

**Planning & Development Committee**  
Wednesday, June 19, 2019 – 5:30 p.m.  
**1<sup>st</sup> Fl. Council Committee Room – City Hall**  
-Minutes-

**Present: Chair, Councilor Valerie Gilman; Vice Chair, Councilor Holmgren; Councilor Sean Nolan (Alternate)**

**Absent: Councilor Lundberg**

**Also Present: None.**

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

**1. Pole Petition Public Hearings:**

- A. PP2019-003: Request by Comcast to excavate and place a 3' x 3' manhole cover over existing conduit and place one 4" PVC Conduit 50' +/- to Harbor Loop #2 -- to be conducted as a public hearing duly advertised

**This public hearing is open at 5:30 p.m.**

**Those speaking in favor:**

**David Flewelling**, Specialist 2 Construction, Comcast, explained that Comcast has been asked to provide service to the TD Bank located at 2 Harbor Loop. He indicated there'd be excavation to place a 3' x 3' manhole over the existing conduit and from that newly-placed manhole they'd excavate to place one 4" PVC conduit 50' +/- to 2 Harbor Loop.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

**This public hearing closed at 5:32 p.m.**

**Councilor Gilman** commended the quality of the plan provided in the Comcast Pole Petition application. **Mr. Flewelling** indicated it was a new format which he will continue to use moving forward.

**MOTION: On a motion by Councilor Holmgren, seconded by Councilor Nolan, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit Comcast locating the existing Comcast conduit on Harbor Loop and excavating to place a 3' x 3' manhole over the conduit. From the newly placed manhole excavating to place one (1) 4" PVC conduit 50' +/- to 2 Harbor Loop including the necessary sustaining and protecting fixtures as shown on "Proposed Comcast Underground Conduit Plan to Service 2 Harbor Loop, Gloucester, MA" dated May 30, 2019 with the following conditions:**

- 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 during accepted road opening and construction season, 15 March - 15 November. No winter construction shall be permitted.**
  - 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. 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 (four) inches.**
  - 5. 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.**
- B. PP2019-004: Petition by National Grid to install 3' +/- of 2"-3" concrete encased PVC conduit at a point approximately 300 feet northwest of the centerline of the intersection of Acacia Street and Grove Street -- to be conducted as a public hearing duly advertised

**This public hearing is open at 5:34 p.m.**

**Those speaking in favor:**

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**Elizabeth Cardarelli**, Distribution Designer, representing National Grid, explained that National Grid is requesting to install from a beginning point at about 300' northwest of the centerline of the intersection of Acacia and Grove Streets and continuing approximately 3' in a northwest direction. National Grid intends to install 3' +/- of 2" to 3" concrete-encased PVC conduit and all necessary and sustaining fixtures to service 120 Maplewood Avenue.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

**This public hearing is closed at 5:37 p.m.**

**MOTION: On a motion by Councilor Nolan seconded by Councilor Holmgren, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit National Grid to install beginning at a point approximately 300' northwest of the center line of the intersection of Acacia Street and Grove Street and continuing approximately 3' in a northwest direction. National Grid will install 3' +/- of 2" to 3" concrete-encased PVC conduit and including the necessary sustaining and protecting fixtures as shown on a revised plan dated May 7, 2019, "Work Request Number: 26691921 for proposed 3' +/- of concrete encased PVC Conduit, Location: 9 Acacia St. Gloucester, MA 01930" and all appurtenances to provide service to 120 Maplewood Avenue with the following conditions:**

- 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 during accepted road opening and construction season, 15 March - 15 November. No winter construction shall be permitted.**
- 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. 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 (four) inches.**
- 5. 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.**

**2. *Special Events Applications:***

A Request to hold the Fishtown Horribles Parade on July 3, 2019

**David Tucker**, 101 Cherry Street, representing the Fishtown Horribles Parade Committee, explained this year's parade is the same as it's been for the last 70+ years. The parade route is the same starting at the Gloucester High School parking lot starting at 6:00 p.m. and ending at the High School on or about 8:30 p.m. He assured they are gone from the property by 9:00 p.m. in time for the fireworks.

**Councilor Holmgren** noted that dismissal time is noted at 8:30 p.m. on the parade application. **Mr. Tucker** reassured that the parade ends at the high school by 8:30 p.m. and they're off the high school property by 9:00 p.m. **Councilor Gilman** also noted on the application the broad time listed for the High School property use from 12 noon to 12:00 a.m. but pointed out that it was corrected further in the application. **Mr. Tucker** advised that parade-goers start dropping off floats and other parade paraphernalia starting at noon, and by the time they pick up the sawhorses on the Boulevard it could be midnight and is the reason for the broad timeframe for the property's use. He reassured that the parade disbands from the property by 9:00 p.m.

**Councilor Nolan** thanked Mr. Tucker for taking on the parade's organization for 2019.

**MOTION: On a motion by Councilor Holmgren, seconded by Councilor Nolan, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit the Horribles Parade Committee to hold the Fishtown Horribles Parade on Monday, July 3, 2019, and to close affected City roadways from 6:00 p.m. to 9:00 p.m. with the following conditions:**

- 1. Certificate of Insurance:**

- A Certificate of Insurance naming the City of Gloucester as an additional insured party is to be filed with the City Clerk's office on or before June 28, 2019.**
2. **Road Closure Plan:**  
Police Department and the Fire Department approvals of the plans for the Fishtown Horribles on July 3, 2019 have been received through the Special Events Advisory Committee. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Traffic and parking plan and police detail information by the Police Department to be filed with the Police Chief. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues may require City Council approval.
  3. **Refuse and Comfort Stations:**  
All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicapped accessible) are to be provided and maintained by the organizer, placed the evening before the event or early in the morning of the day of the event and be removed by 9:00 a.m., July 4, 2019.
  4. **Emergency Services:**  
All requirements of the Gloucester Fire Department EMS must be met.
  5. **Staffing:**  
Event staff is to have cell phones and be identified by the public with distinct shirts. A list of event staff and their cell phone numbers is to be submitted to the Police, Fire or DPW Departments.
  6. **Notification of Immediate Abutters and Businesses to Parade Route:**  
Notice shall be made by the event organizer by hand or by mail no later than 7 (seven) days in advance of the event to function halls, motels and hotels, and other businesses along the parade route.
  7. **Responsibility of the Fishtown Horribles Parade Committee:**  
The applicant is also required to obtain any necessary approvals from the Health Department. It is the sole responsibility of the Horribles Parade Committee to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation. Applicant is also required to comply with any requirements made by departments through the Special Events Advisory Committee.
  8. **Vendors for the Event:**
    - A. The Horribles Parade Committee must obtain Transient Vendor Licenses for non-food vendors from the City Clerk's Office at least one week prior to the event; and,
    - B. The Horribles Parade Committee is to provide a vendor list to the City Clerk and the Chief of Police at least one week prior to the event.
- B. Request to hold the "Cheer for the Pier" Magnolia Pier Fundraiser on July 27, 2019

**Ted Costa**, 97 Hesperus Avenue, accompanied by Noreen Gillis, representing the Magnolia Pier Fundraising Committee, conveyed that the best way to fix a piece of infrastructure is raise funds, as the Magnolia community did; as the Council did by approving a loan order, saying it is their committee's belief they owe it to the city to do one more fundraiser for the rebuilding of the Magnolia Pier. The fundraiser is scheduled for Saturday, July 27. They are asking that Shore Road from Lobster Lane to Hesperus Avenue be closed to through traffic. He reviewed some of the plans for the event such as food for purchase, a small auction, a DJ, possibly a live band, and beverage service. The event will start at 3:00 p.m. and end about 9:30 p.m. All the proceeds will be donated to the city of Gloucester, he advised. A letter was sent out to all abutters, he highlighted, saying that the abutters were in agreement with the plans for the event. He presented a map of the immediate area (placed on file) showing the Committee the area of the road closures briefly, and indicated the Magnolia Pier Committee will have one police officer for traffic control. **Councilor Nolan** added that city fees have been waived for this event by the city as 100% of the donations raised will come back directly to the city to fund the rebuilding of the Magnolia Pier.

There was a brief discussion between **Mr. Costa** and **Councilor Gilman** on arrangements for Certificates of Insurance.

**Councilor Holmgren** expressed her appreciation for the generosity of Magnolia residents. **Mr. Costa** advised this is in all their best interests to do this service for the city saying it was paying it forward. **Councilor Nolan** added that this is a great committee and a great cause.

**MOTION: On a motion by Councilor Nolan, seconded by Councilor Holmgren, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit the Magnolia Pier Fundraising Committee to hold the**

**“Cheer for the Pier” -- Magnolia Fundraising Event on Saturday, July 27, 2019 from 3:00 p.m. to 10:00 p.m. with the following conditions:**

1. **Certificate of Insurance:**  
A Certificate of Insurance naming the City of Gloucester as an additional insured party is to be filed with the City Clerk’s office on or before July 19, 2019.
  2. A approved road closure plan is to be on file with the Police and Fire and City Clerk’s office on or before July 19, 2019.
  3. **Refuse and Comfort Stations:**  
All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with one handicapped accessible) are to be provided and maintained by the organizer, placed the morning of the event and be removed by 9:00 a.m., July 28, 2019.
  4. **Emergency Services:**  
All requirements of the Gloucester Fire Department EMS must be met.
  5. **Staffing:**  
Event staff is to have cell phones and be identified by the public with distinct shirts. A list of event staff and their cell phone numbers is to be submitted to the Police, Fire or DPW Departments.
  6. **Notification of Immediate Abutters to the Event:**  
Notice shall be made by the event organizer by hand or by mail no later than 7 (seven) days in advance of the event to abutters of the event location.
  7. **Responsibility of the Magnolia Pier Fundraising Committee:**  
The applicant is also required to obtain any necessary approvals from the Health Department and Licensing Board. It is the sole responsibility of the Magnolia Pier Fundraising Committee to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation. Applicant is also required to comply with any requirements made by departments through the Special Events Advisory Committee.
- C. Request to hold the Sidewalk Bazaar on August 1, 2 and 3, 2019

**Joseph Ciolino**, 28 High Popples Road, representing the Gloucester Downtown Association (GDA), owner of the Weathervane at 153 Main Street, assured the Committee that nothing new has been added to this year’s time-honored event now in its 61<sup>st</sup> year; that all arrangements are the same as in years past. This is a combined effort with the city, and the event is covered under the city’s liability insurance, and the DPW handles trash pick-up he noted. He briefly reviewed last year’s successful Sidewalk Bazaar and highlighted how the volunteer staff ensures all vendors adhere to the rules and stay out of the main thoroughfare to keep Main Street open for emergency vehicles.

**Councilor Holmgren** expressed appreciation for the GDA’s welcoming so many non-profit organizations to participate in this event. **Mr. Ciolino** advised the event is sponsored by a local bank so that if a non-profit organization can’t afford to pay the \$75 entry fee, the GDA can waive it.

**MOTION: On a motion by Councilor Holmgren, seconded by Councilor Nolan, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit the Gloucester Downtown Association (GDA) to close Main Street from Pleasant Street to Washington Street, including Hancock, Center, Porter, and Short Streets to all vehicular traffic from 6:00 AM to 6:00 PM, Thursday, August 1, Friday, August 2, and Saturday, August 3, 2019 for the purpose of conducting the Gloucester Sidewalk Bazaar with the following conditions:**

1. A memorandum from the City of Gloucester that shows the GDA Sidewalk Bazaar is covered under the city’s insurance has been received.
2. There are to be no vendor set ups on the sidewalk blocking hydrants, crosswalks, or handicap ramps; Vendor set ups are not to extend beyond the marked parking lines on the streets.
3. No vendor set ups in front of the police station other than the area designated by the Police Department.
4. All vendor set ups must allow for unobstructed drivable area along the entire Sidewalk Days route slightly wider at the curve of the Brass Monkey to maintain adequate access for emergency vehicles. Failure to do so may necessitate the removal or relocation of the vendor at the discretion of the Fire Department, the Police Department or the event agent of the GDA.

5. The organizers shall allow the Fire Department drive-through access with a fire engine once each day of the event, on or about 9:00 a.m., and one random drive through to be decided by the Fire Department.
6. No parking or unloading of goods on any of the above-mentioned streets after 8:50 AM until 5:00 PM on each of the days of the Gloucester Sidewalk Bazaar.
7. Event staff is to have cell phones and be identified by the public with distinct shirts. A list of event staff and their cell phone numbers is to be submitted to the Police, Fire or DPW Departments in advance of the first day of the Sidewalk Bazaar.
8. The GDC is also required to obtain any necessary approvals from appropriate city departments. It is the sole responsibility of the applicant to ensure that all required documentation is filed in a timely manner as indicated. Failure to comply with any conditions precedent may result in permit revocation. Applicant is also required to comply with any requirements made by departments through the Special Events Advisory Committee including vending.

D. Request to hold the Mother of Grace Fiesta on September 7, 2019

This matter is continued to July 19, 2019.

3. *CC2019-018 (Gilman): request per letter submitted to the City Clerk by Sam Avola, 1 Colburn Street, that his repetitive petition request, covered under GZO Sec.1.5.15 be considered for the sole purpose of determining if a reduction of building height of 38 feet to 34.5 feet constitutes a specific or material change (referred also to Planning Board) (Cont'd from 05/08/19)*

**Councilor Gilman** noted that the Committee is in receipt of a letter from the applicant, Sam Avola, asking that his request for a repetitive petition for 1 Colburn Street be withdrawn (on file).

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Nolan, seconded by Councilor Holmgren, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit the withdrawal of a request per letter submitted to the City Clerk by Sam Avola, 1 Colburn Street, that his repetitive petition request, covered under GZO Sec.1.5.15 be considered for the sole purpose of determining if a reduction of building height of 38 feet to 34.5 feet constitutes a specific or material change without prejudice.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:10 p.m.

Respectfully submitted,  
*Dana C. Jorgensson*  
Clerk of Committees

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:**

- GIS map of Event Area for “Cheer for the Pier” submitted by Ted Costa