

CITY CLERK
GLOUCESTER, MA
2021 FEB 25 AM 9:28



GLOUCESTER CITY COUNCIL
Planning & Development Committee
Wednesday, March 3, 2021 – 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://gloucester-ma-gov.zoom.us/j/83557303482>

Join via Phone: 1-301-715-8592 or 1-312-626-6799

Meeting ID: 835 5730 3482

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

1. Public Hearing: PP-2021-001: Request by National Grid to install 1 JO Pole on Witham Street beginning at a point approx. 60' northwest of the centerline of the intersection of Witham Street and Thatcher Road and continuing approx. 0' in a northerly direction
2. RZ2021-001: Amend GZO Sec. 5.11 "Inclusionary Housing Requirement" in accordance with GZO Sec. 1.11.2(a) **(Cont. from 2/3/2021)**

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

CC: Mayor Theken; Joanne M. Senos; Nicole Kieser; Gregg Cademartori, Bill Sanborn

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.

Questions contact – Riordan Hoffman 781-423-3062

COPY

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Gloucester, Massachusetts

Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Witham Street - National Grid to install 1 JO Pole on Witham St beginning at a point approximately 60 feet northwest of the centerline of the intersection of Witham St & Thatcher Rd and continuing approximately 0 feet in a north direction. Installing 1 new P850-50 between P850 & P851 on Witham St with Feeder Monitor, 4G Comm Unit & new Ground Rod.

Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Witham St - Gloucester – Massachusetts.

No.# 30197369 January 14, 2021

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a National Grid
BY Robert Conlin
Engineering Department

VERIZON NEW ENGLAND, INC.
BY _____
Manager / Right of Way

CITY CLERK
GLOUCESTER, MA
2021 JAN 28 AM 9:56

WGRFD

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council of Gloucester, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:

that Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 14th day of January, 2021.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Witham St - Gloucester – Massachusetts.

January 14, 2021. Filed with this order

There may be attached to said poles by Massachusetts Electric Company d/b/a National Grid and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Witham Street - National Grid to install 1 JO Pole on Witham St beginning at a point approximately 60 feet northwest of the centerline of the intersection of Witham St & Thatcher Rd and continuing approximately 0 feet in a north direction. Installing 1 new P850-50 between P850 & P851 on Witham St with Feeder Monitor, 4G Comm Unit & new Ground Rod.

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
of the City/Town of _____, Massachusetts held on the _____ day of _____ 20__ .

Massachusetts

City/Town Clerk.
20__ .

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M
at a public hearing was held on the petition of
Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and
that we mailed at least seven days before said hearing a written notice of the time and place of said
hearing to each of the owners of real estate (as determined by the last preceding assessment for
taxation) along the ways or parts of ways upon which the Company is permitted to erect
poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

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.....
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of
hearing with notice adopted by the of the City of
Massachusetts, on the day of 20 , and recorded with the
records of location orders of the said City, Book , Page . This certified copy
is made under the provisions of Chapter 166 of General Laws and any additions thereto or
amendments thereof.

Attest:

Gloucester

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council of Gloucester, Massachusetts

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Massachusetts

City/Town Clerk.
20 _____

Received and entered in the records of location orders of the City/Town of
Book _____ Page _____

Attest:
City/Town Clerk

I hereby certify that on _____ 20____, at _____ o'clock, M
at _____ a public hearing was held on the petition of
Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND, INC.

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City/Town Clerk.

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Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of
hearing with notice adopted by the _____ of the City of
Massachusetts, on the _____ day of _____ 20____, and recorded with the
records of location orders of the said City, Book _____, Page _____. This certified copy
is made under the provisions of Chapter 166 of General Laws and any additions thereto or
amendments thereof.

Attest:

**PETITION SKETCH
FOR THE TOWN OF GLOUCESTER
ESSEX COUNTY**



76 Witham Street
Good Harbor Properties LLC

78 Thatcher Road
Good Harbor Beach Thatcher RD LLC

74 Thatcher Road
Briarneck Realty LLC

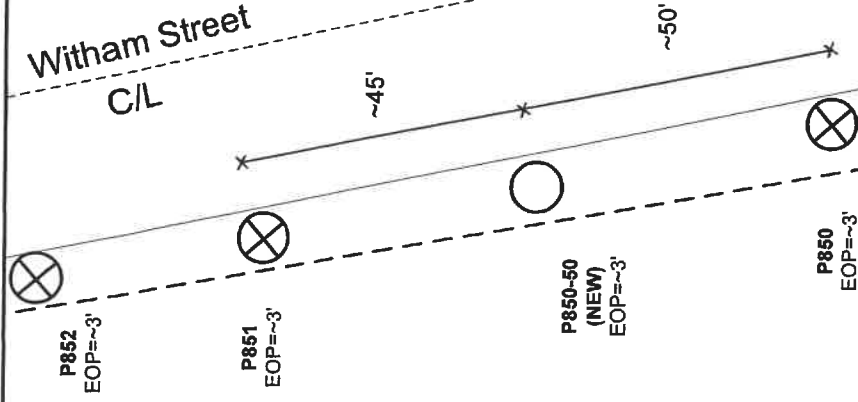
70 Thatcher
Road
Briarneck Realty
LLC

Witham Street
C/L

Thatcher Road
C/L

Legend

- Proposed JO Pole
- ⊗ Existing JO Pole
- Center Line
- - - - - Property Line



nationalgrid

ControlPoint
TECHNOLOGIES

Designer: Kiordan Hoffman
ControlPoint Technologies, Inc.
200 Ledgewood Place, Rockland, MA 02370
rhoffman@cpteng.com 781-423-3062

Petition Sketch for Pole P850-50 Witham Street Gloucester, MA WR# 30197369		SHEET 1 OF 1
Not To Scale Distances are Approximate	Drawn By: R.JH	DATE 10/14/2020
Sketch # 30197369		

The exact location of said facilities to be established by and upon the installation and erection of the facilities thereof.



City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit 179-20

Please be aware that the abutters list reflects mailing address for the real estate tax bills as requested by the property owners. Mortgage companies, banks and other financial institutions may be receiving the notification and not the homeowner as required. Please be sure you are complying with notification requirements.
Gloucester Board of Assessors.

This list of owners of record as shown on the most recent tax list of the City of Gloucester has been prepared for the purposes of notifying abutters within 100ft as required by the City's City Council and it reflects the abutters to the Parcel known as Map 179 Lot 20 as further shown on the attached map dated 1/26/2021.

ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
179-44-3 GOOD HARBOR BEACH THATCHER RD LLC C/O SZYPKO MARTHA S TR	78 THATCHER RD 3	179-44	GOOD HARBOR BEACH THATCHER RD LLC C/O SZYPKO MARTHA S TR 160 PROSPECT ST GLOUCESTER, MA 01930
179-44-995 GOOD HARBOR BEACHSIDE CONDO TRUST C/O SINGLETON TARA H TR	78 THATCHER RD 995	179-44	GOOD HARBOR BEACHSIDE CONDO TRUST C/O SINGLETON TARA H TR 78 THATCHER RD UNIT 4 GLOUCESTER, MA 01930
179-44-1 GOOD HARBOR BEACH THATCHER RD LLC C/O SINGLETON TARA & RAY ERIN TRS	78 THATCHER RD 1	179-44	GOOD HARBOR BEACH THATCHER RD LLC C/O SINGLETON TARA & RAY ERIN TRS 8 AMANDA WY SALEM, MA 01970
179-4 J&J MUZZY LLC C/O MUZZY JANET	74 WITHAM ST	179-4	J&J MUZZY LLC C/O MUZZY JANET 3 ALDEN ST EASTHAMPTON, MA 01027-1001
184-9 BRIERNECK REALTY LLC C/O CHS DEVELOPMENT LLC	74 THATCHER RD	184-9	BRIERNECK REALTY LLC C/O CHS DEVELOPMENT LLC 49 RIVERSIDE AV GLOUCESTER, MA 01930
179-44-2 GOOD HARBOR BEACH THATCHER RD LLC	78 THATCHER RD 2	179-44	GOOD HARBOR BEACH THATCHER RD LLC 1 WALNUT ST BOSTON, MA 02108
179-44-4 SINGLETON TARA H TR	78 THATCHER RD 4	179-44	SINGLETON TARA H TR
179-44-5 RAY ERIN TR	78 THATCHER RD 5	179-44	78 THATCHER RD UNIT 4 GLOUCESTER, MA 01930 RAY ERIN TR
179-44-6 CORMIER STEPHEN & ELAINE	78 THATCHER RD 6	179-44	CORMIER STEPHEN & ELAINE 660 SOUTH BARFIELD DR MARCO ISLAND, FL 34145
179-3 J&J MUZZY LLC	72 WITHAM ST	179-3	J&J MUZZY LLC 3 ALDEN ST EASTHAMPTON, MA 01027



City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit 179-20

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ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
179-5 GLOUCESTER CITY OF	WITHAM ST	179-5	GLOUCESTER CITY OF 9 DALE AV GLOUCESTER, MA 01930
179-20 GOOD HARBOR PROPERTIES LLC	76 WITHAM ST	179-20	GOOD HARBOR PROPERTIES LLC 27 TAMAR DR MEDFORD, MA 02155
179-35 GLOUCESTER CITY OF	WITHAM ST	179-35	GLOUCESTER CITY OF 9 DALE AV GLOUCESTER, MA 01930
179-36 GLOUCESTER CITY OF	WITHAM ST	179-36	GLOUCESTER CITY OF 9 DALE AV GLOUCESTER, MA 01930
179-37 GLOUCESTER CITY OF	WITHAM ST	179-37	GLOUCESTER CITY OF 9 DALE AV GLOUCESTER, MA 01930
179-46 CEPPI MICHAEL F & JENNY C	WITHAM ST	179-46	CEPPI MICHAEL F & JENNY C 251A OLD BILLERICA RD BEDFORD, MA 01730



City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit 179-20

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Gloucester Board of Assessors.

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ABUTTER

STREET ADDRESS

PARCEL NO.

TAX BILL ADDRESS

The Gloucester Board of Assessors certifies that the Abutters Report program written to create a list of the names and addresses of property owners from the applicable tax list has been reviewed. To the best of our knowledge and belief the Abutters Report program generates an accurate list from the most recent tax list of the assessed owner of record and the mailing information of the parties in interest as defined within and required by the law and therefore the within document constitutes a certified abutters list.

Nancy A. Papows, MAA
Gary I. Johnstone, MAA
Bethann Brousseau, MAA
GLOUCESTER BOARD OF ASSESSORS

City of Gloucester Assessors' Office, City Hall, 9 Dale Avenue, Gloucester, MA 01930

1/26/2021



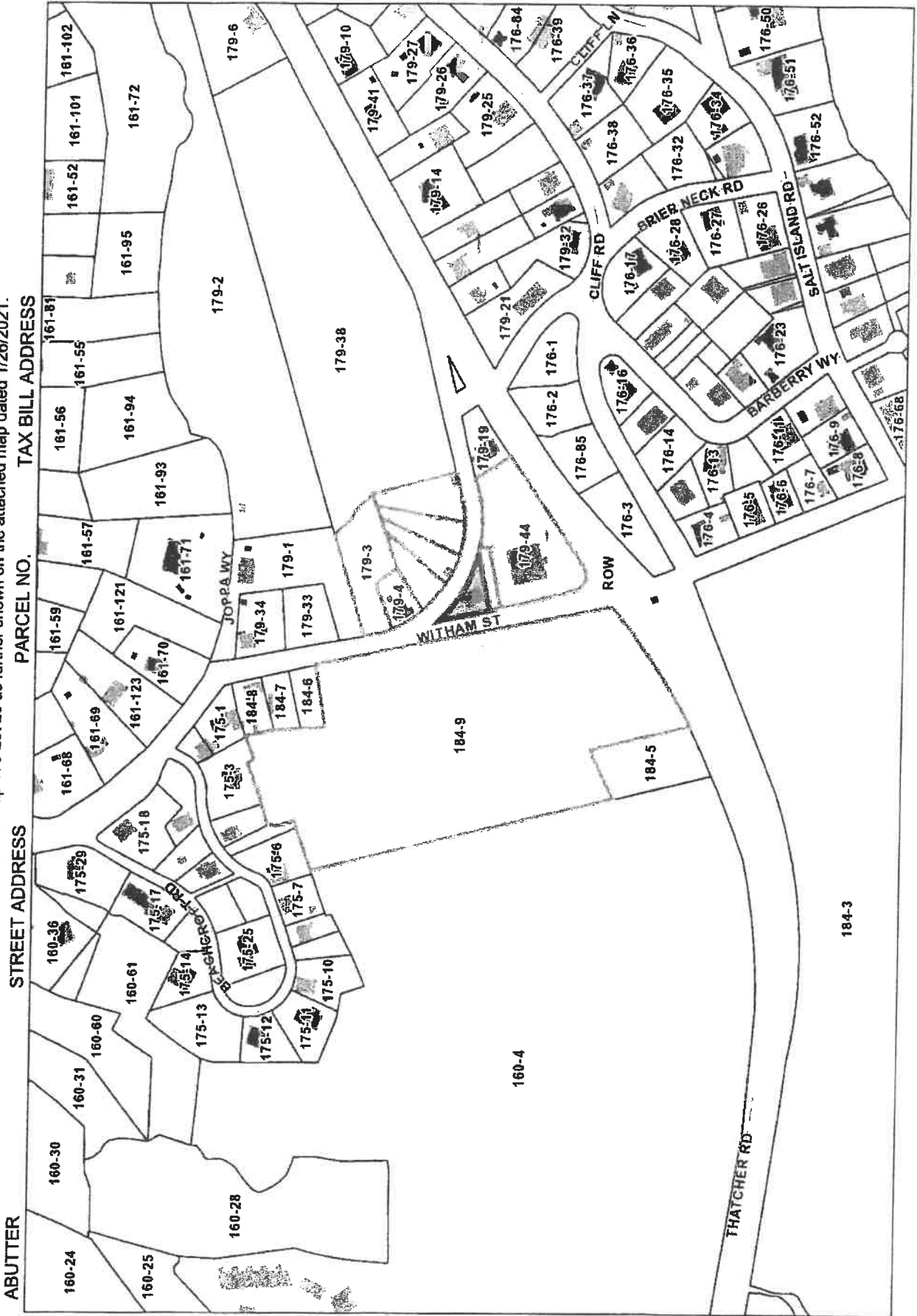
City of Gloucester Abutters Report

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Gloucester Board of Assessors.



City Hall Annex
Three Pond Road
Gloucester, MA 01930



**CITY OF GLOUCESTER
PLANNING BOARD**

PLANNING BOARD
tel 978-325-5242
planning@gloucester-ma.gov

Date: January 11, 2020
To: City Council
From: Planning Board
**RE: Initiation of Amendments to Section 5.11 Inclusionary Housing Requirements
of the Gloucester Zoning Ordinance**

2021 JAN 12 AM 11:57
CITY CLERK
GLOUCESTER, MA

At a regularly scheduled remote meeting of the Planning Board held on January 7, 2021, in accordance with MGL Chapter 40A Section 5 and the Gloucester Zoning Ordinance Section 1.11.2 (a), the Planning Board voted unanimously via a roll call vote of seven (7) in favor, zero (0) opposed to initiate the amendment of Section 5.11 Inclusionary Housing Requirement by submission of the proposed revised draft of the same dated 12-17-2020 to the City Council. Such submission is accompanied with a cover memorandum from the Planning Board and is submitted with the anticipation of a presentation to the full City Council on the proposal and work of the Housing Production Plan Implementation work prior to referral for public hearing.

City Hall Annex
Three Pond Road
Gloucester, MA 01930



**CITY OF GLOUCESTER
PLANNING BOARD**

PLANNING BOARD

tel 978-325-5242
planning@gloucester-ma.gov

CITY CLERK
GLOUCESTER, MA
JAN 12 AM 11:57

Date: January 7, 2020
To: City Council
From: Planning Board
RE: Housing Production Plan Implementation and Initiation of Amendments to Section 5.11 Inclusionary Housing Requirements of the Gloucester Zoning Ordinance

Following the completion of the Housing Production Plan, which very clearly identified the City's housing needs, the City was awarded a technical assistance grant from MassHousing to support the implementation of the plan's recommended strategies to meet the overall goals of increasing housing supply and affordable housing in Gloucester. Working with Judi Barrett (of Barrett Planning Group, LLC) and a working group, with representatives from municipal boards and housing groups, several policy and zoning recommendations were developed. Several zoning recommendations were further vetted and refined by the Planning Board and its subcommittee.

Of the potential strategies identified, it was decided to focus on five strategies in particular, including:

- Revise the city's inclusionary housing ordinance to produce more affordable housing
- Create an accessory housing ordinance to allow the creation of attached or detached accessory housing units, to increase the stock of rental housing
- Revise dimensional standards to facilitate the creation of single, two, and three family dwellings
- Consolidate permitting and increase the allowance of residential use near the downtown train station
- Consolidate permitting and better define allowed density in mixed use projects downtown

After much discussion, the Planning Board has concluded that each of these proposals should be considered in the context of the overall goal, but reviewed and discussed individually in public hearings. Further, the Board has prioritized the consideration of amending the inclusionary housing requirements in the zoning ordinance. While the City continues to see a steady construction of new market-rate housing units, and new affordable housing through 40B permitting and limited applicability of the current inclusionary housing ordinance, the Planning Board believes that the time is now to modify the City's inclusionary housing ordinance to increase affordable housing options in all new developments throughout the City.

Attached is an amended draft of Section 5.11 Inclusionary Housing Requirement zoning ordinance. The amended draft includes several key revisions to both increase the creation of affordable housing and create housing with affordability that meets Gloucester's local needs. The main revisions include:

- lowering the project threshold of applicability from the current eight (8) units to six (6) units,
- providing clear definition of the number of units to be provided based on project size,
- providing an in lieu payment option for smaller projects,
- and providing an incentive to create units available to lower income households.

These revisions are accompanied by an expansion of defined terms to make it clear what the ordinance requires and what an applicant needs to consider in project development.

The Planning Board suggests the City Council would benefit from hearing an overall presentation of findings of the Housing Production Plan and the main housing strategies that have been developed, prior to the referral of the proposed amended Section 5.11 Inclusionary Housing Requirements. Judi Barrett and Community Development staff will be available to do so when it is most convenient for the City Council at a meeting early in the year on the agenda under presentations.

Section 5.11. Inclusionary Housing Requirements

5.11.1. Purpose

The purposes of this section are:

- (1) To increase the supply of housing that is available to and affordable for low-income and very low-income households;
- (2) To encourage greater diversity of housing in Gloucester; and
- (3) To develop and maintain housing that is eligible for inclusion in the Chapter 40B Subsidized Housing Inventory.

5.11.2. Definitions

AFFORDABLE HOUSING TRUST FUND (“FUND”) -- An account established and operated by the City’s Affordable Housing Trust for the exclusive purpose of creating, preserving, or rehabilitating affordable housing units in the City of Gloucester.

AFFORDABLE HOUSING (AFFORDABLE UNIT) -- A dwelling unit that is affordable to and occupied by a low-income or very-low-income household and meets the requirements for inclusion on the Massachusetts Department of Housing and Community Development (DHCD) Chapter 40B Subsidized Housing Inventory (SHI). Affordable units shall remain as affordable units in perpetuity or for the maximum period allowed by law. Such units shall have the same construction methods and exterior physical characteristics as, and be intermingled with, other units in the development.

AFFORDABLE HOUSING RESTRICTION -- A contract, mortgage agreement, deed restriction or other legal instrument, acceptable in form and substance to the City, that effectively restricts occupancy of an affordable housing unit to a qualified purchaser or renter, and which provides for administration, monitoring, and enforcement of the restriction during the term of affordability. An affordable housing restriction shall run with the land in perpetuity or for the maximum period allowed by law and be entered into and enforceable under the provisions of G.L. c. 184, §§ 31-33 or other equivalent state law.

LOCAL ACTION UNIT (LAU) – an affordable unit determined by DHCD to be eligible for the Chapter 40B Subsidized Housing Inventory under the guidelines of the Local Initiative Program (LIP).

LOW-INCOME HOUSEHOLD – A household with income that does not exceed 80 percent of the area median family income, adjusted for household size, for the metropolitan area that includes the City of Gloucester as determined by the United States Department of Housing and Urban Development (HUD). Unless stated otherwise, the income of Low-Income Household shall have the same meaning as SHI Income Limit.

MAXIMUM AFFORDABLE SALE PRICE OR RENT – the maximum sale price or rent of an affordable unit that conforms to the guidelines of the Massachusetts Local Initiative Program (LIP).

QUALIFIED HOUSING UNIT SALE PRICE – As determined by the Gloucester Assessor for arm's length sales.

VERY-LOW-INCOME HOUSEHOLD – A household with income that does not exceed the Multifamily Tax Subsidy Project 60 Percent Income Limits (MTSP) adjusted for household size, for the metropolitan area that includes the City of Gloucester as determined by the United States Department of Housing and Urban Development (HUD).

5.11.3. Applicability

- (1) The requirements of this Section 5.11 shall apply to any residential development, mixed-use development or use variance involving the creation of 6 or more dwelling units on any parcel or contiguous parcels comprising a proposed development site in R-80, R-40, RC-40, R-30, R-20, R-10, R-5, CB, CCD, NB, VB districts;
- (2) Development shall not be segmented to avoid compliance with this article. Segmentation shall mean one or more development applications that cumulatively result in a net increase of 6 or more lots or dwelling units above the number existing 36 months prior to an application to develop any parcel or set of contiguous parcels held in common ownership or under common control on or after the effective date of this Section 5.11.
- (3) Exemptions. This Section 5.11 shall not apply to the following:
 - (a) An Assisted Living Residence,
 - (b) A transitional housing residence or group home for adults with disabilities,
 - (c) Rehabilitation of a building or structure all of or substantially all of which is destroyed or damaged by fire or other casualty. However, any rehabilitation or repair that increases the number of units, bulk, or size of such building or structure above that which existed prior to the damage or destruction thereof shall comply with this article.

5.11.4. Basic requirements¹

- (1) In any development involving the creation of 6 to 9 units, the applicant shall provide for one affordable unit, either by:
 - (a) building an affordable unit on-site, or
- (2) paying a fee in lieu of the affordable unit to the Affordable Housing Trust Fund, to be determined in accordance with Section 5.11.5. In any development involving the creation of

10 or more units, the applicant shall provide affordable units to be located on the site of the development (“on-site affordable units”) as follows:

- (a) At least 15 percent of the units shall be affordable for Low-Income Households, or
 - (b) At least 8 percent of the units shall be affordable for Very-Low-Income households.
 - (c) Fractions shall be rounded up to the next whole number.
- (3) For developments with on-site affordable units, the affordable unit(s) shall be dispersed throughout the site and shall be indistinguishable on the exterior and the interior from market-rate units. The number of bedrooms in the affordable unit(s) shall be comparable to the number of bedrooms in the market-rate units.
- (4) The selection of qualified purchasers or qualified renters shall be carried out under an affirmative fair housing marketing plan in a form acceptable to the Community Development Department and DHCD.

5.11.5. Housing contribution payments in lieu of on-site units.

- (1) The fee in lieu shall be equal to the median of qualified housing unit sale prices in Gloucester over the three years preceding the date of the application as determined and defined by the City of Gloucester Assessors Office.
- (2) The total amount due shall be paid to the City of Gloucester Affordable Housing Trust in accordance with the schedule in Section 5.11.8(3).

5.11.6. Administration

- (1) The Community Development Department shall be responsible for administering this Section 5.11.
- (2) The Planning Board shall adopt and may periodically amend rules and regulations to administer this Section 5.11 and file the same with the City Clerk.

5.11.7. Submission requirements and procedures.

- (1) Prior to applying for a building permit, the applicant shall submit the following to the Community Development Department:
 - (a) A Project Information Sheet in the form provided by the Planning Department, including documentation that the proposed sale prices or rents of affordable units have been determined using the applicable SHI Income Limits or Multifamily Tax Subsidy Projects Income Limits and the Maximum Affordable Sale price or Rent;
 - (b) The proposed Affordable Housing Restriction for the affordable units;
 - (c) For homeownership units, the condominium master deed; and
 - (d) The proposed affirmative fair housing marketing plan for the affordable units.

5.11.8. Building permit and occupancy conditions.

- (1) The Building Inspector shall not issue a building permit for any unit in a development that is subject to this Section 5.11 unless and until the Community Development Department has verified that all requirements of this Section have been met.
- (2) No certificate of occupancy shall be issued for any affordable unit in a development that is subject to this article until an affordable housing restriction has been executed and recorded with the Essex Registry of Deeds or, if applicable, any required fee in lieu of units has been paid to the Affordable Housing Trust.
- (3) Timing of affordable unit production: Affordable housing units shall be provided in proportion to market-rate units in the development, but in no event shall the construction of affordable on-site units or payment of fees in lieu of units be delayed beyond the following schedule:

Building Permits for Market-Rate Units %	Building Permits or Fees in Lieu for Affordable Housing Units %
Up to 30%	None required
30% to 50%	At least 10%
Over 50% to 75%	At least 40%
Over 75% to 89%	At least 70%
At 90%	100%