

CITY CLERK
GLOUCESTER, MA

2018 JUN 14 AM 9: 25



GLOUCESTER CITY COUNCIL
Planning & Development Committee
Wednesday, June 20, 2018 – 5:30 p.m.
1st Fl. Council Committee Room – City Hall
(Items May be taken out of order at the discretion of the Committee)

1. *PP2018-004: Request by Comcast to install 200 ft. +/- of underground conduit for service to 86 Main Street - To be conducted as a Public Hearing*
2. *Special Events Applications:*
 - A. Request to hold Magnolia Farmers' Market on Mondays from June 25 through August 27, 2018
 - B. Request to hold the 60th Sidewalk Bazaar August 2, 3, and 4, 2018
 - C. Request to hold Maritime Heritage Day on September 1, 2018
3. *Memorandum from City Clerk re; request of Thomas P. Testaverde to rename Mooncusser Lane to Midnight Sun Lane per GCO Ch. 21, Sec. 21-3 Subsections (a) through (f)(Cont'd from 06/06/18)*
4. *Memorandum from Planning Director re: request of Gloucester Crossing LLC proposing modifications of the site layout of Phase II of Gloucester Crossing Shopping Center*
5. *Memorandum from General Counsel re: MuniCode Ordinance Review & Recommendations for Gloucester's General Code of Ordinances & Gloucester Zoning Ordinance*
6. *SCP2017-012: School House Road #2, #3 and #4, Map 262, Lots 14 & 37 and Gloucester Crossing Road #7, Map 43, Lots 4 & 5 for a Special Permit under the Mixed Use Overlay District pursuant to GZO Sec. 5.29 (including Major Project under GZO Sec. 5.7) and Sec.'s 5.29.10 and 5.11.8 (Cont'd from 06/06/18)*

COMMITTEE
Chair, Councilor Valerie Gilman
Vice Chair, Councilor Jen Holmgren
Councilor Paul Lundberg

CC: Mayor Theken
Jim Destino
Joanne Senos
Chip Payson
Gregg Cademartori

The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.



CITY CLERK
GLOUCESTER, MA

2018 JUN -1 AM 9: 01

PP2018-004

Comcast
David R. Flewelling
Specialist 2 Construction
9 Forbes Road, Suite 9B
Woburn, MA 01801
Cell – 617-279-7864
dave_flewelling@cable.comcast.com

June 1, 2018

Ms. Joanne M. Senos
City Clerk
Gloucester City Hall
9 Dale Avenue
Gloucester, MA 01930

RE: 86 Main Street
Grant of Location-Petition

Dear Ms. Senos:

Enclosed please find materials supporting Comcast request for a grant of location from the City of Gloucester. The work associated with the attached petition is for the purpose of installing a new underground conduit system to provide the Comcast Service to number 86 Main Street. For a more detailed description of the work please refer to the attached construction plan.

I look forward to the opportunity to address this matter in further detail at the next available Gloucester City Council Meeting.

Should you have any questions or concerns, please feel free to contact me at (617) 279-7864.

Sincerely,

David R. Flewelling
Comcast
Specialist 2, Construction

Enclosure (5)

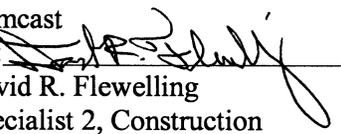
PETITION OF COMCAST FOR LOCACTION FOR CONDUITS AND MANHOLES

To the City Council for the City of Gloucester, Massachusetts:

Respectfully represents Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC. A company incorporated for the distribution of telecommunications services that it desires to construct a line for such telecommunications under the public way or ways hereinafter specified.

Porter Street and Main Street: Starting at the existing Utility Pole No. 69/1 on Porter Street. Excavating in the roadway to place (2) 3" PVC conduits 120'± to a proposed 24" x 36" vault located in the sidewalk on Main Street. Continuing with the excavation on Main Street to place (2) 3" PVC Conduits 80'± to a proposed 24"x 36" Vault located in the sidewalk and continue from the vault with a conduit into number 86 Main Street. The total footage of the proposed conduit installation is 200' +/- as shown on the attached construction sketch.

Wherefore, your petition prays that, after due notice and hearing as provided by law, the City Council may by Order grant your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by Comcast. Dated May 23, 2018, and filed here with, under the following public way or ways of said City of Gloucester:

Comcast
By: 
David R. Flewelling
Specialist 2, Construction

Dated this June 1, 2018

City of Gloucester Massachusetts

Received and filed _____, 2018

ORDER FOR CONDUIT LOCATION

In the City Council for the City of Gloucester, Massachusetts.

ORDERED:

That permission be and hereby is granted to Comcast of Connecticut/Georgia/Massachusetts / New Hampshire/NewYork/North Carolina/Virginia/Vermont, LLC., to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface of the following public way or ways as requested in petition of said Company dated June1, 2018.

Porter Street and Main Street: Starting at the existing Utility Pole No. 69/1 on Porter Street. Excavating in the roadway to place (2) 3" PVC conduits 120'± to a proposed 24" x 36" vault located in the sidewalk on Main Street. Continuing with the excavation on Main Street to place (2) 3" PVC Conduits 80'± to a proposed 24"x 36" Vault located in the sidewalk and continue from the vault with a conduit into number 86 Main Street. The total footage of the proposed conduit installation is 200' +/- as shown on the attached construction sketch.

Substantially as shown on plan marked - Proposed Comcast Underground, filed with said petition.

Also that permission be and hereby is granted said Comcast to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

The foregoing permission is subject to the following conditions:

1. The conduits and manholes shall be of such materials and construction and all work done in such manner as to be satisfactory to the City Council or to such officers as it may appoint to the supervision of the work.
2. Said Company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
3. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of One Hundred Thousand Dollars (\$100,000) (reference being had to the bond already on file with said City) conditioned for the faithful performance of its duties under this permit.
4. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

I hereby certify that the foregoing order was adopted at a meeting of the City Council for the City of Gloucester, Massachusetts, held on the _____ day of _____ 2018.

(over)

City Clerk

We hereby certify that on _____, 2018, at _____ o'clock _____ M., at Gloucester, Massachusetts a public hearing was held on the petition of the Comcast for permission to lay and maintain underground conduits, manholes and connections, with the wires and cables to be placed therein, described in the order herewith recorded, that we mailed at least seven days before said hearing a written notice the time and place of said hearing to each of the owners of real estate determined by the last preceding assessment for taxation along the ways parts of ways upon which the Company is permitted to construct the lines said Company under said order. And that thereupon said order was duly adopted.

Gloucester City Council; Gloucester, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order, and certificate of hearing with the notice adopted by the City Council for the City of Gloucester, Massachusetts, on the _____ day of _____ 2018, recorded with the records of location orders of said City, Book _____, Page _____. This certified copy is made under the provision of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk



City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit 7-79

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 adjacent abutters as required by the City's City Council and it reflects the abutters to the Parcel known as Map 7 Lot 79 as further shown on the attached map dated 5/23/2018.

ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
7-32 GLOUCESTER HARBOR COMPANY LLC	69 MAIN ST GLOUCESTER HARBOR COMPANY LLC	7-32	GLOUCESTER HARBOR COMPANY LLC 30 MYSTIC AV WINCHESTER, MA 01890
7-31-995 GLOUCESTER 73-93 MAIN ST CONDO	73-93 MAIN ST 995 GLOUCESTER 73-93 MAIN ST CONDO	7-31	GLOUCESTER 73-93 MAIN ST CONDO 85 MAIN ST GLOUCESTER, MA 01930
7-78 TRAYES WILLIAM H TR TRAYES NOMINEE TR	76 MAIN ST	7-78	TRAYES WILLIAM H TR TRAYES NOMINEE TR 7 OLD GARDEN RD ROCKPORT, MA 01966-1842
7-79 PARDO ALEJANDRO & BRADLEY STEPHEN TRS C/O KOHN RICHARD TR	84 MAIN ST	7-79	PARDO ALEJANDRO & BRADLEY STEPHEN TRS C/O KOHN RICHARD TR PO BOX 665 WINCHESTER, MA 01890
7-31-A CAPE ANN 85 MAIN LLC	85 MAIN ST	7-31	CAPE ANN 85 MAIN LLC 2 BOULDER AV GLOUCESTER, MA 01930
7-80-5R NOYES RUTH S	92 MAIN ST 5	7-80	NOYES RUTH S 1 WOODBURY ST GLOUCESTER, MA 01930
7-80-2R NOYES RUTH S	92 MAIN ST 2	7-80	NOYES RUTH S 1 WOODBURY ST GLOUCESTER, MA 01930
7-80-3R NOYES RUTH S	92 MAIN ST 3	7-80	NOYES RUTH S 1 WOODBURY ST GLOUCESTER, MA 01930
7-80-1C NICASTRO JOHN P ET AL C/O NICASTRO JOHN & ANGIE JOY	92 MAIN ST 1	7-80	NICASTRO JOHN P ET AL C/O NICASTRO JOHN & ANGIE JOY 9 LATTOF FARM CR ROCKPORT, MA 01966
7-80-1R NOYES RUTH S	92 MAIN ST 1	7-80	NOYES RUTH S 1 WOODBURY ST GLOUCESTER, MA 01930



City of Gloucester Abutters Report

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ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
7-80-4R NOYES RUTH S	92 MAIN ST 4	7-80	NOYES RUTH S 1 WOODBURY ST GLOUCESTER, MA 01930
7-80-995 92-94 MAIN ST CONDO TRUST C/O NOYES RUTH S TR	92 MAIN ST 995	7-80	92-94 MAIN ST CONDO TRUST C/O NOYES RUTH S TR 1 WOODBURY ST GLOUCESTER, MA 01930
7-81-1 EDWARDS REGINA	96 MAIN ST 1	7-81	EDWARDS REGINA 96 MAIN ST UNIT 1 GLOUCESTER, MA 01930
7-81-2 EDWARDS REGINA M	96 MAIN ST 2	7-81	EDWARDS REGINA M 96 MAIN ST UNIT 2 GLOUCESTER, MA 01930
7-81-995 96 MAIN ST CONDO TRUST C/O GRAY STUART F & COLLEEN J	96 MAIN ST 995	7-81	96 MAIN ST CONDO TRUST C/O GRAY STUART F & COLLEEN J PO BOX 536 HAMILTON, MA 01936
7-82 100-102 MAIN STREET LLC C/O SALLAH CHRISTOPHER	102 MAIN ST	7-82	100-102 MAIN STREET LLC C/O SALLAH CHRISTOPHER 22 BECKFORD ST SALEM, MA 01970
7-31-B GOLDEN PHOENIX LLC	3 PORTER ST	7-31	GOLDEN PHOENIX LLC 3 PORTER ST GLOUCESTER, MA 01930



City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit 7-79

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ABUTTER

STREET ADDRESS

PARCEL NO.

TAX BILL ADDRESS

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.

Nancy A. Papows, MAA
Gary I. Johnstone, MAA
Bethann Brousseau, MAA
GLOUCESTER BOARD OF ASSESSORS

City of Gloucester Assessors' Office, City Hall, 9 Dale Avenue, Gloucester, MA 01930

5/23/2018



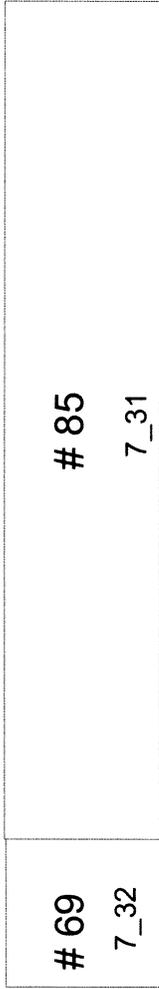
Center Street



Concrete Sidewalk

Main Street

PROPOSED COMCAST UNDERGROUND CONDUIT (2) - 3" PVC.SCH.40 L = 200' +/-



95
Parking Lot
7_50

120' ±

80' ±

Utility Pole No.
69/1

Porter Street

Notes:

1. This plan was prepared to depict the proposed Comcast Underground on Main Street and Porter Street.
The total length of the proposed conduit is 200' +/-.
2. Prior to any construction the contractor shall notify Dig Safe at least 72 hours in advance at 1-888-Dig-Safe or 811 for verification of utilities and for field locations.
3. All work to be undertaken shall conform to the City of Gloucester Engineering Department and Department of Public Works Standards.

PROPOSED COMCAST UNDERGROUND CONDUIT PLAN TO SERVICE 86 MAIN STREET
PLAN OF LAND
GLOUCESTER, MA
DATE: Revised MAY 23, 2018 SCALE: NA DRAWING No. 7

Department of Public Works
28 Poplar Street
Gloucester, MA 01930



CITY CLERK
GLOUCESTER, MA
TEL (978)281-9785
FAX(978)281-3896
mhale@gloucester-ma.gov
2018 JUN 14 PM 3: 36

CITY OF GLOUCESTER
DEPARTMENT OF PUBLIC WORKS
MEMORANDUM

Date: 4 June 2018

To: Councilor Valarie Gilman, Chair, Planning and Development Committee
Councilor Jen Holmgren, Vice Chair
Councilor Paul Lundberg, Member

From: Michael B. Hale, Director of Public Works *M.B.H.*

Re: Application (PP2018-004) Comcast to place (2) 3' conduits approx. 120' to a proposed 24'x26' vault located in the sidewalk on Main Street. Continuing with the excavation on Main Street to place (2) 3" PVC Conduits 80" +/- to a proposed vault with a conduit into number 86 Main Street. The total footage of the proposed conduit installation is 200' +/- as shown on the submitted construction sketch.

Councilors:

The Department of Public Works has reviewed the above mentioned application by Comcast to place (2) 3' conduits approx. 120' to a proposed 24'x26' vault located in the sidewalk on Main Street. Continuing with the excavation on Main Street to place (2) 3" PVC Conduits 80" +/- to a proposed vault with a conduit into number 86 Main Street. The total footage of the proposed conduit installation is 200' +/- as shown on the submitted construction sketch.

Public Works supports this project however; we do not support the anticipated start time of this project. Construction mid-summer on Main Street should be avoided due to the number of planned events, the influx of pedestrians, and the congestion of this narrow area.

In an attempt to maintain the quality of City roadways and the sensitivity of the area, the Department of Public Works requests the following be required of the applicant:

1. Notification to the Department of Public Works 72 hours in advance of the proposed work. A construction schedule will be prepared by the applicant for review and acceptance by the Department of Public Works.
2. Proposed excavation may only occur **September 4, 2018 thru November 15, 2018.** (After Labor Day).
3. In the absence of a detailed construction plan, the Department of Public Works requests: all proposed conduits and appurtenances shall be placed so as to cause minimum conflict with existing underground utility services.
4. The existing sidewalks are cast in place concrete and the City of Gloucester will only accept full panel pours.
5. All excavated trenches shall be patched flush with the surrounding asphalt using hot mix asphalt binder at the end of each work day, to minimize pedestrian hazards. Asphalt shall be applied in two lifts of 2-inches, totaling 4- inches.
6. All final paving shall be done in consultation with the Department of Public works and an agreed upon final paving plan executed by the applicant.

Department of Public Works
28 Poplar Street
Gloucester, MA 01930



TEL (978)281-9785
FAX(978)281-3896
mhale@gloucester-ma.gov

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DEPARTMENT OF PUBLIC WORKS
MEMORANDUM

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Public Works would fully support construction from Labor Day (9/3/18) through November 15, 2018.

CITY OF GLOUCESTER – SPECIAL EVENTS PERMITS

NAME OF EVENT: Magnolia Farmers Market DATE OF EVENT: June 25-Aug 27

Special Events

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

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

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

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

Linda T. Lowe, City Clerk
Gloucester City Hall, 9 Dale Avenue
Gloucester, MA 01930
PHONE: 978-681-9720
EMAIL: llowe@gloucester-ma.gov

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

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

Completed copy filed: Date: 7/24/18 Initial: _____ Copy to Applicant: Date: _____ Initial: _____
Fee Paid: \$ 25⁰⁰ Date: 7/24/18 Initial: AMJ

CITY OF GLOUCESTER SPECIAL EVENT APPLICATION

SPECIAL EVENTS

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

Name and Type of Event Magnolia Farmers Market

1. Date: June 25 - Aug 27 Time: from 4 to 630

Rain Date: none Time: from _____ to _____

2. Location: Lexington Ave

3. Description of Property: _____ Public Private _____

4. Name of Organizer: LISA (MAG. HISTORICAL) City Sponsored Event: Yes ___ No ___

Contact Person: Ramus

Address: 463 Western Telephone: _____

E-Mail: missmagnolia1930@gmail.com Cell Phone: 978 290 3005

Day of Event Contact & Cell Phone: same

Official Web Site: magnoliahistoricalsociety.com

6. Number of Attendees Expected: 100 Number of Participants Expected _____

7. Is the Event Being Advertised? yes ? Where? all over

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

8. What Age Group is the Event Targeted to? 0-100

9. Have You Notified Neighborhood Groups or Abutters? Yes No ___ , Who? mcc, mwcc,
Attach a copy of the notification to the abutters to this application. oral

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

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

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

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

C. Games/Rides: Adult Rides _____ Kiddie Rides _____ Games _____ Raffle (requires City permit) _____
Other: _____ Total No. _____
Name of Carnival Operator (requires permit and inspection of rides): _____
Address: _____
Telephone: _____

D. Clean Up: No. of additional trash receptacles required 1 No. of additional recycling receptacles required 1
(To be provided by and removed by applicant at their expense.)

E. Portable Toilets: (To be provided by and removed by applicant at their expense. Each cluster of portable toilets must include at least one ADA accessible toilet)
No. : 0 standard No. : _____ ADA accessible

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

PARADE _____

ROAD RACE _____

WALK-A-THON _____

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

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

3. Locations of Water Stops (if any):

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

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

5. Parade Formation Location & Time for Participants:

6. Dismissal Location & Time for Participants:

7. Additional Parade Information:

• Number of Floats: _____

• Location of Viewing Stations: _____

• Are Weapons Being Carried(If "Yes", Police approval may be required: Yes: __No __

• Are Parade Marshalls Being Assigned to Keep Parade Moving: Yes: __No __

8. Name and Address of Insurer: _____

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

CITY APPROVAL (FOR COMMITTEE MEMBERS USE ONLY):

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

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

Initials of
Dept. Head/
Designee

Notes by Department Head or Designee

- | | |
|---|--|
| | 1. Special Events Advisory Committee _____ |
| | 2. Planning & Development Committee _____ |
| <p><i>JS</i></p> <p><i>RW</i></p> <p><i>AS</i></p> <p><i>of</i></p> <p><i>ML</i></p> <p><i>PL</i></p> <p><i>TH</i></p> <p><i>TJ</i></p> | <p>3. Gloucester Police Department _____</p> <p>Is Police Detail Required? _____ No. of Details _____</p> <p>Traffic, Parking & Transportation _____</p> <p>4. Health Department _____</p> <p>5. Building Inspector <u>Insp required</u></p> <p>6. Electrical Inspector <u>Insp required</u></p> <p>7. Department of Public Works: _____</p> <p>Use of City Property: Yes/No Location if yes: _____</p> <p>8. Gloucester Fire Department _____</p> <p>Is a Fire Detail Required? <u>NO</u> No. of Details <u>—</u> EMS <u>—</u> Use of Propane: <u>NO</u></p> <p>(Attach EMS Memo)</p> <p>9. Licensing Commission (includes vendors) (Through City Clerk: _____)</p> <p>10. Other <u>Taxism/Com Dev</u></p> <p>11. Harbormaster. _____</p> |

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

Lisee Ramo

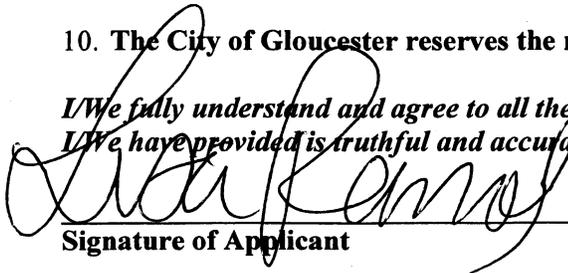
Signature of Applicant

4-24, 2018
?

RESPONSIBILITIES OF APPLICANT

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

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

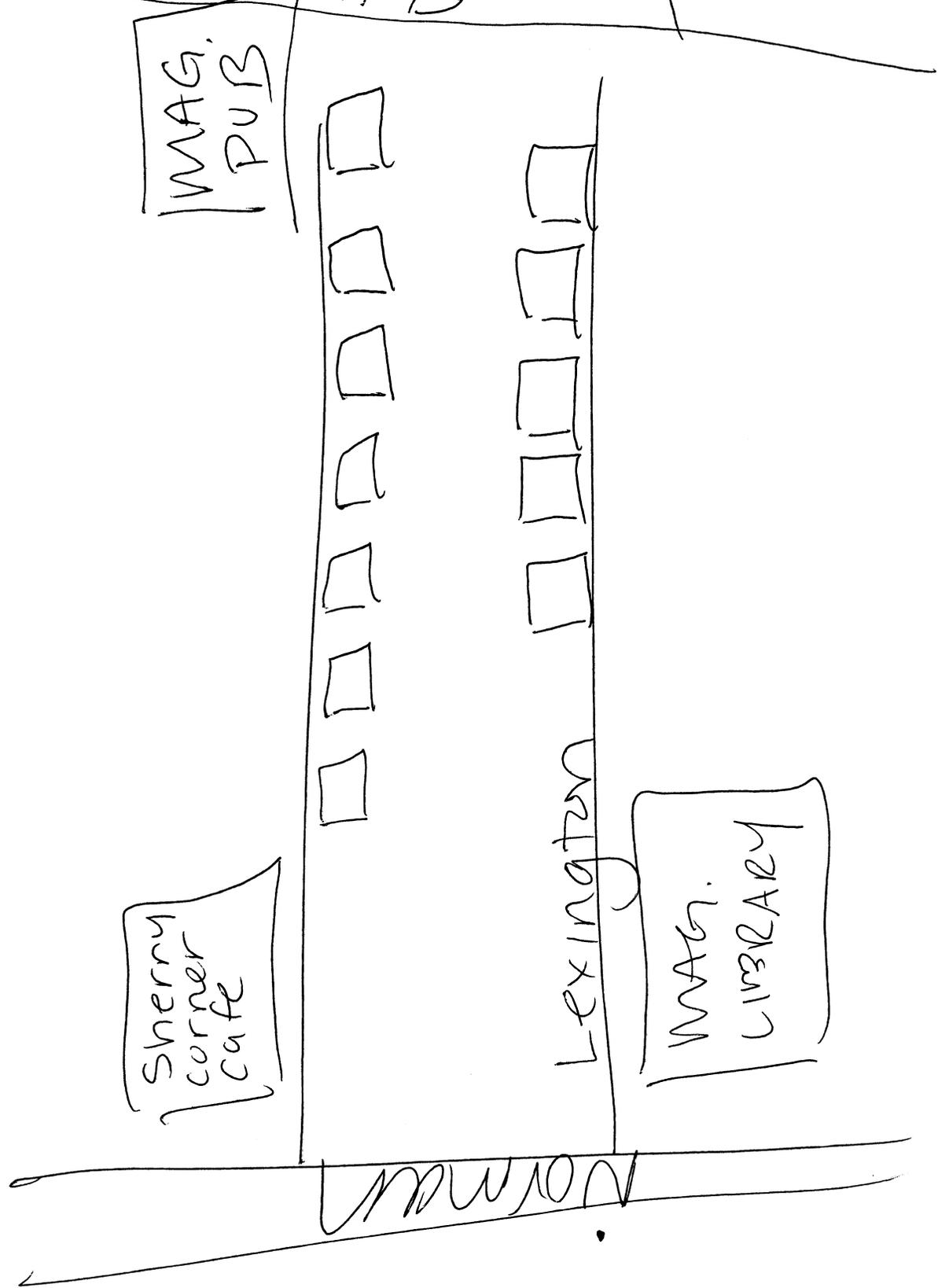


Signature of Applicant

March 18, 2018

Magnolia Farmers Market

Trading Floor



Check # 468 - \$25.00

CITY CLERK
GLOUCESTER, MA

CITY OF GLOUCESTER - SPECIAL EVENTS PERMIT

NAME OF EVENT: SIDEWALK BAZAAR DATE OF EVENT: AUGUST 2, 3, 4, 2018

Special Events

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

In order to assure that the City, as well as the special event applicant, has as much information as needed before beginning the permitting process, the City requires the applicant to come to the City Clerk first to arrange to be placed on the Special Events Advisory Committee agenda. The applicant **must complete** a Special Events Application form in advance which includes:

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

The applicant is to submit the completed permit form (download at: Gloucester-ma.gov or available in City Clerk's Office) signed and dated with cash or check made payable to the City of Gloucester: \$25.00 for non-profit organizations (non-profit organizations must submit a 501(c) (3) form with application), \$50.00 for-profit organizations, at the City Clerk's Office. At that time, an appointment for review prior to the submission of the permit to the City Council process must be made at the convenience of the City Clerk in order to begin the approval process. **All first time applicants must file completed application and permitted at least 60 days in advance of their event; annual event applicants must file completed application and finalized at least 45 days in advance. Non-compliance with these filing deadlines may result in denial of the application.**

Some applicants will appear before the Council's Planning & Development Committee who will give the applicant a list of conditions which must be met. If the completed application doesn't require P&D Committee approval, then the application including the checklist should be considered complete upon the applicant's appearance before the Special Events Advisory Committee.

Joanne M. Senos, City Clerk
Gloucester City Hall, 9 Dale Avenue
Gloucester, MA 01930
PHONE: 978-281-9720x8
EMAIL: jsenos@gloucester-ma.gov

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

Completed copy filed: Date: 5/17/18 Initial: VCW Copy to Applicant: Date: _____ Initial: _____
Fee Paid: \$ cash 468

2018 MAY 17 - 7 PM 3:45
Revised: 01/27/17

CITY CLERK
GLOUCESTER, MA

CITY OF GLOUCESTER SPECIAL EVENT APPLICATION

SPECIAL EVENTS

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

Name and Type of Event 60th Gloucester Sidewalk Bazaar

1. Date: August - 2-3-4 2018 Time: from 6 AM to 6 PM

Rain Date: Same Time: from 6 AM to 6 PM

2. Location: Main Street

3. Description of Property & Name of Owner: Public Street / City of Gloucester
Public X Private

4. Name of Organizer: Gloucester Downtown Association City Sponsored Event: Yes X No
Contact Person: Joe Cicchino
Address: 153 Main St Telephone: 978-281-1227
E-Mail: WEATHERVANE153@gmail.com Cell Phone: 978-325-2506
Day of Event Contact & Cell Phone: Same
Official Web Site: Gloucester Downtown Association

5. Are street closures required: X Yes No If yes, where: Main St.

6. Number of Attendees Expected: 5K Number of Participants Expected: 200

7. Is the Event Being Advertised? YES? Where? Print + Social Media
7. (a) Is there a fee charged for tickets/attendance for event participation? Yes No X List all fees if yes.

8. What Age Group is the Event Targeted to? All Ages

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

10. Are you or Profit Organization: Non-Profit Organization Who will benefit financially from this event? Gloucester Downtown

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

A. Vending: Food X Beverages X Alcohol Goods X Total No. of Vendors* 140
(*Local or State license required)

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

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

Name of Carnival Operator (requires permit and inspection of rides): NONE
Address:
Telephone:

D. Tents: Yes No. If yes, how many 60 What are the tent sizes: 10x10 (May require permits)

E. Clean Up: No. of additional trash receptacles required 10 No. of additional recycling receptacles required 5
(To be provided by and removed by applicant at their expense.)

F. Portable Toilets: (To be provided by and removed by applicant at their expense. Each cluster of portable toilets must include at least one ADA accessible toilet)
No.: Public Rest Rooms standard No.: Same ADA accessible

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

PARADE _____

ROAD RACE _____

WALK-A-THON _____

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

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

3. Locations of Water Stops (if any): _____

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

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

5. Start Location & Time for Participants: _____

6. Dismissal Location & Time for Participants: _____

7. Number of Participants: _____

8. Additional Parade Information:

• Number of Floats: _____

• Location of Viewing Stations: _____

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

__

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

8. Name and Address of Insurer: _____

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

CITY APPROVAL (FOR COMMITTEE MEMBERS USE ONLY):

NAME OF EVENT: Gloucester Sidewalk Bazaar **DATE OF EVENT:** August 2, 3, 4 2018

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

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

Initials of
Dept. Head/
Designee

Notes by Department Head or Designee

JMS

1. Special Events Advisory Committee _____

2. Planning & Development Committee _____

[Signature]

3. Gloucester Police Department _____

Is Police Detail Required? _____ No. of Details _____

Traffic, Parking & Transportation _____ Street Closure: _____

RN

4. Health Department _____

[Signature]

5. Building Inspector _____

[Signature]

6. Electrical Inspector _____

ML

7. Department of Public Works: _____

Use of City Property: Yes/No Location if yes: _____ Permits: _____

JH

8. Gloucester Fire Department _____

Is a Fire Detail Required? AQ No. of Details --- EMS --- Use of Propane: yes

(Attach EMS Memo)

9. Licensing Commission (includes vendors) (Through City Clerk: _____

10. Licensing Board (Alcohol): _____

T.J.

11. Harbormaster: _____

[Signature]

12. Tourism: _____

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

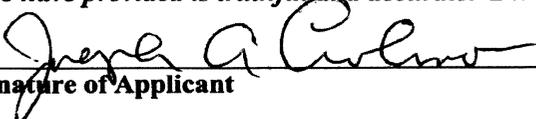
Joseph A. Crotino
Signature of Applicant

Aug 31, 2018

RESPONSIBILITIES OF APPLICANT

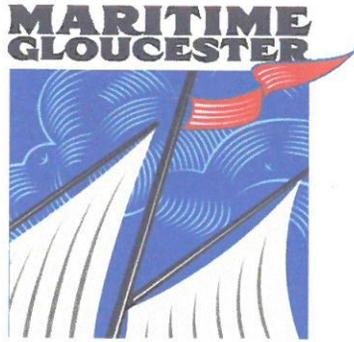
1. All members of the organizing committee and performers/concessionaires/vendors must adhere to the rules and regulations set forth by all applicable departments.
2. The applicant and concessionaire/vendor are responsible to pay all applicable fees required by applicable ordinances and State law. Any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

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



Signature of Applicant

May 3, 2018



Expected vendors for 2018 Maritime Heritage Day

Name	Memo
Bacon, Michelle (Blossom)	artisan
Chiasson, Kimberly	artisan
Design of Mine	artisan
Leaman, Aron	artisan
Little Owl Arts	artisan
Leslie Galacar	artisan
Karol Peralta	artisan
Seaside Arts	artisan
Rusty & Ingrid (cust)	artisan
Cape Ann Fresh Catch	food
Dylan & Pete's Ice Cream	food
Adventure	nonprofit
Boston Malacological Club	nonprofit
Cape Ann Marine Partners	nonprofit
Cape Ann Museum	nonprofit
Schooner Ernestina	nonprofit
Schooner Festival	
Amanda Cook	aritsan
Camilla MacFadyen	artisan
Gloucester Soap - Chip Brewer	artisan
Essex Shipbuilding	nonprofit
Cape Ann Vernal Pond Team	nonprofit
Kestrel	nonprofit
NOAA	governmental
Sea Scouts	nonprofit
Gloucester High - Sailing	nonprofit
Old Cold Tater	musicians



**CITY OF GLOUCESTER 2018
CITY COUNCIL ORDER**

ORDER: CC#2018-028
COUNCILLORS: Scott Memhard

DATE RECEIVED BY COUNCIL: 06/12/2018
REFERRED TO: O&A & TC
FOR COUNCIL VOTE:

ORDERED that the Gloucester Code of Ordinances Ch. 22 "Traffic and Motor Vehicles" Sec. 22-269 "Stop intersections" be amended by **ADDING** "Traverse Street at its intersection with Haskell Street."

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

Scott Memhard
Ward 1 Councillor



**CITY OF GLOUCESTER 2018
CITY COUNCIL ORDER**

ORDER: CC#2018-029
COUNCILLORS: Jen Holmgren

DATE RECEIVED BY COUNCIL: 06/12/2018
REFERRED TO: O&A & TC
FOR COUNCIL VOTE:

ORDERED that the Ordinances & Administration Standing Committee request that the Traffic Commission review the matter of limiting the amount of time and locations that commercial box trucks are allowed to park on public streets, and make a written recommendation to the Ordinances & Administration Standing Committee on the findings of their review, including whether any traffic ordinance amendments to the Gloucester Code of Ordinances are recommended.

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

Jen Holmgren
Councillor at Large



**CITY OF GLOUCESTER 2018
CITY COUNCIL ORDER**

ORDER: CC#2018-030
COUNCILLORS: Jen Holmgren, Sean Nolan

DATE RECEIVED BY COUNCIL: 06/12/2018
**REFERRED TO: O&A, B&F, DPW Director,
Administration**
FOR COUNCIL VOTE:

ORDERED that the Ordinances & Administration and Budget & Finance Standing Committees, examine the potential of raising the Stage Fort Park non-resident access fee to \$20.00 per day on weekdays and \$25.00 per day on weekends for the purpose of aligning those fees with the current beach fees.

FURTHER ORDERED that the Ordinances & Administration and Budget & Finance Standing Committees explore opening a fund or account designated for the difference of +\$10.00 per car per day to ready Stage Fort Park for Gloucester's anticipated Quadricentennial celebration in 2023, and after the celebration, to deposit the monies in the aforementioned fund into funds allocated for maintenance of City recreational areas in general.

FURTHER OREDERED that this matter be referred to the Ordinances & Administration Standing Committee, Budget & Finance Standing Committee, the Director of the Department of Public Works and the Administration for review and recommendation to City Council.

Jen Holmgren
Councillor at Large

Sean Nolan
Ward 5 Councillor

GLOUCESTER CITY COUNCIL MEETING

Tuesday, May 22, 2018 – 7:00 p.m.
Kyrouz Auditorium – City Hall

-MINUTES-

Present: Chair, Councilor Paul Lundberg; Vice Chair, Councilor Steven LeBlanc, Jr.; Councilor Melissa Cox; Councilor Valerie Gilman; Councilor Kenneth Hecht; Councilor Jennifer Holmgren; Councilor Scott Memhard; Councilor James O'Hara

Absent: Councilor Nolan

Also Present: Mayor Theken; Joanne M. Senos; Jim Destino; Kenny Costa; Chip Payson; John Dunn; Harbormaster T.J. Ciarametaro; Deputy Harbormaster Chad Johnson; 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.

Flag Salute & Moment of Silence.

Council President Lundberg declared that the matter of Presentations/Commendations would be taken up before Oral Communications.

Presentations/Commendations: Presentation of the Mariner's Medal to Christian Dagley

Mayor Sefatia Theken advised that the Mariner's Medal is the city of Gloucester's most prestigious award, in America's oldest seaport. She conveyed it was her honor to present the Mariner's Medal to Christian Dagley. She explained that this medal is not given lightly; it is given to someone who is brave and thinks of others first. She expressed her thanks to the Mariner's Medal Committee for their diligence: Capt. Stefan Edick; Capt. Thomas Ellis; Capt. Arthur Sawyer, Jr.; Vito Calamo and Harbormaster T.J. Ciarametaro, some of whom were present.

Harbormaster T.J. Ciarametaro noted the Mariner's Medal dates back over one hundred years highlighting that the last Mariner's Medal was awarded in 2006. He recounted that in April 2017, Christian Dagley in his boat on the Annisquam River responded to a U.S. Coast Guard "Urgent Marine Assistance Request" broadcast for a vessel in distress. Mr. Dagley's immediate response and actions saved the lives of a man, woman and child from 45°F water, a very dangerous situation where time is of the essence. Any rescue on the water is challenging, he conveyed, saying that it was very fortunate that Mr. Dagley was there and able to act. He pointed out that this isn't the first time Mr. Dagley has responded to a vessel in distress call and is always, "ready to go." He offered his thanks and congratulations to Mr. Dagley. **Mayor Theken** read the Mariner's Medal Certificate to Mr. Dagley, presenting the Certificate and Mariner's Medal to him.

The City Council recessed at 7:07 p.m. and reconvened at 7:08 p.m.

Oral Communications:

Carter Whitlock, Webster Street, member of the Clean City Commission, conveyed a "Green Tip" by asking the public to bring their own trash bags to the beach as city beaches have a carry in/carry out trash policy meaning that beachgoers are responsible for picking up after themselves and properly disposing of their trash. It was advised that the DPW provides free trash bags to beachgoers if they forget a bag through the beach parking lot attendants.

Ainsley Smith, Clean City Commission Chair, 14 Pine Street, requested that the Council work with the Mayor's Office to identify more public meeting spaces for the many city boards, committees and commissions that mostly meet in the evenings on mid-week and enumerated some of the difficulties booking public accessible meeting spaces in municipal buildings.

The following residents of Juniper Road asked that the city fix potholes on their private way, especially at the intersection of Apple and Juniper Roads. Several residents noted that the public passes and repasses on this road near to Corliss Landing:

Will Giammateo, 12 Juniper Road

Thomas and Deborah Riquier, 14 Juniper Road

Jo Markinac, 12 Juniper Road

Gretel Seeley, 10 Juniper Road

John Quinn, 3 Juniper Road
William Hellmuth, 7 Juniper Road
Donna Curcuru, 2 Juniper Road

Confirmation of New Appointments:

Cemetery Advisory Committee Christine Maney (Alternate) TTE 02/14/21

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 appoint Christine Maney as Alternate member to the Cemetery Advisory Committee, TTE 02/14/21.

DISCUSSION: None.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Cox, the City Council voted 8 in favor, 0 opposed, 1 (Nolan) absent, to appoint Christine Maney as Alternate member to the Cemetery Advisory Committee, TTE 02/14/21.

Gloucester Cultural Council Connie Zaitchik (Cont’d from 4/30/18) TTE 02/14/19

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 appoint Connie Zaitchik to the Gloucester Cultural Council, TTE 02/14/19.

DISCUSSION: None.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Cox, the City Council voted 8 in favor, 0 opposed, 1 (Nolan) absent, to appoint Connie Zaitchik to the Gloucester Cultural Council, TTE 02/14/19.

Historical Commission Peter Lawrence TTE 02/14/21

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 appoint Peter Lawrence to the Historical Commission, TTE 02/14/21.

DISCUSSION:

Councilor Gilman noted that Mr. Lawrence lives in her ward advising he is active in the community expressing support for his appointment.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Cox, the City Council voted 8 in favor, 0 opposed, 1 (Nolan) absent, to appoint Peter Lawrence to the Historical Commission, TTE 02/14/21.

Consent Agenda:

• **MAYOR’S REPORT**

1. New Appointments
 - Fisheries Commission Michael Orlando TTE 02/14/21 (Refer O&A)
 - Zoning Board of Appeals Kristopher Howard (fulfilling term of Francis Wright) TTE 02/14/20 (Refer O&A)
- Reappointments
 - Licensing Board Meredith Fine TTE 02/14/24 (Refer O&A)
2. Special Budgetary Transfer Request 2018-SBT-15 from the Police Department (Refer B&F)
3. Memorandum, Grant Application & Checklist from the Cemetery Advisory Committee for the acceptance of the Mass Cultural Council Grant in the amount of \$6,326 (Refer B&F)
4. Memorandum, Grant Application & Checklist from the Gloucester Cultural Council for the acceptance of the Mass. Cultural Council Grant in the amount of \$7,600 (Refer B&F)
5. Supplemental Appropriation-Budgetary Request 2018-SA-32 from the Harbormaster (Refer B&F)
6. Memorandum from the Community Development Director re: Community Preservation Committee off cycle recommendation for Ten Gates Development project at Pearl Street #15 (Refer B&F)
7. Memorandum and Special Budgetary Transfer Request 2018-SBT-16 from the CFO (Refer B&F)

8. Memorandum from CFO re: loan authorization request to increase funding for approved Loan Order 2017-002 Phase One-Haskell Dam Upgrade (Refer B&F)
- **COMMUNICATIONS/INVITATIONS**
1. Invitation from the Cape Ann Veterans Services to the Memorial Day Ceremony on May 28, 2018 (Info Only)
2. Invitation from Gloucester Fire Department Relief Association to the Firefighters' Memorial Service on June 10, 2018 (Info Only)
- **APPLICATIONS/PETITIONS**
1. Memorandum from City Clerk re: request of Thomas P. Testaverde to rename Mooncusser Lane to Midnight Sun Lane per GCO Ch. 21, Sec. 21-3 Subsections (a) through (f) (Refer P&D)
- **COUNCILORS ORDERS**
1. CC2018-024 (Cox): Amend GCO Ch. 22 "Traffic and Motor Vehicles" Sec. 22-220 "Deposit to extend parking time beyond maximum legal time prohibited" AND Sec. 22-229 "Parking control device" re; shuffling at parking meters, and parking meter bags (Refer O&A)
2. CC2018-025 (Hecht): Amend GCO Ch. 22 "Traffic and Motor Vehicles" Sec. 22-2270 "Parking prohibited at all times" re: Prospect Street, northerly side from its intersection with Friend Street in a westerly direction (Refer O&A & TC)
3. CC2018-026 (Hecht): Amend GCO Ch. 22 "Traffic and Motor Vehicles" Sec. 22-2270 "Parking prohibited at all times" re: Prospect Street, westerly side, beginning at its intersection with Spring Street
4. CC2017-027 (Hecht): Amend GCO Ch. 22 "Traffic and Motor Vehicles" Sec. 22-2270 "Parking prohibited at all times" re: Pleasant Street, westerly side, beginning at a point 130 feet from its intersection with Warren Street in a northerly direction for a distance of 25 feet (Refer O&A & TC)
- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
1. City Council Meeting: 05/08/2018 (Approve/File)
2. Standing Committee Meetings: B&F 05/17/18 (under separate cover), O&A 05/14/18, P&D 05/16/18 (under separate cover) (Approve/File)

Unanimous Consent Calendar:

1. Planning Board Informal Review and Recommendation regarding Zoning for Recreational Marijuana Establishments (Refer P&D)

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

Councilor Cox asked to remove Item #6 off of the Mayor's Report, Memorandum from the Community Development Director re: Community Preservation Committee off cycle recommendation for Ten Gates Development project at Pearl Street #1. She highlighted that this is an off-cycle recommendation for the Community Preservation Committee for a Pearl Street affordable housing development. It is a downtown location, she noted. She advised the off-cycle application for CPA Funding for Affordable Housing will be taken up at the B&F meeting on June 7th.

Councilor LeBlanc asked to remove Item #1 under the Mayor's Report, "Reappointments," and under Approval of Minutes, the O&A Committee's 05/14/18 minutes. He advised that under "Reappointments" that Meredith Fine was reappointed to the Licensing Board in 2017 and that her term expires in 2023. Therefore this matter should be removed from the Consent Agenda. **By a unanimous vote of the Council, the matter of the reappointment of Meredith Fine to the Licensing Board was removed from the Council's Consent Agenda.**

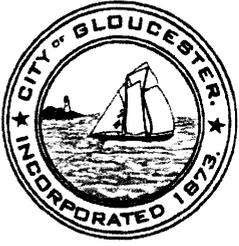
Further, **Councilor LeBlanc** asked that the O&A minutes be amended to reflect the following change: Page 6 of 6: the statement "This matter will be advertised for public hearing." to be struck. **By a unanimous vote of the Council the O&A Committee minutes of 05/14/18 were amended as requested.**

Councilor Gilman asked to pull Item #1 of the Unanimous Consent Agenda, Planning Board Informal Review and Recommendations regarding the proposed Zoning for Recreational Marijuana Establishments and advised as follows:

"Pursuant to the Planning Board's Informal Review and Recommendations regarding the proposed Zoning and Use Table amendments for Recreational Marijuana Establishments, I move that the City Council and the Planning Board initiates and undertakes a "Formal Review of the Planning Board's Recommendations of the proposed Zoning and Use Table Amendments for Recreational Marijuana Establishments in the Planning Board's memorandum dated May 21, 2018." Additionally, given that notice to all abutters in the city is impracticable, the City Council waives the Notice to Abutters under GZO Sec. 1.11.4(b); and sets the public hearing for June 26, 2018, and refers the matter to the Planning & Development Committee and the Planning Board." **The motion was seconded by Councilor Cox.**

Council President Lundberg advised this is the third part of the marijuana legislation that will come before the Council, which is the most important step for the zoning of Recreational Marijuana Retail Establishments. The Council received an informal recommendation, he pointed out, and by approving this it begins the formalizing of the process. He also pointed out is usual to waive the notice to abutters as it affects the entire city. If the Council approves this action, the matter will go back to the Planning Board for a formalized process and also to the P&D Committee to start a substantive discussion on the zoning.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Cox, the City Council voted 8 in favor, 0 opposed, 1 (Nolan) absent, that pursuant to the Planning Board's Informal Review and Recommendations regarding the proposed Zoning and Use Table amendments for Recreational Marijuana Establishments, I



OFFICE OF THE CITY CLERK
9 Dale Avenue • Gloucester, Massachusetts 01930
Office (978) 281-9720 Fax (978) 282-3051

TO: City Council

FROM: Joanne M. Senos, City Clerk *JMS*

DATE: May 16, 2018

RE: Request of Thomas P. Testaverde to rename Mooncusser Lane to Midnight Sun Lane

Under the Code of Ordinances, Sec. 21-3 "Street names" Sec. (a) through (f), I am providing the Council with a request from Thomas P. Testaverde of 3 Mooncusser Lane to rename Mooncusser Lane to Midnight Sun Lane.

Prior to being considered by the City Council this request must, by the Code of Ordinances Sec. 21-3 (d), be reviewed by the Planning & Development Standing Committee, and be reviewed by the respective city department pursuant to Sec. 21-3(e).

4/12/18

CITY CLERK
GLOUCESTER, MA

2018 MAY 15 AM 11: 59

To The city of Gloucester,

My name is Thomas P Testaverde my wife Rosanne and I currently own a house lot at 3 Mooncusser Lane. Its only one lot off this small street. We are partitioning the city of Gloucester for a name change from Mooncusser Ln to Midnight Sun Lane. The lot has two abutting neighbors besides our own house. Both of the under signed neighbors don't have a problem with having the name changed.

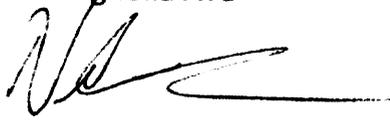
Thank you,

Thomas P Testaverde

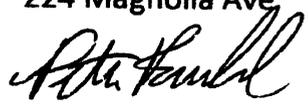


Neighbors

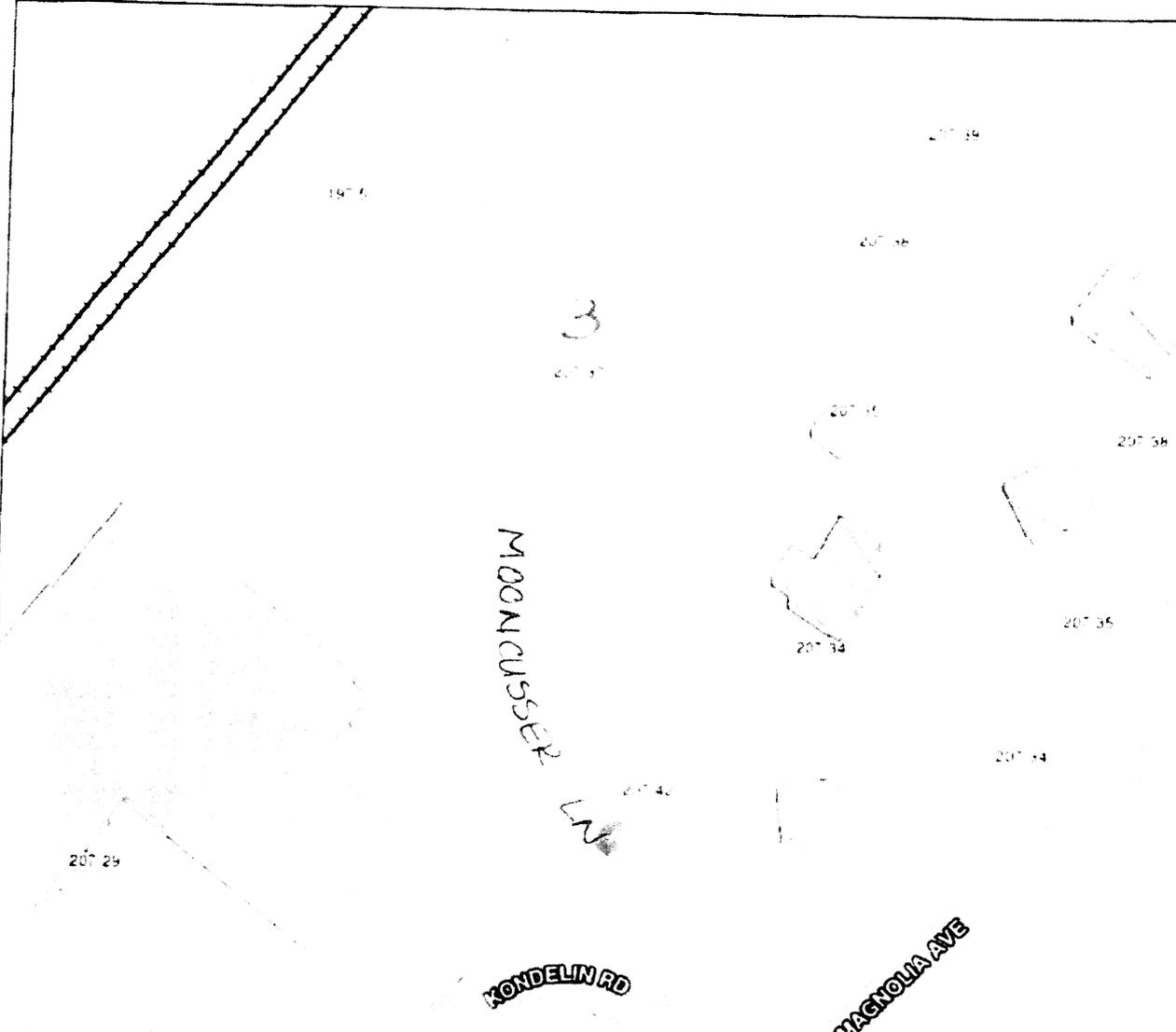
Vito Ferrara
220 Magnolia Ave



Peter Farenwald
224 Magnolia Ave



Mooncusser Lane



1" = 85 ft



The Town makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 3/31/2014



Mooncusser Lane

Property Information
Property ID 207-34
Location 222 MAGNOLIA AV
Owner TESTAVERDE THOMAS P &
ROSANNE



MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Gloucester, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 07/01/2017
Properties updated 07/01/2017





Dana Jorgensson <djorgensson@gloucester-ma.gov>

Re: Change from Mooncusser Lane to Midnight Sun Lane

1 message

Eric Smith <esmith@gloucester-ma.gov>

Thu, May 31, 2018 at 5:54 PM

To: Dana Jorgensson <djorgensson@gloucester-ma.gov>

Cc: "John McCarthy [PD]" <jmccarthy@gloucester-ma.gov>, Gregg Cademartori <gcademartori@gloucester-ma.gov>, Nancy Papows <npapows@gloucester-ma.gov>, Paul Keane <pkeane@gloucester-ma.gov>, Val Gilman <vgilman@gloucester-ma.gov>, Michael Hale <mhale@gloucester-ma.gov>, Rose Lopiccio <rlpiccolo@gloucester-ma.gov>, Smith Eric <esmith@gloucester-ma.gov>

I in general do not support any name changes unless it is to help to improve identification of the location by reducing similar names, sound alike or the same name being used for more than one legal way such as a Street, Lane, Court, etc. In addition I do not support changing this Lane as it was just recently named Mooncusser within the last few years. Every time an established way changes name it creates additional risk of confusion, forces emergency personnel to relearn a street name and forces changes to be made across all city records and resources such as maps, GIS, tax records, 911 system, signage, etc.

In my opinion there is no good reason or outcome for this change from the Public Safety perspective.

Best Regards,

Eric

Eric L. Smith
Fire Chief / Emergency Management Director
City of Gloucester Fire Department
8 School Street
Gloucester, MA 01930
(W) 978-281-9780 (option 4)
(C) 978-491-9854



On Thu, May 31, 2018 at 8:47 AM, Dana Jorgensson <djorgensson@gloucester-ma.gov> wrote:

Ladies & Gentlemen: I don't believe I forwarded the submitted documentation to you. My apologies. Please see attached.

—
Dana C. Jorgensson
Clerk of Committees
Gloucester City Council
978-281-9720x4
djorgensson@gloucester-ma.gov

CITY CLERK
GLOUCESTER, MA

2018 MAY 31 AM 10:32



INTEROFFICE MEMORANDUM

TO: COUNCILOR VALERIE GILMAN, CHAIR
COUNCILOR JEN HOLMGREN, VICE CHAIR
COUNCILOR PAUL LUNDBERG

FROM: MICHAEL B. HALE, DIRECTOR OF PUBLIC WORKS *MBH*

SUBJECT: RENAMING OF MOONCUSSEY LANE TO MIDNIGHT SUN LANE

DATE: MAY 30, 2018

CC:

The Department of Public Works has reviewed the request to rename Mooncusser Lane to Midnight Sun Lane.

Mooncusser Lane is a common drive way, formerly known as 220R Magnolia Avenue. On November 18, 2018, it was voted by City Council to be renamed from 220R Magnolia Ave to Mooncusser Lane.

By way of background, at the time of the request to rename to Mooncusser Lane, the property was a vacant lot that the former owner had a proposal for a home to be built. The City Engineer at that time felt the location would be difficult to find based on the address (220R Magnolia Ave). The Assistant Police Chief advised naming a "street" would be appropriate for 911 purposes so that the property can be found by emergency departments as well as the general public since there is no frontage on Magnolia Avenue.

Public Works does not support this request, as it is a common driveway named less than 4 years ago.

Should Council approve this request, the petitioner should be responsible for the cost of the new sign and installation.



Dana Jorgensson <djorgensson@gloucester-ma.gov>

Re: Request by Thomas Testaverde to rename Mooncusser Lane

1 message

Paul Keane <pkeane@gloucester-ma.gov>

Fri, Jun 1, 2018 at 11:12 AM

To: Dana Jorgensson <djorgensson@gloucester-ma.gov>

Cc: Eric Smith <esmith@gloucester-ma.gov>, "John McCarthy [PD]" <jmccarthy@gloucester-ma.gov>, Gregg Cademartori <gcademartori@gloucester-ma.gov>, Nancy Papows <npapows@gloucester-ma.gov>, Val Gilman <vgilman@gloucester-ma.gov>, Michael Hale <mhale@gloucester-ma.gov>, Rose Lopiccolo <rlopiccolo@gloucester-ma.gov>

06/01/18 11:12

Dana:

This Office agrees with the response of the Fire Department as described by Chief Smith in his email of May 31.

This particular way was named as an "E-911" street, only a couple of years ago, as a substitute for the original way named "Old Magnolia Avenue".

The re-naming was proposed at that time because a landowner had submitted a drainage & grading plan under GZO s.1.3.3 to build a home to be accessed by this driveway from Kondelin Road, and since neither the location nor the existing addressing was intuitive to a person trying to locate this proposed home, especially in an emergency, it was thought that giving the lot an address off of a named way would serve to aid emergency response, and thereby improve public safety.

As the Chief stated, every time an established way changes name it creates additional work to link information across all city records and resources such as maps, GIS, tax records, 911 system, signage, etc.

Therefore this Office does not endorse a name change such as this, since it is not being proposed for Public Safety Reasons, but apparently for personal reasons.

Paul

Paul G. Keane, P.E.**City Engineer**

City of Gloucester

City Hall Annex- CATA Building

3 Pond Road - 2nd Floor

Gloucester, MA 01930

O: 978-325-5335

D: 978-325-5229

F: None - scan & email

M: 978-423-1164

E: pkeane@gloucester-ma.gov

W: www.gloucester-ma.gov

On Thu, May 31, 2018 at 8:13 AM, Dana Jorgensson <djorgensson@gloucester-ma.gov> wrote:

Ladies & Gentlemen: Thomas P. Testaverde has requested that Mooncusser Lane be renamed to Midnight Sun Lane. Under GCO Ch. 21, Sec. 21-3 "Street Names" subsection (e), the Planning & Development Standing Committee of the City Council as voted to request that you forward to them at your earliest convenience your recommendation in the purview of your responsibility with the city. The Committee vote will take place on June 6 and return to their agenda on Wednesday, June 20. Your return emails of recommendation are acceptable communication as a your "written

6/1/2018

City of Gloucester Mail - Re: Request by Thomas Testaverde to rename Moonusser Lane

report." However, if you wished to follow up with a memorandum signed by you for our files it will be appreciated also. Thank you in advance for your understanding and cooperation in this matter

--

Dana C. Jorgensson

Clerk of Committees

Gloucester City Council

978-281-9720x4

djorgensson@gloucester-ma.gov



CITY OF GLOUCESTER

GLOUCESTER, MASSACHUSETTS - 01930

OFFICE OF THE ASSESSORS

CITY CLERK
GLOUCESTER, MA

2018 MAY 31 AM 11:51

May 31, 2018

Planning & Development Committee
Valerie H. Gilman, Chair
Jen Holmgren, Vice Chair
Paul Lundberg, Member

Re: Proposed Street Naming

Chairperson Gilman,

The Assessors have reviewed the proposed plan for a change in street name from Mooncusser Lane to Midnight Sun Lane and find there are no conflicts with existing street names. There are no streets currently in our database using the name Midnight Sun Lane. Thank you.

Tim Good
Assistant Assessor
City of Gloucester
(978) 281-9715
tgood@gloucester-ma.gov

9 Dale Avenue – Gloucester, MA 01930
Telephone: 978-281-9715
Fax: 978-281-8472
www.gloucester-ma.gov

City Hall Annex
Three Pond Road
Gloucester, MA 01930



GREGG M. CADEMARTORI
Planning Director
tel 978-325-5242
gcademartori@gloucester-ma.gov

CITY OF GLOUCESTER
Community Development Department
Planning Division

Date: June 6, 2018
To: Mayor Sefatia Romeo Theken
From: Gregg Cademartori, Planning Director *GM*
CC: Bill Sanborn, Building Inspector; Jill Cahill, Community Development Director
Re: Gloucester Crossing – Minor Modification

The Planning Division of the Community Development Department is in receipt of a letter dated May 15, 2018 from Timothy J. Power, P.E., of Land Strategies LLC representing Gloucester Crossing, LLC describing proposed modifications of the site layout of Phase II of the Gloucester Crossing Shopping Center. In brief, the letter and supporting documentation outlines:

- Redesign of building footprints for Building C (extension to the west of the existing Petco location) and Building F (to be located to the north of the roundabout opposite Petco) resulting in a reduction of total retail/restaurant square footage of the project.
- Minor redesign of the parking areas and sidewalk network in the same area.

A special condition #4 was included in the City Council Major Project Shopping Center Special Permit issued on October 16, 2007 as follows:

4. The Planning Director in consultation with the Community Development Director, Building Inspector, City Engineer, Conservation Agent, and Director of Public Works, shall determine whether any modifications to the Project are substantial or insubstantial. In making such determination, the following shall be presumed to constitute substantial modifications, subject to confirmation by the City Council by majority vote at a public meeting.

- * Any change in the composition or number of uses on the Site specified in Condition No. 2 that results in an increase in traffic generation above the vehicle trips identified in the record documents;
- * Changes in the location of buildings, roadways, parking areas and other accessory structures that decrease the setbacks as defined in the GZO from adjoining residential areas indicated in the record documents;
- * Changes that result in a net reduction of open space or lot coverage indicated in the record documents;
- * Changes to the buildings or grading that increase a building's height beyond that shown on the record documents and beyond that shown on the final approved plans;

- * Changes to the buildings that increase the total floor area of the Project beyond that shown on the record plans;
- * Changes to the architectural character of the buildings shown in the record documents; and

Authorization to modify the Record Plans shall be obtained prior to any substantial modification in the field.

Based upon the analysis and materials submitted, it is recommended to the City Council that the proposed changes as depicted in the plans titled:

“Gloucester Crossing Phase 2, Issued for Minor Modification, prepared by Land Strategies, LLC, stamped by Timothy J. Power, dated May 15, 2018 including the following plan sheets:

- C-100 – Overall Site and Overlay Plan
- C-101 – Layout and Materials
- C-102 – Grading and Drainage Plan
- C-103 – Open Space Comparison Plan
- C-104 – Fire Truck Turning Radius
- Gloucester Crossing – Building Elevations (date May 15, 2018)

do not surpass the thresholds as outlined in Condition #4 of the Special Permit and may be deemed “insubstantial”. This determination is required to be reviewed and confirmed by the City Council by a majority vote. Past practice has included referral from the City Council to the Planning and Development Standing Committee for review and recommendation, followed by a vote of the full Council. The applicant and appropriate staff will be prepared to review the proposed changes with the City Council. Please do not hesitate to contact this office with any questions.

05/15/2018

Gregg Cademartori
Planning Director
3 Pond Road
City Hall Annex
Gloucester, MA 01930

RECEIVED

MAY 16 2018

**COMMUNITY DEVELOPMENT
CITY OF GLOUCESTER**

RE: Gloucester Crossing – Minor Modification

Dear Mr. Cademartori:

Pursuant to General Condition 4 in the Special Council Permit Decision for a major project for a Shopping Center at School House Road, Sam Park & Company, LLC seeks a determination that the proposed changes as shown on the enclosed plan constitute an insubstantial modification and may be approved by you subject to confirmation by the City Council.

In short, the modifications are limited to:

- Redesign of building footprints for Buildings C and F to accommodate specific tenant requirements, resulting in a net reduction of total leasable area.
- Minor redesign of the parking field in the Phase II area to better serve the anticipated tenant mix.
- Minor revisions to the sidewalk system to accommodate the new building layout.

The proposed revisions can be met without triggering any of the criteria cited in General Condition 4 of the special permit:

1. There is no change in the composition or number of uses on the Site specified in Condition No. 2 that results in an increase in traffic generation above the vehicle trips identified in the record documents. Specifically, there is no change of use. Phase II continues with the same composition of retail and consumer service establishments with no increase in traffic generation. Please note the table *Traffic Summary* below for confirmation.
2. The proposed changes in the location of buildings, roadways, parking areas and other accessory structures do not decrease the setbacks as defined in the Gloucester Zoning Ordinance from adjoining residential areas as indicated in the record documents. The entire Phase 2 areas abuts Gloucester Crossing Road and Route 128, non-residential areas. Please see the table *Dimensional Requirements* below and the table entitled *Building Setbacks* on the enclosed site plan for confirmation.
3. There is no net reduction of open space or lot coverage from that indicated in the record documents. Open space for the improvements proposed within the Phase 2 development area is provided in the *Dimensional Requirements* table below.
4. There is no change to the buildings or grading that increase a building's height beyond that shown on the record documents and beyond that shown on the final approved plans. The change to Building C is to convert the building to its originally approved height without the second-floor use approved on a minor modification plan dated March 16, 2010. All new buildings will be less than or equal to approved heights.

5. There is no change to the buildings that increases the total retail floor area of the Project beyond the 195,000 square feet as shown in the approved record documents. Please see table entitled *Use Intensity* for the retail floor area figures.
6. There are no changes to the architectural character of the buildings shown on the record documents. Architectural character of the buildings will be the same as existing buildings. Similar materials and design elements, such as gables, siding and colors will be utilized. Design elevations for the proposed buildings are enclosed with this submission. Final components of the design elevations, such as entrance locations, size of glass storefront, etc. may vary slightly to address tenant requirements. Elevations for the proposed Building C and F are provided.

Landscaping in Phase 2 will utilize the same plant species, number of plants, density of plantings as permitted. It is expected that during the spring maintenance schedule that any replacement plantings and repair to damages landscaped areas (i.e. tire ruts, damaged trees, etc) will be provided as needed.

To assist in your review and determination, the following materials are provided:

1. Summary tables for use intensity, dimensional requirements, and traffic.
2. Approved Site Plan SP-4.2
3. Proposed Modification Plans C100, C101, C102, C103, C104
4. May 2008 Minor Modification Approval in which a redesign of the entrance to the shopping center was proposed creating a roundabout in place of a four-legged intersection, combining building D and C, and minor changes to building configurations.
5. March 2010 Minor Modification Approval in which second floor retail and/or service use within a new second floor on Building C, a minor modification to the storm water management plan and certain parking circulation and landscaping plans.

SUMMARY TABLES

Use Intensity:

Below is a table summarizing the modification of building areas and uses. Changes are limited to Buildings C and F.

CURRENTLY APPROVED			
BUILDING	RETAIL/RESTAURANT/OFFICE	HOTEL	TOTAL
A	56,800		
B	51,600		
C*	71,800		
D	2,000		
E		54,400	
F	6,600		
G	6,200		
TOTAL	195,000	54,400	249,400

*Includes Office Above

PROPOSED MINOR MODIFICATION

BUILDING	RETAIL/RESTAURANT/OFFICE	HOTEL	TOTAL
A	56,800		
B	51,600		
C	65,100		
D	2,000		
E		54,400	
F	6,700		
G	6,200		
TOTAL	188,400	54,400	242,800

Note: Areas exclude mechanical/loading/storage areas per Gloucester Zoning

Parking Requirements:

The tables below summarize the changes to the parking required and proposed for the modification:

CURRENTLY APPROVED

BUILDING	DESCRIPTION	SF*	SEATS	ROOMS	EMPLOYEE	ZONING REQUIRED SPACES
A	Retail	56,800				284
B	Retail	51,600				258
C	Retail/Office	71,800				359
D	Retail	2,000				10
E	Hotel	54,400		100	10	104
F	Restaurant	6,600	207			100
G	Retail	4,040				22
G	Restaurant	2,160	30			21
TOTAL		249,400	237	100	10	1158
REDUCTION PER SPECIAL PERMIT						237
TOTAL REQUIRED						921
PROVIDED: SURFACE						926
PROVIDED: BELOW GRADE						32
TOTAL PROVIDED						958

*Excluding mechanical/loading/storage areas per Gloucester Zoning

PROPOSED MINOR MODIFICATION

BUILDING	DESCRIPTION	SF*	SEATS	ROOMS	EMPLOYEE	ZONING REQUIRED SPACES
A	Retail	56,800				284
B	Retail	51,600				258
C	Retail/Office	59,200				299
C	Restaurant	5,900	200			97
D	Retail	2,000				10
E	Hotel	54,400		100	10	104
F	Retail	6,700				30
G	Retail	4,040				22
G	Restaurant	2,160	30			21
TOTAL		242,800	230	100	10	1125
REDUCTION PER SPECIAL PERMIT						237
TOTAL REQUIRED						888
PROVIDED: SURFACE						888
PROVIDED: BELOW GRADE						32
TOTAL PROVIDED						920

*Excluding mechanical/loading/storage areas per Gloucester Zoning

Building Setbacks:

The tables below summarize the building heights and subsequent required setbacks currently approved (or as constructed) and as shown on the proposed modification drawings.

Building Height Calculation

Building	Finish Floor	Height	Top of Building	Avg. Exist. Grade	Bldg Ht. per Zoning
A	149.25	34	183.25	155.1	28.2
B	146	38	184	143.7	40.3
C	146	40	186	145.0	41.0
D	145	30	175	144.5	30.5
E	146	60	206	144.0	62.0
F	145	36	181	144.0	37.0
G	144	25	169	153.6	15.4

Note: Existing grades for constructed buildings refer to pre-construction grades.
Future Buildings refer to present existing grades

Building Setbacks

Building	Required Setbacks			Approved / Provided			Proposed Modification (only provided if changed)		
	Front	Side	Rear	Front	Side	Rear	Front	Side	Rear
A	58.2	28.2	28.2	545	192	38	-	-	-
B	70.3	40.3	40.3	808	68	30	-	-	-
C	71.0	41.0	41.0	102	50	419	94	56	419
D	60.5	30.5	30.5	546	469	314	-	-	-
E	92.0	62.0	62.0	76	296	567	-	-	-
F	67.0	37.0	37.0	358	421	474	360	400.5	470
G	50.0	15.4	15.4	694	486	133	-	-	-

Open Space:

For a simplified review, the we have evaluated the open space area within the Phase 2 delineated area as depicted on the plans. The results of this calculation result in a net increase to open space:

- Approved Plan: 72,513 SF
- Modified Plan: 74,458 SF
- Net: 1,945 SF

Traffic:

Anticipated traffic flows are not expected to increase. The table below summarizes anticipated changes to the average daily trips for the proposed modification. Trip values have been determined using the ITE Trip Generation Manual, 7th Edition.

Traffic Summary			
Use	Currently Approved	Proposed Modification	Net Change
<i>Retail</i>	6025	5,886	(139)
<i>Hotel</i>	817	817	0
<i>Office</i>	0	0	0
Total:	6842	6,128	(139)

Based on ITE LUC 820 – Shopping Center (200,000 SF Gross Leasable Area).

It is the opinion of the applicant that the proposed changes reduce the overall impacts of the project, are responsive to the needs of the community, and dimensional needs of the proposed tenants currently in lease negotiations.

The proposed changes are insubstantial and do not trigger any of the criteria cited in General Condition 4 of the Special Permit and can therefore be considered a Minor Modification.

If you have any questions or need additional information, please feel free to call.

Sincerely,

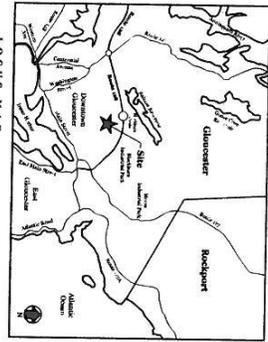
LAND STRATEGIES, LLC



Timothy J. Power, PE
Project Manager

Copy: Sam Park (Sam Park & Co.)
Michele Holovak Harrison

Enclosures: Site Plans (as noted)

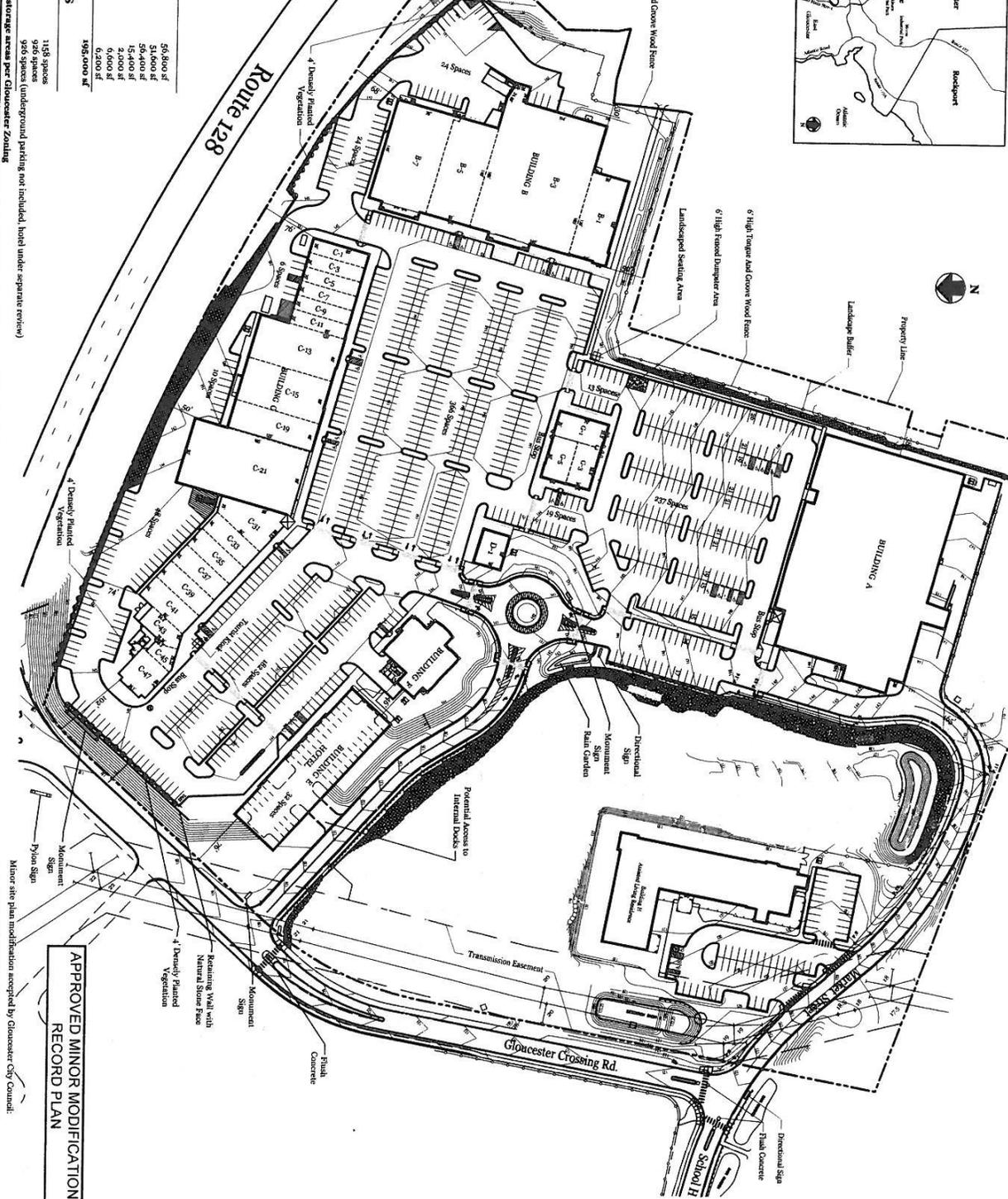


SITE PLAN
 Scale: 1" = 60'-0"
RETAIL TABULATIONS

Building A	56,800 sf
Building B	54,000 sf
Building C (ground floor)	15,400 sf
Building C (upper floor)	2,000 sf
Building D	6,000 sf
Building E	6,000 sf
Building F	6,000 sf
Building G	6,000 sf
NET Retail Area:	195,000 sf

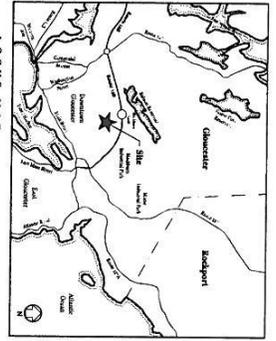
PARKING TABULATIONS

Required by Ordinance	1158 spaces
Allowed by ZMA	950 spaces
Excluding mechanical/loading/storage areas per Gloucester Zoning	950 spaces (underground parking not included, hotel under separate review)



**APPROVED MINOR MODIFICATION
 RECORD PLAN**

2
 Minor site plan modification accepted by Gloucester City Council.
 President, Gloucester City Council _____ Date _____



USE TABLES

CLASSIFIED APPROVED

REQUIREMENT	REQUIREMENT	NOTED	TOTAL
A	100%		
B	100%		
C	100%		
D	100%		
E	100%		
F	100%		
G	100%		
H	100%		
I	100%		
J	100%		
K	100%		
L	100%		
M	100%		
N	100%		
O	100%		
P	100%		
Q	100%		
R	100%		
S	100%		
T	100%		
U	100%		
V	100%		
W	100%		
X	100%		
Y	100%		
Z	100%		

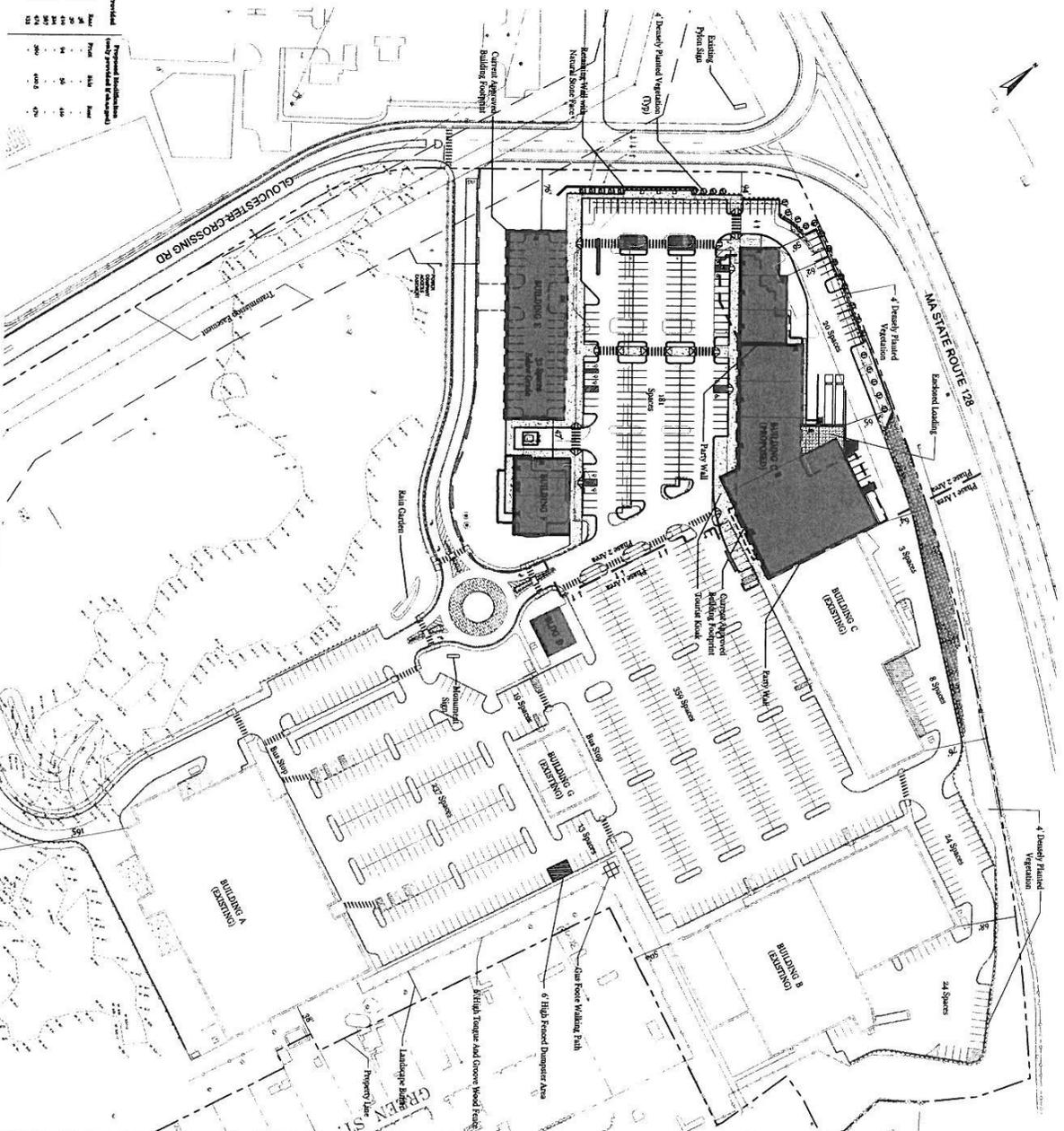
PARKING TABLES

CLASSIFIED APPROVED

REQUIREMENT	REQUIREMENT	NOTED	TOTAL
A	100%		
B	100%		
C	100%		
D	100%		
E	100%		
F	100%		
G	100%		
H	100%		
I	100%		
J	100%		
K	100%		
L	100%		
M	100%		
N	100%		
O	100%		
P	100%		
Q	100%		
R	100%		
S	100%		
T	100%		
U	100%		
V	100%		
W	100%		
X	100%		
Y	100%		
Z	100%		

PROPOSED MINOR MODIFICATION

REQUIREMENT	REQUIREMENT	NOTED	TOTAL
A	100%		
B	100%		
C	100%		
D	100%		
E	100%		
F	100%		
G	100%		
H	100%		
I	100%		
J	100%		
K	100%		
L	100%		
M	100%		
N	100%		
O	100%		
P	100%		
Q	100%		
R	100%		
S	100%		
T	100%		
U	100%		
V	100%		
W	100%		
X	100%		
Y	100%		
Z	100%		



LEGEND

PLANE 1 TO PLANE 2 DISSECTION LINE

CURRENTLY APPROVED EXISTING LAND USE

CURRENTLY APPROVED PLANNED LAND USE

Major site plan modification accepted by Gloucester City Council.

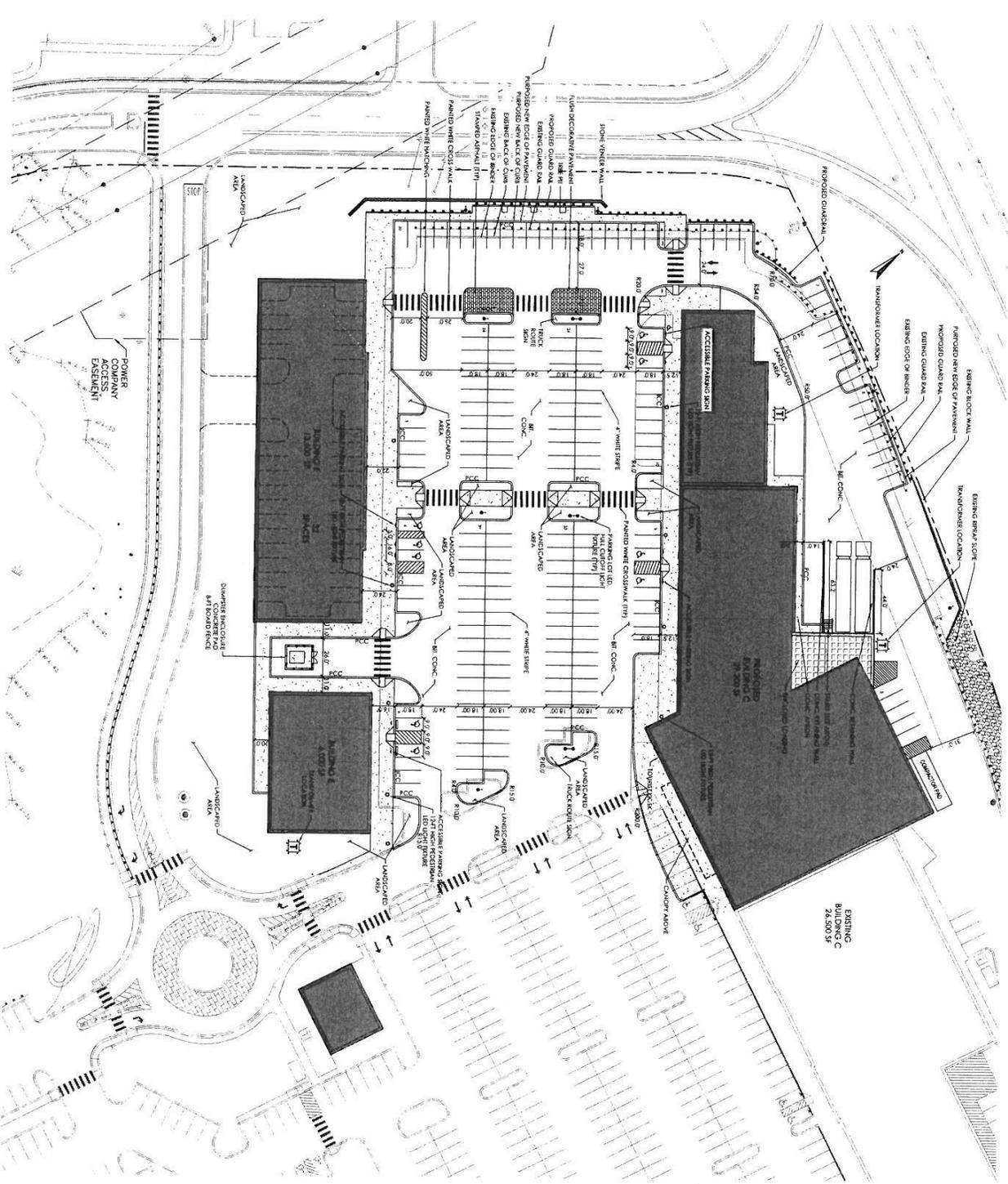
President, Gloucester City Council

Date

5' 3" 6" 12"

Scale

<p>C-100</p> <p>ISSUED FOR MINOR MODIFICATION MAY 15, 2018</p> <p>SCALE: 1"=50'</p> <p>DATE: 12-2017</p> <p>PROJECT: 15-002-007-000</p> <p>DATE: 12-2017</p> <p>SCALE: 1"=50'</p> <p>DATE: 12-2017</p>	<p>SEAL:</p> <p>REV:</p> <p>PROJECT:</p> <p>GLoucester CROSSING PHASE 2 ROUTE 128 GLOUCESTER, MA</p> <p>CLIENT / APPLICANT:</p> <p>GLoucester COMMONS, LLC 330 SCHOOL STREET SUITE 200 MANSFIELD MA 02048</p>	<p>CONSULTANT:</p> <p>LANDSTRATEGIES A NEW WAY TO LOOK AT LAND DEVELOPMENT</p>



GENERAL NOTES

1. EXISTING CONCRETE SHALL BE REFINISHED TO MATCH ADJACENT AREAS.
2. FINISH TO THE GRADE OF ANY EXCAVATION FOR THE PROJECT SHALL BE THE ORIGINAL GRADE OR THE PROPOSED FINISH GRADE, WHICHEVER IS HIGHER. EXISTING FINISHES HAVE BEEN LOCATED AND NOTED ON THE PLAN.
3. THE LOCATION OF EXISTING UNDERGROUND UTILITIES IS SHOWN ON THE PLAN. THE LOCATION OF ANY NEW UTILITIES SHALL BE DETERMINED BY THE FIELD ENGINEER PRIOR TO CONSTRUCTION. THE LOCATION OF ANY EXISTING UTILITIES SHALL BE DETERMINED BY THE FIELD ENGINEER PRIOR TO CONSTRUCTION. THE LOCATION OF ANY EXISTING UTILITIES SHALL BE DETERMINED BY THE FIELD ENGINEER PRIOR TO CONSTRUCTION.
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE MASSACHUSETTS DEPARTMENT OF CONSTRUCTION (MDC) REGULATIONS AND THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS (DPW) REGULATIONS.
5. ALL WORK SHALL BE IN ACCORDANCE WITH THE MASSACHUSETTS DEPARTMENT OF CONSTRUCTION (MDC) REGULATIONS AND THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS (DPW) REGULATIONS.
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LAYOUT AND MATERIAL NOTES

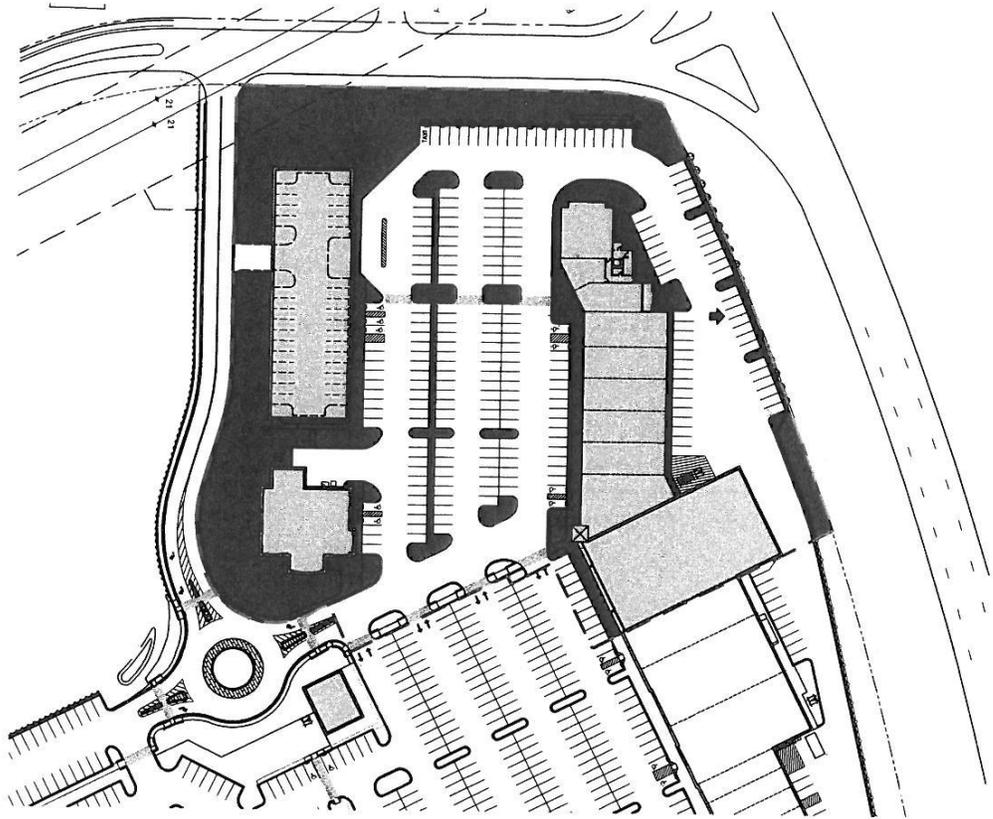
1. SEE ARCHITECTURAL DRAWINGS FOR EACH FINISH SPECIFICATION AND ALL MATERIAL SPECIFICATIONS. FINISHES SHALL BE IN ACCORDANCE WITH THE MASSACHUSETTS DEPARTMENT OF CONSTRUCTION (MDC) REGULATIONS AND THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS (DPW) REGULATIONS.
2. ACCESSIBLE PAVING SHALL BE IN ACCORDANCE WITH THE MASSACHUSETTS DEPARTMENT OF CONSTRUCTION (MDC) REGULATIONS AND THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS (DPW) REGULATIONS.
3. THE LAYOUT AND MATERIALS SHALL BE IN ACCORDANCE WITH THE MASSACHUSETTS DEPARTMENT OF CONSTRUCTION (MDC) REGULATIONS AND THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS (DPW) REGULATIONS.
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE MASSACHUSETTS DEPARTMENT OF CONSTRUCTION (MDC) REGULATIONS AND THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS (DPW) REGULATIONS.
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LEGEND

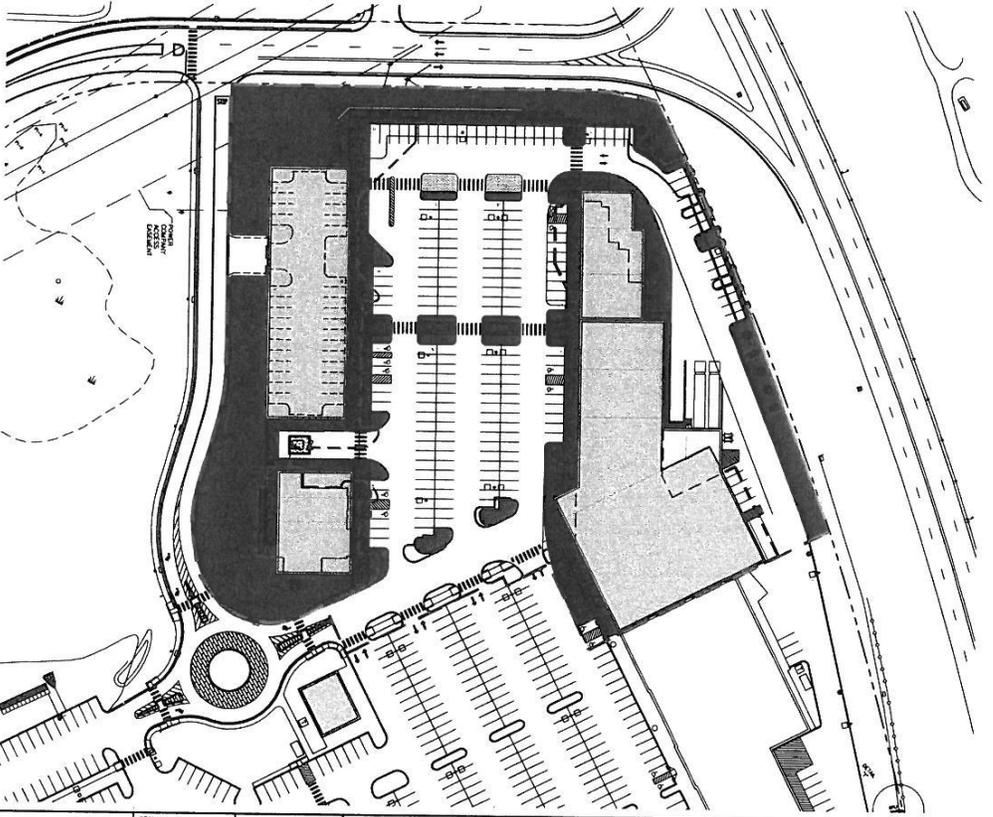
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THIN SOLID LINE	EXISTING FINISH
DOTTED LINE	PROPOSED FINISH WALL
DASHED LINE	PROPOSED FINISH WALL
SOLID LINE WITH DOTS	PROPOSED FINISH WALL
SOLID LINE WITH DASHES	PROPOSED FINISH WALL
SOLID LINE WITH SPACES	PROPOSED FINISH WALL
SOLID LINE WITH SLASHES	PROPOSED FINISH WALL
SOLID LINE WITH WAVES	PROPOSED FINISH WALL
SOLID LINE WITH CIRCLES	PROPOSED FINISH WALL
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SOLID LINE WITH DIAMONDS	PROPOSED FINISH WALL
SOLID LINE WITH STARS	PROPOSED FINISH WALL
SOLID LINE WITH HEARTS	PROPOSED FINISH WALL
SOLID LINE WITH X'S	PROPOSED FINISH WALL
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SOLID LINE WITH DIVISION'S	PROPOSED FINISH WALL
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SOLID LINE WITH SUBSCRIPT'S	PROPOSED FINISH WALL
SOLID LINE WITH SUPERSCRIPT'S	PROPOSED FINISH WALL
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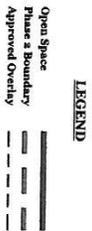
<p>C101</p>	<p>ISSUED FOR MINOR MODIFICATION MAY 15, 2018</p>		<p>PROJECT: GLOUCESTER CROSSING PHASE 2 ROUTE 128 GLOUCESTER, MA</p>	<p>CONSULTANT: LANDSTRATEGIES A NEW WAY TO LOOK AT LAND DEVELOPMENT</p>
	<p>LAYOUT AND MATERIALS</p>		<p>CLIENT / APPLICANT: GLOUCESTER COMMONS, LLC 330 SCHOOL STREET SUITE 200 MANSFIELD MA 02048</p>	



CURRENTLY APPROVED PLAN
SCALE: 1" = 50'



PROPOSED PLAN
SCALE: 1" = 50'



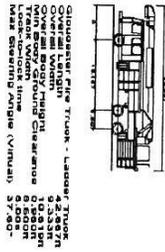
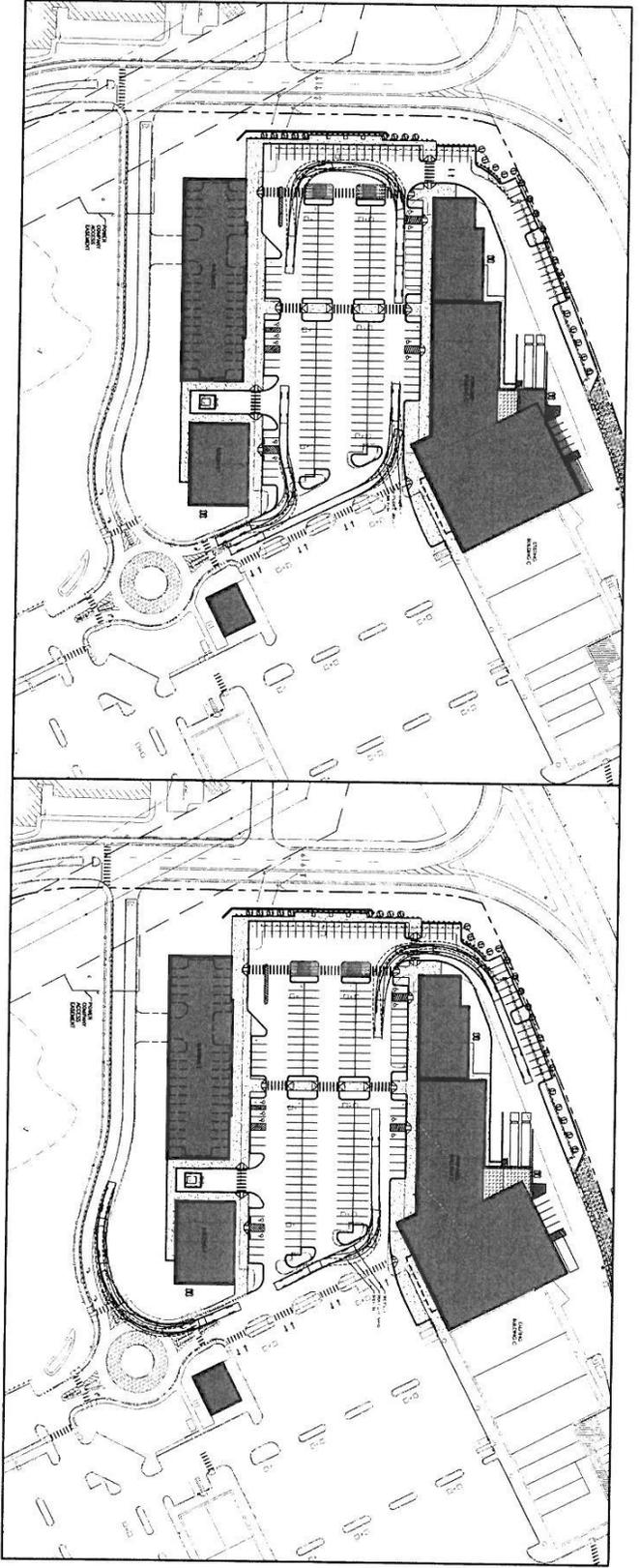
LEGEND

Open Space
Phase 2 Boundary
Approved Overlay

OPEN SPACE CALCULATIONS
Phase 2 Development Area

CURRENTLY APPROVED PLAN 72,513 SF (1,664 Acres)
PROPOSED PLAN 74,458 SF (1,709 Acres)
NET + 1,945 SF

<p>C-103</p>	<p>ISSUED FOR MINOR MODIFICATION MAY 15, 2018</p>		<p>REVISIONS:</p> <table border="1"> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>													<p>PROJECT: GLOUCESTER CROSSING PHASE 2 ROUTE 128 GLOUCESTER, MA</p> <p>CLIENT/APPLICANT: GLOUCESTER COMMONS, LLC 330 SCHOOL STREET SUITE 200 MANSFIELD MA 02048</p>	<p>CONSULTANT:</p> <p>22 Grand Ave. Ste. 200 • Mansfield, MA 02048 www.landstrategies.com • P: 508.752.6100 • F: 508.752.6100</p>
<p>OPEN SPACE COMPARISON PLAN</p>	<p>DATE: 1/20/18 SCALE: AS SHOWN DRAWN: J. GAGNIER CHECKED: J. GAGNIER SHEET NO. 17</p>																



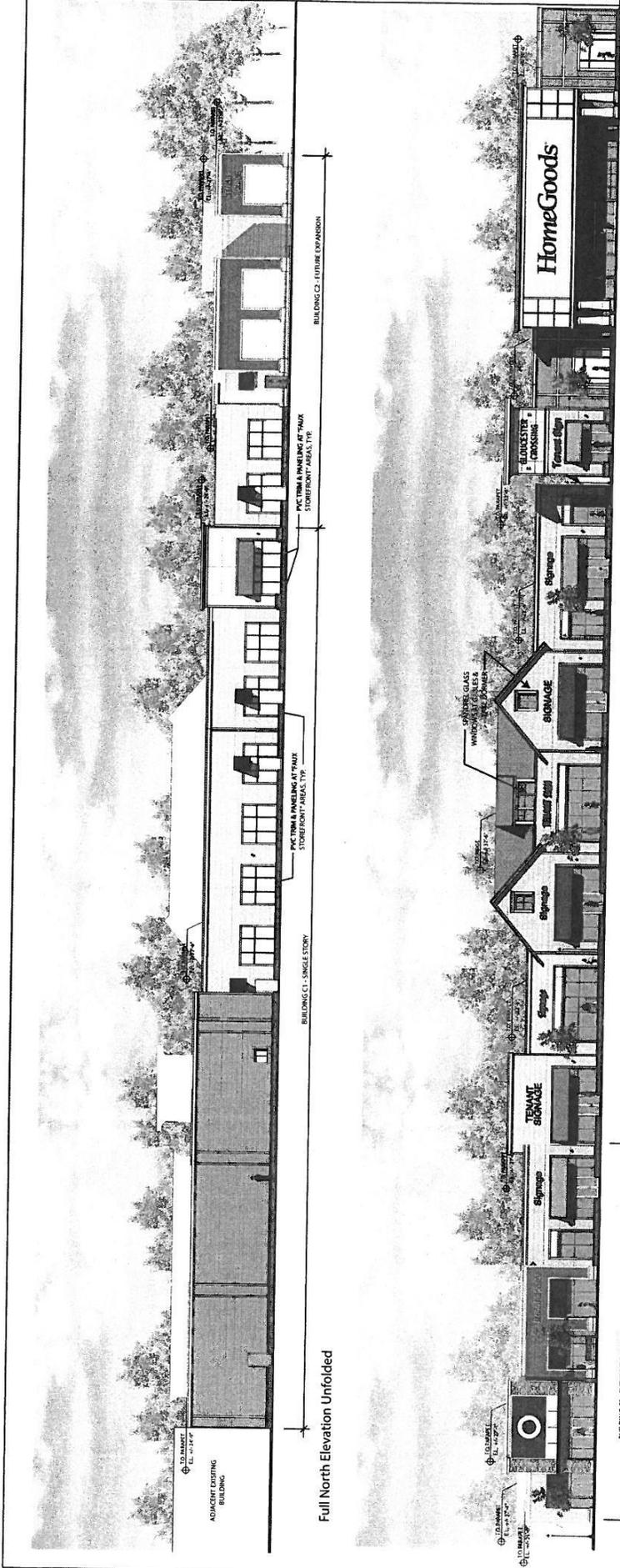
LADDER TRUCK DIMENSIONS
(NOT TO SCALE)



LADDER TRUCK TURNING TEMPLATE
(NOT TO SCALE)



<p>C104</p>	<p>ISSUED FOR MINOR MODIFICATION MAY 15, 2018</p>	<p>SEAL:</p>	<p>REV:</p>	<p>PROJECT:</p> <p>GLOUCESTER CROSSING PHASE 2 ROUTE 128 GLOUCESTER, MA</p>	<p>CONSULTANT:</p> <p>LANDSTRATEGIES A DIVISION OF THE LORAN AS LAND DEVELOPMENT GROUP</p>
	<p>FIRE TRUCK TURNING RADIUS</p>	<p>SCALE: 1"=60'</p> <p>DATE: 15-MAY-2018</p> <p>DRAWN BY: [Name]</p> <p>CHECKED BY: [Name]</p>	<p>CLIENT/APPLICANT:</p> <p>GLOUCESTER COMMONS, LLC 330 SCHOOL STREET SUITE 200 MANSFIELD MA 02048</p>	<p>DATE: 15-MAY-2018</p>	<p>330 SCHOOL STREET SUITE 200 MANSFIELD MA 02048</p>



BUILDING C1 - SINGLE STORY

BUILDING C2 - FUTURE EXPANSION

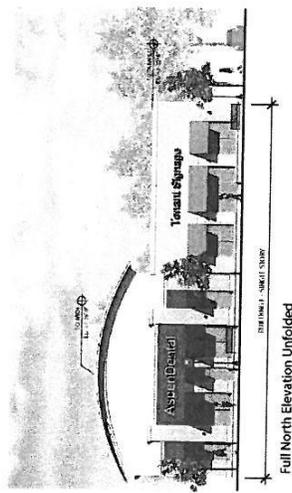
Full South Elevation Unfolded

BUILDING C ELEVATIONS

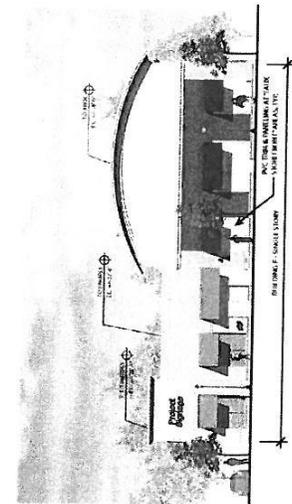
BUILDING C1 - SINGLE STORY

BUILDING C2 - FUTURE EXPANSION

Full South Elevation Unfolded



Full North Elevation Unfolded



Full South Elevation Unfolded

BUILDING F ELEVATIONS

Elevations based on design elevations prepared by Harrison French & Associates, LTD dated January 30, 2018 and modified by Land Strategies, LLC, May 14, 2018



GLOUCESTER CROSSING
Gloucester, Massachusetts
 May 15, 2018

**CITY OF GLOUCESTER
LEGAL DEPARTMENT**

Memorandum

TO: Mayor Sefatia Romeo Theken
FROM: Chip Payson, General Counsel
RE: Municode Ordinance Review and Recommendations
DATE: June 6, 2018

As you may recall, the City hired Municode to undertake a comprehensive legal review of our General Code of Ordinances (GCO) and the Gloucester Zoning Ordinance (GZO) to make recommendations as to the changes necessary to ensure that the GCO and the GZO are clear and in compliance with state and federal law. Municode has completed this review and their suggested changes are contained in the attached memo. Please forward the same to the City Council for their consideration and referral to Ordinance and Administration Committee. Thank you.

Attachment

municode

Web | Legal | Pay

Roger D. Merriam

Senior Code Attorney (Admitted to Practice in Florida)

rdm@municode.com 1-800-262-2633 ext. 1257 www.municode.com

May 14, 2018

Mr. Chip Payson
General Counsel
emailed to: cpayson@gloucester-ma.gov

Re: Code of Ordinances of the City of Gloucester, Massachusetts--Legal Review

Dear Chip:

Enclosed as an email attachment is a file entitled "Legal Review.pdf" In this file is the required legal analysis of the Code of Ordinances of the City of Gloucester, Massachusetts (as amended through Ord. No. 2017-239, adopted December 12, 2017) and the zoning ordinance (as amended through September 26, 2017) (collectively "Code") in which the Code has been analyzed for the following purposes:

1. Identification and elimination of conflicts with the Massachusetts General Laws (M.G.L.) as current through chapter 63 of the 2018 2nd Annual Session.
2. Identification and elimination (or curing) of potentially unconstitutional provisions.

The legal analysis is presented to the maximum extent possible as recommended changes and is organized along the lines of the proposed Code.

It is a pleasure to be of service to the city. If you have any questions, please call me.

Sincerely yours,



MUNICIPAL CODE CORPORATION
MAILING ADDRESS: P.O. Box 2235 Tallahassee, FL 32316
PHYSICAL ADDRESS: 1700 Capital Circle, SW Tallahassee, FL 32310
FAX: 850-575-8852
LOCAL TELEPHONE NUMBER: 850-576-3171



[Web](#) | [Legal](#) | [Pay](#)

Roger D. Merriam

Senior Code Attorney (Admitted to Practice in Florida)

rdm@municode.com 1-800-262-2633, ext. 1257 www.municode.com

May 14, 2018

**TO: MR. CHIP PAYSON
GENERAL COUNSEL
CITY OF GLOUCESTER, MASSACHUSETTS**

RE: CODE OF ORDINANCES OF THE CITY OF GLOUCESTER, MASSACHUSETTS--LEGAL REVIEW

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MUNICIPAL CODE CORPORATION
MAILING ADDRESS: P.O. Box 2235 Tallahassee, FL 32316
PHYSICAL ADDRESS: 1700 Capital Circle, SW Tallahassee, FL 32310
FAX: 850-575-8852
LOCAL TELEPHONE NUMBER: 850-576-3171, ext. 1257

PART I. INTRODUCTION

Part II of this memorandum is a legal analysis of the Code of Ordinances of the City of Gloucester, Massachusetts (as amended through Ord. No. 2017-239, adopted December 12, 2017) and the zoning ordinance (as amended through September 26, 2017) (collectively “Code”) in which the Code has been analyzed for the following purposes:

1. Identification and elimination of conflicts with the Massachusetts General Laws (M.G.L.) as current through chapter 63 of the 2018 2nd Annual Session.
2. Identification and elimination (or curing) of potentially unconstitutional provisions.

The legal analysis is presented to the maximum extent possible as recommended changes and is organized along the lines of the Code.

PART II. LEGAL ANALYSIS

Chapter 1. General Provisions

Sec. 1-2. Definitions and rules of construction. As M.G.L.A. is not official (and M.G.L. is--See M.G.L. c. 281, § 1), revise the statute references provision to read as follows: "The abbreviation 'M.G.L.' refers to the Massachusetts General Laws, as now or hereafter amended."

Sec. 1-15. Penalty for violation of certain specified sections of Code.

1. Delete all references to section 4-16a. Per Code § 4-16a(14), section 4-16a expired on December 31, 2017.
2. There are two entries for Code ch. 10. The first entry applies only to Code § 10-53. The second entry specifies that it applies to "all sections and articles". Either delete the first entry as superseded by the second entry or add an exception in the second entry for Code § 10-53.
3. Correct the reference to Code § 14-15 to be to Code § 14-16.

Chapter 2. Administration

Article I. In General

Sec. 2-6. Same—Duties of junior custodian. If covered by job descriptions, delete.

Article II. City Council

Sec. 2-26. Tax classification, timing and notice. Per M.G.L. c. 40, § 56, change triennial year to fifth year.

Sec. 2-27. Authority to hire outside consultants. Delete. M.G.L. c. 40A, § 9 (referenced in this section) does not authorize outside consultants. It does not appear that this section is needed as there would have to be an appropriation in order to hire a consultant. If it was intended that this section reference M.G.L. c. 44, § 53G, revise accordingly.

Article III. Officers and Employees

Division 2. Mayor

Change the reference to the state Open Meeting Law to be to M.G.L. c. 30A, §§ 18--25.

Division 4. City Treasurer-Collector/Chief Financial Officer

Sec. 2-82. Unpaid taxes and local licenses and permits.

1. In subsections (b)(1) and (b)(3), change "this article" to "this section."
2. Delete subsection (b)(1)b--statute is repealed.
3. In subsection (b)(1)d, change statutory reference to M.G.L. c. 149, § 70.
4. Delete subsection (b)(1)i. See M.G.L. c. 40, § 57(d).
5. In subsection (d), correct state law reference to be to M.G.L. c. 268A, § 1. See M.G.L. c. 40, § 57(d).

Secs. 2-83--2-87. Community Preservation Committee. Delete as superseded by Code § 2-532 et seq.

Division 11. Workmen's Compensation Agent

Throughout this division change workmen's to workers'. See M.G.L. c. 152.

Article V. Boards, Commissions, Councils and Committees

Division 3. Board of Health

Sec. 2-425. Composition; appointment, term and removal of members. Unless there is a local act authorizing a five-person board, alter so the board consists of three members. See M.G.L. c. 111, § 26.

Sec. 2-429. Appointment of physician to take and examine cultures and school physician. Delete the reference to the school physician. Under M.G.L. c. 71, § 53, the school committee appoints the school physicians.

Division 6A. Tourism Commission

Sec. 2-476. Periodic reports and plans. Please supply the beginning date. (It currently reads: "Beginning in 201_")

Division 11. City Hall Restoration Commission

If obsolete, delete. See Code § 2-526.

Division 12. Community Preservation Committee

Sec. 2-535. Authority, duties and responsibility. Conform the enumeration in subsection (d) to M.G.L. c. 44B, § 5(b)(2).

Article VI. Finance

Division 1. Generally

Sec. 2-562. Wages for mechanics, chauffeurs and laborers employed by contractors doing work for city. So as to be consistent with M.G.L. c. 151, § 10, remove the dollar amount from contracts in the second sentence.

Chapter 3. Amusements

Article III. Automatic Amusement Devices

Sec. 3-30. Definitions. In the definition of automatic amusement device, add the slot machine exemption found in M.G.L. c. 140, § 177A(2).

Chapter 4. Animals

Article II. Dogs

Sec. 4-16a. Dogs allowed on public beaches at certain times.

1. Add language recognizing the 'guide dog' exemptions in M.G.L. c. 272, § 98A.
2. Please ungarble subsection (1).

Sec. 4-16b. Dogs prohibited in city-owned cemeteries at all times. Add language recognizing the 'guide dog' exemptions in M.G.L. c. 272, § 98A.

Sec. 4-16c. Dogs prohibited on athletic fields. Add language recognizing the 'guide dog' exemptions in M.G.L. c. 272, § 98A.

Chapter 5. Building and Building Regulations

Article II. Building Regulations

Division 3. Stretch Energy Code

Delete as obsolete. Code §§ 5-30 and 5-34 state that the Stretch Energy Code is 780 CMR Appendix 120 AA. No such provisions now exist.

Chapter 6. Cemeteries

Article I. In General

Sec. 6-4. Visitors' conduct. In subsection (e)(11), add language recognizing the 'guide dog' exemptions in M.G.L. c. 272, § 98A.

Chapter 8. Fire Prevention and Protection

Article III. Fire Prevention Code

Sec. 8-60. Automatic sprinklers in new or substantially rehabilitated residential structures containing four or more dwelling units. Unless NFPA's 13R, 13, and 13D are also adopted by the state, please supply the specific date of these standards so as to avoid adoption by reference problems.

Chapter 10. Waterways Administration

Article I. Management

Sec. 10-5. Relationship to the harbormaster and city staff. In subsection (b)(2)g:

1. Delete reference to M.G.L. c. 130, § 17. Such section relates to the powers of the director.
2. Delete reference to nonexistent M.G.L. c. 130, § 18a.

Article IV. Moorings, Public Landings and City-Owned Commercial Marinas

Sec. 10-53. Use of public ramp at Dun Fudgin. Correct statutory reference to be M.G.L. c. 21A, § 2(8).

Chapter 11. Hawkers, Peddlers, Transient Vendors and Special Events

Article I. In General

Sec. 11-1. Definitions. Conform the definitions of transient vendor and temporary or transient business to M.G.L. c. 101, § 1, also adding the definitions of promoter, tangible personal property and written operating agreement from such statute.

Sec. 11-7. Business prohibited between certain hours. Alter the prohibited hours in the first sentence to be between 9:00 p.m. and 9:00 a.m. See, e.g., *City of Watseka v. Illinois Public Action Council*, 796 F.2d 1547 (7th Cir. 1986), *affid.* 479 U.S. 1048, 109 S. Ct. 919, 93 L. Ed. 2d 972 (1987), *reh. den.* 480 U.S. 926, 107 S. Ct. 1389, 94 L. Ed. 2d 703; *New Jersey Citizen Action Group v. Edison*, 797 F.2d 1250 (3d Cir. 1986), cert. den. sub. nom. *Township of Piscataway v. New Jersey* 479 U.S. 1103, 107 S. Ct. 1336, 94 L. Ed. 2d 186; *Wisconsin Action Coalition v. City of Kenosha*, 767 F.2d 1248 (7th Cir. 1985); *ACORN v. City of Frontenac*, 714 F.2d 813 (8th Cir. 1983); *Massachusetts Fair Share Inc. v. Town of Rockland*, 610 F. Supp. 682 (D.C. Mass.1985); *New York Community Action Network v. Town of Hempstead*, 601 F. Supp. 1066 (E.D.N.Y. 1984); *Connecticut Citizens Action Group v. Town of Southington*, 508 F. Supp. 43 (D. Conn.1980); *West Virginia Citizens Action Group v. Daley*, 324 S.E.2d 713 (W. Va.1984).

Article III. Transient Vendors

Sec. 11-18. Application. Delete subsection (4). Section 7 of the Federal Privacy Act (5 USC 552a note) states, in its entirety:

Sec. 7 (a)(1) It shall be unlawful for any Federal, State or local government agency to deny to any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his social security account number.

(2) the provisions of paragraph (1) of this subsection shall not apply with respect to--

(A) any disclosure which is required by Federal statute, or

(B) any disclosure of a social security number to any Federal, State, or local agency maintaining a system of records in existence and operating before January 1, 1975, if such disclosure was required under statute or regulation adopted prior to such date to verify the identity of an individual.

(b) Any Federal, State or local government agency which requests an individual to disclose his social security account number shall inform that individual whether that disclosure is mandatory or voluntary, by what statutory or other authority such number is solicited, and what uses will be made of it.

Chapter 12. Marshlands

Sec. 12-23. Penalty for violation. Ungarble subsection (b) by changing civil an criminal court actions to civil and criminal court actions.

Sec. 12-24. Preacquisition violations. In the last sentence, delete the ten residents provisions as based on nonexistent M.G.L. c. 214, § 10A.

Chapter 13. Noise

Sec. 13-2. Definitions. Alter the definition of district by:

1. Changing the definition of residential district to be so that the R-80, R-4-, RC-40, R-30, R-20, R-10, and R-5 districts are referenced.
2. Changing the definition of commercial district to be so that the CCD, CB, VB, NB and EB districts are referenced.
3. Changing the definition of industrial district so that the MI, GI, and BP districts are referenced.

Chapter 14. Offenses and Miscellaneous Provisions

Sec. 14-13. Cigarette machines. Subsection (a) contradicts subsection (b). It seems likely that subsection (b) represents the latest amendment. Assuming this is the case, reword the introductory language of subsection (b) to read as follows: "Notwithstanding subsection (a), cigarette machines with lockout devices may be located in private clubs, barrooms and taverns holding a liquor license in the city and who do not allow minors under the age of 21 years of age to enter their establishment." and delete the 30-day language in subsection (b)(2).

Sec. 14-16. Public consumption of marijuana or tetrahydrocannabinol prohibited. Add language recognizing the exemption in M.G.L. c. 94G, § 7. See also M.G.L. c. 94G, § 2.

Chapter 17. Police

Sec. 17-1. Administration of waterways. In subsection (a)(7), delete references to M.G.L. c. 130, §§ 17 (is authority granted to state officials) and 18a (does not exist).

Chapter 18. Schools

Article I. In General

Sec. 18-6. Dogs in school grounds or buildings; fines. Add language recognizing the 'guide dog' exemptions in M.G.L. c. 272, § 98A.

Article II. School Committee

Sec. 18-20. Election term. Delete as superseded by charter § 4-1.

Chapter 19. Secondhand Goods

Sec. 19-53. Articles not to be sold until four months after purchase or receipt thereof. So as to be consistent with M.G.L. c. 140, § 71, restrict the four-month language to nonperishable goods and insert the 30-day perishable goods rule found in such statute. N.B. One could conclude that the perishable goods rule is obsolete, as no pawnbroker would ever take perishable goods in pawn or otherwise.

Chapter 21. Streets, Sidewalks and Other Public Places

Article V. West Gloucester Firing Range

Sec. 21-87. West Gloucester firing range. Subsection (b) is based in part upon repealed M.G.L. c. 33, § 121, which statutes gave armed forces the right to use the range. Eliminate the reference to such statute and either delete the armed forces provision or retain the armed forces provision.

Chapter 22. Traffic and Vehicles

Article I. In General

Sec. 22-1. Definitions. In the definitions of official curb marking, official street marking, official traffic signals, official traffic signs, safety zone, and traffic control signal, change department of public works of the commonwealth to department of highways of the commonwealth.

Sec. 22-2. Accident reports. Conform to M.G.L. c. 90, § 26 by changing \$500.00 to \$1,000.00.

Article III. Operation of Vehicles

Division 1. Generally

Sec. 22-56. Identification of funeral processions. Delete as superseded by M.G.L. c. 85, § 14A.

Sec. 22-57. Rights and duties of drivers in funeral or other processions. Delete as superseded by M.G.L. c. 85, § 14A.

Sec. 22-58. Duty of drivers when meeting other vehicles. Change department of public works of the commonwealth to department of highways of the commonwealth. See M.G.L. c. 89, § 1.

Sec. 22-59. Driving vehicles in a single lane; motorcycles, riding and passing. Conform to M.G.L. c. 89, § 4A.

Sec. 22-60. Driving in lane nearest the right side of the way. Conform to M.G.L. c. 89, § 4B.

Sec. 22-61. Keeping to right while view obstructed. Conform to M.G.L. c. 89, § 4.

Sec. 22-64. Overtaking vehicles traveling in same direction. Conform to M.G.L. c. 89, § 2.

Sec. 22-90. Stopping and yielding at intersections. Add the fifth paragraph of M.G.L. c. 89, § 9.

Sec. 22-92. Right-of-way at intersecting ways; turning on red signals. Alter to be consistent with M.G.L. c. 89, § 8 by changing department of public works to department of highways.

Sec. 22-93. Marked crosswalks; yielding right-of-way to pedestrians. Conform to M.G.L. c. 89, § 11.

Sec. 22-94. Duty of drivers and pedestrians approaching pedestrian carrying white cane; penalty. Delete subsection (b) as apparently obsolete.

Sec. 22-96. Restrictions on use of ways upon approach of fire apparatus; crossing fire hoses. Conform to M.G.L. c. 89, § 7A.

Article IV. Traffic Control Devices

Sec. 22-125. Duty of director of public works to place and maintain; conformity to state standards. Change department of public works of the commonwealth to department of highways of the commonwealth.

Article V. Stopping, Standing and Parking

Division 1. Generally

Sec. 22-145. General prohibitions. In subsection (a)(1), change department of public works of the commonwealth to department of highways of the commonwealth.

Chapter 23. Utilities

Article II. Sewers

Sec. 23-19. Charges for use of common sewers. As M.G.L. c. 83, § 16 vests the powers to establish sewer charges in the aldermen, alter so the charges established by the director of public works must be approved by the council.

Chapter 25. Vehicles for Hire

Article II. Taxicabs and Private Livery Vehicles

Division 1. Generally

Sec. 25-16. Identification of taxicabs. Per M.G.L. c. 40, § 22, alter so that the lettering size must be not less than four inches high and one-half inch wide.

Appendix C. Personnel Ordinance

Sec. 5-2. Saturday, Sunday and Holidays. If Washington's Birthday should now be President's Day, alter accordingly.

Sec. 5-6. Health and welfare. In subsection (d), change chapter 32, section B to chapter 32B.

Zoning Ordinance

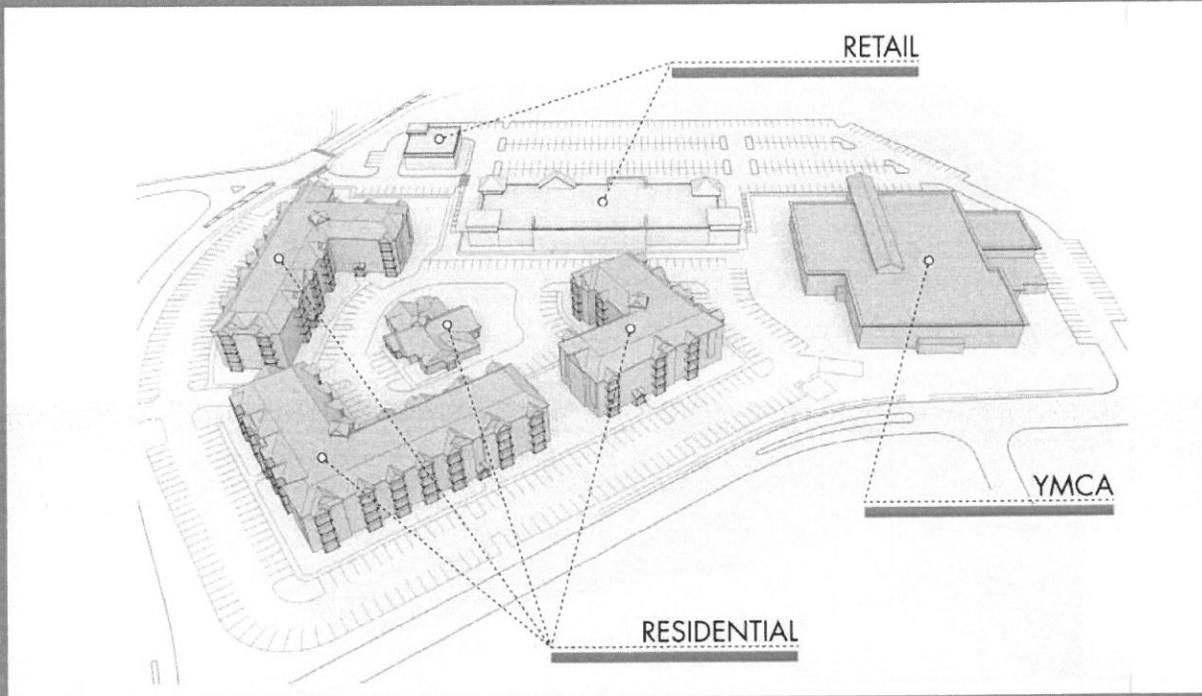
1.2 PURPOSE, INTERPRETATION, CONFLICT, DEFINITIONS. Delete subsection 1.2.5 as apparently obsolete.

5.1 MOBILE HOMES, TRAILERS AND CAMPERS. Subsection 5.1.2 requires compliance “with all requirements of "An Ordinance to Regulate Trailer Coaches and Trailer Coach Parks," ordained May 21, 1959.” As no such ordinance is codified in the Code an argument can be made that such ordinance is repealed. If this requirement is in fact obsolete, delete it.

5.23 RESIDENTIAL LAND-BASED WIND ENERGY CONVERSION FACILITIES. In subsection 5.23.3(g), change Uniform Building Code to state building code.

SPECIAL PERMIT APPLICATION

submitted to the City of Gloucester City Council



SUBMITTED BY

Windover Construction
Sam Park & Company

YMCA of the North Shore
The Dolben Company, Inc.

submitting together as

Fuller Mixed Use Venture, LLC
66 Cherry Hill, Beverly, MA 01915

DATE

September 6, 2017

FULLER
MIXED USE
VENTURE LLC



CITY CLERK
GLOUCESTER, MA
2017 SEP -6 AM 9:11

TRANSMITTAL

DATE: SEPTEMBER 6, 2017
TO: CITY COUNCIL C/O CLERK, CITY OF GLOUCESTER
FROM: FULLER MIXED USE VENTURE
RE: SPECIAL PERMIT APPLICATION

MEMO:

Enclosed herewith, please find

- Application for Special Permit and supporting information(1 original, 9 copies)
- 24" x 36" copies of the Permit Site Development Plan (2 stamped sets, 3 unstamped as agreed)
- Digital copy of the submission (1 fob)
- Traffic Impact and Access Study including Appendix Data (1 set, as agreed. Additional copies available. TIAS report (without appendices) is contained within the Application for Site Plan Review book.)

We look forward to working with you on this project. Thank you for your help to date.

cc w/o enc. Gregg Cademartori

**SCP2017-012: School House Rd. #2, #3 & #4,
Map 262, Lots 14 & 37
and Gloucester Crossing Rd. #7
Map 37, Lots 4 & 5
For a Special Permit under the Mixed Use Overlay District
pursuant to GZO Sec. 5.29
(including Major Project under GZO Sec. 5.7)
and Sections 5.29.10 & 5.11.8**

Below please find a link to Applicant's submission of Supplemental Plans for the above-named Special Council Permit. The Supplemental Plans can also be found on the city's website: www.gloucester-ma.gov under Agendas & Minutes, Planning & Development Standing Committee Agendas and Packets. Hard copy of this application can be viewed during regular business hours at the City Clerk's Office, City Hall, 9 Dale Avenue or the Planning Division Office, City Hall Annex, 3 Pond Road

LINK:

<http://www.gloucester-ma.gov/Archive.aspx?ADID=7884>