

**Planning & Development Standing Committee**  
**Wednesday, September 22, 2021 – 5:30 p.m.**  
**REMOTE MEETING**  
**-Minutes-**

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

**Also Present: City Clerk, Joanne Senos**

**Applicants: Alana Horne and Kiley Davis for Magtober Harvest Festival**

This meeting was conducted remotely through ZOOM  
All votes conducted by ROLL CALL

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

**Councilor Gilman** announced: “Consistent with Chapter 20 of the Acts of 2021 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 and participate when necessary. If you are calling in on a phone, you can press Star 9 (\*9) to request to speak. If you are watching on a computer or device, there is a “raised hand” button that you can tap or press to request to speak. Please use either of these options to be recognized to speak.”

**Councilor Gilman** announced the names of the P&D Committee members in attendance (Councilors Holmgren, Pett and herself) and City staff who were attending via Zoom.

1. Special Event Permit Application: Request for street closures for the Magtober Harvest Festival on October 10, 2021

**Summary of Discussion:** **Alane Horne** stated that due to the success of the Magnolia Community Farmers Market, the members of the Farmers Market team, including herself as an active director, decided to turn the last day of the Farmers Market into a block party/fundraiser in partnership with the Magnolia Library. **Ms. Horne** added that she also served as a board member for the Magnolia Library and explained that the Library was in the midst of a capital campaign to raise \$75,000 to fix the side of the library building. **Ms. Horne** explained that the event was called the Magtober Harvest Festival and would have the participation of farms highlighting their fall harvests, an antique car show on Lexington Avenue organized by Ward 5 Councilor Sean Nolan, three bands and food vendors. She stated there was also a partnership between the Library and the Cape Ann Makers Market, as the Library would be hosting approximately twenty crafting vendors inside the library building during the Magtober Harvest Festival. She stated the event would be held from 11:00 a.m. until 5:00 p.m. and was requesting a road closure from 10:00 a.m. until 6:00 p.m. to include event setup and breakdown. She stated the local businesses had been notified of the event, with some of the businesses offering their support for the event including, for instance, JD & Meyers Pub offering the use of their private parking lot to host the farms. **Kiley Davis** added that there would be a roped-off Biergarten hosted by Notch Brewery who, she stated, was in the process of getting their one-day liquor license through the City.

The **City Clerk, Joanne Senos** stated the event had been vetted through the Special Events Advisory Committee (SEAC) and noted that the food vendors had been in contact and were meeting with the Food Inspector on September 3, 2021, and the Fire Inspector had conveyed at SEAC that Notch Brewery had been in touch with him. The **City Clerk** explained, regarding the one-day liquor license, that the Chair of

the Licensing Board, Melissa Prince had questioned whether liquor could be served on a public street and whether the Licensing Board had the authority to approve a Biergarten. The **City Clerk** stated she had questioned that if the road closure was approved then the one-day liquor license request would be similar to that of hosting an event within a closed-off area; for instance, a park. The advice of **General Counsel** was sought and it was determined that if the road closure received approval from P&D, then the matter would go before full City Council for approval due to the fact that the event would be on a public street. Consequently, she stated if the matter received the approval from full City Council, then the matter would go before the Licensing Board for the request of the one-day liquor license. She added that the Licensing Board Chair agreed to call a Special Meeting to accommodate this matter (if approval was received from full City Council) due to the next regularly scheduled meeting of the Licensing Board occurring after the date of this event.

**Councilor Holmgren** asked if participants of the event purchasing beer at the Biergarten would be allowed to leave the roped-off area with their beer purchase. **Ms. Davis** explained that any beer purchase would need to be consumed within the roped-off area and that the area would have seating, as well as high-top tables, and stated there would also be additional seating outside of the roped-off area to accommodate those under the age of 21. The **City Clerk** added that hiring a police detail for the event was under the purview of the Licensing Board, which could be included as a condition of their approval. **Ms. Davis** stated if hiring a police detail was a condition of the approval from either the City Council or the Licensing Board then they were prepared to do so. **Councilor Pett** requested that the applicants get a police detail regardless of the Licensing Board's conditions of approval.

There was discussion regarding the Certificate of Insurance naming the City as additionally insured that was currently held by the Magnolia Community Farmers Market. **Ms. Horne** stated that policy would cover the event as it was an active policy until April 2022, which encompassed any on-street activities from Norman Avenue until Flume Road. **Councilor Pett** asked **Ms. Horne** if the policy covered alcohol, to which **Ms. Horne** stated she was unsure and would find out the answer. The **City Clerk** stated the event itself would be covered under the Farmers Market policy. She informed the applicants that if liquor was not included in the liability insurance then a separate Certificate of Liability Insurance would be needed for the alcohol, but added that was under the purview of the Licensing Board. **Ms. Horne** inquired if the Certificate of Insurance for the liquor piece would be Notch's responsibility as they were hosting the Biergarten. The **City Clerk** told **Ms. Horne** to reach out to the Licensing Board Clerk, Alison Battle for more information. **Ms. Davis** added that Notch Brewery had received a Certificate of Insurance with the City listed as a named insured as required for the one-day permit and stated she would reach out to the Licensing Board Clerk regarding the Farmers Market Certificate of Insurance to make sure the event would be fully covered. **Councilor Gilman** asked that the applicants keep the **City Clerk** informed as to the status of the insurance so the **City Clerk** could inform the full City Council.

**Councilors Holmgren** and **Pett** thanked the applicants for their diligent work and creativity on this event and for all that they do within the community. **Councilor Gilman** issued a challenge to the Members of the City Council to make a donation to the Magnolia Library in exchange for a photo in Councilor Nolan's antique car.

COMMITTEE RECOMMENDATION: On a motion by Councilor Holmgren, seconded by Councilor Pett, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed, to permit a street closure on October 10, 2021, for the Magtober Harvest Festival during the hours of 10:00 a.m. – 6:00 p.m., which includes event setup and breakdown, 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;
2. Applicant is to notify all abutters of the closed area of Lexington Avenue in advance of the event;

3. Lexington Avenue will be closed at 10:00 a.m. for event set up and reopen by 6:00 p.m.;
4. 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 October 1, 2021;
5. Applicant is responsible for providing adequate trash receptacles and for removal of same;
6. 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;
7. Approval is based on the status of the current situation and is subject to change based on any stay at home orders, public park or beach closures, etc. as made by the State or the City.

**MOTION: On a motion by Councilor Pett, seconded by Councilor Holmgren, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed, to adjourn the meeting at 5:53 p.m.**

**Submitted by: Sherry Karvelas, Clerk of Committees**

**Documents submitted at the meeting:** None.

**Meeting Recording:** <http://gloucester-ma.gov/1097/Past-Remote-Public-Meetings>