

Planning & Development Committee
Wednesday, April 22, 2020 – 5:30 p.m.
REMOTE MEETING
-Minutes-

Committee Members Present: Chair, Councilor Valerie Gilman; Vice Chair, Councilor Jen Holmgren; Councilor Barry Pett

Absent: None

Additional Councilors and Staff Present: Councilor John McCarthy; Mayor Sefatia Romeo Theken; Joanne M. Senos; Grace E. Poirier; James Pope; Vanessa Krawczyk

Applicants Present: Alana Horne and Rebecca Doyon representing the Magnolia Community Farmers Market

NOTE: This meeting was conducted through Zoom. All votes were taken by roll call vote. Councilor Gilman called the roll.

Meeting called to order at 5:30 p.m.

Councilor Gilman announced: “Consistent with the Governor's order suspending certain provisions of the open meeting law and banning gatherings of more than 10 people, this P&D meeting will be conducted by remote participation to the greatest extent possible. Persons who wish to listen to the meeting have been invited to do so, as noted on our posting. They can join the computer smart device or by phone as posted on the website. There are instructions as well on how to join a remote meeting.

Consistent with these remote open meeting law orders, all votes will be made by roll call and this meeting is being recorded. If you have called in via a phone and you are called upon to discuss one of the three applications that are in front of us, please hit ‘Star Nine’ and this will show our administrators that your hand is raised. If you're on the computer and you have a microphone and you're panelists, there is a ‘raise your hand’ button.”

Councilor Gilman took the following items out of order:

- 4. Special Council Permit 2020-002 Essex Avenue number 99A, Map 218, Lot 126, GZO Section 3.1.6(b) “Building heights in excess of 35 feet”; Section 2.3.4(13) “Marine related service, storage or repair limited primarily to the MI District to commercial fishing vessels”; Section 5.5 “Lowland requirements”; Section 5.5.2 and 5.5.3 in the Extensive Business District.**
- 5. Special Council Permit 2020-004 Folly Point Road number 1, Map 146, Lot 28, GZO Section 3.1.6(b) “Building heights in excess of 35 feet” in the R-20 District.**

She announced the following, which was also noted on the agenda: “Pursuant to Section 17 of Chapter 53 of the Acts of 2020, and in an abundance of caution, the City Council through its President has rescheduled all public hearings and decision deadlines on permit applications until after the current state of emergency has concluded in Massachusetts. At that time, this permit application will be scheduled for a public hearing, it will be acted on within the time limits required by law. Note: as a result, the P&D Committee has decided not to take up these matters on April 22, 2020.”

- 1. Special Events Application: Request to hold the Magnolia Community Farmers Market on Sundays from May 31, 2020 through October 4, 2020.**

Councilor Gilman asked the applicant to provide the committee with information pertaining to the road closures for the event. **Alana Horne** informed the committee that the event would run on Sundays from May 31 through October 4, 2020 from 10:00 – 1:00, and that they were requesting the road closures be from 9:30 – 1:30 on Sundays from the intersection of Lexington and Norman and Lexington and Flume. The requested road closures would be the same distance and length as last year. She hoped that there will be slightly more vendors this year than last.

Responding to a request for clarification about insurance from **Councilor Gilman**, **Ms. Senos** told the committee that in addition to this event being covered under the city's liability insurance, the Magnolia Community Farmers Market will need to provide their own insurance as well. **Ms. Horne** told the committee that vendors will also be required to provide their own liability insurance.

Responding to a question from **Councilor Pett** about social distancing during COVID-19, **Ms. Horne** told the committee that the farmers market has adopted guidelines on handling outdoor activities and farmers markets, considered essential business, from the Massachusetts Department of Agriculture and those guidelines will be strictly followed. They will be spacing the tents further apart, setting up hand washing stations, requiring that the vendors wear masks and gloves, and they will be posting signage about keeping six feet apart. Vendors are aware of the requirements and will be kept updated on laws and ordinances pertaining to this. **Ms. Horne** also told the committee that the vendor's certificates of liability insurance (those for the farmers, caterers, etc.) would be provided to the City Clerk's office 10 days in advance of the event. Not all of the vendors (those selling artwork) have their own liability insurance.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the Planning & Development Committee voted by ROLL CALL 3 in favor (Gilman, Holmgren, Pett), 0 opposed, to permit the Magnolia Community Farmers Market to be held on Sundays from May 31, 2020 through October 4, 2020 during the hours of 9:00 a.m. to 1:30 p.m. with the following conditions:

1. **Lexington Avenue is to be closed from Norman Avenue to Flume Road with appropriate signage posted at either end of Lexington Avenue advising motorists of alternative routes. A Certificate of Insurance naming the City of Gloucester as Certificate Holder is to be on file with the City Clerk's office no later than May 19, 2020 or in lieu of a Certificate of Insurance a letter from the city's Chief Administrative Officer stating that the city is responsible for the insurance. The following conditions apply:**
2. **Applicant is to notify all abutters of the closed area of Lexington Avenue in advance of the events;**
3. **Applicant is responsible for providing adequate trash receptacles and for removal of same;**
4. **Applicant has agreed to make Magnolia Library bathrooms available to the public;**
5. **Due to the current situation, all vendors, except those excluded by state law, are to obtain city vending permits from the Office of the City Clerk 10 days prior to the start of the event;**
6. **That the Magnolia Farmer's Market must have two or more farmers primarily selling products grown, produced, or raised by farmers present in order to constitute a "Farmer's Market" in keeping with the Mass. Department of Agricultural Resources Policy for Mass. Farmers' Markets and with the definition in the Code of Ordinances, Chapter 11;**
7. **Lexington Avenue will be closed at 8:30 a.m. for event set up and reopen at 2:00 p.m.**
8. **Approval is based on the status of the current situation and is subject to change based on any state at home orders, public park or beach closures etc. as made by the state or the city.**

2. **Special Events Permit Application: Request to hold the DES & GFC Club Religious Procession on June 7, 2020**

Councilor Pett made the following declaration: "I'd like to declare under Massachusetts General Law, Chapter 268A that as the ward councilor for the D.E.S. club that I'm awarded an honorary membership, and I wanted to make people aware of that. And it gives me no rights or privileges; I don't vote. I have no financial matters in reference to that, and I'll be able to participate in any discussions we have."

Councilor Gilman asked if any of the applicants for this matter were on the call; they were not. **Ms. Senos** informed the committee that she had just gotten off the phone with the applicant, Bob Whynott, and he was requesting this event be postponed until September 6, 2020. She had informed Mr. Whynott that the Special Events Advisory Committee would have to review that matter at their next committee meeting on May 7, 2020.

This matter will go back to the Special Events Advisory Committee for review.

3. Special Events Permit Application: Request to hold the Cars, Cops and Cruisers/Car Show on June 7, 2020

Councilor Gilman asked if any of the applicants for this matter were on the call; they were not. **Councilor Gilman** then asked the City Clerk if she had received any communication from the applicant. **Ms. Senos** informed the committee that when she reached out to the applicant to advise her of this meeting, the applicant had responded that she wasn't sure the event would go forward; the sponsor of the event wanted to hold off. That was the only communication received and **Ms. Senos** had expected that the applicant would be on the call to request a withdrawal of the application.

Mayor Theken told the committee that the applicant wanted to continue the event to September.

Councilor Gilman asked **Ms. Senos** to place this matter on the next Special Events Advisory Committee in order to get clarification from the applicant on whether they were withdrawing or postponing the event.

This matter is continued to the May 20, 2020 P&D meeting.

A motion was made, seconded and voted unanimously to adjourn the meeting at 5:54 p.m.

Submitted by Grace E. Poirier, Assistant City Clerk