

**Special Planning & Development Committee**  
Wednesday, November 14, 2018 – 5:30 p.m.  
**1<sup>st</sup> Fl. Council Committee Room - City Hall**  
-Minutes-

**Present: Chair, Councilor Valerie Gilman; Councilor Paul Lundberg**

**Absent: Councilor Holmgren**

**Also Present: Gregg Cademartori**

**The meeting was called to order at 5:32 p.m.**

**1. *Special Event Application: Request to hold the Lobster Trap Tree Lighting, December 8, 2018***

**David Brooks** representing the Lobster Trap Tree Lighting event advised the following: He has been before the Special Events Advisory Committee which approved this event (confirmation memo by City Clerk on file). The event blocks off Main Street for about one hour from the intersection of Elm and Main Streets and the intersection with Main and Duncan Streets. There is no food offered, just a band that plays with a few carols. This is a city-sanctioned event and falls under the city's liability insurance. He noted he has coordinated this event for the first 10 years but is no longer on the Art Haven board; this event is now more of a community event which he coordinates independently. He mentioned people do assist in funding the event which costs about \$2,500 annually. He mentioned that Art Haven will be sponsoring the buoy painting to decorate the tree, and will be auctioned off by them to raise funds for their non-profit organization after the holidays.

**MOTION: On a motion by Councilor Lundberg, seconded by Councilor Gilman, the Planning & Development Committee voted 2 in favor, 0 opposed, 1 (Holmgren) absent, to permit the Lobster Trap Tree Lighting to take place at 198 Main Street adjacent to the Gloucester Police Station from about 3:30 p.m. to 5:30 p.m. on Saturday, Dec. 8, 2018 with a rain date of Sunday, Dec. 9, 2018. Sign-offs from city departments is on file. As this is a sanctioned event by the city of Gloucester, it falls under the city's General Liability Insurance.**

**2. *Memorandum from Planning Director re: Conservation Restrictions submitted by the Essex County Greenbelt Association (ECGA)***

**Councilor Gilman** advised under MGL c. 268A that she is an abutter to the Hutchins Court property under consideration for a Conservation Restriction but that she has no financial interest in this matter, and is able to participate in that discussion as well as vote on the Conservation Restriction as there is no conflict of interest.

**Gregg Cademartori**, Planning Director, explained that the Community Development Department is in receipt of three draft conservation restrictions ("restrictions") from the Essex County Greenbelt Association (ECGA) that are time sensitive because they affect transactions or are potentially a tax burden for folks in the following year. Chris LaPointe, ECGA's Director of Land Conservation was noted as present. Two of the properties the ECGA owns and the city will hold the restriction through the Conservation Commission (ConCom) and the third which is a privately owned property that will continue to be conveyed privately for now where the ECGA will hold the restriction. These finalized restrictions to permanently protect lands are in three city locations including North Gloucester off of Hutchins Court; a portion of the water side of the Back Shore; and additional lands in West Gloucester off of Concord Street with the restriction held by the ECGA that is being granted by a private property owner in this case.

**Mr. LaPointe** reviewed the privately owned parcels for restriction at Concord Street #293 owned by Sam and Betsy Holdsworth as follows: There is an existing home and barn on the road frontage at 293 Concord Street consisting of about 28 acres north of Concord Street immediately behind their home, upland open fields and woods adjacent to the salt marsh. They are in the process of selling their property but prior to that sale they want to put a restriction on it to restrict it to its current residential uses on the frontage and permanently protect the remaining property. The property for restriction were conveyed to the ECGA a year ago and the land they own across the road, about at the corner of Concord Street and Old Thompson, and will completely protect all of their land. He summarized that this is effectively a building envelope so that the homeowners can continue to maintain/replace/rebuild the existing structures that are on the frontage.

**COMMITTEE RECOMMENDATION: On a motion by Councilor Lundberg, seconded by Councilor Gilman, the Planning & Development Committee voted 2 in favor, 0 opposed, 1 (Holmgren) absent, to**

**recommend that the City Council approve a Conservation Restriction from Samuel S. and Elizabeth Holdsworth of HC 68, Box 74, 102 East Fork Road, Silver City NM, in perpetuity, for the properties known as 225R, 287, 287R, 289R, 291R and 293 Concord Street, Assessors Map 249, Lots 7, 12, 11, 9, 10, and 8, Essex County Registry of Deeds Book 5832, Page 314, to the Essex County Greenbelt Association, Inc., for the purpose of the preservation of a natural resource of the city of Gloucester and being in the public interest pursuant to MGL c. 184, §31-33.**

**Mr. LaPointe** recounted that the Hutchins Court properties were acquired by the ECGA with the help of the city in 2015 through two “generous” CPA Fund grants and substantial private fundraising. It was always contemplated that the ECGA would convey a restriction to the city as another level of protection on the land and consistent with the CPA grants. He advised there is an expectation of building a trail system on the property with the end of Hutchins Court graded and finished prior to welcoming the public. ECGA would be the landowner responsible for all the management and maintenance of the land, and the city through ConCom would have an enforcement right over the ECGA to ensure they are protecting the conservation values of the property appropriately.

**COMMITTEE RECOMMENDATION: On a motion by Councilor Gilman, seconded by Councilor Lundberg, the Planning & Development Committee voted 2 in favor, 0 opposed, 1 (Holmgren) absent, to recommend that the City Council approve a Conservation Restriction in perpetuity from the Grantor, the Essex County Greenbelt Association, Inc. for the properties known as 7A, 7B & 17 Hutchins Court, Assessors Map 125, Lot 99 and Assessors Map 115, Lot 30, Essex County Registry of Deeds Document Number 561627, to the City of Gloucester, for the purpose of the preservation of a natural resource of the city of Gloucester and being in the public interest pursuant to MGL c. 184, §31-33.**

**Mr. LaPointe** reported the following information to the Committee: These Atlantic Road parcels were under discussion several years ago when there was a potential of one of the parcels would be developed. This started the Save Our Shores (SOS) group that raised funds and created the opportunity to purchase the parcels for permanent conservation. SOS worked with a group that created an entity to temporarily hold the parcels, the Land Conservation Advocacy Trust (LCAT). At the time of SOS’s fundraising efforts, they were awarded a CPA Fund grant. That award came with the obligation that the landowner convey a restriction to the city in exchange for that grant. SOS and LCAT asked the ECGA to be the long-term owners of the parcels. ECGA’s assessment was that the other groups had raised sufficient private funding for the project so that the city’s CPA Fund grant was not needed and informed the city the summer of 2017 via a letter to the city’s Community Preservation Committee saying that the CPA Fund grant monies weren’t required.

**Mr. Cademartori** advised that there was a correction as to the addressing of one parcel (168 was corrected to 166). He conveyed that this is a good model to have conservation-minded organizations owning property and then the restriction with it so that there is a system of checks and balances and keeps the city involved in the management of “quasi-public” properties.

**Councilor Gilman** commented that this was a highly visible situation for the city and was great how members of the community came together and worked for a common goal.

**COMMITTEE RECOMMENDATION: On a motion by Councilor Lundberg, seconded by Councilor Gilman, the Planning & Development Committee voted 2 in favor, 0 opposed, 1 (Holmgren) absent, to recommend that the City Council approve a Conservation Restriction in perpetuity from the Grantor, the Essex County Greenbelt Association, Inc. for the properties known as 166 Atlantic Road, Map 73, Lot 32; and 170, 172, 178 Atlantic Road, Assessors Maps 76, Lots 3, 4 and 5, Essex County Southern District Land Court Document #588318, Certificate #91054, to the City of Gloucester, for the purpose of the preservation of a natural resource of the city of Gloucester and being in the public interest pursuant to MGL c. 184, §31-33**

A motion was made, seconded and voted unanimously to adjourn the meeting at 5:53 p.m.

Respectfully submitted,

*Dana C. Jorgenson*

**Clerk of Committees**

**DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.**