

Planning & Development Committee
Wednesday, April 17, 2019 – 5:30 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Valerie Gilman; Vice Chair, Councilor Jen Holmgren; Councilor Paul Lundberg
Absent: None.

Also Present: Councilor O’Hara (entered the meeting at 5:32 p.m.)

The meeting was called to order at 5:30 p.m.

1. *Special Events Applications:*

A. Request to hold the National Safety Day on May 18, 2019 with a rain date of May 25, 2019

Boatswain’s Mate Duncan Watt, representing the U.S. Coast Guard, Station Gloucester, organizers of the National Safe Boating Day/Open House planned for Saturday, May 18 (with a rain date of May 25th), explained that the gates to the Coast Guard Station will be an open community event that will offer a cookout; displays by the State Police, NOAA and the Animal Shelter, and a helicopter demonstration. They also are trying to arrange to have a band playing at the buoy, he added. The Coast Guard is holding this event because the community helped Station Gloucester so much during the government shutdown, that the Station wants to say thank you to Gloucester for their support. He advised they are asking for Harbor Loop to be shut down much the same as the shutdown as used by the Harbor Loop Concerts during the Coast Guard event.

Councilor Gilman asked if the Coast Guard in conjunction with the Harbormaster’s Department will be offering kayak registration tickers at the event. **Mr. Watt** noted his belief stickers for kayaks and paddles will be offered along with safe boating safety tips.

MOTION: On a motion by Councilor Holmgren, seconded by Councilor Lundberg, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit the United States Coast Guard Station Gloucester to hold the National Safe Boating Day/Open House on Saturday, May 18, 2019 with a rain date of Saturday, May 25, 2019. Harbor Loop will be closed from 9:00 a.m. to 3:00 p.m. for an event scheduled to run from 10:00 a.m. to 2:00 p.m. This event is covered under the City of Gloucester’s liability insurance policy as a city-sponsored event.

B. Request to hold the Concerts on the Boulevard, July 3 and August 31, 2019

Brent “Ringo” Tarr representing the Concerts on the Boulevard advised that on July 3 plans are the same as in previous years -- they keep the road open as long as possible; when it becomes a safety issue, the Boulevard is closed on one side headed towards the downtown. As soon as crowds disperse at the determination of the police, they reopen the roadway. The same plan is used for the August 31 Concert, he added. He pointed out each year concert attendance has grown and public safety is of the utmost concern.

Councilor Lundberg asked if there were any changes planned for the concerts’ set up since the removal of the bridge tender’s house. **Mr. Tarr** advised that while it’s a better view, it doesn’t change their set up. **Councilor Gilman** added her thanks to Mr. Tarr for all he does for the community.

MOTION: On a motion by Councilor Lundberg, seconded by Councilor Holmgren, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit the Gloucester Fund to hold a free concert on Stacy Boulevard in the vicinity of the Blynman Bridge on Tuesday, July 3, 2019, on the condition that the Gloucester Fund obtains all necessary approvals and to ensure that all required documentation is timely filed with the appropriate City departments. Road closures are at the discretion of the Police Department. Failure to comply with any conditions precedent may result in revocation of Council approval. This event is covered under the City of Gloucester’s liability insurance policy as a city-sponsored event.

MOTION: On a motion by Councilor Holmgren, seconded by Councilor Lundberg, the Planning & Development Committee voted in favor, 0 opposed, to permit the Gloucester Fund to hold a free concert on Stacy Boulevard in the vicinity of the Blynman Bridge on Saturday, August 31, 2019, on the condition that the Gloucester Fund obtains all necessary approvals and to ensure that all required documentation is timely filed

with the appropriate City departments. Road closures are at the discretion of the Police Department. Failure to comply with any conditions precedent may result in revocation of Council approval. This event is covered under the City of Gloucester's liability insurance policy as a city-sponsored event.

- C. Request to hold the Harbor Loop Concert Series on July 4, 11, 18 & 25; August 1, 8, 15, 22 & 29, with a rain date of September 5, 2019

Dana Jorgensson, Clerk of Committees, advised she was in receipt of an email just prior to the meeting that no representative of the Harbor Loop Concert Series was able to attend, and asked on their behalf that the matter be continued to the Committee's meeting of May 8, 2019.

This matter is continued to May 8, 2019.

- D. Request to hold the Gloucester Schooner Festival August 26 - September 2, 2019

Michael DeKoster, Maritime Gloucester, Executive Director, and **Daisy Nell Collinson**, Board Member, organizers of the Maritime Heritage Day for Maritime Gloucester explained that this is a long-standing annual event for a celebration of maritime skill sets and heritage education. This takes place in front of the Maritime Heritage Center and all the way down to the pier. This is part of the Schooner Festival and is one of the bigger days in that it attracts quite a crowd which is why they request to close Harbor Loop from #23 to #27 prior to that driveway to allow access for the Harbormaster and Coast Guard Station. **Ms. Nell** added that during Maritime Heritage Day where the focal point is at Maritime Gloucester there's music on the dory shop deck, schooners tied up at the Center's pier, but there will also be sloops and schooners tied up at I4-C2 so there is a great deal of foot traffic between the two areas. It was noted that all the food vendors will be on the Maritime Gloucester property.

Councilor Lundberg advised the additional floats at I4-C2 were "awesome", a vision of the future of what might be done there, he noted. **Mr. DeKoster** noted they already have permission from the city to add the floats again at I4-C2 this year.

MOTION: On a motion by Councilor Lundberg, seconded by Councilor Holmgren, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit Maritime Gloucester to hold Maritime Heritage Day in conjunction with the Gloucester Schooner Festival on Saturday, August 31, 2019 from 10:00 a.m. to 4:00 p.m. at Harbor Loop. Harbor Loop is to be closed to vehicular traffic with the exception of emergency vehicles from 10:00 a.m. to 5:00 p.m. with roadway signs indicating same from 23 Harbor Loop to 27 Harbor Loop. Traffic control during the event will be overseen by the Gloucester Police Department and no police detail is required. This event is covered under the City of Gloucester's liability insurance policy as a city-sponsored event.

2. *SCP2019-004: Fuller Street #356, Map 168, Lot 14, GZO Secs. 1.9, 3.1.6, 3.2.2 & 1.7 for a special permit to exceed the maximum allowable building height; decrease the minimum lot area per dwelling unit, and decrease the minimum open space per dwelling unit in the NB/R-20 district (Cont'd from 04/03/19)*

Councilor Gilman noted that the P&D Committee's site visit on Thursday, April 11 was attended by Councilors O'Hara, Hecht and Nolan, the three P&D Committee members and about 15 neighbors with the applicants and their attorney. She advised she found the site visit very helpful. She asked that the applicant focus this evening on the three relief matters requested through the Special Council Permit. She mentioned a request received by Committee from the Applicant to amend the requested relief for open space per dwelling unit and lot area per dwelling unit. She requested Attorney Nestor further explain.

Attorney Mark Nestor, 45 Middle Street, representing the applicant, Beauport Shores, LLC, managers: Frank Rossetti, Tom Ciulla and John Frassica, who were present, confirmed the requested amendment for the Special Council Permit for relief from the Zoning Ordinance. He explained that due to a math error the Applicant was now requesting complete relief from Zoning Ordinance requirements on the two new additional dwelling units for open space per dwelling unit at 15,500 sq. ft. and the lot area per dwelling unit at 20,000 sq.ft. (amended request on file). He also mentioned a rendering of the rear of the proposed building (displayed but not placed on file at that time) so the residents on Norman Avenue further east would be able to know what they'd be looking at. He noted that there would be a stockade fence at ground level which would mask the view of the first level of the building. The view would only be of the second and third floors, he indicated. **Councilor Gilman** confirmed that this rendering was

composed at the request of Ward 5 Councilor Sean Nolan through a request from a constituent. **Mr. Nestor** recounted that he'd had a long discussion with that particular constituent reported it was his understanding that the person was fully satisfied by his explanation. He noted that the façade of the back side of the building is a near mirror image of the front façade on Fuller Street.

Mr. Nestor addressed the requested Zoning relief requested through the Special Council Permit application as follows:

Proposed height of the building to 40 feet: The original building, completed in 1901 had a height of 35.8 feet built at a time when ceiling heights were lower than current Code. Because of the need to install a sprinkler system which requires a greater ceiling height than the original building as well as the need to provide a pitched roof to be more in keeping with neighborhood buildings, it necessitated the request for an additional five feet from 35 feet for a new height of 40 feet.

Lot Area Per Dwelling Unit and Open Space Per Dwelling Unit: This lot is 10,000 sq. ft. The prior building was in place for approximately 100 years which had retail space on the first floor for at least 50 years with four dwelling units on the second and third floor. After the building burned down, the new proposal in 2016 and 2018 that went before the ZBA called for four dwelling units. An expansion on the side facing Fuller Street is proposed to create two new dwelling units replacing a former retail office space on the right-hand side of the building. All dwelling units' vehicles will have off-street parking it was noted; and under prior ZBA decisions the restaurant on the first level is not required to have off-street parking. By creating two new dwelling units on the first level, it pushed the building out about 40 feet from the original building footprint. There is an accessory building on the property, and by its removing it adds 292 square feet of space. For the two new units the open space (requiring 10,000 sq. ft. per dwelling unit) and lot are per dwelling unit (requiring 7,500 sq. ft. per dwelling unit) the Applicant is requesting full relief to allow the building of those two new additional units creating six dwelling units in all. The relief is specific to the two new units.

Councilor Gilman pointed out this was new information for the Committee as it wasn't clear that the relief sought in these two areas was specific to only two new dwelling units. **Mr. Nestor** confirmed that was the case saying that because there is a lack of 10,000 sq. ft. there isn't enough land and is seeking relief from these two areas of the Zoning Ordinance through the Special Council Permit. **Councilor Gilman** also confirmed with Mr. Nestor that this change in the request for relief also included miscalculation for the original Special Council Permit application and the request is now for maximum relief for each of the two areas - open space per dwelling unit and lot area per dwelling unit. On an inquiry by **Councilor Gilman**, **Councilors Holmgren** and **Lundberg** expressed their understanding of the requested amendment for relief from the Zoning Ordinance.

Councilor Holmgren expressed she was pleased to move this matter forward. **Councilor Lundberg**, noting his attendance at the site visit and having looked at it all and considered what had been on that location, he conveyed that what is proposed is a great replacement for what was destroyed by the fire with **Councilor Holmgren** voicing her agreement. **Councilor Gilman** added her support saying there has been good dialog between the Applicant and with the neighborhood.

COMMITTEE RECOMMENDATION: On a motion by Councilor Holmgren, seconded by Councilor Lundberg, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council grant a Special Council Permit (SCP2019-004) to Beauport Shores, LLC, for a property at 35 Fuller Street, Map 168, Lot 14, zoned NB/R-20 (Neighborhood Business/Low-Medium Density Residential) to erect a structure under GZO Sections 1.9, 3.1.6, 3.2.2 and 1.7 for a reconstructed building with six dwelling units; building heights in excess of 35 feet to be 40 feet (an increase of 5.0 feet); and for the two new units as part of this structure only, lot area per dwelling unit is reduced from 20,000 square feet to 0 square feet per dwelling unit; and open space per dwelling unit reduced from 15,000 square feet to 0 square feet; pursuant to a plan submitted with the application, rendered by Red Barn Architecture, Ipswich, MA signed by Ryan McSheran, RA, dated February 19, 2018. This Special Council Permit is deemed to be in harmony with the intent and purpose of the Zoning Ordinance.

This matter will come forward for public hearing on May 14, 2019.

3. *RZ2019-001: Rockport Road #28, Map 178, Lot 28 from EB (Extensive Business to R-10 (Medium/High Density Residential) - Also referred to the Planning Board (Cont'd from 03/20/19)*

Councilor Gilman advised that the Committee was in receipt of a letter dated April 16, 2019 from Attorney Joel Favazza representing the applicant, Shoreside Investment Group LLC, advising the withdrawal of the application for

rezoning of Rockport Road #28 from EB to R-10 due to concerns of the neighborhood (letter on file) although there was a positive vote on the zoning change from EB to R-10 by the Planning Board.

COMMITTEE RECOMMENDATION: On a motion by Councilor Lundberg, seconded by Councilor Holmgren, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council permit the withdrawal of RZ2019-001: Rockport Road #28, Map 178, Lot 28 from EB (Extensive Business to R-10 (Medium/High Density Residential) without prejudice.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:00 p.m.

Respectfully submitted,

Dana C. Jorgensson

Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.