

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

Present: Chair, Councilor Val Gilman; Vice Chair, Councilor Jen Holmgren; Councilor Barry Pett

Also Present: Assistant City Clerk, Grace E. Poirier

Applicants: Seaside Legal Solutions, represented by Attorney Joel Favazza

This meeting was conducted remotely through ZOOM

All votes by ROLL CALL

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

Councilor Gilman announced, “This meeting is recorded by video and audio in accordance with state open meeting law. Consistent with the Governor's orders, suspending certain provisions of the open meeting law and banning gatherings of more than 25 people, this meeting will be conducted by remote participation. 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 and you have the information that was on the posting. If you are calling in on a phone, you can press *9 to request to speak. If you're watching on a computer a device, there is a raised hand button that you can tap or press to request to speak. Please use either these options to be recognized to speak.”

1. DISCUSSION ONLY re: potential site visit for SCP2020-004 Folly Point Road #1 (this discussion will include social distancing protocol during site visits)

Councilor Gilman reviewed the following Planning and Development Committee's proposed protocol for socially distanced site visits, and let the committee know that it had been discussed with and agreed to by Attorney Chip Payson, Public Health Director Karin Carroll, City Clerk Joanne M. Senos, Assistant City Clerk Grace E. Poirier, Community Development Director Jill Cahill, and Planning Director Gregg Cademartori.

1. Section 18 of MGL section a. states that an on-site inspection of a project is not a meeting of a public body as long as members do not deliberate.
2. As a result of #1, there is no requirement for posting. This is consistent with Zoning Board of Appeals and Planning Board practices. The sign-up protocol will be announced at the Planning and Development Committee meeting scheduled prior to the site visit.
3. Historically, with the Applicant's consent, the Planning and Development Committee has allowed abutters and members of the public to attend a site visit on Special Council Permits in front of Council.
4. During the COVID-19 Emergency Order, social distancing for outdoor areas is maximized at groups of ten people so that six feet of distance can be maintained at all times.
5. This is the Planning and Development Committee recommendation for socially distanced site visit consideration. Please note that since site visits do not fall under the requirements of a public meeting, the committee is attempting to allow abutters to attend, provided it does not exceed ten total attendees. The Planning and Development Chair will compile a list of all site questions so the applicant can review the

answers in the next open session, using their site diagrams from the first presentation as questions are being addressed for all members of the public to hear.

Site visit attendees will be tracked on a spreadsheet on a first come first serve basis, giving priority to City Council members, then preference to those named on the abutters list for the specific project in front of the Planning and Development Committee, and then, as space allows, members of the public are welcome to attend. Sign-ups must be confirmed by contacting the City Clerk's office no later than 48 business hours before the site visit. Small projects may require only one site visit, while larger-scale projects may require up to three. Site visits will be held on the same day in back-to-back sessions lasting approximately 30 minutes each since there is a lot of work that goes into the applicants preparing for site visits, including staging balloons or pole stakes to make it easier to visualize the height of the project being considered. The Planning and Development Committee Chair and/or a designee (member of the Planning and Development Committee) will be present at each site visit.

Site Visit # 1 could accommodate up to 5 councilors, space for up to 3 applicants and/or their consultants (attorney, engineer, architect, project manager, etc.), and 2 abutters or other members of the public.

Site Visit # 2 could accommodate up to 5 councilors, 3 applicants and/or their consultants, and 2-6 abutters or other members of the public. Additional site visits after all interested City Councilors are scheduled, are only at the discretion of the applicant.

Site Visit # 3, if it is needed, will include either the P & D Chair or a designee. It could also accommodate up to 3 applicants and/or their consultants, and 6 abutters or members of the public.

It has been determined that the responsibilities of the Planning and Development Chair at the site visits will include set-up of a table to provide masks, hand sanitizer, and the sign-in sheet, explanation of the social distancing protocol for the site visit, writing down all questions from every site visit, and announcing that the cumulative questions from all meetings will be answered by the applicant at the next Planning and Development meeting, as well as reminding attendees not to congregate after the site visit ends, especially if there is another group scheduled to arrive.

Councilor Gilman explained that at the City Council meeting on July 28, 2020, Councilor LeBlanc requested that the Council have a conversation to decide whether it was the appropriate time to safely resume visits for Special Council Permits. Since it is unknown when this pandemic will end, it was agreed that it is time to proceed in a way that adheres to social distancing and use of masks or other acceptable face coverings. The safety of the public, the applicants, and the city councilors is of the utmost concern.

Attorney Favazza was invited back before the Planning and Development Committee to schedule a site visit for this Special Council Permit that he is representing. He stated that the proposed plan seemed very workable, and asked how soon a visit could be scheduled. He and the Planning and Development Committee members agreed on Wednesday, August 12, 2020 at 5pm. Only 1 visit should be required provided there is no overflow of interested attendees. He explained that at least one applicant will be present, and that the home will be viewed from the outside only during the visit. He was asked to contact the City Clerk's office as soon as possible to confirm how many people he will have in attendance with him. **Councilor Gilman** asked **Attorney Favazza** if it was possible to place a stake at the height of the cupola. He responded that he would check with the architect, and if it is not possible, the graphics provided are to scale.

This property has 16 abutters listed. At **Councilor Gilman's** request, he will draft a notification letter to be mailed out to all of them on August 6, 2020 that will include links to allow the abutters to obtain the

meeting minutes and the Zoom video. The letter will also request that all abutters interested in attending the site visit contact the City Clerk's office by Monday, August 10, 2020 to confirm.

Councilors Gilman, Holmgren, and Pett thanked General Counsel, the Board of Health Director, and the Assistant City Clerk for their assistance drafting the protocol.

Councilor Pett expressed concern about the committee's ability to have the same procedure for each and every site visit if a different number of visits was required depending on the size of the project, however, all questions will be addressed at the committee meeting following the visit, and the applicants will present the site diagrams from the first presentation. He also requested that either the Planning and Development Committee Chair or a committee member appointed as her designee attend all meetings, and that the wording in the protocol be changed so that site visits are only at the applicant's discretion.

MOTION: on a motion by Councilor Holmgren, seconded by Councilor Pett, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed to adjourn the meeting at 6:14 p.m.

Respectfully submitted,

Brianna Komi
Administrative Support
City Clerk's Office

Additional site visit sign up spreadsheet document was included in this P & D 8/5/20 Zoom meeting presentation.