



City of Gloucester
City Council

CITY CLERK
GLOUCESTER, MA

11 MAR 10 AM 9:55

CITY HALL • GLOUCESTER • MASSACHUSETTS

CITY COUNCIL STANDING COMMITTEE
Planning & Development Committee
Wednesday, March 16, 2011 – 6:00 p.m.
1st Fl. Council Conference Room – City Hall

AGENDA

1. *Continued Business:*

- A) CC2011-006 (McGeary) Request to change St. Anthony's Lane listing from private to public Street (Cont'd from 03/02/11)
- B) Letter from Ronald Benjamin requesting a sewer line acceptance re: Beachcroft Road (Cont'd from 03/02/11)
- C) Request from St. Peter's Fiesta Committee for use of City Land (Cont'd from 03/02/11)
- D) 2011-0001: Application to amend Gloucester Zoning Ordinance re: 77 Langsford Street (Cont'd from 01/19/11)
- E) Update: Fishtown Horribles Parade (cont'd from 02/16/11)

2. *Request from Downtown Block Party Committee for street closures re: Downtown Block Parties*

3. *Request from Gloucester Downtown Group for street closure re: Gloucester Sidewalk Bazaar*

COMMITTEE

Councilor Joseph Ciolino, Chair
Councilor Robert Whynott, Vice Chair
Councilor Greg Verga

Committee members – Please bring relevant documentation

Back-up and Supporting Documentation all on file at the City Clerk's Office, City Hall

CC: Mayor Kirk
Jim Duggan
Fire Chief Phil Dench
Police Chief Michael Lane
Suzanne Egan
Michael Hale
Gregg Cademartori
Rick Noonan

Jan. 22, 2011
Ronald Benjamin
7 Finch Lane
Gloucester MA 01930

978-281-5147

CITY CLERK
GLOUCESTER, MA
11 JAN 25 PM 2:27

Jacqueline Hardy, Council President
Gloucester City Hall
9 Dale Ave
Gloucester MA 01930

Dear Council President Hardy:

I am writing to request that the city accept a private sewer on Beachcroft Road which services residences at nos. 17, 28 and 34 Beachcroft Road and ties in to an existing city sewer line on Witham Street. The private sewer has been functioning without incident since its construction in 1999. Although the City Charter provides that the Director of Public Works is responsible for all public works projects, the City Council must accept private sewer works as public property.

In support of the request, I am enclosing the original plans prepared by Ocean Side Engineering of Gloucester and dated Nov. 23, 1998, as well as an "as-built" plan, a copy of which is in file with the City Department of Public Works. Also included in the packet is a permit to construct the sewer issued by the Massachusetts Department of Environmental Protection and dated Sept. 30, 1999.

I would request that you refer this matter to the Planning and Development Standing Committee for their recommendation and hopefully a full Council vote in the near future.

I would request that you refer this matter to the Planning and Development Standing Committee for their recommendation and a full Council vote at the Council's convenience.

Very truly yours,



Ron Benjamin
CC: Michael Hale

SEWER CONNECTION PERMIT

Permit 1031

Date of Issue 1/26/99

Property Address: Beachcroft Rd. Property Owner: _____

Map: _____ Lot: _____ New Dwelling: _____ Existing Dwelling: _____ # Units: _____

CONTRACTOR: J. Doyle LICENSE #: _____

Contractor Signature: [Signature]

RESIDENTIAL Fee \$50.00 Check #: 9862 COMMERCIAL Fee \$150.00 Check #: _____

Conventional Grinder Pump* S.T.E.P.* Main Line Only (does not include individual service tie ins.)

*For S.T.E.P. Requirements see City of Gloucester Rules and Regs. pertaining to S.T.E.P. Installation. There may be special requirements for Grinder Pump installation depending on location of installation. See Engineering Staff.

Date Inspected: 7/26/99 Inspected By: [Signature]

PERMIT EXPIRES 30 DAYS FROM DATE OF ISSUE.

ASBUILT RECEIVED: 10/4/99

SEWER CONNECTION PERMIT

Permit 1032

Date of Issue 1/26/99

Property Address: 28-30 Beachcroft Rd. Property Owner: Benjamin

Map: 175 Lot: 14 New Dwelling: Existing Dwelling: _____ # Units: _____

CONTRACTOR: Doyle LICENSE #: _____

Contractor Signature: [Signature]

RESIDENTIAL Fee \$50.00 Check #: 98162 COMMERCIAL Fee \$150.00 Check #: _____

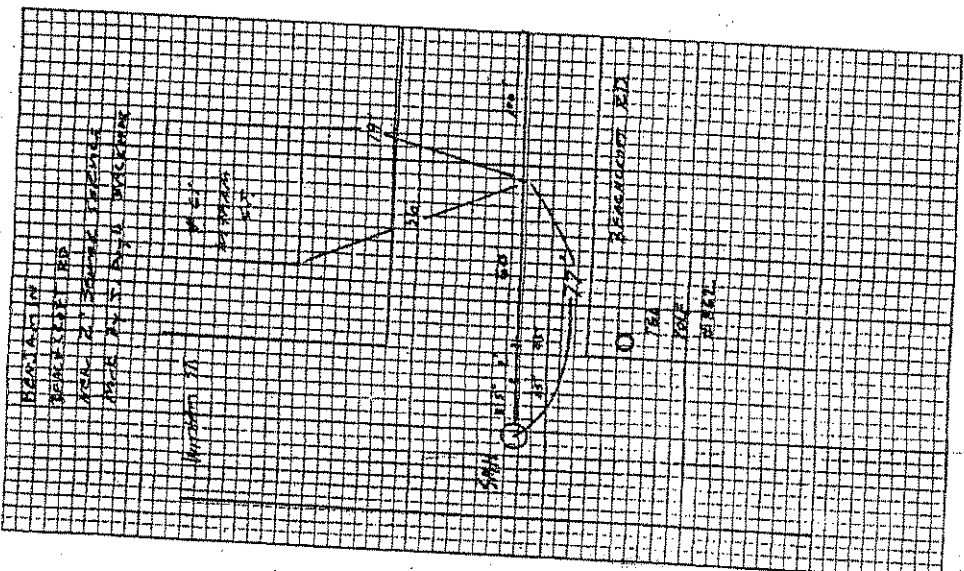
Conventional Grinder Pump* S.T.E.P.* Main Line Only (does not include individual service tie ins.)

*For S.T.E.P. Requirements see City of Gloucester Rules and Regs. pertaining to S.T.E.P. Installation. There may be special requirements for Grinder Pump installation depending on location of installation. See Engineering Staff.

Date Inspected: 3/10/99 Inspected By: AC+AC

PERMIT EXPIRES 30 DAYS FROM DATE OF ISSUE.

ASBUILT RECEIVED: 10/4/99

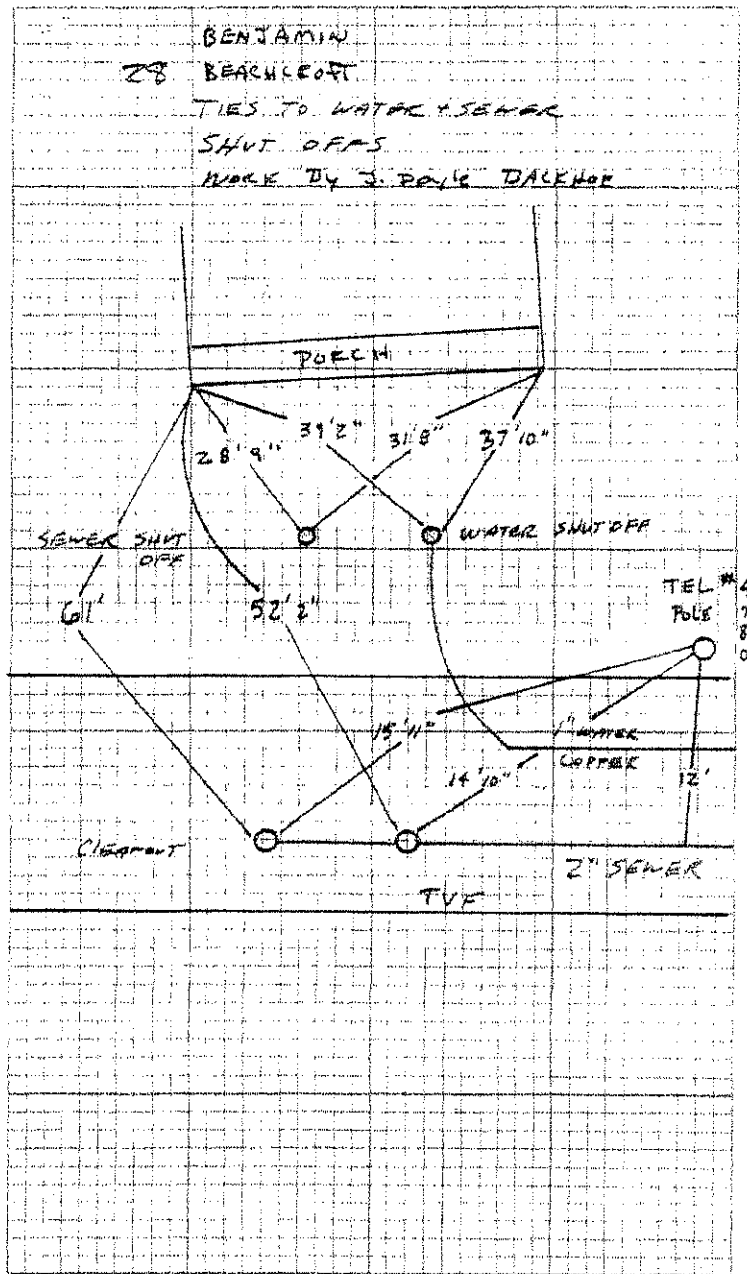


#1
AS BOLT

LINE IS FOR 4
RESIDENCES

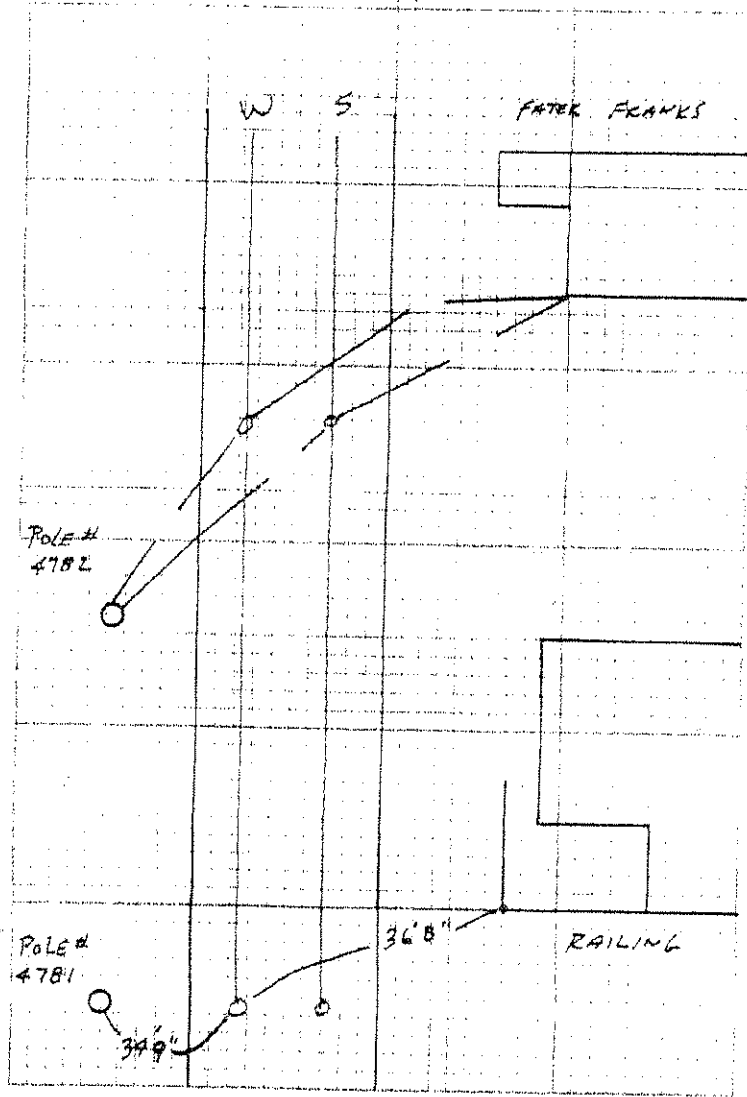
RESIDENCES TIED
INTO LINE.

28 BEARHCROFT
34 BEARHCROFT
17 BEARHCROFT
3 TOTAL

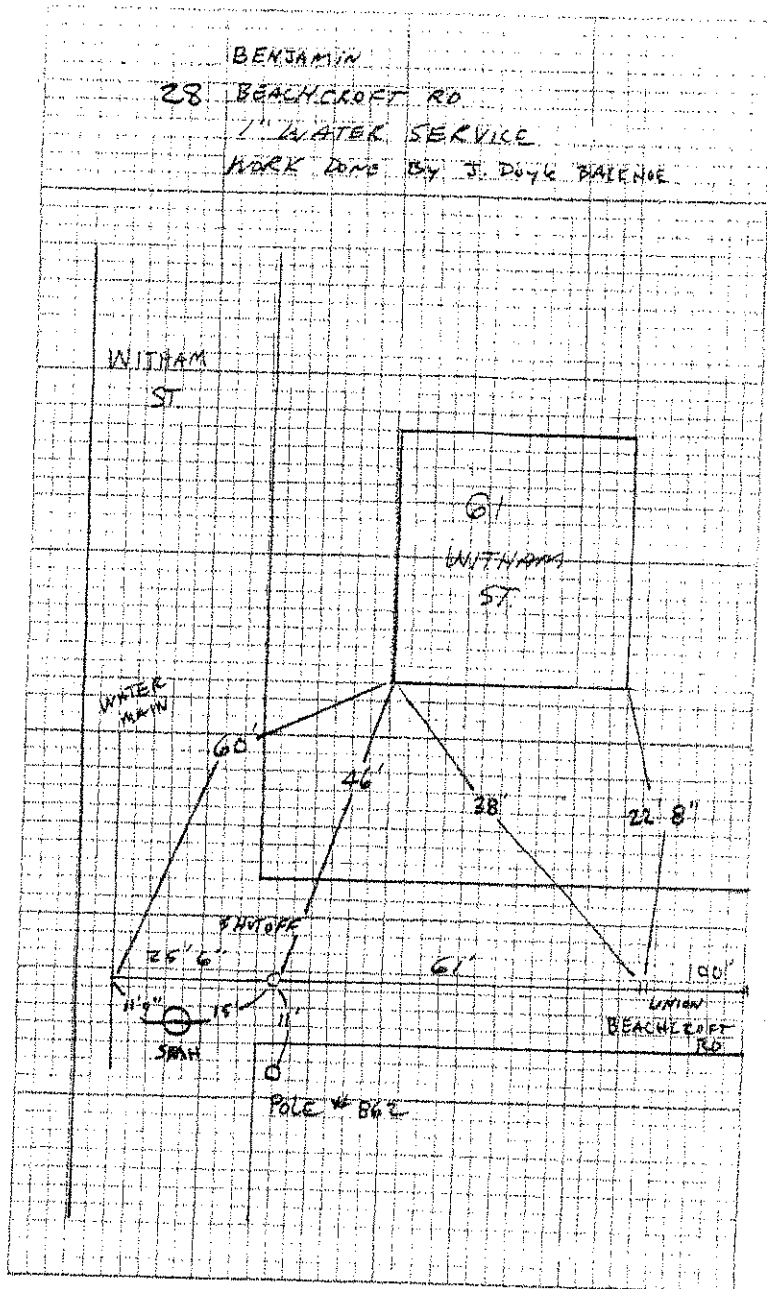


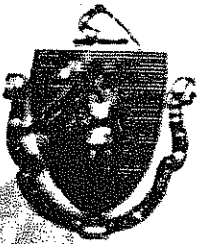
#2

BEACH CROFFLE
LOCATION OF WATER + SEWER
SHUT OFFS
WORK BY J. DOYLE TACKER



#3





COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Metropolitan Boston - Northeast Regional Office

BOB DURAND
Secretary

LAUREN A. LISS
Commissioner

September 30, 1999

Mr. Ronald Benjamin
10 Pond Road
Gloucester, MA 01930

28 BEACHCRAFT ROAD

Sewer System Connection/Extension Permit No. 204892

Dear Mr. Benjamin:

In response to your application for a sewer connection/extension permit to discharge into the sewer system located at Beachcroft Road, in Gloucester, Massachusetts, and after due public notice, I hereby issue the attached final permit.

A letter requesting a public hearing on this application was received by the Department on June 21, 1999. Issues cited were sewer line diameter to accommodate future development, storm/water separation and water line size.

The Department has determined a public hearing would not provide additional information which would impact the decision to grant or deny the sewer extension for the following reasons:

- a) the permit authorizes the connection of a maximum of four (4) residences which could be adequately carried by the two inch force main. Any expansion beyond this number would require a new application.
- b) Since adequate water/sewer separation could not be maintained, the water line was allowed per City requirements for its entire length. This installation was observed by City of Gloucester Department of Public Works employees.
- c) The size of the water line is per City requirements.

Since a public comment was received, the permit shall become effective thirty (30) days after issuance.

This Permit is an action of the Department. If you are aggrieved by this action, you may request an adjudicatory hearing. A Notice of Claim for an Adjudicatory Hearing must be made

This information is available in alternate format by calling our ADA Coordinator at (617) 574-6872.

205A Lowell St. Wilmington, MA 01887 • Phone (978) 661-7800 • Fax (978) 661-7815 • TTD# (978) 661-7679

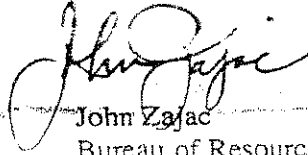
Printed on Recycled Paper

in writing and postmarked within thirty (30) days of the date this permit was issued. Pursuant to 310 CMR 1.01(6), the Notice of Claim shall state clearly and concisely the facts which are grounds for the proceeding and the relief sought.

The Notice will be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver as described in 310 CMR 4.00.

If you have any questions regarding this matter, please contact John Zajac at 978-661-7600.

Sincerely,



John Zajac
Bureau of Resource Protection



**CITY OF GLOUCESTER 2011
CITY COUNCIL ORDER**

ORDER: #CC2011-005
Councillor Paul McGeary

DATE RECEIVED BY COUNCIL: 01/25/11
REFERRED TO: P&D
FOR COUNCIL VOTE:

ORDERED that the private way known as St. Anthony's Lane be accepted by the City as a public street in accordance with the Gloucester Code of Ordinances Sec. 21-1; and further

ORDERED that the name of the street be included in the City's list of public ways as provided in the Gloucester Code of Ordinances Sec. 21-2.

Paul McGeary
Councillor - Ward 1

(Ord. No. 49-95, § I, 12-29-95; Ord. No. 61-1997, § II, 9-2-97; Ord. No. 128-1998, § I, 10-27-98)

Sec. 20-31. Commercial shellfishermen; reciprocity.

Any person who has resided in the city and has held a city commercial shellfish permit who changes their permanent residence to the Town of Essex or Town of Ipswich may apply for a city commercial shellfish permit which shall expire upon said person's having attained one (1) year's residence in the Town of Essex or Town of Ipswich.

(Ord. No. 49-95, § I, 12-29-95)

Sec. 20-32. Public notice.

In order to inform the public on the openings of previously closed shellfish areas that have either been closed due to unacceptable water quality or for conservation purposes, excluding red tide and rain closures, a public notice shall be placed in the local newspaper one (1) week in advance of the opening date.

(Ord. No. 89-1998, § I, 4-29-98)

Chapter 21 STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES*

***Cross reference(s)**--Ordinances or resolutions dedicating, naming, establishing, locating, relocating, opening, closing, paving, widening, vacating, etc., any street or public way in the city saved from repeal, § 1-7(10); any ordinance establishing or prescribing street grades of any street in the city saved from repeal, § 1-7(13); ascertainment of street grades, levels, boundaries, etc., by city engineer, § 2-129; power of department of public works pertaining to streets, sidewalks and other public places, § 2-283; certain animals not to be at large on streets, § 4-1; buildings and building regulations generally, Ch. 5; furnishing street lines and grades prior to erection or alteration of fences, walls, or buildings, § 5-1; littering prohibited, § 9-7; hawkers and peddlers generally, Ch. 11; sale of food by hawkers and peddlers prohibited upon certain streets, § 11-8; drinking alcoholic beverages upon public ways, § 14-3; planning, Ch. 16; traffic and motor vehicles generally, Ch. 22; temporary closing of streets, § 22-22; driving on road surfaces under construction or repair, § 22-53; driving on sidewalks, § 22-54; insulation of wires running through streets, § 23-86.

State law reference(s)--Municipal jurisdiction over highways, M.G.L.A. c. 82, § 17; regulations relative to sidewalks, M.G.L.A. c. 83, § 25 et seq.; regulations relative to public ways generally, M.G.L.A. c. 85; municipal authority to regulate use of public ways for certain purposes, M.G.L.A. c. 85, § 10.

ARTICLE I. IN GENERAL

Sec. 21-1. Prerequisites to acceptance of ways.

No ways shall be accepted as public ways of the city unless the order for acceptance is accompanied by a statement in writing, signed by the director of public

works, the mayor and the city auditor, stating that sufficient funds are on hand and will be allocated for placing such way in safe condition for travel.

(Code 1970, § 20-1)

Sec. 21-2. Record of names, width, etc., of streets.

The city clerk shall keep a book, in which shall be recorded and alphabetically arranged the names of all the streets and ways in the city which are laid out and accepted, with the date of such laying out and acceptance, the width of such streets and ways, and all alterations made therein from time to time by the city council.

(Code 1970, § 20-3)

Sec. 21-3. Street names.

(a) The several streets, ways and squares in the city shall continue to be called and known by the names heretofore established.

(b) All streets and ways hereafter laid out shall be named by the city council. The city council may change the name of any street or way at any time following sections (c) through (f) as follows:

(c) All requests for street names and numbering plans shall be filed with either city clerk or engineering department. The written requests must contain a clear locus map to show the exact location and/or numbering being requested. The engineering department shall route all requests to the city clerk.

(d) The city clerk shall forward all street naming and numbering plans to the city council for review at the appropriate standing committee, planning and development.

(e) The planning and development committee shall request written reports from the following agencies prior to any final recommendation for action. The agencies and their respective responsibilities are defined below:

City engineer: Agency for the development of numbering plans and master list recording.

Fire department: Input on sound-alike names, duplicate names, public safety and response aspects.

Police department: Input on sound-alike names, duplicate names, public safety and response aspects.

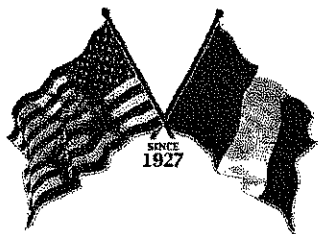
Planning department: Review with respect to names and proposed developments to avoid conflicts.

Assessors: For review based on assessor's records to avoid conflicts.

All departments will have fourteen (14) days to respond. No response shall indicate no concern with the name or number plan.

(f) The decision of the city council, along with the locus map and or numbering plan shall be routed to the departments listed above.

(Code 1970, § 20-2; Ord. No. 25-1994, § I, 12-13-94)



ST. PETER'S FIESTA, INC.

P.O. Box 3105
GLOUCESTER, MA 01930

501 © (3)
Non-Profit Organization

11 FEB 10 AM 9:17
CITY CLERK
GLOUCESTER, MA

January 27, 2011

Office of the City Clerk
Gloucester City Council
City Hall / 9 Dale Avenue
Gloucester, MA 01930

Dear City Council Members:

The 84th celebration of the St. Peter's Fiesta annual event will be held at St. Peter's Park, Gloucester, Massachusetts, starting on Wednesday evening, June 22, and continuing on Thursday, June 23, Friday, June 24, Saturday, June 25, and Sunday, June 26, 2011.

Therefore, the St. Peter's Fiesta Committee is hereby requesting the Gloucester City Council to confirm the use and control of St. Peter's Park on Rogers Street, the streets and sidewalks of Rogers Street, from Mansfield Way to the entrance of Commercial Street, Commercial Street up to Fort Square, to include use of the Birdseye Property, if it is made available by owner; and from the intersection of Main and Washington Streets to St. Peter's Park; and, on Friday, June 24, Saturday, June 25, and Sunday, June 26, only the water side of Stacey Boulevard from The Tavern, to the Fishermen's Memorial and the Ciaramitaro/Gemellaro Playground at Fort Square; for the purpose of conducting the St. Peter's Fiesta on the days and dates mentioned above.

For reasons of safety and consideration for the residents thereon, the St. Peter's Fiesta Committee requests that vendors not be allowed on the right-hand side of Commercial Street nor on the streets and sidewalks from Tally's to the Chamber of Commerce.

In addition, the Committee requests that all peddlers, canvassers and solicitors and others who encroach upon or occupy in any way these areas without the express consent of the St. Peter's Fiesta Committee, are to be considered trespassers and to be in violation of Gloucester City Ordinance, Chapter 14, Section 14-6; Trespass.

The St. Peter's Fiesta Committee is again pleased to schedule a special Wednesday evening concert performance at St. Peter's Park on June 22, 2011.

Thank you for your support for the St. Peter's Fiesta. Please contact me with any questions at 978 282-2872. We look forward to your prompt reply so that we may continue our effort for the 2011 Fiesta.

Sincerely,

Joseph Novello, President
St. Peter's Fiesta

2011-001
Rezoning

CITY CLERK
GLOUCESTER, MA

APPLICATION FOR REZONING

App. No. 2011-001 11 JAN -6 AM 9:36
Date 1/6/2011

TO THE CITY COUNCIL OF THE CITY OF GLOUCESTER, MASSACHUSETTS:

I (We), the undersigned, do hereby respectfully make application and petition the City Council to amend the Zoning Ordinance of the City of Gloucester as herewith requested, and in support of this application of the following facts are submitted:

1. The Property sought to be rezoned is located at:

Street: Langsford

On the southeast side of the street, known as lot number 77

It has a depth of 40' & 102' and Frontage of 107.11'

2. Present Zoning Classification NB

3. Proposed Zoning Classification see attached

4. The following are all of the individuals, firms, or corporations owning property adjacent to both sides and rear, and the property in front of (across the street from) the property to be rezoned:

NAME	STREET	CITY OR TOWN
Ralph Magwood and Carolyn Porter	75 Langsford St	Gloucester Map 151 lot 3
William and Sandra Thoms	1174 Washington St.	Gloucester Map 151 -32
John Koenig	83 Langsford St	Gloucester Map 151 lot 2
Louise Seppala	78 Langsford St.	Gloucester Map 145 lot 22
Gregory Gibson et al	76 Langsford St.	Gloucester Map 145 lot 21

(Please attach extra sheets for more names, if needed)

5. It is proposed that the property will be put to this use:
see attached

6. It is proposed to construct the following buildings:
see attached

7. Attached is a copy of the required map which shows the property and surrounding area, with all abutters circled.

SIGNATURE AND ADDRESS OF OWNER: Gregory Gibson & Ann Marie Crotty
76 Langsford St
Gloucester, MA 01930

SIGNATURE OF PETITIONER: J. Michael Faherty
J. Michael Faherty
111 Main St., Gloucester, MA 01930

tel 978-283-9233

APPLICATION FOR ZONING AMENDMENT

Date January 6, 2010

TO THE CITY COUNCIL OF THE CITY OF GLOUCESTER, MASSACHUSETTS:

Now comes the undersigned property owners, by their attorney and do hereby respectfully make application and petition the City Council to amend the Zoning Ordinance of the City of Gloucester as herein requested, and in support of this application, the following facts are submitted:

Property Owners: Gregory A. Gibson and Anne Marie Crotty
Property Owners Address: 77 Langsford Street
Map 151, Lot 46

The sections of the Zoning Ordinance to be amended are as follows:

(1) **Section VI – Definitions - Page 166**

Dwelling, Multi-Family or Apartment: A structure containing three (3) or more dwelling units, whether for rental, condominium ownership, or other form of tenancy, including row or townhouse structures; or a structure containing one or more permitted non-residential uses on the ground floor, or on the ground and other floors, and also containing one or more dwelling units above the ground floor.

The Petitioners request that the definition be amended to delete all underlined words and read as follows:

Dwelling, Multi-Family or Apartment: A structure containing three (3) or more dwelling units, whether for rental, condominium ownership, or other form of tenancy, including row or townhouse structures.

(2) **2.2.3 Mixed Uses - Page 27**

Where a building, structure or land is proposed to be used for more than one principal use, all of which are permitted in the zoning district in question and none of which is accessory to another, such mixed uses shall be allowed. In the event that a provision of this ordinance applying to one of such uses is inconsistent with a provision applying to another, the more restrictive provision shall apply.

The petitioners request that this section be amend by deleting the underlined words and adding in their place "but no more than two (2) principal uses, whether the uses are in separate buildings or in the same building either vertically or horizontally connected, each of which use is permitted in the zoning district in question and neither of which is accessory to the other, such mixed uses shall be allowed."

The amended section 2.2.3 would read as follows:

Where a building, structure or land is proposed to be used for more than one principal use, but no more than two (2) principal uses, whether the uses are in separate buildings or in the same building either vertically or horizontally connected, each of which use is permitted in the zoning district in question and neither of which is accessory to the other, such mixed uses shall be allowed. In the event that a provision of this ordinance applying to one of such uses is inconsistent with a provision applying to another, the more restrictive provision shall apply.

(3) **Section 3.2.1 footnote g – Page 50**

The petitioners request that footnote g be amended so that it includes the words “and commercial buildings” after the words “two-family dwellings” so that it reads as follows:

g. See Appendix 3.20 at the end of this Section 3.2 for the front, side and rear yard setback distances for single and two-family dwellings and commercial buildings and accessory structures thereto which:

- (1) were in existence on or before March 9, 1999 or for which a building permit was issued on or before March 9, 1999; and
- (2) are located in those portions of R-20 and R-30 districts identified by the street lists in Appendix 3.20 at the end of this Section 3.2

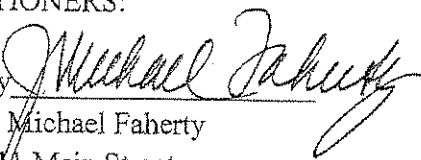
(4) **Appendix to Section 3.2 – Page 56**

The petitioners request that this section be amended as it applies to North Gloucester, specifically the sentence immediately following the use chart to add the words “and commercial buildings” following the words “two-family dwellings” so that it reads:

The above dimensional requirements supersede those of Section 3.2.1 for single and two-family dwellings and commercial buildings and accessory structures thereto which. . .

SIGNATURE AND ADDRESS OF OWNERS/PETITIONERS:

Gregory A. Gibson
Marie Crotty
76 Langsford Street
Gloucester, MA 01930

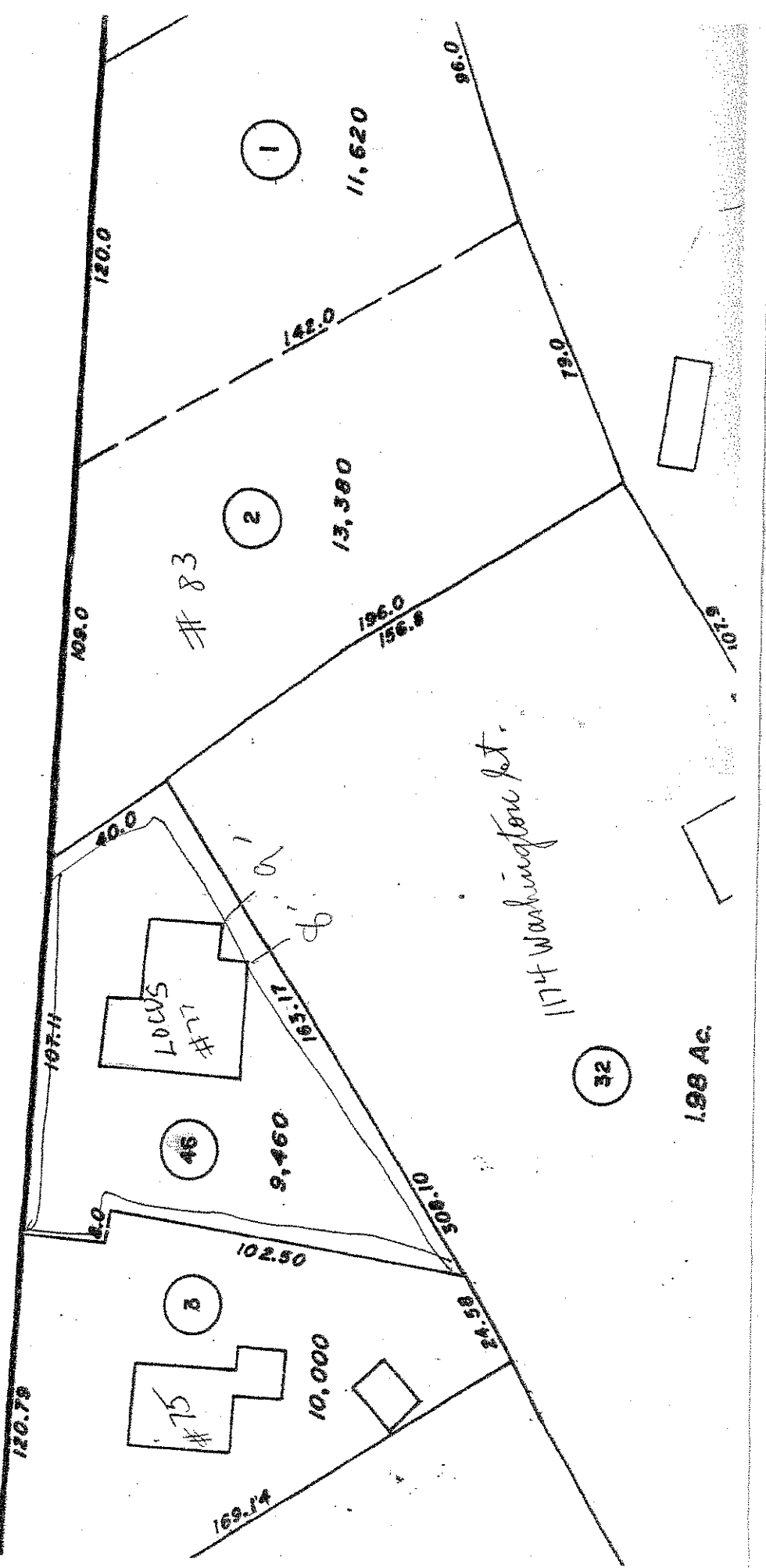
by 
J. Michael Faherty
111 Main Street
Gloucester, MA 01930

lot 12
lot 22

Map 1451

Map 151

LANGSFORD STREET



2/22/2011 correction version to add Mark McDonough to DTBP committee

CITY CLERK
GLOUCESTER, MA
11 FEB 22 PM 1:23

Council President Hardy
Gloucester City Hall
9 Dale Avenue
Gloucester, MA 01930

February 22, 2011

Dear President Hardy,

We, the Downtown Block Party Committee, are requesting a permit to close a portion of Main Street on the following dates between the hours of 4:00 pm and 11:00 pm for block parties:

July 16, Saturday
August 20, Saturday
September 17, Saturday

Again, we hope to showcase our local shops, restaurants, galleries along with our local artisans and musicians for our community of friends and neighbors. The support which our government has shown during years 2008, 2009, 2010 has been instrumental in re-introducing the public to our glorious Main Street in our harbor village as well as recognizing the facets of economic development.

We respectfully ask that this request be referred to the Planning and Development Committee for further review. We look forward to the opportunity of discussing these events with the Committee, the Board of Health, the Plumbing Inspector, the Police and Fire Departments and any other persons and departments necessary to make this event as successful as those in 2008-2010

Thank you for your consideration.

Erika Hansen,	978-282-7779, erikaa.hansen@gmail.com
Dawn Gadow	arthavendirector@gmail.com
Mark McDonough	meaning@OnlyMyEmail.com
Linda Palazola	palazolasinc@yahoo.com
Christine Orlando	kidsunltd@comcast.net

Consultants:

Linn Parisi	linnparisi@gmail.com
Janice Lufkin Shea,	978-546-6550, leeeway@verizon.net

GLOUCESTER DOWNTOWN GROUP

c/o 85 Main Street, Gloucester, MA 01930

February 15, 2011

Ms. Jackie Hardy, City Council President
C/o City Clerk's Office
9 Dale Avenue
Gloucester, MA 01930

11 FEB 23 AM 10:36
CITY CLERK
GLOUCESTER, MA

RE. Street closure request – Gloucester Sidewalk Bazaar: August 4, 5 & 6, 2011

Dear Ms. Hardy,

The Downtown Merchants Group requests permission for a street closure in support of Gloucester Sidewalk Bazaar – Thursday, August 4th, Friday, August 5th, and Saturday August 6th, 2010. We ask that Main Street from Pleasant Street to Washington Street (including Hancock, Center, Porter and Short Streets) be closed to vehicular traffic from 7:00 a.m. to 6:00 p.m. under the same conditions as last year.

City support from the Council, Public Works, Police, Fire, and Health Departments is critical to the success of this 53 year old Gloucester Tradition and is greatly appreciated.


As per the request of Chief Dench regarding additional safety measure, we agree to have a minimum of three people on the streets at all times. They will wear "Staff" shirts and will work to keep the adequate distance between vendors to allow passage of emergency vehicles. In addition they will be to have cell phone contact with the police and fire for other emergency purposes.

Downtown merchants have taken a much stronger support position in managing this event. Linda Palazola and Christine Orlando will serve as the event co-chairs; we will be meeting weekly to plan the event. Please also be advised the Downtown Merchant Group is hiring an event coordinator to actually run the event. (Last year's event was also run by a hired local event coordinator.)

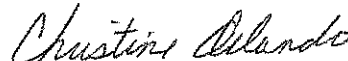
Please let me know when you wish us to appear before the council to discuss the event.

Thank you for your consideration,

Respectfully,



Linda Palazola
Palazola Sporting Goods
Event Co-chairperson



Christine Orlando
Kids Unlimited
Event Co-Chairperson