DROPPED CEILING
 - 58' x 58' DROPPED CEILING
 - 60' x 60' DROPPED CEILING
 - 62' x 62' DROPPED CEILING
 - 64' x 64' DROPPED CEILING
 - 66' x 66' DROPPED CEILING
 - 68' x 68' DROPPED CEILING
 - 70' x 70' DROPPED CEILING
 - 72' x 72' DROPPED CEILING
 - 74' x 74' DROPPED CEILING
 - 76' x 76' DROPPED CEILING
 - 78' x 78' DROPPED CEILING
 - 80' x 80' DROPPED CEILING
 - 82' x 82' DROPPED CEILING
 - 84' x 84' DROPPED CEILING
 - 86' x 86' DROPPED CEILING
 - 88' x 88' DROPPED CEILING
 - 90' x 90' DROPPED CEILING
 - 92' x 92' DROPPED CEILING
 - 94' x 94' DROPPED CEILING
 - 96' x 96' DROPPED CEILING
 - 98' x 98' DROPPED CEILING
 - 100' x 100' DROPPED CEILING

① LOFT FLOOR
316 = 1'-0"



○ 1/2" = 1'-0"





1 NEWSOUTH
3/16" = 1'-0"

- GENERAL NOTES**
1. Refer to construction notes for details of materials and construction.
 2. All work shall be in accordance with the Massachusetts State Building Code, 806 CMR, and all applicable codes and regulations.
 3. See floor plans & sections for additional information.

A303
Rev. 06/16

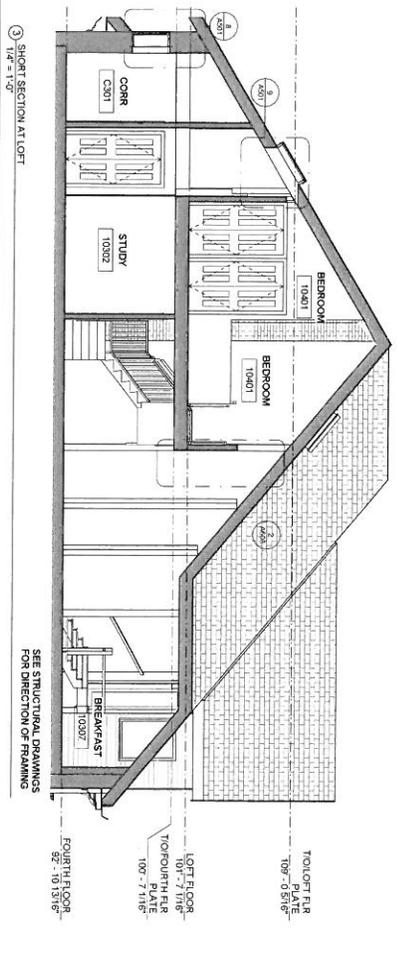
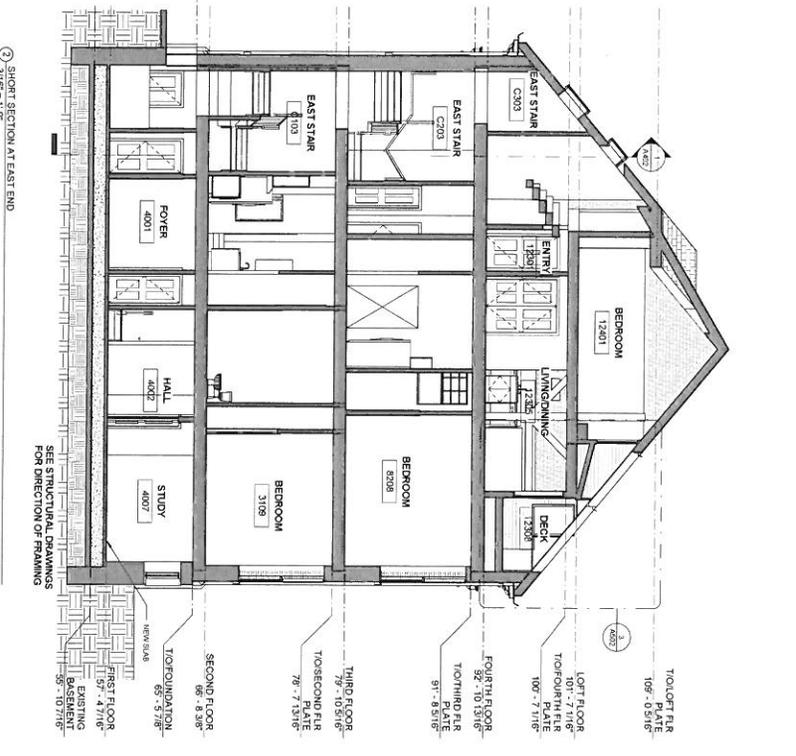
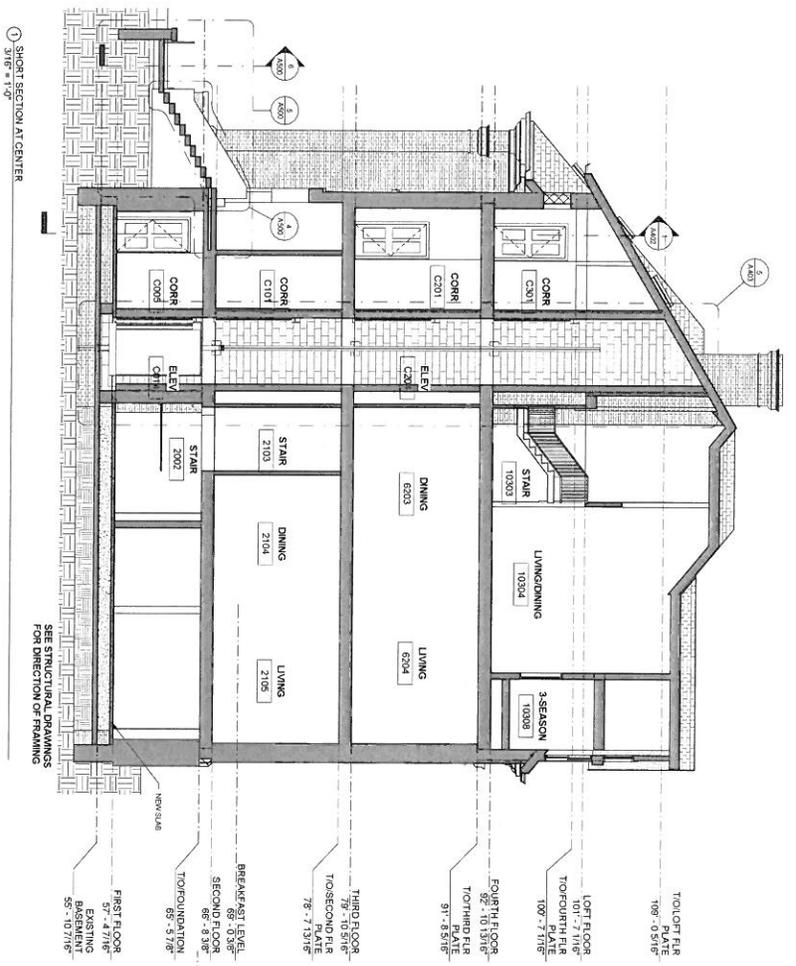
Maplewood School Residences
120 Maplewood Avenue
Gloucester, MA 01930

ELEVATIONS III Drawn by: AKP
Checked by: WJP
Project Date: 6/6/16
Project Number: 14011, MAAR

kontseptual
interior planners

10 Derby Square
Gloucester, MA 01930
978.265.4746
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A303



- GENERAL NOTES - SECTIONS**
1. Frame to construction, verify all critical dimensions with field measurements.
 2. All dimensions are in feet and inches, unless otherwise specified.
 3. All dimensions are to the center of the member, unless otherwise specified.
 4. All dimensions are to the finished surface, unless otherwise specified.
 5. All dimensions are to the exterior face, unless otherwise specified.
 6. All dimensions are to the interior face, unless otherwise specified.
 7. All dimensions are to the center of the member, unless otherwise specified.
 8. All dimensions are to the finished surface, unless otherwise specified.
 9. All dimensions are to the exterior face, unless otherwise specified.
 10. All dimensions are to the interior face, unless otherwise specified.

1
A400

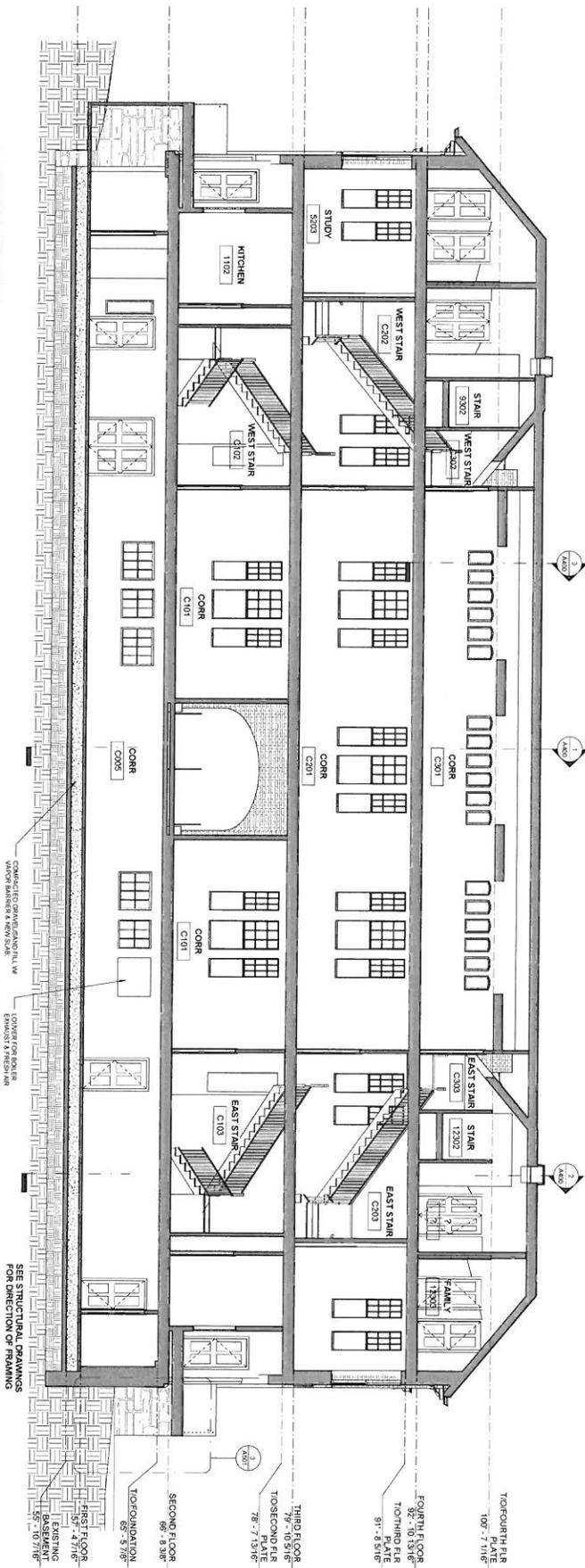
Maplewood School Residences
120 Maplewood Avenue
Gloucester, MA 01930

BUILDING SECTIONS I
Drawn by: AKP
Checked by: WJP
Project Date: 6/6/16
Project Number: 14011, MAAR

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A400

① LONG SECTION LOOKING NORTH
3'-1/8" = 1'-0"



- GENERAL NOTES - SECTIONS**
1. Provide the appropriate notes for each section.
 2. Verify the conditions and manufacturer specifications for all materials, systems, and construction systems. (For glass heights, verify window and door heights with manufacturer specifications.)
 3. Show floor levels & elevations for existing conditions.



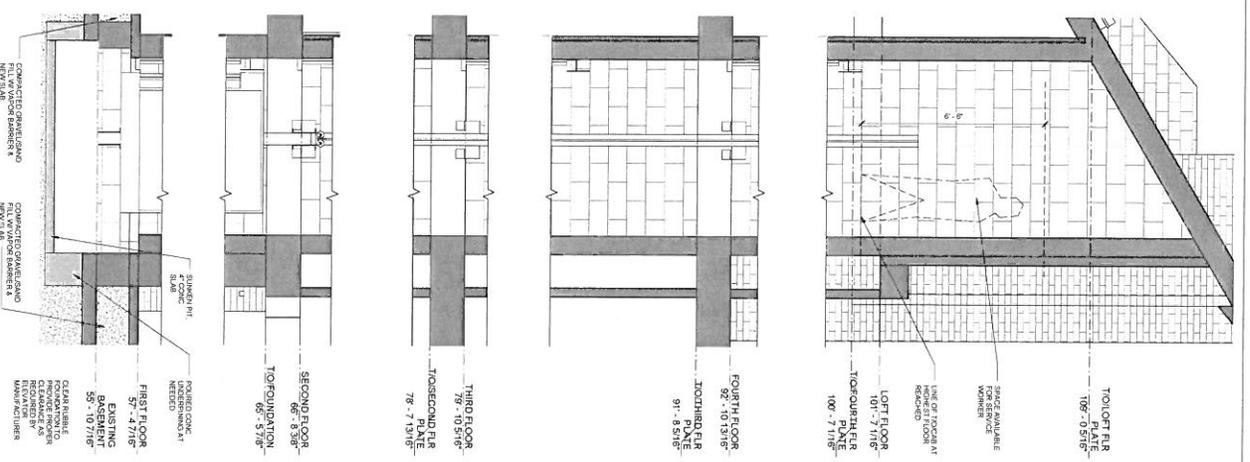
A402

Maplewood School Residences BUILDING SECTIONS III
120 Maplewood Avenue
Gloucester, MA 01930

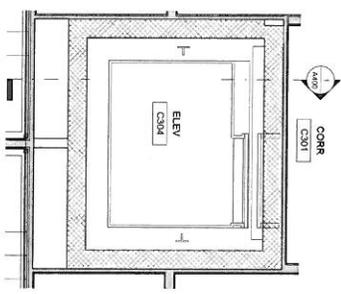
Drawn by: AKP
Checked by: WJP
Project Date: 6/5/16
Project Number: 14011_MAA8



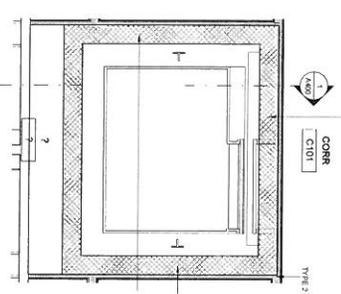
A402



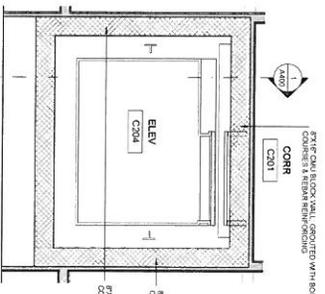
SECTION AT ELEVATOR
1/2" = 1'-0"



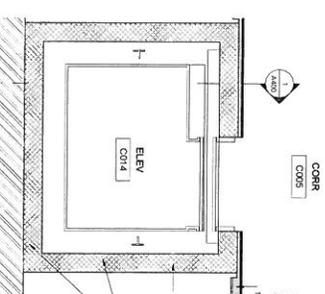
ELEVATOR - THIRD LEVEL
1/2" = 1'-0"



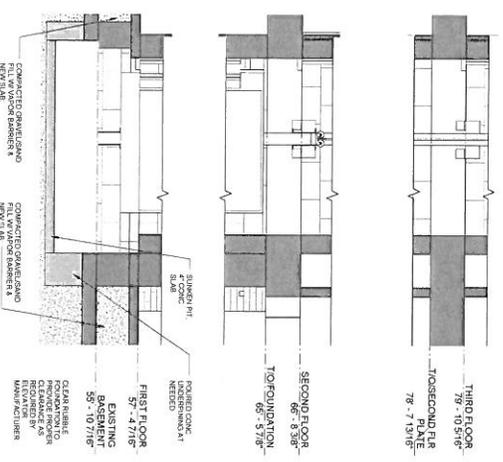
ELEVATOR - FIRST LEVEL
1/2" = 1'-0"



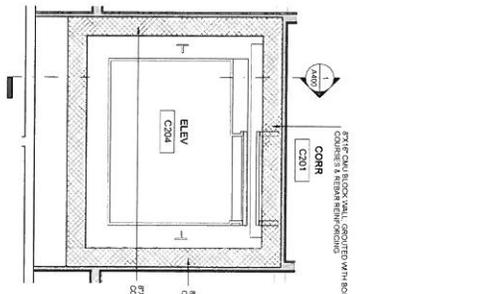
ELEVATOR - SECOND LEVEL
1/2" = 1'-0"



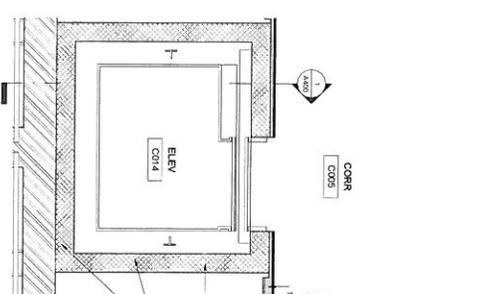
ELEVATOR - GROUND LEVEL
1/2" = 1'-0"



SECTION AT ELEVATOR
1/2" = 1'-0"



ELEVATOR - SECOND LEVEL
1/2" = 1'-0"



ELEVATOR - GROUND LEVEL
1/2" = 1'-0"

ELEVATOR SECTION +
DETAIL PLANS

Drawn by: AKP
Checked by: WJP
Project Date: 6/6/16
Project Number: 14011_MAA

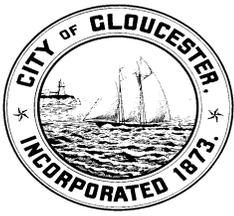


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A403

A403



**CITY OF GLOUCESTER 2017
CITY COUNCIL ORDER**

ORDER: CC#2017-050
COUNCILLORS: Steve LeBlanc

DATE RECEIVED BY COUNCIL: 11/14/17
REFERRED TO: O&A & TC
FOR COUNCIL VOTE:

ORDERED that the Gloucester Code of Ordinances Chapter 22 “Traffic” be **AMENDED** as follows:

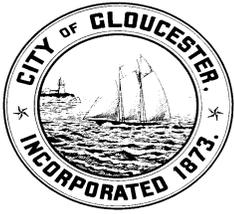
Amend Sec. 22-279 “Thirty-minute parking” by **DELETING:**

Cleveland Street, northerly side, beginning at a point 20 feet from the corner of Cleveland Street and Maplewood Avenue for 37 feet in an easterly direction.

Maplewood Avenue, easterly side, beginning at a point 20 feet from the corner of Maplewood and Cleveland Street in a northerly direction for distance of 40 feet; and

FURTHER ORDERED that this matter be referred to the Ordinances and Administration Standing Committee and to the Traffic Commission for review and recommendations.

Steve LeBlanc
Ward 3 Councillor



**CITY OF GLOUCESTER 2017
CITY COUNCIL ORDER**

ORDER: CC#2017-051
COUNCILLORS: Melissa Cox

DATE RECEIVED BY COUNCIL: 11/14/17
REFERRED TO: P&D & Planning BD
FOR COUNCIL VOTE:

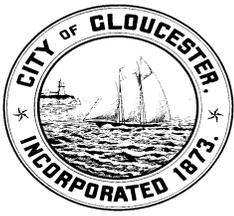
ORDERED that the City Council shall consider whether the Gloucester Zoning Ordinance Sec. 5.11.8 “Alternative Methods of Affordability” subsection (b) (2) “Cash Contribution” be **AMENDED** by **DELETING** subsection (b) (2) in its entirety; and

FURTHER ORDERED that if the above subsection (b) (2) is voted in the affirmative that subsection (c) “Administration of Funds” be **AMENDED** to read as follows:

Funds paid to the City ~~in lieu of providing the required affordable housing units~~ shall be maintained in a separate account, known as the Gloucester Affordable Housing Trust Fund, and restricted solely for the creation of affordable housing located in the City of Gloucester, as defined by this ordinance.

FURTHER ORDERED that this matter be referred to the Planning & Development Standing Committee and to Planning Board for review and recommendations.

Melissa Cox
Ward 2 Councillor



**CITY OF GLOUCESTER 2017
CITY COUNCIL ORDER**

ORDER: CC#2017-052
COUNCILLORS: Melissa Cox & James O'Hara

DATE RECEIVED BY COUNCIL: 11/14/17
REFERRED TO: O&A & TC
FOR COUNCIL VOTE:

ORDERED that the Gloucester Code of Ordinances Chapter 22, Sec. 22-284 "Service or loading zones" be **AMENDED** as follows:

DELETING "Main Street, southerly side, beginning at its intersection with Mansfield Way for a distance of 22 feet in an easterly direction."

AMEND Sec. 22-280 "Fifteen Minute Parking" by **ADDING** "Main Street, southerly side, beginning at its intersection with Mansfield Way for a distance of 22 feet in an easterly direction."

FURTHER ORDERED that this matter be referred to the Ordinances & Administration Standing Committee and the Traffic Commission for review and recommendations.

Melissa Cox
Ward 2 Councillor

James O'Hara
Councillor at Large

GLOUCESTER CITY COUNCIL MEETING

Tuesday, October 24, 2017 – 7:00 p.m.

Kyrouz Auditorium – City Hall

-MINUTES-

Present: Chair, Councilor Joseph Ciolino; Vice Chair, Steven LeBlanc, Jr.; Councilor Paul Lundberg; Councilor Valerie Gilman; Councilor Sean Nolan; Councilor James O'Hara; Councilor Joseph Orlando, Jr.
Absent: Councilor Cox, Councilor Memhard
Also Present: Mayor Sefatia Theken; Joanne Senos; Jim Destino; Kenny Costa; John Dunn; Jonathan Pope; Grace Poirier

The meeting was called to order at 7:00 p.m. The Council President announced that this meeting is recorded by video and audio in accordance with state Open Meeting Law.

Council President Ciolino acknowledged the absence of Councilors Cox and Memhard from this evening's proceedings.

Flag Salute & Moment of Silence. Councilor LeBlanc dedicated the Moment of Silence to Paul Genovese's mother, Catherine, a lifelong Gloucester resident who recently passed away.

Oral Communications:

Linda Brayton, 527 Washington Street, extended her thanks to residents who responded to an on-line survey at Dog Friendly Gloucester. She spoke of work done by the Dog Ad Hoc Committee and the Animal Advisory Committee highlighting the research done about extending dog off-leash areas in the city. Through the survey people brought up signage issues and the odd/even day off-season system of dogs allowed off-leash on certain city beaches. She acknowledged there was a need for more public education of the city's dog ordinances. She said respondents also unanimously supported the Mutt Mitt program. She mentioned collaboration among other city volunteer groups dedicated to the environment with Dog Friendly Gloucester efforts. She asked for open-mindedness for creative solutions moving forward. **Council President Ciolino** thanked Ms. Brayton for all the work she does on this issue as well as serving on a city Commission.

By unanimous vote of the City Council the Council suspended its Rules of Procedure in order to hear from the following concerned residents on the subject of traffic issues on Eastern Avenue.

Brian King, 33 Eastern Avenue, referring to traffic on Eastern Avenue between Route 128 and Main Street, recounted that in August a tractor trailer truck sideswiped a parked car on Eastern Avenue near Cross Street damaging it unknowingly. He pointed out that this is a residential neighborhood. He highlighted the narrowness of the road at the turn in that part of Eastern Avenue which leads to a steep incline. He advised his mother documented about 27 trucking companies travelling that portion of Eastern Avenue to Main Street in one week. He explained that all these trucks are using Eastern Avenue instead of the extension, and that while GPS directs truckers to take the Eastern Avenue route he offered that a better way would be to have trucks continue to the traffic lights at Bass Avenue and bear right onto Main Street thereby avoiding the residential portion of Eastern Avenue. He expressed his concern for children and the nearby Veterans Memorial Elementary School. He read a statement by Joan Melanson who resides at 10 Eastern Avenue (not on file) who offered that the area of Eastern Avenue in question is already a congested roadway from local traffic and the trucks only add to it creating a safety issue. She expressed her concern for pedestrians and parked vehicles.

Philip Bonarowitz (sp.), 83 Eastern Avenue, said there is a sign "on the opposite side" that says trucks should go to the red light and turn. He recounted coming into Gloucester by Russell's Florist and an 18 wheeled truck came upon him very quickly.

Alexander Thompson, 2 Cross Street, noted since the installation of the lights at Route 128 and Eastern Avenue all 18-wheelers are directed down Eastern Avenue was constructed as a narrow byway to prohibit large trucks from travelling the lower portion of Eastern Avenue. He said until a few years ago this wasn't an issue. He said every night at all hours he and his neighbors are awakened by tractor trailers rumbling through their neighborhood and braking for the intersection of Main Street and Eastern Avenue. He asked that signage be installed to designate a truck route from the Eastern Avenue light to the "second" light with trucks then able to take a right onto Main Street. He said there is no grade to attempt or interruption by using this flat route. He added the

trucks barely slow down coming off of Route 128 and expressed further concern for the safety of the children walking to and from Veterans Memorial School.

Tonya Woolcott, 392 Main Street, intersection of Eastern and Main Street said she lives right where the trucks struggle to stop at the intersection of Main Street and Eastern Avenue. She recounted her car being parked on the street and heard a truck having issues with braking and that the truck nearly stuck on her car. She said she has previously lost her side view mirror. She urged the previously suggested alternate route be used.

Council President Ciolino noted that Councilor Memhard, the Ward 1 Councilor, was unable to be present due to a business commitment and asked that the Clerk of Committees forward a copy of the Ward 1 residents' comments on tractor trailer traffic issues on lower Eastern Avenue.

Lara Jardullo, 2 Ocean Avenue, Apt. 3A, expressed her concern for the need for a third-party audit for the affordable housing hardship claim by the builder involved with the Fuller Mixed Use Venture project.

Council President Ciolino advised Ms. Jardullo that this matter is listed on the Council's agenda for a public hearing even though it is being continued and as such was not an appropriate subject under Oral Communications this evening.

Councilor Lundberg clarified that the applicant for the Fuller School Mixed Use development project has filed a Major Project Permit application with the City Council. That permit application has been referred to the Planning Board and the Council's Planning & Development Committee. The applicant hasn't appeared yet before the P&D Committee, and until they do, they won't receive a recommendation from the P&D Committee to return to the City Council. He advised that once that happens, there will be a complete public hearing before the Council on all the aspects of the project including the issue of affordable housing. He asked those residents present who had wished to speak on the project this evening to wait until the public hearing. He advised that when this issue goes through P&D, they will vet the applicant's rationale for the hardship claim on affordable housing and their offered alternative location for providing the same. He reiterated that when this matter comes back before the City Council it will have been fully vetted and at that time the public will have "something of substance" to be able to respond to. He further advised that there would be a public meeting by the P&D Committee on Wednesday, Nov. 8 at 5:30 p.m. in Kyrouz Auditorium to hear the applicant's presentation for the first time on the Fuller development project where the public can see and hear all the details of it along with the Committee. He said this will include the affordable housing issue. He invited members of the public to attend to hear the presentation at that meeting. He said the Council looked forward to hearing the public's opinion on the fully vetted application at the time of the public hearing.

Councilor LeBlanc added that a few emails have been received to date on this Special Council Permit sent to various Councilors and said that the emails are forwarded to the entire Council through the City Clerk to be placed upon the record. He expressed his appreciation for those members of the public in attendance who wanted to express their concern for the affordable housing aspect of the proposed Fuller development project.

Council President Ciolino concluded the Councilor remarks on the matter by saying that the Council does want to hear the opinions of the citizens of Gloucester on this Major Project but it will have to be at the appropriate venue and time. He thanked the group of residents who came to speak on the affordable housing aspect of the project for their concern and time.

Presentations/Commendations: None.

New Appointments: None.

Consent Agenda:

• **MAYOR'S REPORT**

1. Memorandum from Chief of Police re: acceptance of FY18 State 911 Training & EMD Grant in the amount of \$120,952.75 (Refer B&F)
2. Memorandum from Director of Public Health re: acceptance of the Peter & Elizabeth C. Tower Foundation in the amount of \$330,000 (Refer B&F)
3. Memorandum from Principal Assessor re: Tax Classification Fiscal 2018 (Refer B&F)
4. Memorandum from CFO re: Preschool Feasibility Study (Refer B&F)
5. Memorandum from Harbormaster re: request acceptance of ordinance changes to Gloucester Code of Ordinances, Chapter 10, Waterways Administration (Refer O&A)
6. Flyer for recently launched "Gloucester Walks for Productivity" employee wellness program (Info Only)
7. Flyer for City Hall Halloween Festival on October 29, 2017 (Info Only)

• **COMMUNICATIONS/INVITATIONS**

1. Invitation to Veterans Day ceremonies on November 11, 2017 from Director of Veterans Services (Info Only)

• **APPLICATIONS/PETITIONS**

1. PP2017-006: Application by National Grid to install 27 feet of 3 inch service conduit in the public way from pole #4697 located at High Street (Refer P&D)

• **COUNCILORS ORDERS**

1. CC2017-046 (LeBlanc/Orlando/Nolan/Gilman): Request per GZO Sec. 1.11.3 "Informal Planning Review" GZO Sec's 3.1.6, 3.2, 3.1.8, 5.2 and 5.8 (Refer P&D & PB)
 2. CC2017-047 (O'Hara): Request that MassDOT Highway Division conduct a feasibility study re: installing divider lines entering onto Grant Circle Rotary from the north and south entrances of Washington Street (FCV 11/14/17)
 - **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
1. City Council Meeting: 10/10/2017 (Approve/File)
 2. Standing Committee Meetings: B&F 10/19/17 (under separate cover), O&A 10/16/17, P&D 10/18/17 (Approve/File)

Unanimous Consent Calendar:

1. CC2017-048 (O'Hara) Petition the MassDOT Highway Division to repaint the formal divider lines on Route 127 and Route 128 Re: Eastern Avenue (FCV 11/14/17)
2. CC2017-049 (Nolan/Lundberg) Amend GCO Ch. 22 "Traffic" Sec. 22-276 "One-way streets-Generally" by ADDING Concord Street, southwesterly from the Fire Station to Essex Avenue during certain hours (Refer O&A & TC)

Items to be added/deleted from the Consent Agenda and Unanimous Consent Calendar:

By unanimous consent the Consent Agenda and Unanimous Consent Calendar was accepted as presented.

Committee Reports:

Budget & Finance: October 19

COMMITTEE RECOMMENDATION: On a motion by Councilor Orlando, seconded by Councilor Memhard, the Budget & Finance Committee voted 2 in favor, 0 opposed, 1 (Ciolino) absent, to recommend that the City Council accept a state grant under MGL c. 44, § 53A from the Massachusetts Department of Environmental Protection Recycling Dividends Grant under the Sustainable Materials Recovery Program for a total of \$27,000. The purpose of this grant funding is to support the City of Gloucester SMART/PAYT recycling programs.

DISCUSSION:

Councilor Orlando said that the Mass. Department of Environmental Protection has awarded to the city a grant for \$27,000 to enhance the performance of Gloucester's successful waste reduction programs. He explained that the Mass. DEP has a formula that determines how much the city is granted funding based on a point system earned by the city through its recycling programs and population served by curb-side pick-up.

MOTION: On a motion by Councilor Orlando, seconded by Councilor Lundberg, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Memhard) absent, to accept a state grant under MGL c. 44, § 53A from the Massachusetts Department of Environmental Protection Recycling Dividends Grant under the Sustainable Materials Recovery Program for a total of \$27,000. The purpose of this grant funding is to support the City of Gloucester SMART/PAYT recycling programs.

COMMITTEE RECOMMENDATION: On motion by Councilor Orlando, seconded by Councilor Memhard, the Budget & Finance Committee voted 2 in favor, 0 opposed, 1 (Ciolino) absent, to recommend that the City Council approve Special Budgetary Transfer 2018-SBT-1 in the amount of \$70,973 from Account #0194252-569001, Regional School -Vocational School Assessment to Account #0194552-574001, Liability Insurance - Building Insurance, for the purpose of funding an account deficit.

DISCUSSION:

Councilor Orlando declared under MGL Ch. 268A that his law office handles claims on liability policies against the city, and there may be an appearance of a conflict of interest but it will not affect his vote in any way.

He then briefly explained that when the city's annual budget is formulated the city has a preliminary assessment from the Essex North Shore Regional Technical School and budgets accordingly. The city received a letter about a month ago advising that the preliminary assessment was high, by about \$71,000 due to an increase in debt servicing coming back from the MSBA which reduced all the member communities' assessments. It is proposed to take that positive variance and apply it to a higher-than-anticipated initial invoice from MIIA for the city's liability insurance.

He said it is expected during the year there will be credits coming back to the city from MIIA but that it is the CFO's preference to cover this deficit now. Should there be a credit balance the funds can be moved elsewhere, he said.

MOTION: On motion by Councilor Orlando, seconded by Councilor Lundberg, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Memhard) absent, to approve Special Budgetary Transfer 2018-SBT-1 in the amount of \$70,973 from Account #0194252-569001, Regional School -Vocational School Assessment to Account #0194552-574001, Liability Insurance - Building Insurance, for the purpose of funding an account deficit.

Ordinances & Administration: October 16

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council permit the withdrawal without prejudice Council Order CC2017-044 Amend GCO Ch. 8 "Fire Prevention and Protection" by ADDING Sec. 8.6 entitled "Use of Sky Lanterns."

DISCUSSION:

Councilor LeBlanc explained that Councilor Gilman was working on an order to prevent Sky Lanterns or Chinese Lanterns from causing fires in the city, and that this Council Order is being deleted to allow her previously submitted Council Order to move forward.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Memhard) absent, to permit the withdrawal without prejudice Council Order CC2017-044 Amend GCO Ch. 8 "Fire Prevention and Protection" by ADDING Sec. 8.6 entitled "Use of Sky Lanterns."

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council request that the city of Gloucester's state legislators file a Home Rule Petition on behalf of the city and based on said petition, that the General Court approve and enact a Special Act substantially as follows:

"Section 1. Notwithstanding any general or special law to the contrary upon approval by the city council or mayor, the City of Gloucester may raise any parking fines established chapter 90 section 20A ½, provided further that any fine established under chapter 90 section 20 A ½ for all other parking violations shall not exceed \$75, if paid within 21 days, nor shall it exceed \$80 if paid thereafter, but before the parking clear reports to the registrar as provided for under Chapter 90 section 20A ½ and shall not exceed \$100 if paid thereafter.

Section 2. The act shall take effect upon passage."

DISCUSSION:

Councilor LeBlanc explained that Councilor O'Hara has worked to increase the parking fine in beach areas because the fee for parking in the beach lots is too close to what people pay in fines for illegally parking on residential streets surrounding city beaches. He said by raising the fines for illegal beach parking it will hit people in their pockets. He confirmed for **Council President Ciolino** that in order to increase the parking fine it requires a Home Rule Petition to the State Legislature.

Councilor Orlando asked if this initiative is for the entire city or just for beach areas. **Councilor LeBlanc** confirmed it is for the areas adjoining beach areas only.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Memhard) absent, to request that the city of Gloucester's state legislators file a Home Rule Petition on behalf of the city and based on said petition, that the General Court approve and enact a Special Act substantially as follows:

“Section 1. Notwithstanding any general or special law to the contrary upon approval by the city council or mayor, the City of Gloucester may raise any parking fines established chapter 90 section 20A ½, provided further that any fine established under chapter 90 section 20 A ½ for all other parking violations shall not exceed \$75, if paid within 21 days, nor shall it exceed \$80 if paid thereafter, but before the parking clear reports to the registrar as provided for under Chapter 90 section 20A ½ and shall not exceed \$100 if paid thereafter.

Section 2. The act shall take effect upon passage.”

Planning & Development: October 18

There are no matters for Council action from this meeting under this heading. **Councilor Lundberg** reviewed that the Committee approved the 2017 Christmas Parade and Tree Lighting taking place on November 26 and the Lobster Trap Tree Lighting scheduled for December 9 next to the Police Station.

Scheduled Public Hearings:

1. **PH2017-059: SCP2017-012: Schoolhouse Road #2, #3 and #4, Map 262, Lots 14 & 37, and Gloucester Crossing Road #7, Map 37, Lots 4 & 5, for a Special Permit under the Mixed Use Overlay District pursuant to GZO Sections 1.8.3 and MUOD Sec. 5.29 (including Major Project GZO Sec. 5.7) (TBC 12/12/17)**

This public hearing is opened at 7:29 p.m.

Council President Ciolino opened and continued the public hearing to December 12, 2017.

This public hearing is continued to December 12, 2017 at 7:30 p.m.

2. **PH2017-060: Amend Ch. 22, “Traffic And Motor Vehicles”, Sec. 22-277 “One hour parking-Generally” by ADDING “Washington Street northerly side from its intersection with Grove Street for a distance of approximately 150 feet in an easterly direction to the entrance of Oak Grove Cemetery**

This public hearing is opened at 7:30 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 7:30 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Gilman, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Ch. 22, Sec. 22-277 “One hour parking-Generally” by ADDING “Washington Street northerly side from its intersection with Grove Street for a distance of approximately 150 feet in an easterly direction to the entrance of Oak Grove Cemetery.”

DISCUSSION:

Councilor LeBlanc said that the owners of Double Exposure had reached out to him and Councilor Cox to ask for one-hour parking in front of their business. He advised he spoke to other businesses in the direct vicinity who said they had no issue with the proposed change. He pointed out that the Traffic Commission recommended this matter move forward.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Memhard) absent, to Amend GCO Ch. 22, Sec. 22-277 “One hour parking-Generally” by ADDING “Washington Street northerly side from its intersection with Grove Street for a distance of approximately 150 feet in an easterly direction to the entrance of Oak Grove Cemetery.”

3. PH2017-061: Amend Ch. 22, "Traffic And Motor Vehicles", Sec. 22-270 "Parking prohibited at all times" by ADDING "Pond Road, northerly side from its intersection with Eastern Avenue in a westerly direction for a distance of 250 feet" and amend Ch. 22 "Traffic And Motor Vehicles" Sec. 22-291 "Tow-away zones" by ADDING "Pond Road, northerly side from its intersection with Eastern Avenue in a westerly direction for a distance of 250 feet."

This public hearing is opened at 7:32 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 7:33 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Ch. 22, Sec. 22-270 "Parking Prohibited at all times by ADDING "Pond Road, northerly side from its intersection with Eastern Avenue in a westerly direction for a distance of 250 feet."

DISCUSSION:

Councilor LeBlanc explained that the O&A Committee was advised by General Counsel that because Pond Road is a private way that traffic restrictions can only be imposed by the city if an abutter or an owner of a property along a private way requests it, according to state statute. Since the request was brought forward by the Cape Ann Transportation Authority which owns #3 Pond Road, the Council can move forward to enact the requested traffic restrictions. NOTE: Documentation is on file confirming this request and the action is pursuant to Mass. General Law Ch. 90, §18.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Memhard) absent, to Amend GCO Ch. 22, Sec. 22-270 "Parking Prohibited at all times by ADDING "Pond Road, northerly side from its intersection with Eastern Avenue in a westerly direction for a distance of 250 feet."

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Ch. 22, Sec. 22-291 "Tow-away zones" by ADDING "Pond Road, northerly side from its intersection with Eastern Avenue in a westerly direction for a distance of 250 feet."

DISCUSSION: None.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Memhard) absent, to Amend GCO Ch. 22, Sec. 22-291 "Tow-away zones" by ADDING "Pond Road, northerly side from its intersection with Eastern Avenue in a westerly direction for a distance of 250 feet."

4. PH2017-062: Amend Ch. 22 "Traffic And Motor Vehicles", Sec. 22-269 "Stop intersections" by ADDING "Madison Court, at its intersection with Rockland Street" and ADDING "Madison Court, northerly side, at its intersection with Gloucester Avenue" and amend Ch. 22 "Traffic And Motor Vehicles" Sec. 22-269.1 "Yield Intersections" by ADDING "Rockland Street" near its intersection with Gloucester Avenue

This public hearing is opened at 7:34 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 7:35 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Ch. 22, Sec. 22-269 "Stop Intersections" by ADDING "Madison Court at its intersection with Rockland Street."

DISCUSSION: None.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Memhard) absent, to Amend GCO Ch. 22, Sec. 22-269 "Stop Intersections" by ADDING "Madison Court at its intersection with Rockland Street."

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Ch. 22, Sec. 22-269 "Stop Intersections" by ADDING "Madison Court on its northerly side at the intersection with Gloucester Avenue."

DISCUSSION: None.

MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Memhard) absent, to Amend GCO Ch. 22, Sec. 22-269 "Stop Intersections" by ADDING "Madison Court on its northerly side at the intersection with Gloucester Avenue."

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Ch. 22, Sec. 22-269.1 Yield intersections by ADDING Rockland Street near its intersection with Gloucester Avenue.

DISCUSSION:

Councilor LeBlanc explained that neighbors in the area of Madison Court and Rockland Street made the request for assistance in creating a safer traffic pattern in their neighborhood. He pointed out that when travelling up Gloucester Avenue there is an island at the Gloucester Baptist Church with no (directional) signage. This matter went before the Traffic Commission who voted unanimously to install a yield sign. He noted that a mail carrier was nearly sideswiped because there is no stop sign at Madison Court. These changes will help to create a safer traffic environment in this neighborhood and will allow for enforcement, he said.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Memhard) absent, to Amend GCO Ch. 22, Sec. 22-269.1 Yield intersections by ADDING Rockland Street near its intersection with Gloucester Avenue.

For Council Vote: None.

Unfinished Business: None.

Individual Councilor's Discussion including Reports by Appointed Councilors to Committees:

Update on the Waterways Board by City Council Representative. Councilor Steven LeBlanc highlighted the following Waterways Board matters as follows:

- The Harbormaster's facility is still a work in progress and should be ready for the next boating season with the docks fully installed;
- There was an on-line survey from transient mooring users – there were about 20 responses that were universally positive reviews on the services offered to them through the Harbormaster's Office. He briefly read several excerpts of some of the positive statements by recreational boaters about this past summer's experience both with obtaining transient moorings, the responsiveness of the Harbormaster and his team, and the service offered through the Gloucester Launch.
- There was a Feasibility Study for the location of the Harbormaster's facility public hearing held recently. The study looked at several locations in the area of Gloucester Harbor: Pier 7, Cape Pond Ice, I4-C2, a marina in East Gloucester. Where the office is currently sited on Harbor Loop at Solomon Jacob's Pier was

determined to be the best location. Through this study the city will be able to request funding from the Seaport Economic Council to update the Harbormaster's Office facilities to better serve the city's recreational and commercial boaters.

- Transient dockage is limited and the Board is looking to increase the city's t the Harbormaster and Assistant Harbormaster is an asset to the city.

Councilor Gilman expressed her agreement that the Waterways Board was doing a "tremendous" job. She said she's talked to people who have told her how pleased they are with the new transient mooring reservation system, mooring management and the responsiveness of the Harbormaster's office. She asked that information be conveyed to the Board through Councilor LeBlanc. She noted she sent a letter to the Board on her thoughts about the Harbormaster's office. She noted that in her letter she said she would like to see considered a spot by the entrance of Ipswich Bay near the Annisquam Yacht Club for a boat to be stationed so that when there is an emergency at that end of the river or out on Ipswich Bay there would be a more immediate on-the-water response. She acknowledged there would likely be a cost associated with such an initiative. She suggested that the Annisquam Yacht Club could be approached and may be amenable to offering a slip for the sake of the safety of all city boaters. **Councilor LeBlanc** said he would be pleased to bring that idea to the Board.

Council President Ciolino noted there used to be a small boat stationed in the river on weekends for rapid response in emergency situations. He asked that when considering the location of the Harbormaster's Office that the Board considers community boating. He noted there are many people who don't have access to the water and should have an opportunity to do so.

Councilors' Requests to the Mayor:

Councilor Nolan thanked Linda Brayton for the work she's done for the city's dogs and for her work other city committees. He also thanked the DPW for their recent road paving work on Brooks Road. He noted that Councilor O'Hara worked hard with the neighborhood in a process that took about a year and a half to see the road paving project to completion.

Councilor Orlando thanked the DPW for their in-kind work at Clark Cemetery. There is now access to get equipment into the cemetery with a land ramp, a great improvement to the maintenance of the First Parish and Clark Cemetery. He announced the postponement of the Affordable Housing Amendments Workshop for a date yet to be named but noted it will be likely in November after the municipal election.

Councilor Gilman said that before the November 14 Council meeting public hearing on the proposed ban of single-use point of sale plastic bags that as the Council's representative to the Council on Aging Board and accompanied by Ainsley Smith, Chair of the Clean City Commission they will meet with seniors at the Rose Baker Senior Center. She said their goal is to be neutral about what the ban means yet explain it clearly and give that constituency the opportunity to express their sentiments on the matter and scribe what they want to say for the Council. She noted this will also be a good educational outreach opportunity. She advised she had reached out through the Mayor in order to have this activity at the Senior Center. **Council President Ciolino** offered that the Councilor's approach was "fine." He said he knew that the city's seniors want their opinions heard and that this would be a worthwhile activity since many seniors find it difficult to attend evening meetings.

Councilor Gilman advised of the School Committee meeting tomorrow evening at 6:00 p.m. when there will be a presentation of a facilities update. She suggested that a member of the Budget & Finance Committee may want to attend but if that weren't possible she had planned to be there.

She then announced the following upcoming community events: The Open Door Autumn Breakfast is taking place on Thursday, October 26, 7:30 a.m. at Cruiseport. The city's compost facility is open on Saturday, Oct. 28 from 9:00 a.m. to 3:00 p.m. The Goose Cove Reservoir Clean Up takes place on Sunday, Oct. 29 from 8:30 a.m. to 9:30 a.m. -- meet at the reservoir parking lot -- hosted and supported by Cape Ann Trail Stewards, Dogtown Advisory Board, Friends of Dogtown, Mutt Mitt volunteers, and Clean Gloucester. On Sunday, Oct. 29 the city's Halloween Festival takes place from 1:00 p.m. to 4:00 p.m. at City Hall. 1-4 p.m. at City Hall. Join the Mayor for free hayrides, food and fun -- all children must be accompanied by an adult. On Wednesday, Nov. 1 from 6:30 p.m. to 8:30 p.m. at Cruiseport the Gloucester Community Education Foundation will host a Community Education Forum on access and empowerment; how they learn and how we teach with guest speaker David Rose, Ph.D. The forum is also hosted by the Gloucester public schools and Sotheby's. For more information: thinkthebest.org.

Councilor LeBlanc thanked Linda Brayton for the feedback she provided to the Council on Dog Friendly Gloucester which he said that is a great tool for dog and non-dog owners to find out what the dog community is up to. He then requested that that the Mayor through her Administration begins planning for the city's 2018 Halloween as October 31, 2018 falls on a Wednesday. He expressed concern that with sunset falling early at that time, and

suggested holding the city's trick or treating on the weekend preceding Halloween and declaring earlier hours so as to make it safer for the city's children. He also wished everyone the best of luck in the upcoming election.

Council President Ciolino announced that on Tuesday, Oct. 31 on Halloween from 4:00 p.m. to 6:00 p.m. there will be downtown trick or treating at participating businesses. He mentioned the Council should review the Zoning Ordinance process for Special Permits and Major Projects suggesting a workshop after the election to brush up on procedures.

A motion was made, seconded and voted unanimously to adjourn the meeting at 7:57 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.

DRAFT

BUDGET & FINANCE MEETING MINUTES

11/09/2017

(UNDER SEPARATE COVER)

Ordinances & Administration Committee
Monday, November 6, 2017 – 6:00 p.m.
1st Fl. Council Conference Room – City Hall
-Minutes-

Present: Chair, Councilor Steven LeBlanc; Vice Chair, James O’Hara; Councilor Sean Nolan

Absent: None.

Also Present: Joanne Senos; Harbormaster T.J. Ciaramitaro; Tony Gross

The meeting was called to order at 6:00 p.m.

1. Memorandum from Harbormaster re: request acceptance of ordinance changes to Gloucester Code of Ordinances, Chapter 10 “Waterways Administration”

Joanne M. Senos, City Clerk, reported that through research and a meeting with the Harbormaster to ensure all proposed amendments before the Committee it was found that Council votes to amend Chapter 10, one in 2003 and one 2006 weren’t in the Code of Ordinances -- a missing amendment pertained to a fee and another adding certain sections to Ch. 10. She mentioned the Code also contained in Ch. 10, Sec. 53 also contained a typographical error showing a fee as \$50.00 when in fact it was \$5.00. She advised that what the Harbormaster will present to the Committee is correct as to the sections of the Code. She said the missing votes and the typographical error just mentioned will be corrected when all 2017 ordinance changes are submitted to update the Code of Ordinances

Harbormaster T. J. Ciaramitaro explained that over the last 16 months of his tenure he’s reviewed budget, revenue and expenditures and what is before the Committee is what he’s found needing correction. He explained that his office issues decals/stickers for permits, boaters lose them, paperwork has to be filled out, and his office has to pay to print the stickers and reissue them. He said with the cost of the printing of the decals, the time he and the Assistant Harbormaster put out to process the paperwork, mailing out the stickers, etc., that instituting a \$10 administrative fee to replace a decal is reasonable.

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Ch. 10 “Waterways” Sec. 10-51 “Regulation of moorings.” by ADDING a new subsection (4) to subsection (i) as follows:

“10-51 (i) (4) There shall be a \$10.00 administrative fee for replacement decals for mooring and 10A float permits.”

Harbormaster Ciaramitaro conveyed that during his tenure through a full mooring survey it’s been found that there are a great many derelict moorings. He said derelict moorings are a result of either revoked mooring permits or folks who had given up their mooring altogether and in both cases left the mooring gear (known as ground tackle) in the water. In either of these cases, in generally the gear isn’t useable any more. He said even if he wants to reissue that mooring spot, there is now derelict gear (chain, mooring block, in many cases not up to current specifications) in place. He advised that it costs his department and the city \$300 to \$400 to contract a company to remove the gear and dispose of it. There is currently no repercussion for someone who has left gear in the water, which is in essence “littering,” he pointed out. There is 45 days to remove the mooring and ground tackle, and that while the fine of \$500 may sound steep, he said, this fee will act as a deterrent. He reiterated that if it costs his department about \$300 to \$400, and the fine was \$100, many folks would just pay the \$100 fine and let the city bear the burden of the cost of removal of the derelict gear. He noted that there is an additional fee of \$10 per day after the 45th day not to exceed \$1,000. He highlighted the last sentence of the amendment to this section, “If mooring, float or raft permit is surrendered or revoked between October 1 and April 30 the 45 day removal period will begin on May 1.” He said this language was inserted because for a mooring revoked or surrendered at that time of year it would be difficult to find someone who’d be able to go out and remove the derelict gear. **Councilor LeBlanc** said this makes sense, and the fine is not too high.

Councilor LeBlanc said this proposal makes sense as many city fines have added dollar amounts for late payments, just like parking tickets. **Harbormaster Ciaramitaro** reiterated that the fine needs to act as a deterrent because in the end slows his ability to issue new moorings and take people off of the mooring waiting list.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Ch. 10 "Waterways" Sec. 10-51 (j) by ADDING new language at the end of this subsection as a new paragraph as follows:

"In the event of the surrender of or revocation of a mooring, float or raft permit, installed in the public waters of the city, the permittee has 45 days to remove or transfer all ground tackle. There will be a \$500.00 fine if mooring gear is left in water or not transferred after more than 45 days, plus an additional \$10.00 a day fine after the 45 days to a maximum of \$1,000.00. If mooring, float or raft permit is surrendered or revoked between October 1 and April 30 the 45 day removal period will begin on May 1."

Harbormaster Ciaramitaro noted that having reviewed revenues versus expenditures that this fee hasn't gone up in many years. **Kate Banks**, 732R Washington Street, and Waterways Board Chair, **Tony Gross**, confirmed that during the previous Harbormaster's tenure this fee didn't rise, and initially dinghy dockage was free to all.

Councilor LeBlanc offered that dinghy dockage has now stretched to small boats. **Harbormaster Ciaramitaro** advised that the Magnolia dock is new, and the other dinghy dock floats in Lobster and Cripple Coves are in need of constant maintenance and repair. He observed that dinghy dockage fees per season at local marinas are generally \$600 and up to \$1,000. He said that in comparison to other waterfront communities, this fee is about 200% less and will add about \$1,500 in revenue annually to be put towards maintenance and repair of the docks. He said this is fair, a low fee, and needs adjustment for inflation.

Councilor LeBlanc said it is not just dinghies being tied up. It has to be length overall with outboards up, **Mr. Gross** said.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Ch. 10 "Waterways" Sec. 10-52 "Use of public landings." subsection (g) "Fees" by striking "\$50.00" and ADDING "\$100." pursuant to the fee for seasonal tie up of dinghies.

Harbormaster Ciaramitaro conveyed that he has developed an "excellent relationship" with the state Fishing and Boating Access, a division of the Department of Fish and Game, and advised Dun Fudgin Boat Ramp is run with a Memorandum of Understanding for a Land Management Agreement between the state and the city. He said that Dun Fudgin is the busiest boat ramp in the state. He and the Waterways Board Chair reviewed the budget for the Dun Fudgin Boat Ramp as to what it costs to run -- about \$23,000 a year. The state, he said, does the majority of maintenance, but the city is responsible for small repairs, parking lot maintenance, lawn care, port-a potty rentals, hiring seasonal attendants, his and the Assistant Harbormaster's time at their hourly rate, one hour each per day in season. He said that the ramp takes in about \$19,000 annually which leaves an approximately \$4,000 gap in funding. The ramp isn't a profit-making enterprise; the city should break even. Any small amounts gained annually are placed in the Dun Fudgin Stabilization Fund and are used to hire additional ramp attendants during high use times, etc. The Harbormaster advised he contacted the state who agreed, having been given the cost versus revenue breakdown, raising the ramp use fees was appropriate and gave specific guidelines (letter on file). He said the allowed small cash surplus held in the Dun Fudgin Stabilization Fund gives them the ability to hire attendants to work extra hours when needed, place more signage, etc. The city was charging a ramp fee of \$5.00 per day, and must charge the same for in-state and out-of-state users, he pointed out. Additionally the city was originally charging one fee for a seasonal pass of \$35 for boats up to 18 ft. at \$35 and a separate fee of \$50 for a seasonal pass for boats 19 feet and greater. He advised that the state said the city has to charge one fee for all sized boats. He noted they'd wanted to raise a fee from \$50 to \$75 and raise the daily fee to \$10 which he said is on par with boat ramps of comparable size in Plymouth, Situate and several other communities. He said the math works out the same by charging one price of \$75 across the board for any sized boat and the \$10 was dropped to \$8 by the state which will accomplish the same thing. As a result, the city has a new Land Management Agreement with the state signed by the Mayor and approved by General Counsel. He reiterated that the city can't profit from the use of the Dun Fudgin Boat Ramp and must break even.

Mr. Gross gave a brief history of the ramp's fee structure and establishment of the Stabilization Fund.

Councilor LeBlanc noted that this amendment to Ch. 10 and the preceding amendments had been voted unanimously in favor by the Waterways Board in support of these ordinance changes.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Ch. 10 "Waterways" Sec. 10-53. "Use of public ramp at Dun Fudgin." (a) as follows:

"(a) The fees for launching vessels at the Dun Fudgin public access ramp shall be as follows and as pursuant to MGL c. 21A, §21A 2(8) and 320 CMR 2.00:

- (1) Daily fee for all users except commercial boat haulers per vessel launched by striking \$50.00 and adding \$8.00.**
- (2) Delete in its entirety.**
- (3) Delete language in its entirety and add: "Season pass for any vessel per season is \$75.00."**
- (4) Daily fee for commercial boat haulers, per vessel launched by striking \$25.00 and adding \$35.00.**
- (5) No changes to this line.**

And to renumber accordingly."

These matters will be advertised for public hearing.

2. *CC2017-016 (Memhard/O'Hara) Request that the city adopt the Commonwealth of Mass DEP Noise Regulation (310 CMR 7.10) and after adoption amend GCO Ch. 13 "Noise" (Cont'd from 08/14/17)*

Councilor LeBlanc said he spoke with General Counsel late last week who asked that this matter continued because the city is awaiting results of noise studies. **Councilor O'Hara** concurred that was his understanding.

This matter is continued to December 4, 2017.

3. *CC0217-039 (Cox/Orlando): Amend GCO Ch. 22, Sec. 22-274 "Two-hour-parking – Between certain hours" & Amend GCO Ch. 22, Sec. 22-277 "One-hour parking-Generally" re: Commercial Street for a distance of 27 feet from its southerly intersection with Beach Court (Cont'd from 10/02/17)*

The O&A Committee is awaiting a recommendation from the Traffic Commission. This matter is continued to November 20, 2017.

4. *CC2017-040 (Nolan) Amend GCO Ch. 22, Sec. 22-267 "One-way streets-Generally" by ADDING Park Lane from Norman Avenue to Linden Road (Cont'd from 10/02/17)*

Councilor Nolan explained that this is a request from the Park Lane neighbors. He advised that the road was just paved through a public/private paving effort. He described that the hill side that comes up to Norman Avenue from Linden Road is hard to see with a wall there so the request is to make Park Lane one way from Norman Avenue in a southerly direction to Linden Road. All the neighbors are on board and the Traffic Commission endorsed this amendment, he advised.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend Ch. 22, Sec. 22-267 "One-way streets-Generally" by ADDING Park Lane from Norman Avenue in a southerly direction to Linden Road."

This matter will be advertised for public hearing.

5. *CC2017-049 (Nolan/Lundberg) Amend GCO Ch. 22, Sec. 22-276 "One-way streets-Generally" re: Concord Street (TBC 11/20/17)*

This matter is continued to November 20, 2017.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:23 p.m.

Respectfully submitted,

Dana C. Jorgensson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.

DRAFT

PLANNING & DEVELOPMENT MEETING MINUTES

11/08/2017

(UNDER SEPARATE COVER)



GLOUCESTER CITY COUNCIL 2017 PUBLIC HEARING

PUBLIC HEARING NUMBER: PH2017-063
SUBJECT: Tax Classification in accordance with MGL c. 40 §56 and GCO Ch. 2, Sec. 2-26 to determine the percentage of the local tax levy for the Fiscal Year 2018 to be borne by each class of real and personal property

DATE OPENED: 11/14/2017
CONTINUED TO:
CONTINUED FROM:
COMMITTEE: B&F 11/09/2017

NOTICE OF PUBLIC HEARING

In accordance with the provisions of MGL Chapter 40, Section 56 and pursuant to the Gloucester Code of Ordinances Chapter 2, Section 2-26 entitled "Tax Classification, Timing and Notice" the Gloucester City Council will hold a public hearing on Tuesday, November 14, 2017 at 7:00 P.M. in the Kyrouz Auditorium, City Hall, relative to the following:

TAX CLASSIFICATION

to determine the percentage of the local tax levy for the fiscal year 2018 to be borne by each class of real and personal property.

At the public hearing, all interested persons will have the opportunity to be heard based on procedures determined by the Council.

By Vote of the City Council
Joanne M. Senos, City Clerk
GT - 10/30, 11/6/17



CITY CLERK
GLOUCESTER, MA
2017 OCT 31 PM 12: 01

Tax Classification Information

for

Fiscal Year 2018

Presented by:

BOARD OF ASSESSORS

Nancy A. Papows, MAA

Gary I. Johnstone, MAA

Bethann Brousseau, MAA

ASSISTANT ASSESSOR

Timothy W. Good, MAA

All figures are based on Department of Revenue approved values. Tax rates as shown are estimated. The City Council is voting on a "residential factor." Once this factor is entered on the RECAP actual calculations of tax rates may differ slightly due to rounding.

CLASSIFICATION CONSIDERATIONS

SOME ECONOMIC & POLITICAL ISSUES

Outlined by the Department of Revenue

1. Consider percentage of commercial and industrial (C & I) properties as compared to residential (R).
2. Will an increased tax burden on C & I significantly lower the R tax burden?
3. What is the mix of commercial and industrial properties?
 - a. How much is big business?
 - b. How much is small business?
4. Are the businesses of the type that require extraordinary municipal services?
5. Will it adversely affect small business and drive them out of the community?
Would a small commercial exemption help?
6. Will it slow big business development?
7. Does business significantly contribute in a non-tax way to the community?
8. Is the timing proper for the move to a multiple or single tax rate?
9. Will a shift to the C & I maintain or increase the relative or historical share of the tax burden?
10. Is it a matter of principle or economics?

THE BACKGROUND OF TAX CLASSIFICATION

The November 1978 state ballot presented the opportunity for Massachusetts voters to amend the State Constitution with respect to the taxation of certain properties. In part, Question #1 allowed cities and towns of the Commonwealth to:

“...classify real property according to its use in no more than four classes, and to assess, rate, and tax such property differently in the classes so established, but proportionately in the same, except that reasonable exemptions may be granted.”

Thus, the referendum which was to become known simply as “classification” would allow the shifting of the ad valorem tax from one class of taxpayer to another. The four classes are:

Residential
Open Space
Commercial
Industrial

The reason most often cited for supporting classification was to maintain the de facto classification which had occurred in some cities and towns. In the 1974 Sudbury decision the Supreme Judicial Court of Massachusetts declared that all real property within the Commonwealth must be assessed at its full and fair market value. Prior to this decision it was claimed that most municipalities under assessed residential properties, and over assessed commercial/industrial properties. For these communities the 100% assessment would cause the tax burden to shift to the residential class. It was felt that many communities, especially the older cities, could not afford this shift. Thus, classification would soften the blow and allow a municipality’s legislative body, with the approval of the executive, in our case the City Council and Mayor respectively, to allocate a community’s tax burden disproportionately, within certain constraints, among the four general classes of Real Property as well as Personal Property.

The notion of classification as a political solution is supported by the fact that the bill was initially introduced by Boston Mayor Kevin White. Boston faced a dramatic shift in its tax burden to the residential class.

Once it had become law, the procedure for implementing classification fell to the governing body of the local taxing jurisdiction. According to the Amendment:

“...the Selectmen in each town, and the City Council, with the approval of the Mayor, of each city, shall annually determine the percentage of the local tax levy to be borne by each class of property...”

The Board of Selectmen or City Council, with the Mayor's approval, must decide the percentages of the tax levy that each class of real property and personal property will bear. To do so, a residential factor is adopted. Municipalities may also consider whether to allow an open space discount, a residential exemption and a small commercial exemption.

- 1) Adopting a **Residential Factor**. A factor of 1 would result in a single tax rate for all classes of property while any other selected factor would result in different tax rates for the different classes. It is this option which is the source of most of the debate.
- 2) A discount (25% maximum) for all property classified as **Open Space**. The effect of the discount must be borne by the residential class thus increasing the residential tax rate.
- 3) A **Residential Exemption** of up to 35% of the average assessed valuation of the residential class. The effect of the exemption must be borne by the residential class alone.
- 4) Adopting a **Small Commercial Exemption** (10% maximum), with specific limitations, and the effect of the exemption will be borne by the commercial and industrial classes. Thus, higher valued properties, in effect "subsidize" lower valued properties.

SUMMATION

Cities and towns that are certified by the Department of Revenue as assessing properties at full and fair cash value may elect to shift the tax burden among the major property classes within certain limits established by law. The adoption of different rates does NOT change the total property tax levy, rather it determines the share to be borne by each class.

The share of the levy raised by the commercial, industrial, and personal property classes may be increased by 50% as long as the residential and open space classes raise at least 65% of what they would have raised without the shift. The "Minimum Residential Factor" established by the Commissioner of Revenue is issued to make certain that the shift of the tax burden complies with the Classification Act. For Fiscal Year 2018 the maximum shift allowed would be 1.50.

A COMPARISON OF FISCAL 2018 VALUES BY CLASS

<u>CLASS</u>	<u>PARCELS</u>	<u>VALUE OF CLASS</u>	<u>% OF TOTAL VALUE</u>
RESIDENTIAL	12,549	\$5,632,515,602	89.87%
COMMERCIAL	566	\$ 351,927,798	
INDUSTRIAL	206	\$ 171,493,100	10.13%
PERSONAL PROPERTY (accts.)	1,661	\$ 111,463,650	
<hr/>			
TOTALS	14,982	\$6,267,400,150	100%

FISCAL YEAR PARCEL COUNTS, VALUES, AND % OF TOTAL TAXABLE CITY VALUE

05	RESIDENTIAL	11,975	\$4,653,335,965	90.93}	90.93%	
	COMMERCIAL	558	\$242,127,035	4.73		
	INDUSTRIAL	177	\$157,304,700	3.07}		9.07%
	PERS PROP	1,603	\$64,973,380	1.27		
06	RESIDENTIAL	12,041	\$5,083,284,811	91.30}	91.30%	
	COMMERCIAL	560	\$253,395,349	4.55		
	INDUSTRIAL	178	\$159,360,940	2.86}		8.70%
	PERS PROP	1,541	\$71,434,230	1.29		
07	RESIDENTIAL	12,275	\$5,360,688,724	91.41}	91.41%	
	COMMERCIAL	569	\$269,207,212	4.59		
	INDUSTRIAL	186	\$161,639,368	2.76}		8.59%
	PERS PROP	1,567	\$72,983,480	1.24		
08	RESIDENTIAL	12,358	\$5,242,429,165	90.91}	90.91%	
	COMMERCIAL	593	\$280,893,305	4.87		
	INDUSTRIAL	210	\$168,669,130	2.92}		9.09%
	PERS PROP	1,514	\$74,752,690	1.30		
09	RESIDENTIAL	12,398	\$5,131,715,937	90.43}	90.43%	
	COMMERCIAL	597	\$291,565,933	5.14		
	INDUSTRIAL	210	\$167,680,030	2.95}		9.57%
	PERS PROP	1,521	\$83,931,100	1.48		
10	RESIDENTIAL	12,428	\$4,823,470,706	89.63}	89.63%	
	COMMERCIAL	594	\$300,127,372	5.58		
	INDUSTRIAL	210	\$167,286,322	3.11}		10.37%
	PERS PROP	1,541	\$90,546,600	1.68		
11	RESIDENTIAL	12,452	\$4,722,167,330	89.30}	89.30%	
	COMMERCIAL	588	\$301,355,658	5.70		
	INDUSTRIAL	210	\$162,664,112	3.07}		10.70%
	PERS PROP	1,586	\$101,892,820	1.93		
12	RESIDENTIAL	12,465	\$4,568,213,394	88.95}	88.95%	
	COMMERCIAL	591	\$298,555,412	5.81		
	INDUSTRIAL	207	\$160,182,394	3.12}		11.05%
	PERS PROP	1,605	\$108,995,390	2.12		
13	RESIDENTIAL	12,489	\$4,547,193,970	88.92}	88.92%	
	COMMERCIAL	583	\$295,165,012	5.77		
	INDUSTRIAL	206	\$159,699,918	3.12}		11.08%
	PERS PROP	1,653	\$111,716,260	2.19		
14	RESIDENTIAL	12,501	\$4,586,013,382	88.80}	88.80%	
	COMMERCIAL	585	\$306,863,592	5.94		
	INDUSTRIAL	209	\$162,999,426	3.16}		11.20%
	PERS PROP	1,614	\$108,314,630	2.10		
15	RESIDENTIAL	12,490	\$4,742,958,563	89.02}	89.02%	
	COMMERCIAL	584	\$309,327,365	5.81		
	INDUSTRIAL	209	\$165,566,272	3.11}		10.98%
	PERS PROP	1,643	\$110,008,000	2.06		
16	RESIDENTIAL	12,519	\$4,952,400,301	89.45}	89.45%	
	COMMERCIAL	578	\$312,996,766	5.65		
	INDUSTRIAL	208	\$161,739,833	2.92}		10.55%
	PERS PROP	1,668	\$109,622,320	1.98		
17	RESIDENTIAL	12,534	\$5,325,464,096	89.80}	89.80%	
	COMMERCIAL	570	\$328,422,330	5.54		
	INDUSTRIAL	207	\$164,154,274	2.77}		10.20%
	PERS PROP	1,690	\$112,471,660	1.89		
18	RESIDENTIAL	12,549	\$5,632,515,602	89.87}	89.87%	
	COMMERCIAL	566	\$351,927,798	5.61		
	INDUSTRIAL	206	\$171,493,100	2.74}		10.13%
	PERS PROP	1,661	\$111,463,650	1.78		

**PREVIOUS CLASSIFICATION FACTORS
AND RESULTING TAX RATE**

FISCAL YEAR	TAX RATE @ FACTOR 1.0	SHIFT OF BURDEN FACTOR	TAX RATES AFTER SHIFT	% OF TOTAL VALUE BY CLASS	% OF TOTAL LEVY BY CLASS AFTER SHIFT
FY00	15.49	1.30	RO 14.83 CIP 20.14	87.57 12.43	83.84 16.16
FY01	13.79	1.30	RO 13.27 CIP 17.93	88.85 11.15	85.50 14.50
FY02	11.76	1.30	RO 11.36 CIP 15.29	89.72 10.28	86.64 13.36
FY03	11.26	1.25	RO 10.95 CIP 14.09	90.00 10.00	87.56 12.44
FY04	9.86	1.25	RO 9.61 CIP 12.32	90.84 9.16	88.55 11.45
FY05	9.11	1.12	RO 8.99 CIP 10.19	90.93 9.07	89.84 10.16
FY06	8.73	1.06	RO 8.68 CIP 9.25	91.30 8.70	90.78 9.22
FY07	8.66	1.06	RO 8.61 CIP 9.18	91.41 8.59	90.89 9.11
FY08	9.16	1.06	RO 9.10 CIP 9.70	90.91 9.09	90.36 9.64
FY09	9.66	1.06	RO 9.60 CIP 10.24	90.43 9.57	89.85 10.15
FY10	10.57	1.06	RO 10.49 CIP 11.20	89.63 10.37	89.01 10.99
FY11	11.48	1.06	RO 11.31 CIP 12.08	89.30 10.70	88.66 11.34
FY12	12.27	1.06	RO 12.18 CIP 13.01	88.95 11.05	88.28 11.72
FY13	12.71	1.06	RO 12.62 CIP 13.48	88.92 11.08	88.26 11.74
FY14	13.08	1.06	RO 12.98 CIP 13.86	88.80 11.20	88.13 11.87
FY15	13.75	1.06	RO 13.65 CIP 14.58	89.02 10.98	88.36 11.64
FY16	13.71	1.06	RO 13.61 CIP 14.53	89.45 10.55	88.81 11.19
FY17	13.24	1.03	RO 13.19 CIP 13.63	89.80 10.20	89.49 10.51

CALCULATING THE MAXIMUM ALLOWABLE LEVY

FY2017 Levy Limit	\$73,445,650
Additional Amended FY2016 Growth	\$ 0
Prop 2 ½ Increase	\$ 1,836,141
Residential New Growth	\$ 569,728
CIP New Growth	<u>\$ 413,794</u>
FY2018 Levy Limit	\$76,265,313
Pole's Hill Debt Exclusion	\$ 107,185
CSO Debt Exclusion	\$ 2,674,457
Water Debt Exclusion	\$ <u>2,265,606</u>
FY2018 Maximum Allowable Levy	\$81,312,561

Maximum allowable levy	81,312,561	= .012974
Total value of all parcels	6,267,400,150	

FY18 tax rate at a factor of 1: \$12.97

FY18 TAX RATE AT A FACTOR OF ONE = \$12.97
RESIDENTIAL CLASS REPRESENTS 89.87% OF LEVY, CIP 10.13%

<u>SHIFT</u>	<u>R RATE</u>	<u>CIP RATE</u>	<u>RO%</u>	<u>CIP%</u>
1.01	12.96	13.10	89.77%	10.23%
1.02	12.94	13.23	89.67%	10.33%
1.03	12.93	13.36	89.57%	10.43%
1.04	12.92	13.49	89.46%	10.54%
1.05	12.90	13.62	89.36%	10.64%
1.06	12.89	13.75	89.26%	10.74%
1.07	12.87	13.88	89.16%	10.84%
1.08	12.86	14.01	89.06%	10.94%
1.09	12.84	14.14	88.96%	11.04%
1.10	12.83	14.27	88.86%	11.14%
1.11	12.81	14.40	88.76%	11.24%
1.12	12.80	14.53	88.65%	11.35%
1.13	12.78	14.66	88.55%	11.45%
1.14	12.77	14.79	88.45%	11.55%
1.15	12.75	14.92	88.35%	11.65%
1.16	12.74	15.05	88.25%	11.75%
1.17	12.73	15.18	88.15%	11.85%
1.18	12.71	15.31	88.05%	11.95%
1.19	12.70	15.44	87.95%	12.05%
1.20	12.68	15.57	87.84%	12.16%
1.21	12.67	15.70	87.74%	12.26%
1.22	12.65	15.83	87.64%	12.36%
1.23	12.64	15.96	87.54%	12.46%
1.24	12.62	16.09	87.44%	12.56%
1.25	12.61	16.22	87.34%	12.66%
1.26	12.59	16.35	87.24%	12.76%
1.27	12.58	16.48	87.13%	12.87%
1.28	12.56	16.61	87.03%	12.97%
1.29	12.55	16.74	86.93%	13.07%
1.30	12.54	16.87	86.83%	13.17%
1.31	12.52	17.00	86.73%	13.27%
1.32	12.51	17.13	86.63%	13.37%
1.33	12.49	17.26	86.53%	13.47%
1.34	12.48	17.39	86.43%	13.57%
1.35	12.46	17.51	86.32%	13.68%
1.36	12.45	17.64	86.22%	13.78%
1.37	12.43	17.77	86.12%	13.88%
1.38	12.42	17.90	86.02%	13.98%
1.39	12.40	18.03	85.92%	14.08%
1.40	12.39	18.16	85.82%	14.18%
1.41	12.37	18.29	85.72%	14.28%
1.42	12.36	18.42	85.62%	14.38%
1.43	12.35	18.55	85.51%	14.49%
1.44	12.33	18.68	85.41%	14.59%
1.45	12.32	18.81	85.31%	14.69%
1.46	12.30	18.94	85.21%	14.79%
1.47	12.29	19.07	85.11%	14.89%
1.48	12.27	19.20	85.01%	14.99%
1.49	12.26	19.33	84.91%	15.09%
1.50	12.24	19.46	84.81%	15.20%

COMPARISON OF LEVY BY CLASS AT VARIOUS SHIFT FACTORS

FY2018 MAXIMUM ALLOWABLE LEVY : \$81,312,561

<u>CLASS DESCRIPTION</u>	<u>UNIT COUNT</u>	<u>FY18 VALUE BY CLASS</u>	<u>FACTOR 1 TAX RATE</u>	<u>FY18 FACTOR 1 LEVY</u>
RESIDENTIAL	12,549	\$5,632,515,602	\$12.97	\$73,053,727.36
CIP	2,433	\$634,884,548	\$12.97	\$8,234,452.59
TOTALS	14,982	\$6,267,400,150		\$81,288,179.95

OTHER TAX RATES AND LEVIES FOR VARIOUS SHIFT FACTORS

Tax rates adjusted when necessary based on the maximum allowable levy*

		<u>TAX RATE</u>	<u>LEVY BY CLASS</u>	<u>LEVY SHIFT FROM FACTOR 1</u>
FACTOR 101	RESIDENTIAL	\$12.96	\$72,997,402.20	-\$56,325.16
	* CIP	\$13.09	\$8,310,638.73	\$76,186.15
			=====	
			81,308,040.94	
FACTOR 103	RESIDENTIAL	\$12.93	\$72,828,426.73	-\$225,300.62
	CIP	\$13.36	8,482,057.56	\$247,604.97
			=====	
			81,310,484.30	
FACTOR 106	* RESIDENTIAL	\$12.88	\$72,546,800.95	-\$506,926.40
	CIP	\$13.75	\$8,729,662.54	\$495,209.95
			=====	
			\$81,276,463.49	
FACTOR 110	* RESIDENTIAL	\$12.82	\$72,208,850.02	-\$844,877.34
	CIP	\$14.27	\$9,059,802.50	\$825,349.91
			=====	
			\$81,268,652.52	
FACTOR 115	RESIDENTIAL	\$12.75	\$71,814,573.93	-\$1,239,153.43
	CIP	\$14.92	\$9,472,477.46	\$1,238,024.87
			=====	
			\$81,287,051.38	
FACTOR 120	RESIDENTIAL	\$12.68	\$71,420,297.83	-\$1,633,429.52
	CIP	\$15.57	\$9,885,152.41	\$1,650,699.82
			=====	
			\$81,305,450.25	
FACTOR 125	* RESIDENTIAL	\$12.60	\$70,969,696.59	-\$2,084,030.77
	CIP	\$16.22	\$10,297,827.37	\$2,063,374.78
			=====	
			\$81,267,523.95	
FACTOR 130	* RESIDENTIAL	\$12.53	\$70,575,420.49	-\$2,478,306.86
	CIP	\$16.87	\$10,710,502.32	\$2,476,049.74
			=====	
			\$81,285,922.82	
FACTOR 135	RESIDENTIAL	\$12.46	\$70,181,144.40	-\$2,872,582.96
	CIP	\$17.51	\$11,116,828.44	\$2,882,375.85
			=====	
			\$81,297,972.84	
FACTOR 140	RESIDENTIAL	\$12.39	\$69,786,868.31	-\$3,266,859.05
	* CIP	\$18.15	\$11,523,154.55	\$3,288,701.96
			=====	
			\$81,310,022.85	

CHANGE IN TAX DOLLARS AT VARIOUS SHIFTS

FY 2018	Tax Rate per \$1,000	<u>PROPERTY VALUE</u>			
		<u>\$250,000</u> \$ Change with shift	<u>\$500,000</u> \$ Change with shift	<u>\$750,000</u> \$ Change with shift	<u>\$1,000,000</u> \$ Change with shift
Shift to 1.03					
Factor of 1	\$12.97	\$3,242.50	\$6,485.00	\$9,727.50	\$12,970.00
Residential	\$12.93	\$3,232.50	\$6,465.00	\$9,697.50	\$12,930.00
CIP	\$13.36	\$3,340.00	\$6,680.00	\$10,020.00	\$13,360.00
Shift to 1.06					
Factor of 1	\$12.97	\$3,242.50	\$6,485.00	\$9,727.50	\$12,970.00
Residential	\$12.88	\$3,220.00	\$6,440.00	\$9,660.00	\$12,880.00
CIP	\$13.75	\$3,437.50	\$6,875.00	\$10,312.50	\$13,750.00
Shift to 1.1					
Factor of 1	\$12.97	\$3,242.50	\$6,485.00	\$9,727.50	\$12,970.00
Residential	\$12.82	\$3,205.00	\$6,410.00	\$9,615.00	\$12,820.00
CIP	\$14.27	\$3,567.50	\$7,135.00	\$10,702.50	\$14,270.00
Shift to 1.2					
Factor of 1	\$12.97	\$3,242.50	\$6,485.00	\$9,727.50	\$12,970.00
Residential	\$12.68	\$3,170.00	\$6,340.00	\$9,510.00	\$12,680.00
CIP	\$15.57	\$3,892.50	\$7,785.00	\$11,677.50	\$15,570.00
Shift to 1.3					
Factor of 1	\$12.97	\$3,242.50	\$6,485.00	\$9,727.50	\$12,970.00
Residential	\$12.53	\$3,132.50	\$6,265.00	\$9,397.50	\$12,530.00
CIP	\$16.87	\$4,217.50	\$8,435.00	\$12,652.50	\$16,870.00
Shift to 1.4					
Factor of 1	\$12.97	\$3,242.50	\$6,485.00	\$9,727.50	\$12,970.00
Residential	\$12.39	\$3,097.50	\$6,195.00	\$9,292.50	\$12,390.00
CIP	\$18.15	\$4,537.50	\$9,075.00	\$13,612.50	\$18,150.00
Shift to 1.5					
Factor of 1	\$12.97	\$3,242.50	\$6,485.00	\$9,727.50	\$12,970.00
Residential	\$12.24	\$3,060.00	\$6,120.00	\$9,180.00	\$12,240.00
CIP	\$19.46	\$4,865.00	\$9,730.00	\$14,595.00	\$19,460.00

OPEN SPACE DISCOUNT

Currently, there are no parcels classified as Open Space in the City of Gloucester.

Land maintained in open and natural condition which contributes to the benefit and enjoyment of the general public, can be discounted in a range from 1% to 25%.

By definition, the qualifying land cannot include:

- a) Forest land (Ch. 61) unless adopted locally
- b) Farm land (Ch. 61A) unless adopted locally
- c) Recreation land (Ch. 61B) unless adopted locally
- d) Conservation restricted land (permanent)
- e) Land held for production of income

The Assessors of each community will determine the criteria for Open Space. If a discount is allowed, the Residential Class will absorb the discount given to Open Space.

Nantucket is the only community that opted for the Open Space Discount in Fiscal Year 2017.

RESIDENTIAL EXEMPTION

1. At the option of the Mayor, with City Council approval, an exemption of not more than 35 percent of the average assessed value of all Residential parcels may be applied to residential parcels that are the principal residence of the property taxpayer as used by the taxpayer for state income tax purposes as of January 1, 2017. MGL Ch. 59 Section 5C.

2. Principal residence is ordinarily the residence in which a property taxpayer lives. It is the taxpayer's domicile: Fixed place of habitation, permanent home or legal residence. Therefore, residential parcels not eligible for the residential exemption would include accessory land, summer homes and apartment buildings.

3. The application of the residential exemption, in addition to any other exemptions allowable under GL Ch. 59 Section 5, may not reduce the taxable value of the property to less than 10 percent of its full and fair cash value.

4. There were 14 communities that adopted the residential exemption in Fiscal Year 2017: Barnstable, Boston, Brookline, Cambridge, Chelsea, Everett, Malden, Nantucket, Provincetown, Somerset, Somerville, Tisbury, Waltham and Watertown.

RESIDENTIAL EXEMPTION of 10 PERCENTEXAMPLE

Total value of residential class = \$5,632,515,602 and an estimated 65% of all residential parcels are qualified.

Rate = \$12.97 at a factor of 1
12,549 parcels are in Class 1

\$448,842 = average assessment of all Class 1 (residential) parcels
8,157 parcels are estimated to qualify

The following illustrates what would happen to taxes and the tax rate if the **10%** residential exemption was given:

\$448,842 X .10 = \$44,884 exemption (44,900 rounded) \$44,900 X 8,157 eligible parcels = \$366,249,300
exempted from Residential Class

The new Residential Class Total Value is: \$5,632,515,602 - \$366,249,300 = \$5,266,266,302
The new Residential Tax Rate at a factor of one is: $(\$81,312,561 \times .8987) \times 1000 = \13.88
\$5,266,266,302

Exemption Amount	\$44,900	New Rate:	\$13.88	Tax \$ Change
Factor of 1	\$250,000	@ \$12.97	\$3,242.50	
		with exemption:		
Qualified	\$205,100	@ \$13.88	\$2,846.79	-\$395.71
Not Qualified	\$250,000	@ \$13.88	\$3,470.00	\$227.50
Factor of 1	\$350,000	@ \$12.97	\$4,539.50	
		with exemption:		
Qualified	\$305,100	@ \$13.88	\$4,234.79	-\$304.71
Not Qualified	\$350,000	@ \$13.88	\$4,858.00	\$318.50
Factor of 1	\$450,000	@ \$12.97	\$5,836.50	
		with exemption:		
Qualified	\$405,100	@ \$13.88	\$5,622.79	-\$213.71
Not Qualified	\$450,000	@ \$13.88	\$6,246.00	\$409.50
Factor of 1	\$556,434	@ \$12.97	\$7,216.95	
<i>Gloucester's Average Single Family</i>		with exemption:		
Qualified	\$511,534	@ \$13.88	\$7,100.09	-\$116.86
Not Qualified	\$556,434	@ \$13.88	\$7,723.30	\$506.35
Factor of 1	\$650,000	@ \$12.97	\$8,430.50	
		with exemption:		
Qualified	\$605,100	@ \$13.88	\$8,398.79	-\$31.71
Not Qualified	\$650,000	@ \$13.88	\$9,022.00	\$591.50
Break-even value is approximately \$684,800				
Factor of 1	\$750,000	@ \$12.97	\$9,727.50	
		with exemption:		
Qualified	\$705,100	@ \$13.88	\$9,786.79	\$59.29
Not Qualified	\$750,000	@ \$13.88	\$10,410.00	\$682.50
Factor of 1	\$1,000,000	@ \$12.97	\$12,970.00	
		with exemption:		
Qualified	\$955,100	@ \$13.88	\$13,256.79	\$286.79
Not Qualified	\$1,000,000	@ \$13.88	\$13,880.00	\$910.00

SMALL COMMERCIAL EXEMPTION

1. At the option of the Mayor, with City Council approval, an exemption of any percentage up to 10 may be applied to (class three) commercial, parcels that are:

(1) Occupied as of January 1, 2017 by a business with an average annual employment of no more than ten during calendar year 2016, as certified by the Director of the Department of Labor and Workforce Development, and

(2) Have a valuation of less than one million dollars. MGL Ch. 29 Section 5I.

2. An eligible business is one that is certified by the Director of Labor and Workforce Development as having had an average annual employment at all locations of ten or fewer people during calendar year 2016. The Director provides the assessors with a list of eligible business by July 1, 2017. MGL Ch. 151A Section 64A. The assessors are to rely exclusively on the Director's certification in determining whether a business qualifies.

3. The commercial parcel does not have to be owned by the occupying business or any other eligible business. If a parcel has multiple commercial occupants or tenants, all occupants must be eligible. If a parcel is multiple use, such as a residential and commercial property, all occupants of the commercial portion must be eligible.

4. The parcel must have a valuation of less than one million dollars before the application of any small commercial exemption. The exemption applies to a specific parcel occupied by an eligible business, not to the eligible business itself. Therefore, if any particular eligible business occupies more than one parcel, each under one million dollars in value, each parcel would qualify for the exemption.

There were 10 communities that adopted the small commercial exemption in Fiscal Year 2017:

Auburn, with CIP share of 29.9%
Avon, with CIP share of 46.3%
Bellingham, with CIP share of 28.3%
Braintree, with CIP share of 21.4%
Dartmouth, with a CIP share of 17.4%
New Ashford, with a CIP share of 19.0%
Seekonk, with a CIP share of 24.7%
Somerset, with a CIP share of 19.7%
Westford, with a CIP share of 14.6%
Wrentham, with CIP share of 20.8%



CITY OF GLOUCESTER

GLOUCESTER, MASSACHUSETTS - 01930

OFFICE OF THE ASSESSORS

<u>PROPERTY CLASS</u>	<u>FY17-FY18 MEAN VALUE % CHANGE</u>	<u>FY18 MEAN VALUE</u>
Single Family Parcel Count = 7,204	+5.3%	\$556,434
Condominium Parcel Count = 1,398	+8.0%	\$340,637
Two Family Parcel Count = 1,316	+7.2%	\$399,664
Three Family Parcel Count = 358	+7.3%	\$376,047
4-8 Units Parcel Count = 157	+5.7%	\$465,827
8+ Units Parcel Count = 15	+3.6%	\$1,745,693
Mixed Use Parcel Count = 156	+3.3%	\$555,327
Commercial (Improved) Parcel Count = 312	+10.0%	\$921,410
Industrial (Improved) Parcel Count = 141	+4.0%	\$1,156,929



CITY OF GLOUCESTER

GLOUCESTER, MASSACHUSETTS - 01930

OFFICE OF THE ASSESSORS

<u>PROPERTY CLASS</u>	<u>FY17-FY18 MEDIAN VALUE % CHANGE</u>	<u>FY18 MEDIAN VALUE</u>
Single Family Parcel Count = 7,204	+5.8%	\$403,400
Condominium Parcel Count = 1,398	+11.7%	\$273,800
Two Family Parcel Count = 1,316	+7.6%	\$343,100
Three Family Parcel Count = 358	+7.5%	\$356,250
4-8 Unit Parcel Count = 157	+4.4%	\$423,500
8+ Unit Parcel Count = 15	+3.2%	\$1,100,100
Mixed Use Parcel Count = 156	+1.7%	\$433,700
Commercial (Improved) Parcel Count = 312	+4.9%	\$480,600
Industrial (Improved) Parcel Count = 141	+8.3%	\$427,300

BUDGET & FINANCE MEETING MINUTES

11/09/2017

(UNDER SEPARATE COVER)



GLOUCESTER CITY COUNCIL 2017 PUBLIC HEARING

PUBLIC HEARING NUMBER: PH2017-064

SUBJECT: Amend GCO Ch. 8 "Fire Prevention and Protection" by ADDING Sec. 8.6 entitled "Use of Sky Lanterns"

DATE OPENED: 11/14/2017

CONTINUED TO:

CONTINUED FROM:

COMMITTEE: O&A 10/16/2017

**PUBLIC HEARING 11/14/17
LEGAL NOTICE
NOTICE OF PUBLIC HEARINGS**

The Gloucester City Council will hold public hearings on **Tuesday, November 14, 2017** at 7:00 PM in the Kyrouz Auditorium, City Hall, relative to the following proposed amendments to the Gloucester Code of Ordinances:

Amend Chapter 8 "Fire Prevention and Protection" by ADDING Section 8.6 entitled "Use of Sky Lanterns" as follows:

Sky lanterns, using an open flame (or any similar object or device), are not permitted in the City of Gloucester. Sec. 8-7-8-14 Reserved.

Amend Chapter 9 "Trash, Recycling and Litter", Section 9-12 (Reserved) by ADDING a new ARTICLE II. - PLASTIC BAGS Sec. 9-12 - Definitions as follows:

The following words shall have the following meanings:

"Building Inspector", the Building Inspector or his/her designee.

"ASTM D6400", the American Society for Testing and Materials (ASTM) International "Standard Specification for Compostable Plastics".

"ASTM D7081", ASTM International "Standard Specification for Biodegradable Plastics in the Marine Environment".

"Compostable plastic bag", a plastic bag that (1) conforms to the current ASTM D6400 for compostability; and (2) is certified and labeled as meeting the ASTM D6400 standard specification by a recognized verification entity. A plastic bag that is made of polyethylene, polyethylene terephthalate, polyvinyl chloride, polypropylene, or nylon is not deemed "compostable".

"Department", the City's Building Department.

"Marine-degradable plastic bag", a plastic bag that conforms to the current ASTM D7081 standard specification for marine degradability. A plastic bag that is made of polyethylene, polyethylene terephthalate, polyvinyl chloride, polypropylene, or nylon is not deemed "marine-degradable".

"Recyclable Paper Bag", a paper bag that meets all of the following requirements: (1) is one hundred percent (100%) recyclable overall and contains a minimum of forty percent (40%) post-consumer recycled material; and (2) is capable of composting, consistent with the timeline and specifications of the ASTM Standard D6400.

"Retail establishment", any commercial business facility that sells goods and/or services directly to the consumer including but not limited to grocery stores, pharmacies, liquor stores, convenient stores, restaurants and retail stores selling clothing, food and personal items, and dry cleaning services.

"Reusable checkout bag", a sewn bag with stitched handles that is either (a) made of cloth or other machine washable fabric; or (b) made of plastic other than polyethylene or polyvinyl chloride that is durable, non-toxic, and generally considered a food-grade material that is more than 2.25 mils thick.

"Single-use Plastic Bag", a plastic bag provided by a retail establishment to a customer at the point of sale for the purpose of removing products purchased within that retail establishment. Thin-film plastic bags used to contain dry cleaning, newspapers, produce, meat, cheese, bulk foods, wet items and other similar merchandise, typically without handles, are permissible.

Amend Chapter 9 "Trash, Recycling and Litter", Sec. 9-13 (Reserved) by ADDING a new Sec. 9-13 - Requirements as follows:

(a) No retail establishment as defined in this article shall provide a single-use plastic bag to a customer or customers unless the bag complies with the requirements of being either a recyclable paper bag, a compostable and marine-degradable plastic bag, or a reusable checkout bag.

(b) Nothing in this article shall prohibit customers from using bags of any type that they bring in to the retail establishment themselves or from carrying away goods that not placed in a bag in lieu of bags provided by the retail establishment.

(c) The Building Inspector may promulgate rules and regulations to implement this article.

Amend Chapter 9 "Trash, Recycling and Litter", Sec. 9-14 (Reserved) by ADDING a new Sec. 9-14 - Enforcement and Penalties as follows:

The Building Inspector shall investigate any report of a failure to comply with this article.

(a) If the Building Inspector determines that a violation has occurred, the Building Inspector shall issue a warning notice to the retail establishment for the initial violation.

(b) The penalty for each violation that occurs after the issuance of the warning notice shall be \$50 for each offense. Payment of such fines may be enforced through civil action in the District Court.

(c) A retail establishment shall have fifteen (15) business days after the date that a notice of violation is issued to pay the penalty or the amount of the penalty payable shall be doubled.

Amend Chapter 9 "Trash, Recycling and Litter", Sec. 9-15 (Reserved) by ADDING a new Sec. 9-15 - Exemptions as follows:

The annual Stamp Out Hunger Food Drive sponsored by the Open Door and National Association of Letter Carriers food drive shall be exempt from this article.

Amend Chapter 9 "Trash, Recycling and Litter", Sec. 9-16 (Reserved) by ADDING a new Sec. 9-16 - Effective Date as follows:

All of the requirements set forth in this article shall take effect on January 1, 2019.

At the public hearings, all interested persons will have the opportunity to be heard. 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 considered by the Council as part of the public hearing.

By Vote of the City Council
Joanne M. Senos, City Clerk

AD# 1326828
Cape Ann Beacon 11/3/17

Ordinances & Administration Committee
 Monday, October 16, 2017 – 6:00 p.m.
 1st Fl. Council Conference Room – City Hall
 -Minutes-

Present: Chair, Councilor Steven LeBlanc; Vice Chair, James O’Hara; Councilor Sean Nolan

Absent: None.

Also Present: Councilor Gilman; Joanne Senos; Chip Payson; Fire Chief Eric Smith

The meeting was called to order at 6:01 p.m. Matters were taken out of order.

1. *CC2017-033 (Cox) Amend GCO Ch. 22, Sec. 22-270 “Parking prohibited at all times” by ADDING “Prospect Street, parking prohibited on the northerly side of Prospect Street from its intersection with Friend Street in a westerly direction to Taylor Street, from utility pole #976 to #978 (Cont’d from 10/02/17)*

This matter will be continued at Councilor Cox’s request to Nov. 20, 2017.

2. *CC2017-034 (Gilman) Amend GCO Ch. 8 “Fire Prevention and Protection” by ADDING Sec. 8.6 entitled, “Use of Sky Lanterns” (Also referred to Fire Chief) (Cont’d from 09/18/17)*
3. *CC2017-044 (Gilman) Amend GCO Ch. 9 “Fire Prevention and Protection” by ADDING Sec. 8.6 entitled “Use of Sky Lanterns and other Devices”*

Councilor Gilman introduced Sylvia Wester, 1003 Washington Street who brought forward concerns about sky lanterns to her. Ms. Wester explained she’d seen sky lanterns launched at Plum Cove Beach across from her home, which she said appeared to be a possible safety hazard. She said this year outsized lanterns were launched from the same beach which caused her to notify the Police Department of the incidents, who dispatched a car at a second incident but the folks launching the sky lanterns had left the area before the police arrived. She advised she’s not seen further launches of sky lanterns since that time. She said that in foreign countries damaging fires have occurred caused by landing sky lanterns and that the wire structure of the lanterns are dangerous to domestic and wild animals.

Councilor Gilman said she had her Council Order forwarded to the Fire Chief who stated his supported of this effort (memo on file) and is advising that Council Order CC2017-034 rather than CC2017-044 should move forward.

Fire Chief Eric Smith explained that CC2017-034 contains sufficient language rather than CC2017-044 which would repeat state law in the city’s ordinances and would be redundant. By saying sky lanterns aren’t permitted in the city, it takes it out of the Fire Department’s hands because they wouldn’t be able to issue permits. Responding to Councilor LeBlanc’s inquiry, he said the department would be responsible for enforcement.

Councilor LeBlanc recalled a sky lantern incident which caused the Fire Department to intervene in the area of Centennial Avenue which had the potential to cause a fire in the heart of the city. He said that while he enjoys viewing the lanterns, he expressed his understanding of the need to ban them. He confirmed with Chief Smith that the term “sky lantern” was a broad enough definition under the state’s interpretation of it.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council to Amend GCO Ch. 8 “Fire Prevention and Protection” by ADDING Sec. 8.6 entitled “Use of Sky Lanterns” as follows:

“Sky Lanterns, using an open flame (or any similar object or device), are not permitted in the City of Gloucester. Sec. 8-7-8-14. Reserved.”

This matter will be advertised for public hearing.

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council permit the withdrawal without prejudice Council Order CC2017-044 Amend GCO Ch. 8 “Fire Prevention and Protection” by ADDING Sec. 8.6 entitled “Use of Sky Lanterns.”



GLOUCESTER CITY COUNCIL 2017 PUBLIC HEARING

PUBLIC HEARING NUMBER: PH2017-065

SUBJECT: Amend GCO Ch. 9 "Trash, Recycling and Litter", Sec. 9-12(reserved) by ADDING a new Article II – Plastic Bags; Amend Sec. 9-13(reserved) by ADDING a new Sec. 9-13 "Requirements"; Amend 9-14(reserved) by ADDING a new Sec. 9-14 "Enforcement and Penalties"; Amend Sec. 9-15(reserved) by ADDING a new Sec. 9-15 "Exemptions"; and Amend Sec. 9-16(reserved) by ADDING a new Sec. 9-16 "Effective Date" re: prohibition of plastic checkout bags

DATE OPENED: 11/14/2017

CONTINUED TO:

CONTINUED FROM:

COMMITTEE: O&A 10/16/2017

**PUBLIC HEARING 11/14/17
LEGAL NOTICE
NOTICE OF PUBLIC HEARINGS**

The Gloucester City Council will hold public hearings on **Tuesday, November 14, 2017** at 7:00 PM in the Kyrouz Auditorium, City Hall, relative to the following proposed amendments to the Gloucester Code of Ordinances:

Amend Chapter 8 "Fire Prevention and Protection" by ADDING Section 8.6 entitled "Use of Sky Lanterns" as follows:

Sky lanterns, using an open flame (or any similar object or device), are not permitted in the City of Gloucester. Sec. 8-7-8-14 Reserved.



Amend Chapter 9 "Trash, Recycling and Litter", Section 9-12 (Reserved) by ADDING a new ARTICLE II. – PLASTIC BAGS Sec. 9-12 – Definitions as follows:

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"ASTM D6400", the American Society for Testing and Materials (ASTM) International "Standard Specification for Compostable Plastics".

"ASTM D7081", ASTM International "Standard Specification for Biodegradable Plastics in the Marine Environment".

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"Department", the City's Building Department.

"Marine-degradable plastic bag", a plastic bag that conforms to the current ASTM D7081 standard specification for marine degradability. A plastic bag that is made of polyethylene, polyethylene terephthalate, polyvinyl chloride, polypropylene, or nylon is not deemed "marine-degradable".

"Recyclable Paper Bag", a paper bag that meets all of the following requirements: (1) is one hundred percent (100%) recyclable overall and contains a minimum of forty percent (40%) post-consumer recycled material; and (2) is capable of composting, consistent with the timeline and specifications of the ASTM Standard D6400.

"Retail establishment", any commercial business facility that sells goods and/or services directly to the consumer including but not limited to grocery stores, pharmacies, liquor stores, convenient stores, restaurants and retail stores selling clothing, food and personal items, and dry cleaning services.

"Reusable checkout bag", a sewn bag with stitched handles that is either (a) made of cloth or other machine washable fabric; or (b) made of plastic other than polyethylene or polyvinyl chloride that is durable, non-toxic, and generally considered a food-grade material that is more than 2.25 mils thick.

"Single-use Plastic Bag", a plastic bag provided by a retail establishment to a customer at the point of sale for the purpose of removing products purchased within that retail establishment. Thin-film plastic bags used to contain dry cleaning, newspapers, produce, meat, cheese, bulk foods, wet items and other similar merchandise, typically without handles, are permissible.

Amend Chapter 9 "Trash, Recycling and Litter", Sec. 9-13 (Reserved) by ADDING a new Sec. 9-13 – Requirements as follows:

(a) No retail establishment as defined in this article shall provide a single-use plastic bag to a customer or customers unless the bag complies with the requirements of being either a recyclable paper bag, a compostable and marine-degradable plastic bag, or a reusable checkout bag.

(b) Nothing in this article shall prohibit customers from using bags of any type that they bring in to the retail establishment themselves or from carrying away goods that not placed in a bag in lieu of bags provided by the retail establishment.

(c) The Building Inspector may promulgate rules and regulations to implement this article.

Amend Chapter 9 "Trash, Recycling and Litter", Sec. 9-14 (Reserved) by ADDING a new Sec. 9-14 – Enforcement and Penalties as follows:

The Building Inspector shall investigate any report of a failure to comply with this article.

(a) If the Building Inspector determines that a violation has occurred, the Building Inspector shall issue a warning notice to the retail establishment for the initial violation.

(b) The penalty for each violation that occurs after the issuance of the warning notice shall be \$50 for each offense. Payment of such fines may be enforced through civil action in the District Court.

(c) A retail establishment shall have fifteen (15) business days after the date that a notice of violation is issued to pay the penalty or the amount of the penalty payable shall be doubled.

Amend Chapter 9 "Trash, Recycling and Litter", Sec. 9-15 (Reserved) by ADDING a new Sec. 9-15 – Exemptions as follows:

The annual Stamp Out Hunger Food Drive sponsored by the Open Door and National Association of Letter Carriers food drive shall be exempt from this article.

Amend Chapter 9 "Trash, Recycling and Litter", Sec. 9-16 (Reserved) by ADDING a new Sec. 9-16 – Effective Date as follows:

All of the requirements set forth in this article shall take effect on January 1, 2019.

At the public hearings, all interested persons will have the opportunity to be heard. 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 considered by the Council as part of the public hearing.

By Vote of the City Council
Joanne M. Senos, City Clerk

AD# 1326828
Cape Ann Beacon 11/3/17

4. *CC2017-041 (Gilman) Request that the Stage Fort Park Tennis Courts be dedicated in honor of Avis Murray*

Councilor Gilman conveyed that this matter, because the tennis courts are a part of Stage Fort Park, would be appropriate for referral to the Stage Fort Park Advisory Committee for comment back to the recommending authority. She noted the Mayor spoke about this dedication as something that is important and expressed optimism they'd be able to move forward with it but wanted to assure it goes through appropriate vetting.

This matter is continued to November 20, 2017.

5. *CC2017-013 (O'Hara) Request that O&A & the Traffic Commission review the beach no parking areas for possible expansion; and that Sec. 22-176 "Penalties for parking violations" "Prohibited area (beach district)" be amended to increase the penalty to the maximum penalty permissible by law (Cont'd from 09/18/17)*

Councilor O'Hara noted with the Committee that this is an issue that came out of the Ad Hoc Beach Traffic Committee. The idea is to reduce the number of violators that are now deciding rather than pay the beach parking lot fees versus parking on city residential streets surrounding city beaches risking a parking ticket which isn't much higher than the parking ticket. Councilor LeBlanc said they were talking of the expansion of the beach no parking zones. He said that the Traffic Commission needs Councilor O'Hara's guidance to complete their investigation on this matter to make their recommendations and offered his assistance as he planned to be at the Commission's Oct. 26 meeting.

Councilor Nolan said they can expand the beach neighborhood no parking areas at any time when they get a recommendation from the Traffic Commission.

The matter was referred back to the Traffic Commission for their advisory. This matter is continued to November 20, 2017.

6. *CC2017-042 (O'Hara) Request that the State Legislature file a Home Rule Petition re: raising parking fines*

Chip Payson, General Counsel, said that he worked with Councilor O'Hara, Sen. Tarr's and Rep. Anne-Margaret Ferrante's offices for Home Rule Petition language for raising fees for parking tickets to address beach parking problems in residential neighborhoods by enabling the city to go beyond the \$50 cap imposed by MGL Ch. 90 Sec. 20A ½. Once the Council votes to approve this request to file a Home Rule Petition, then he'll work with the city's state legislators to move this as quickly as possible through the State Legislature, he said.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council request that the city of Gloucester's state legislators file a Home Rule Petition on behalf of the city and based on said petition, that the General Court approve and enact a Special Act substantially as follows:

"Section 1. Notwithstanding any general or special law to the contrary upon approval by the city council or mayor, the City of Gloucester may raise any parking fines established chapter 90 section 20A ½, provided further that any fine established under chapter 90 section 20 A ½ for all other parking violations shall not exceed \$75, if paid within 21 days, nor shall it exceed \$80 if paid thereafter, but before the parking clear reports to the registrar as provided for under Chapter 90 section 20A ½ and shall not exceed \$100 if paid thereafter.

Section 2. The act shall take effect upon passage."

7. *CC2017-045 (Cox) Request O&A review and recommend the matter of regulating the use of plastic carryout bags and amend GCO Ch. 9 accordingly*

Ainsley Smith, 14 Pine Street, Clean City Commission Chair, explained that Councilor Cox resubmitted her Council Order that now includes all aspects of a single-use plastic bag ban which is before the Committee.

Councilor LeBlanc said that the definition for a “recyclable paper bag” calls for a minimum of 40% post-consumer recyclable materials. **Ms. Smith** said that is the correct content of typical standard paper grocery bags in use today in most supermarkets. **Councilor LeBlanc** said he understood the ban is to get rid of single-use plastic bags but not all plastic bags and asked why not all. **Ms. Smith** said it seemed doable to break banning plastic bags into parts and concentrate on one major component. She explained that in future the ordinance can be amended to add other types of plastic bags to be banned as the Council sees fit. She added that this should help to ease the public into wider plastic bag bans. She said the ban language is based on what many communities across the state have successfully enacted. **Nick Iliades**, 126 Centennial Avenue, Clean City Commission member, pointed out that people are concerned about food cross-contamination and the thin film bags are used to prevent that which isn’t part of this ban.

Councilor O’Hara said a senior citizen contacted him, in her 90’s who lives independently but walks with a cane is concerned about carrying her purchases during winter months and told him reusable bags are too large and awkward for her needs. He recounted that he recommended to her that if this ban should pass it wouldn’t start until Jan. 1, 2019 and suggested she stockpile bags so that upon that date could she take her single-use plastic bags into any store and use them to carry home her purchases. **Chip Payson**, General Counsel, said that she could do that and that it is allowable under this ban, and that she has over a year to stockpile single-use plastic bags. **Ms. Smith** said under the new proposed GCO Ch. 9, Sec. 9-13(b) reusing single-use plastic bags that were obtained prior to the ban is allowed if brought to the point of purchase by the purchaser. She advised that the Clean City Commission is appearing before Awesome Gloucester after the O&A meeting to pitch a grant idea for funding their purchase of small, lightweight nylon bags that fit in a pocket and fold out to a smaller size overall, ideal for seniors. She noted that under the guidance of Councilor Gilman they are working on senior outreach about this issue.

Councilor Nolan said he has no issues with the ban that it comes down to point of sale check-out bags. He said there are provisions of the ban to allow people to use what they have and pointed out there are more and more substitutes coming out that people can use. He said the ban was a long time in coming and needs to be instituted.

Councilor LeBlanc said he’s still has concerns about the ban, advising he’s had dozens of seniors who’ve reached out to him who told him they are all against the single-use plastic bag ban. He recounted being at the grocery store prior to the meeting today seeing a young woman carrying four or five plastic bags of groceries walking along Maplewood Avenue with a young child holding her other hand and expressed concern how’d she manage if she had to carry her purchases in paper bags. He said the bag ban is the right thing to do and acknowledged the extraordinary efforts of the Clean City Commission. If this ban is instituted, he said the Clean City Commission will work to assist people who are affected. **Ms. Smith** offered the analogy of the banning of smoking in restaurants and how that was a difficult transition for the public but now it is not possible to believe smoking was ever allowed in restaurants.

Robert Whynott, 27 Poplar Street said this is an issue of litter, not plastic bags and the Council has not addressed litter properly. He pointed out that in foreign countries you see no litter because litter isn’t tolerated. The (single-use plastic bag) ban is more than just an inconvenience to the elderly, it is a hardship, as it is for him, he said. He pointed out people who have pulmonary problems struggle to bring their groceries into their homes in handle-less paper bags, saying that the reusable bags are too large and difficult to carry. He questioned when the bags that protect home-delivered newspapers will be banned, pointing out dog owners use them to remove their pet’s waste. He urged the Committee to go to the Senior Center or McDonald’s to talk to retirees all of whom he said aren’t in favor of this ban. He suggested that the permitted bags be displayed for folks to view.

Jennifer Holmgren, 385 Magnolia Avenue asked how the ban enforcement and fines associated with this ordinance. **Councilor LeBlanc** said that would be taken up in another section of the ordinance amendment. **Ms. Smith** said reusable bags are easily washed in washing machines. They’ve also spoken to the Animal Advisory Committee about dog waste removal bags that are made of recycled materials to be stocked in the Mutt Mitt stations around the city.

Councilor Nolan said the single-use plastic bags can be reused as long as they don’t tear.

Councilor LeBlanc said he agreed with Mr. Whynott that there is a litter problem, not just plastic bags. He then offered his support for the single use plastic bag ban. It will be an adjustment for people, he said, but pointed out they have a little over a year to help people get used to this change. He expressed his thanks to Ms. Smith for returning time and again to the O&A Committee to see this matter through, noting that the language of this ban is clear and concise and covers all the points brought up previously with the Council.

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Ch. 9 Sec. 9-12 by ADDING a new ARTICLE II. – “PLASTIC BAGS” Sec. 9-12 “Definitions” as follows:

The following words shall have the following meanings:

“Building Inspector”, the Building Inspector or his/her designee.

“ASTM D6400”, the American Society for Testing and Materials (ASTM) International “Standard Specification for Compostable Plastics”.

“ASTM D7081”, ASTM International “Standard Specification for Biodegradable Plastics in the Marine Environment”.

“Compostable plastic bag”, a plastic bag that (1) conforms to the current ASTM D6400 for compostability; and (2) is certified and labeled as meeting the ASTM D6400 standard specification by a recognized verification entity. A plastic bag that is made of polyethylene, polyethylene terephthalate, polyvinyl chloride, polypropylene, or nylon is not deemed “compostable”.

“Department”, the City’s Building Department.

“Marine-degradable plastic bag”, a plastic bag that conforms to the current ASTM D7081 standard specification for marine degradability. A plastic bag that is made of polyethylene, polyethylene terephthalate, polyvinyl chloride, polypropylene, or nylon is not deemed “marine-degradable”.

“Recyclable Paper Bag”, a paper bag that meets all of the following requirements: (1) is one hundred percent (100%) recyclable overall and contains a minimum of forty percent (40%) postconsumer recycled material; and (2) is capable of composting, consistent with the timeline and specifications of the ASTM Standard D6400.

“Retail establishment”, any commercial business facility that sells goods and/or services directly to the consumer including but not limited to grocery stores, pharmacies, liquor stores, convenient stores, restaurants and retail stores selling clothing, food and personal items, and dry cleaning services.

“Reusable checkout bag”, a sewn bag with stitched handles that is either (a) made of cloth or other machine washable fabric; or (b) made of plastic other than polyethylene or polyvinyl chloride that is durable, non-toxic, and generally considered a food-grade material that is more than 2.25 mils thick.

“Single-use Plastic Bag”, a plastic bag provided by a retail establishment to a customer at the point of sale for the purpose of removing products purchased within that retail establishment. Thin-film plastic bags used to contain dry cleaning, newspapers, produce, meat, cheese, bulk foods, wet items and other similar merchandise, typically without handles, are permissible.

Councilor LeBlanc confirmed with Mr. Payson the Building Inspector will be the enforcement entity for the ordinance. Mr. Payson said that he worked with Councilor Cox, took what O&A said needed to be worked on, and took into consideration the Newburyport ban, Health Department recommendations and what Councilor Cox had started with in her original ban language. He said this new Council Order language was comprised of all these considerations.

Councilor LeBlanc asked about compostable marine degradable bags. Ms. Smith said the marine degradable plastic bag definition is preemptive in that the technology is being worked on and this will be in place when the technology becomes widely available in the U.S. Mr. Payson said this is what Councilor Cox wants but that it is a policy matter for the O&A Committee and the Council to consider.

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Ch. 9, by ADDING a new Sec. 9-13 “Requirements” as follows:

(a) No retail establishment as defined in this article shall provide a single-use plastic bag to a customer or customers unless the bag complies with the requirements of being either a recyclable paper bag, a compostable and marine-degradable plastic bag, or a reusable checkout bag.

(b) Nothing in this article shall prohibit customers from using bags of any type that they bring in to the retail establishment themselves or from carrying away goods that not placed in a bag in lieu of bags provided by the retail establishment.

(c) The Building Inspector may promulgate rules and regulations to implement this article.

Councilor LeBlanc asked about Sec. 9-14 (c), if it could be done. Mr. Payson said it can and advised that the 15 days to issue a notice of violation is an arbitrary number which can be amended.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Ch. 9 by ADDING a new Sec. 9-14 "Enforcement and Penalties" as follows:

"The Building Inspector shall investigate any report of a failure to comply with this article.

(a) If the Building Inspector determines that a violation has occurred, the Building Inspector shall issue a warning notice to the retail establishment for the initial violation.

(b) The penalty for each violation that occurs after the issuance of the warning notice shall be \$50 for each offense. Payment of such fines may be enforced through civil action in the District Court.

(c) A retail establishment shall have fifteen (15) business days after the date that a notice of violation is issued to pay the penalty or the amount of the penalty payable shall be doubled."

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Ch. 9 by ADDING a new Sec. 9-15 "Exemptions" as follows:

"The annual Stamp Out Hunger Food Drive sponsored by the Open Door and National Association of Letter Carriers food drive shall be exempt from this article.

Councilor LeBlanc asked what businesses still have bulk bag stock left as they'll need to be rid of that by the time of the ban's being instituted. Ms. Smith said in their outreach efforts to city businesses they hadn't received feedback from storeowners. Councilor LeBlanc said he heard from several retailers who said that they weren't contacted during the Clean City Commission outreach efforts. Ms. Smith asked for the retailers' names that the Councilor heard from and the Commission would reach out to them. Mr. Payson advised that when Newburyport instituted their plastic bag ban it was in place 180 days (from the vote) and the ban language is giving well over 365 days in order for retailers to use up their single-use plastic bags before the ban is instituted. Councilor LeBlanc expressed his agreement that the effort has been well vetted publicly.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Ch. 9 by ADDING a new Sec. 9-16 "Effective Date" as follows:

"All of the requirements set forth in this article shall take effect on January 1, 2019."

These matters will be advertised for public hearing.

8. *CC2017-037 (LeBlanc): Request the Traffic Commission make a recommendation for the placement of stop signs and proper markings on Rockland Street, Gloucester Avenue & Madison Court (to codify recommendation for yield sign)*

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council



**CITY OF GLOUCESTER 2017
CITY COUNCIL ORDER**

**ORDER: CC#2017-047
COUNCILLORS: James O'Hara**

**DATE RECEIVED BY COUNCIL: 10/24/2017
REFERRED TO:
FOR COUNCIL VOTE: 11/14/17**

ORDERED that the City Council vote to request that the MassDOT Highway Division approve the installation of a formal divider line southwesterly from the lights on Eastern Avenue west bound on Route 127 to Main Street; and to approve the installation of a formal divider line from Harrison Avenue to the Eastern Avenue 128 lights for the purpose of dividing the traffic traveling west and traffic going south Route 128.

James O'Hara
Councillor at Large



**CITY OF GLOUCESTER 2017
CITY COUNCIL ORDER**

ORDER: CC#2017-048
COUNCILLORS: James O'Hara

DATE RECEIVED BY COUNCIL: 10/24/2017
REFERRED TO:
FOR COUNCIL VOTE: 11/14/17

ORDERED that the City Council vote to request that the MassDOT Highway Division conduct a feasibility study in regard to installing divider lines entering onto the Grant Circle Rotary from the north and south entrances of Washington Street.

James O'Hara
Councillor at Large