

CITY CLERK
GLOUCESTER, MA

2020 JUL -1 AM 8:18



GLOUCESTER CITY COUNCIL
Planning & Development Committee
Wednesday, July 8, 2020 – 5:30 p.m.
REMOTE MEETING

AGENDA

(Items may be taken out of order at the discretion of the Committee)

Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law and banning gatherings of more than 10 people, this meeting will be conducted by remote participation to the greatest extent possible. The public may not physically attend this meeting but every effort will be made to allow the public to view and listen to the meeting in real-time. Persons who wish to do so are invited to view the meeting at:

Join from Computer, Smart Device: <https://us02web.zoom.us/j/84182242174>

Join via Phone: 1-929-205-6099 or 1-301-715-8592

Meeting ID: 841 8224 2174

Please visit <http://gloucester-ma.gov/remote-public-meetings> for instructions and guidance on how to join a remote meeting.

1. RZ2020-002: Temporary amendment to the GZO pursuant to MGL Ch. 40A, Sec. 5, and GZO Sec. 1.11.2(e) to amend GZO by ADDING a new Sec. 5.33 “Temporary Zoning Relief to Businesses During COVID-19 Pandemic” (**Cont. from 6/17/2020**)
2. Application of EIP Dory Road LLC for the storage of ethanol at 11 Dory Road, Assessors Map 262, Lot 16 Per MGL Ch. 148, §13, and GCO Ch. 8, Sec. 8-1 “License for storing inflammables”
3. DISCUSSION ONLY re: potential site visit for SCP2020-004 Folly Point Road #1

Matters to be Continued:

1. RZ2020-001: Proposed creation of a commuter residential overlay district to all lots currently zoned extensive business in and around the Maplewood Avenue and Whistlestop Way area (**Cont. from 6/17/2020, TBC 7/22/2020**)
2. PP2020-004 (*to be conducted as a public hearing*): request by New Cingular Wireless PCS, LLC d/b/a AT&T, in agreement with National Grid, to install a wireless small cell facility, including telecommunication wires and wireless attachments and appurtenances on a replacement utility pole in the public right of way – Pole #2337 – near Salt Island Road #2 (**Cont. from 6/17/2020 TBC 7/22/2020**)
3. PP2020-006 (*to be conducted as a public hearing*): request by Massachusetts Electric Company d/b/a National Grid and Verizon New England Inc. to install 1 JO Pole on Magnolia Avenue beginning at a point approx. 2,000 feet southeast of the centerline of the intersection of Carrie Lane. Install 1 JO Pole, 1 Anchor and all appurtenances with such sustaining and protecting fixtures as necessary in front of 288 Magnolia Avenue (**Cont. to 7/22/2020**)
4. City Council vote of August 22, 2017 re: COV2017-166 re: GZO Sec. 5.30.1 “Purpose” regarding the sunset clause (**Cont. to 7/22/2020**)

COMMITTEE
Chair, Councilor Valerie Gilman
Vice Chair, Councilor Jen Holmgren
Councilor Barry Pett

CC: Mayor Theken; Joanne M. Senos; Vanessa Krawczyk; Chip Payson; Gregg Cademartoni; Bill Sanborn, Eric Smith, Adam Debrigard

The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

City Hall
Nine Dale Avenue
Gloucester, MA 01930
CITY CLERK
GLOUCESTER, MA

2020 JUN -1 PM 3: 02



TEL 978-281-9700
FAX 978-281-9738
mayor@gloucester-ma.gov

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TO: Gloucester City Council
FROM: Mayor Sefatia Romeo Theken
DATE: June 1, 2020
RE: Temporary Zoning Relief to Businesses during COVID-19

We recommend a temporary amendment to the Gloucester Zoning Ordinance, pursuant to M.G.L. ch. 40A, Section 5, and Section 1.11.2(e) and to amend the Gloucester Zoning Ordinance to provide for temporary zoning relief to businesses during the COVID-19 Pandemic.

For your consideration is a draft new section, 5.32 Temporary Zoning Relief To Businesses During COVID-19 Pandemic, which would provide temporary zoning relief to businesses in the City of Gloucester during the COVID-19 Pandemic to facilitate and encourage the reopening of existing businesses and to provide opportunities to stimulate economic activity during this time. This would allow businesses some flexible options during the next few months so that they can use outdoor and other additional spaces to the extent reasonably safe and feasible to operate, while providing required social distancing and other health and safety measures for patrons and employees.

This would be temporary and shall expire on December 1, 2020. We anticipate further guidance on this matter from the state in the coming days as it relates to Phase 2 of Reopening Massachusetts.

Please refer this matter to the Planning and Development Standing Committee for review and approval.

Should you have any questions or need any other information please let us know.

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Sefatia Romeo Theken

Temporary Zoning Relief To Businesses During COVID-19 Pandemic
Pursuant to M.G.L. ch. 40A, sec.5 and Section 1.11 of the Gloucester Zoning Ordinance

City Council initiates a temporary amendment to the Gloucester Zoning Ordinance, pursuant to M.G.L. ch. 40A, Section 5, and Section 1.11.2(e) and to amend the Zoning Ordinance to provide for temporary zoning relief to businesses during the COVID-19 Pandemic as follows:

Insert a new 5.32 Temporary Zoning Relief To Businesses During COVID-19 Pandemic

1. Purpose and Duration.

The purpose of this Section is to provide temporary zoning relief to businesses in the City of Gloucester during the COVID-19 Pandemic to facilitate and encourage the reopening of existing businesses and to provide opportunities to stimulate economic activity during this time. The City takes this action to allow businesses some flexible options during the next few months so that they can use outdoor and other additional spaces to the extent reasonably safe and feasible to operate, while providing required social distancing and other health and safety measures for patrons and employees. This Section 5.32 is temporary and shall expire on December 1, 2020. This Section shall apply only to temporary structures and to temporary uses and only to the structures and uses described below. Such structures and uses shall not remain on the site or in use after the expiration of this Section, unless otherwise permitted by law.

2. Temporary Permit Exemption

Existing business uses as identified in Section 2.3.4 Business Uses including existing retail and consumers services as identified in Section 2.3.4(27) and restaurants as identified in Section 2.3.4(9) of the Zoning Ordinance shall be allowed to temporarily add outdoor seating, display, or takeout without requiring a special permit from the Zoning Board of Appeals or the City Council, or approval of the Planning Board under Section 5.9 Site Plan Review, as applicable. Such outdoor seating, display, or takeout operations may be proposed on public or private sidewalks, in parking spaces, or in parking lots, however all other codes, requirements and permissions shall be in effect. In lieu of a special permit or Site Plan Review requirements, applicants for outdoor seating, display, or takeout, shall be required to obtain a temporary use permit from the Building Department after an administrative application review by, including but not limited to, the Building Department, Health Department, and Public Safety Departments to ensure the safe use of the outdoor space.



FP-002A
(Rev. 1.1.2015)

The Commonwealth of Massachusetts
City/Town of GLOUCESTER

Application For License

Massachusetts General Law, Chapter 148 §13

New License Amended License

GIS Coordinates

LAT

LONG.

License Number

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Land court plan #28935D

Location of Land: 11 DORY ROAD GLOU-000262-000016 CERT title 40934
Number, Street and Assessor's Map and Parcel ID

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: EIP DORY ROAD LLC

Address of Land Owner: 20 PICKERING STREET, NEEDHAM, MA 02442
2nd floor

Use and Occupancy of Buildings and Structures: Manufacturing Hand Sanitizer, Aerospace parts, and marijuana

If this is an application for amendment of an existing license, indicate date of original license and any subsequent amendments

Attach a copy of the current license

Flammable and Combustible Liquids, Flammable Gases and Solids

Complete this section for the storage of flammable and combustible liquids, solids, and gases: see 527 CMR 1.00 Table 1.12.8.50; Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal, lbs, cubic feet	CONTAINER UST, AST, IBC, drums
<u>Ethanol</u>	<u>3</u>	<u>10,000</u>	<u>Gallon</u>	<u>AST</u>

Total quantity of all flammable liquids to be stored: 10,000 Gallons

Total quantity of all combustible liquids to be stored: _____

Total quantity of all flammable gases to be stored: _____

Total quantity of all flammable solids to be stored: _____

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LP-gas (Complete this section for the storage of LP-gas or propane)

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: _____

List sizes and capacities of all aboveground containers used for storage: _____

❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: _____

List sizes and capacities of all underground containers used for storage: _____

Total aggregate quantity of all LP-gas to be stored: _____

Fireworks (Complete this section for the storage of fireworks)

Indicate classes of fireworks to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.3G: _____ Type/class of magazine used for storage: _____

❖ Maximum amount (in pounds) of Class 1.4G: _____ Type/class of magazine used for storage: _____

❖ Maximum amount (in pounds) of Class 1.4: _____ Type/class of magazine used for storage: _____

Total aggregate quantity of all classes of fireworks to be stored: _____

Explosives (Complete this section for the storage of explosives)

Indicate classes of explosive to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.1: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.2: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.3: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.4: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.5: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.6: _____ Number of magazines used for storage: _____

I, Jeffrey Beeny, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature [Signature] Date 6/11/2020 Name Jeffrey Beeny

Fire Department Use Only

I, Andrew M.R. Bis, Head of the Glossier Fire Department endorse this application with my

Approval Disapproval

Signature of Head of the Fire Department [Signature]

Date 6-15-20

Recommendations: _____

**HARVEST YEAST
HAND SANITIZER PROJECT**
11 Dory Road, Gloucester, MA



Gloucester Bio
11 Dory Road
Gloucester, MA 01930



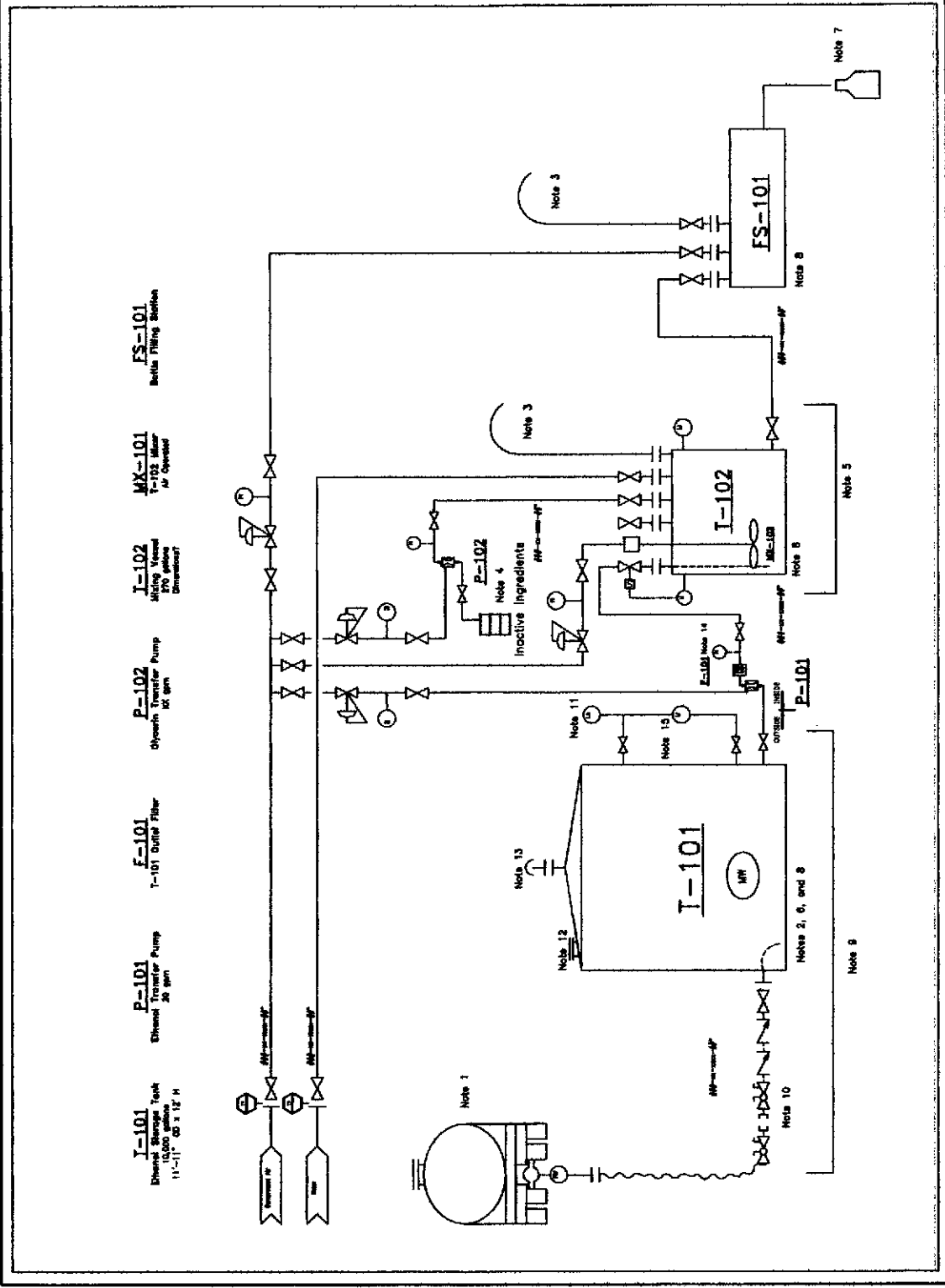
Prepared By:
Next Rung Technology
444 Somerville Ave
Somerville, MA 02143

- NOTES:**
1. Please note that this system is designed for the use of 100% Ethanol, 70% Ethanol, and 50% Ethanol. The system is not designed for other concentrations.
 2. T-101 is to be in secondary containment.
 3. Vent T-102 outside building to safe location.
 4. Complete release of ethanol, water, and inactive ingredients to T-102 and all associated piping.
 5. Dry ethanol tank.
 6. Inactive.
 7. P-101 and P-102 are approved substances.
 8. Size tag for T-101, P-101, and all associated piping.
 9. Inactive ingredients.
 10. Inactive ingredients tank must be clean and dry before use.
 11. Inactive ingredients tank must be clean and dry before use.
 12. Inactive ingredients tank must be clean and dry before use.
 13. Inactive ingredients tank must be clean and dry before use.
 14. Inactive ingredients tank must be clean and dry before use.
 15. Note size tags for each valve in use.

Rev	By	Description	Date
1	PHILIP	ISSUING CLIENT COMMENTS	11 MAY 2020
2	PHILIP	ISSUING CLIENT COMMENTS	11 MAY 2020
3	PHILIP	ISSUING CLIENT COMMENTS	11 MAY 2020

Project:	HARVEST YEAST
Date:	11 MAY 2020
Prepared by:	PHILIP
Checked by:	PHILIP
Drawing ID:	PID-XXX

Overall System
P&ID



Sec. 8-1. - License for storing inflammables; fees.

- (a) Upon application to the city council for a license to store inflammables, the applicant shall be responsible for payment of fees for advertising and postage for legal notices to all abutters.
- (b) Upon approval of the application to store inflammable, the license fee therefor shall be \$100.00.
- (c) The annual fee for renewal of certificate of registration shall be \$100.00.

(Ord. of 7-13-1982, § 1; Ord. No. 2013-011, 1-8-2013)

State Law reference— Licenses for storage of inflammables, M.G.L. c. 148, § 13.

Part I ADMINISTRATION OF THE
GOVERNMENT

Title XX PUBLIC SAFETY AND GOOD
ORDER

Chapter FIRE PREVENTION
148

Section LICENSES FOR LAND FOR
13 EXPLOSIVES AND INFLAMMABLE
MATERIALS; CERTIFICATE OF
APPROVAL; RECORD;
CERTIFICATE OF REGISTRATIONS;
FEES; REPLACEMENTS AND
ALTERATIONS OF, AND
REGULATIONS FOR BUILDINGS;
EXPLOSION HAZARD; APPEALS
TO MARSHAL

Section 13. No building or other structure shall, except as provided in section fourteen, be used for the keeping, storage, manufacture or sale of any of the articles named in section nine, unless the local licensing authority shall have granted a license to use the land on which such building or other structure is or is to be situated for the aforementioned uses, after a public hearing, notice of the time and place of which hearing shall have been given, at the expense of the applicant, by the clerk of the city or of the local licensing authority, by publication, not less than seven days prior thereto, in a newspaper published in the English language in the city or town wherein said land is situated, if there is any so published therein, otherwise in the county in which such city or town lies, and also

by the applicant by registered mail, not less than seven days prior to such hearing, to all owners of real estate abutting on said land or directly opposite said land on any public or private street as they appear on the most recent local tax list at the time the application for such license is filed, and unless the application for such license shall have endorsed thereon the certificate of approval or disapproval of the head of the fire department. Such license shall be recorded in the office of the city or town clerk, and it shall, from the time of the granting thereof by the licensing authority, be deemed a grant attaching to the land described therein and as an incident of ownership thereof running with the land and shall not be deemed to be merely a personal privilege. Any license granted hereunder, or any license for the keeping, storage, manufacture or sale of any of the articles named in section nine, granted prior to July first, nineteen hundred and thirty-six, including any license reinstated and continued by the marshal as herein provided, shall remain in force unless and until revoked as hereinafter provided. Any such license granted hereunder shall be subject to such conditions and restrictions as may be prescribed in the license by the local licensing authority, which may include a condition that the license be exercised to such extent and within such period as may be fixed by such authority.

The owner or occupant of said land licensed as herein provided, and the holder of any license for the keeping, storage, manufacture or sale of any of the articles named in section nine, granted prior to July first, nineteen hundred and thirty-six, including any license reinstated and continued by the marshal as herein provided, shall annually, on or before April thirtieth, file with the clerk of the city or town where such license is to be or has been exercised, or in Boston, with the fire commissioner, or in Cambridge, with the board of license commissioners, a certificate of registration setting forth the name and address of the holder of such license; provided,

that no certificate of registration shall be required for any building used as a garage for storing not more than three vehicles, when once used under such a license. The board may by regulation prescribe the amount of any of the articles named in section nine that may be kept in a building or other structure without a license and registration, or either of them. Such fee as may be established from time to time by ordinance or by-law may be charged for any such license, registration or certificate of the head of the fire department, respectively.

Every license granted under this section, and every certificate of registration filed under this section, shall be deemed to be granted or filed upon condition that if the land described in the license ceases to be used for the aforementioned uses, the holder of the license shall within three weeks after such cessation eliminate, in accordance with rules and regulations of the board, all hazardous conditions incident to such cessation. If the holder of the license fails so to eliminate such conditions, the local licensing authority may eliminate such conditions; and a claim for the expense incurred by the local licensing authority in so doing shall constitute a debt due the city or town upon the completion of the work and the rendering of an account therefor to the holder of the license, and shall be recoverable from such holder in an action of contract. Said debt, together with interest thereon at the rate of six per cent per annum from the date said debt becomes due, shall constitute a lien on said land if a statement of claim, signed by the local licensing authority, setting forth the amount claimed without interest is filed, within ninety days after the debt becomes due, with the register of deeds for record or registration, as the case may be, in the county or in the district, if the county is divided into districts, where the land lies. Such lien shall take effect upon the filing of the statement aforesaid and shall continue for two years from the first day of October next following the date of such filing. Such lien may be

dissolved by filing with the register of deeds for record or registration, as the case may be, in the county or in the district, if the county is divided into districts, where the land lies, a certificate from the collector of the city or town that the debt for which such lien attached, together with interest and costs thereon, has been paid or legally abated. Such collector shall have the same powers and be subject to the same duties with respect to such claim as in the case of the annual taxes upon real estate; and the provisions of law relative to the collection of such annual taxes, the sale or taking of land for the non-payment thereof, and the redemption of land so sold or taken shall apply to such claim.

The marshal may, upon application and after a public hearing, reinstate and continue in force and effect any license granted prior to July first, nineteen hundred and thirty-six, for the keeping, storage, manufacture or sale of any of the articles named in said section nine, irrespective of the extent of the use and occupancy of buildings or other structures made or had under said license prior to the date of such reinstatement and continuance, anything in the provisions of this chapter to the contrary notwithstanding, unless prior to such reinstatement and continuance said license has been revoked for cause or the marshal shall have determined that a fire or explosion hazard would result from the exercise of such license. The marshal shall give written notice of such application, and of the date of the hearing thereon, to the head of the fire department of the city or town wherein is situated the land to which such application relates and shall, after such hearing, notify in like manner the clerk of such city or town of the action taken on such application.

Any license granted hereunder between July first, nineteen hundred and thirty-six and August seventeenth, nineteen hundred and fifty-one, both dates inclusive, not exercised for a period of at least three years, may be revoked by the local licensing authority after notice and hearing given to

the owner or occupant of the land licensed.

When a fire or explosion hazard exists or is liable to exist due to the exercise of such license, the marshall or the head of the fire department, shall issue an order to the licensee to cease and desist in the exercise of such license and said marshall or said head of the fire department shall direct that reasonable measures to insure safety to the public be undertaken at the expense of the holder of such license.

Any license granted hereunder or any license for the keeping, storage, manufacture or sale of any of the articles named in section nine, granted prior to July first, nineteen hundred and thirty-six, including any license reinstated and continued by the marshal as herein provided, may be revoked for cause, after notice and a hearing given to such owner or occupant, by the local licensing authority or by the marshal. Any building or structure erected or maintained under any of the aforementioned licenses shall always be subject to such replacements and alterations in construction and to such regulations of its use in respect to protection against fire or explosion as the board may prescribe.

Any person aggrieved by the granting of a license hereunder on the ground that the exercise thereof would constitute a fire or explosion hazard may, within ten days after the granting thereof, appeal to the marshal who, after notice and hearing, shall finally determine whether such a hazard would result. If, in his opinion, such a hazard would result, he shall notify the authority granting the license, and such notice when received by such authority shall constitute a revocation of such license and no further license for the same or similar use of the same land shall be granted within one year after the receipt by such authority of such notice.