

CITY COUNCIL STANDING COMMITTEE  
**Planning & Development**  
Wednesday, July 20, 2011 – 6:00 p.m.  
1<sup>st</sup> Fl. Council Committee Room – City Hall  
**-MINUTES-**

**Present:** Chair, Councilor Joseph Ciolino; Vice Chair, Councilor Robert Whynott; Councilor Greg Verga  
**Absent:** None.

**Also Present:** Councilor Paul McGeary; Gregg Cademartori; Mark Cole; Donna Compton

**The meeting was called to order at 6:00 p.m. Items were taken out of order.**

**1. Continued Business:**

- A) Memorandum from Engineering Department re: proposed street naming for Pantry Way (Cont'd from 06/22/11)

**Councilor Ciolino** noted this has been waiting for Councilor Curcuru and Mike Hale to return to the P&D Committee with their findings.

**The Committee would request that Councilor Curcuru join them at their next meeting.**

**This matter is continued to August 3, 2011.**

**2. Request from YuKan Sports LLC re: October 23, 2011 Marathon**

**Richard Morrell, Jr.** of YuKan Sports LLC explained to the Committee stated he met with the Police Department, Fire Department, the DPW and the hospital and the Cape Ann Amateur Radio Association on July 12<sup>th</sup> (approval submitted at meeting and on file). They have a follow up meeting on September 27<sup>th</sup> to go over more details of the race. They will have two ambulances on site (at the start/finish in Rockport). They had planned to move forward with Beauport Ambulance but at that group meeting the Fire Department asked to put in a bid to provide ambulances for the race; YuKan Sports will choose either them or Beauport based on the bids. The Fire Department also requested they have one of two ambulances be an advance life support unit at the race village (starting line area in Rockport) regardless of the vendor. Also presented was a Certificate of Insurance (documentation received and on file). They will have bathroom facilities in Rockport only. They will have volunteers at the turns along the race route to direct and oversee the runners; volunteers will wear bright green t-shirts with the YuKan Sports logos making them easily identifiable. The race starts at 8 a.m. in Rockport and finishes there. The racers enter and leave Gloucester via Thatcher Road; the route follows the Back Shore. There will be a six hour time limit on the entire course for participants. It is anticipated the last runners will likely leave Gloucester at around mile 13 and be off the Gloucester race route well before 3 p.m. The organizers drive the course after the race and collect all the materials, signs, marking and debris. They plan to have water stations at three mile intervals (listed on submitted documentation). **Councilor Ciolino** reviewed the details of the race route with the waters stations with Mr. Morrell. The Councilor also asked that a letter go to the hotels, motels and catering establishments along the race route advising them of the race route and times, dates, etc. and would make it a condition.

**MOTION:** On motion by Councilor Ciolino, seconded by Councilor Whynott, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to permit YuKan Sports, LLC to have runners on City streets on October 23, 2011 for their 26.2 Mile Marathon which enters the City of Gloucester from Rockport on Thatcher Road estimated to be on or around 9:00 a.m. and exits the City on or around 3:00 p.m. returning the runners to Rockport on Thatcher Road for their finish. A complete race route is on file. All routes through the City are to be clearly marked with signage removed off the race route by 6:00 p.m. the same day. Water stations are to be off the race route also by 6:00 p.m. the same day. YuKan Sports LLC is responsible for the removal and proper disposal of all trash generated by the water stations and along the race route at their expense. Memorandums of endorsement from the Police Chief or his designee and Fire Chief or his designee are on file in the City Clerk's office. EMS coverage in the City will be provided by local emergency services provider and written proof of contract will on file in the City Clerk's

office by the close of business October 14, 2011. A Certificate of Insurance naming the City of Gloucester as the certificate holder is on file. There is the following condition:

1. A letter is to be sent to the hotels, motels and catering establishments along the race route advising them of the race route, date and time runners are on the route.

3. *Request from Magnolia Road Race Committee re: 35<sup>th</sup> Annual Magnolia 5K Road Race, Thursday, September 1, 2011*

**Judith Hoglander**, Chairwoman of the Magnolia Library Road Race Committee explained that the 35<sup>th</sup> running of the Magnolia 5K Road Race along with the "Fun Run", a 1K race takes place the first Thursday of every September. The route for the 5K has not changed this year and is the same which begins at 6:30 p.m. There are road closures involved and are the same times and streets as last year. They are:

Lexington Avenue: Hesperus Avenue to Norman Avenue from 4:00 p.m. to 8:00 p.m.

Magnolia Avenue: Magnolia Square to Western Avenue from 6:50 p.m. to 7:20 p.m.

Preceding the 5K is a short, 1K "Fun Run/Walk", to start at 6:00 p.m. and end at about 6:20 p.m. That route is:

Norman Avenue to Shore Road; left onto Shore Road; left onto Hesperus Avenue; left onto Lexington Avenue and finish at the Magnolia Library.

The Police Chief and the Fire Chief have reviewed their plans and have approved them (on file). There is an agreement (on file) that Beauport Ambulance will supply EMS coverage for the duration of both races. In addition, a Certificate of Insurance for these events has been applied for, and as soon as it is available, it will be placed on file in the City Clerk's office. They have a water stop which will be around Field Road and Norman Avenue. That is immediately cleaned up. They order two port-a-potties which are located on the library property and are provided at their expense. There are no vendors who are using flammables. **Councilor Ciolino** asked about Beauport's services. **Doug Reny, 58 Shore Road** responded that the ambulance service does give them a discount as a non-profit organization.

**MOTION: On motion by Councilor Verga, seconded by Councilor Whynott, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to permit the Magnolia Road Race Committee to hold their 35<sup>th</sup> Annual Magnolia 5K Road Race on Thursday, September 1, 2011 to start at 6:30 p.m. The race route and written approvals from the Fire Chief and the Police Chief are on file. A contract is in place for EMS services, also on file. The race route must be clearly marked for runners, and all posted signage are to be removed from the race course by 9:00 p.m. the same day. A Certificate of Insurance with the City of Gloucester named as the Certificate Holder must be on file by the close of business on Friday, August 26, 2011 in the City Clerk's office. Road closures for this 5K race are:**

**Lexington Avenue: Hesperus Avenue to Norman Avenue from 4:00 p.m. to 8:00 p.m.**

**Magnolia Avenue: Magnolia Square to Western Avenue from 6:50 p.m. to 7:20 p.m.**

**MOTION: On motion by Councilor Verga, seconded by Councilor Whynott, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to permit the Magnolia Road Race Committee to hold a "Fun Run/Walk" on Thursday, September 1, 2011 to start at 6:00 p.m. and to end on or around 6:20 p.m. The race route and written approvals from the Fire Chief and the Police Chief are on file. A contract is in place for EMS coverage and also on file. The race route must be clearly marked for runners/walkers, and all posted signage is to be removed from the race course by 9:00 p.m. the same day. Road closures are in conjunction with the 35<sup>th</sup> Annual Magnolia 5K Road Race of the same date. The Certificate of Insurance with the City of Gloucester named as the Certificate Holder to be on file for the Annual Magnolia 5K Road Race and is deemed sufficient to cover this race, and is to be on file by the close of business on Friday, August 26, 2011 with the City Clerk's office.**

#### **4. *Review of Road Race & Parade Permit Procedures***

**Councilor Ciolino** explained to the Committee that they have many races coming now annually into the City along with special events and it would be helpful to have an application in place to cover all such events so that folks know what to have in place before it comes to P&D via the City Council for approval. A suggested draft form was distributed to the Committee, and **Mark Cole**, DPW Operations Manager and **Councilor McGeary** also commented on the document which was modeled on that of the City of Cambridge, MA. The Councilors and Mr. Cole reviewed

the formatted draft application. They agreed there perhaps needs to be a calendar on the website that will follow with the events which will be determined. Some suggested revisions were made and the revised document would be presented at the next meeting for their continuing review.

**This matter is continued to the August 3, 2011 meeting.**

**The Committee recessed at 7:07 p.m. and reconvened at 7:15 p.m.**

[**Note:** The following item was taken last.]

**5. SCP2011-005: Dory Road #11, GZO §5.22 Commercial Land-Based Wind Energy Conversion Facilities**

**Councilor Ciolino** noted that this is a request for Special Council Permit 2011-005 received July 11, 2011 under Gloucester Zoning Ordinance CCS 1.5.3(c) (and §5.22). The applicant is Equity Industrial Gloucester LLC c/o Equity Industrial Partners Corp. The location is 11 Dory Road, Map 262, Lot #16; zoning classification: BP; It was signed off by the City Clerk on July 6, 2011; the Building Inspector and by the Planning Director both signed off on the application July 6, 2011. The application was signed by Donald Levine, 145 Rosemary Street, Needham, MA. The Councilor noted there are only four criteria by which to judge it for this type of Special Council Permit versus the usual six criteria for all other Special Council Permits which was confirmed by **Gregg Cademartori**, Planning Director. **Councilor Ciolino** then read the four criteria as follows under GZO §5.22.3 (c): "All such wind energy conversion facilities shall be constructed and operated in locations that minimize adverse visual, safety, and environmental impacts. No special permit shall be granted unless the special permit granting authority finds in writing that:

1. the proposed location is an appropriate location on the site;
2. the use will not pose a significant adverse impact to the health or public safety of the neighborhood;
3. there will be no serious hazard to pedestrians or vehicles from the use; and
4. adequate and appropriate facilities will be provided for the proper operation of the use.

These criteria are to be used in lieu of the special permit criteria outlined in Section 1.8."

**Richard Kleiman**, a consultant based in Milton, MA and representing Gloucester Engineering located in Blackburn Industrial Park introduced W. Hunter Emerson of Equity Industrial Partners and Jonathan Klavens, Esq., the applicant's attorney. **Councilor McGeary** stated he had worked with Mr. Kleiman and Mr. Emerson on this project in the sense that the applicant had approached him to assist them to get the process moving forward (proposed project is in the Councilor's ward). **Mr. Kleiman** explained to the Committee that the Gloucester Engineering Wind Energy Project is in partnership and consultation with the City, and is envisioned as a public-private partnership whereby the City benefits from the net metering credits created by the project in addition to new property tax revenues and job creation/retention at Gloucester Engineering. He presented a power point presentation (on file) to the Committee. Highlights of that presentation were:

**The project:** includes two wind turbines up to 2 MW each on industrial land located at 11 Dory Road within the Blackburn Industrial Park. They are planning also to do a solar project on the rooftop, but that is separate from this application.

**The goals are to:** offset the City's use of fossil fuels with green, renewable energy; provide the City a new revenue stream and advance its clean energy mission; to stabilize Gloucester Engineering's energy costs to help increase local jobs and tax base; minimize the City's level of effort and eliminate City liability/risk. The project is on private land and privately financed, owned and operated. He showed an aerial view of the site showing the Blackburn Circle to the west, locating the proposed turbine #1 near the entrance of the Gloucester Engineering property with turbine #2 off of a gravel road on the southeast side of the site closer to Rte. 128. They are outside of all wetlands and wetland buffer zones. They are approaching ConCom for a determination to confirm that fact. They meet all the setback requirements for zoning. A higher level aerial perspective showing the locations of the approved Varian wind turbines that now may pursue one, as well as the proposed two wind turbines at Gloucester Engineering.

**The benefits to the City include:** new revenue for 25+ years; Net Metering payments; new property tax revenues; and the City's role is limited to receiving and disbursing Net Metering Credit revenues (strictly administrative function).

**Gloucester Engineering:** would be able to reduce their energy costs by stabilizing its balance sheet as it recovers from economic troubles and having now grown to almost 100 employees, most of whom reside in Gloucester; helping the company to retain/increase local jobs and contribute to the local tax base; and stabilize their energy

supply during peak usage, for instance, when rolling “brown-outs” have occurred typically in Gloucester, affecting productivity. They have lost a shift or two during certain periods. This project would inject new electricity into the grid and would help also others in the industrial park. He reviewed the community consultations to date (on file in application and in power point presentation).

**Results of Technical Analyses: Visual, Shadow/Flicker, Acoustical/Sound:**

**Photosimulations** per ordinance were conducted by Boreal (City Consultant) and Saratoga Associates, experts in the field; scaled and geo-referenced images used to simulate appearance of the turbines from different vantage points. An aerial view showed where they took the photo simulations: Grant Circle looking up the extension at Rte. 128; Dory Road and Blackburn Drive (northwest of the site); Skywood Terrace (showing just the blade tip); Good Harbor Beach looking towards the industrial park with the two turbines visible; and from Rocky Neck Park to the same perspective showing the same.

**Shadow/Flicker** assessment, done by Boreal, is limited to the industrial park and no residential areas are affected. As the sun rises and sets there can be some sun shining through the blades for a short period of time. Another aerial view showed the shadow would affect the areas in the immediate area of the industrial park – a few industrial buildings and no residential areas are affected.

**Sound Assessment:** Conducted by acoustic experts at Epsilon Associates (acoustic engineers); Sound levels were monitored at representative locations to determine background sound condition. Turbine sound levels were modeled using specialized computer software to estimate worst case sound effects above background sound – what would be heard day to day; these sound levels were then compared to both City and DEP regulatory standards/regulations. Another aerial view showed the monitoring locations and receptor. (The findings summary is on file.) The report concluded, “The modeled sound level increases would meet the MassDEP policy’s 10 dBA increase over background limit at all of the modeled residential locations. The increases at the closest property lines are predicted to be well above the 01 dBA limit; however, given the industrial nature of those properties immediately adjacent to the project, noise sensitivity is not expected to be an issue. No “pure tones” as defined by the MassDEP are predicted at any of the modeling locations. Additionally, the project will comply with all applicable noise limits as specified in the City of Gloucester Zoning Ordinance at each of the nearest critical receptors.” The compliance with City and DEP Noise Regulations table #8-2 was touched upon briefly. There was a projected sound increases aerial view made with a worse case made which showed very few dBA increases. The turbines do not make sound unless the wind blows. The wind creates its own sound and offsets any sound from the wind turbines.

**Interpreting the Data:** The sound assessment reports were the worst case; actual sound levels are expected to be lower. The turbines only turn when the wind is blowing, which itself creates a background level of sound. This site was chosen in part because it is well buffered from residential neighbors. Hearing the turbines over background (noise) outside the industrial park will be extremely unlikely given the very low sound levels and the distance to the nearest residential areas.

**Councilor Verga** asked about the neighbors and was interested in hearing about the door-to-door effort and what the preliminary reaction was to the proposal.

**Councilor McGeary** went door to door on Skyview Terrace which is the closest residential area in advance of the April 13<sup>th</sup> meeting with the neighbors. He got only one negative response; a person who was concerned for ground vibration. At that point no one was opposed. No one showed up at the April 13<sup>th</sup> neighborhood meeting to voice opposition to the project. **Councilor Verga** asked about the 25 year pay back to the City for net metering. What would happen if within the 25+ years Gloucester Engineering went out of business or were sold? **Mr. Kleiman** stated nothing happens to the City’s payment. With a net metering project, the power goes into National Grid’s (NG) wires. Because of the partnership with the City, the plan is to list the City’s accounts on Schedule Z which sends the dollar denominated credits to the City and effectively that revenue can be used against the City’s electric bill, coining it as a “gift certificate”. The City keeps a portion, and a portion goes back to the project from the City to go towards capital costs, the debt service, operation and maintenance of the project, insurance, etc. **Councilor Verga** asked if an entity will be there to assure routine maintenance of the turbines if Gloucester Engineering is no longer in the picture. **Mr. Kleiman** stated it is a separate project single purpose entity that will be created to own, operate and maintain this wind facility; not just the City but also the lenders will want to see that in place as well to make sure the turbines are maintained. The manufacturer typically stays involved for five to ten years with the project, and then they’ll want assurances it will be maintained by a certified operations and maintenance contractor. **Councilor Verga** asked what the actual distance is to the closest residence. **Mr. Kleiman** stated it was over 1,300 feet, which he believed was substantial. Citing projects in Hull, MA he noted they are about 600 ft. (to the nearest residential area); there are two wind turbines there, and they’ve had no complaints to date. Those turbines are approximately the same but slightly smaller version, as those that are being proposed for the Blackburn Park site. The one at the end of the Hull peninsula is right next to their high school. They also have similar [zoning] setbacks.

These two proposed turbines are well buffered from the nearest neighborhoods. Not only is there industrial use surrounding the proposed turbines, but there is Rte. 128. There is a topographic advantage as the land falls away from the site as you get to the residential areas adding to the buffering of any potential impact. **Councilor Ciolino** mentioned the prevailing winds that come across Rte. 128 and so Perkins Street might not hear it but Skyview Terrace may. **John McNiff**, Rouse Road, an abutter/owner of buildings to the east of the site in the industrial park expressed his concern for his tenants, about 50 of them, with Senior Home Care's offices approximately 500 ft. at the nearest point, and wished to view the model of the turbine. **Mr. Kleiman** stated they have not executed a contract with a manufacturer. But their preferred model is a Gamesa G90. In Lempster, NH near the Sunapee area has 12 such turbines; and in Hull on the landfill is 1.8MW and similarly sized; Princeton, MA has two. **Councilor Ciolino** requested Mr. Kleiman provide a list of such turbines in the area to the Committee. He noted Ipswich, on Town Farm Road just installed a 1.5 MW turbine at their transfer station. It is 385 ft and is similar according to **Mr. Cademartori**. **Mr. McNiff** asked what the worst day is; and thought you would have to be down wind to hear it at its worst; and asked was a medium wind worse than a high wind in terms of sound, and do the turbines shut down at all. **Mr. Kleiman** stated the sound effect in a medium or high wind they'd hear more wind background. **Mr. McNiff** asked if on a 15 knot day the turbines would run. **Mr. Kleiman** stated at a certain wind they will shut down if it is too high. Indoors they would not be heard through a structure. **Mr. McNiff** asked how they would describe the noise. **Mr. Cademartori** found it tends to be the sound of wind rather than the sound of the turbine. **Mr. McNiff** asked how fast the turbine turned. **Mr. Kleiman** didn't know but that the larger blades produce less sound. **Mr. Cademartori** noted a turbine in Newburyport at Mark Richie is smaller and thereby noisier; it is a 600 kilowatt machine and is shorter. The one in Ipswich is more similar to what they're proposing. **David Reardon**, Skyview Terrace expressed his concern regarding the photos showing the turbines from Skyview Terrace. They showed trees in full foliage. The turbines with Varian in addition to theirs, he felt this would start to look like a wind farm and not be aesthetically pleasing. **Mr. Kleiman** noted Varian is pursuing one turbine slightly taller than theirs. Some people like the way these turbines look and think they represent a good thing, green energy. The town of Milton overwhelmingly approved their own turbines. **Mr. Cademartori** noted on noise, a slide with a receptor at the Gloucester Crossing Site had a 12 dBA difference. **Mr. Kleiman** noted that they're required to do it to the closest property line. The DEP regulations have a provision allowing compliance even though they are exceeding the 10 dBA level because it is outside residential neighborhoods. They did not model them separately. **Mr. Cademartori** noted it is a mixed use project at Gloucester Crossing, and there is a proposed hotel in that shopping center. **Mr. Kleiman** stated it drops off quickly in terms of the sound. **Mr. McNiff** asked if this assumes vehicles going by. **Mr. Kleiman** noted this was done over a period of time, at night and day and is a representative view. **Councilor McGeary** asked what a peak figure was. **Mr. Kleiman** did not know and would have to ask Epsilon. They try to get a representative version. **Councilor McGeary** asked if the 12 dBA was a peak difference. **Mr. Kleiman** agreed that was likely. **Councilor McGeary** wondered if a third party assessment might be helpful. **Councilor Verga** thought it would help them to be prepared. **Councilor Whynott** also agreed that a third party assessment would be appropriate. **Councilor Ciolino** also agreed and felt if this project was to be put forward positively it would be appropriate to ask for a third party review. **Mr. Cademartori** felt it would be appropriate for noise level, flicker and shadow. What was presented is a mathematical model which can be reviewed and designate if they've followed typical procedure and likewise for the noise. He pointed out they know the height limitations; the way they look. He recommended confining the third party review to the acoustical issues and flicker/shadow. **Councilor Verga** stated it is to review not to re-do what has already been done. **Councilors Whynott** and **Verga** agreed it was to review the methodology. **Councilor McGeary** noted there is a tight time line. He assumed this could take place while other things move forward. **Mr. Kleiman** agreed there is a deadline which must be met by the end of the year.

**MOTION: On motion by Councilor Ciolino, seconded by Councilor Verga, the Planning & Development Committee voted 3 in favor, 0 opposed to have an independent review of the acoustical submission and the shadow and flicker submission of the application for SCP2011-005 Dory Road #11, GZO §5.22 Commercial Land-Based Wind Energy Conversion Facilities.**

**Councilor Ciolino** stated there is a site visit that is needed. He asked that a helicopter be obtained to view the height. The 30 days starts as of today. They would like to do it on a Saturday morning. **Mr. Cademartori** noted for the Varian location it was the only way. A balloon test is in the ordinance and cranes have been used but with Varian it was unsuccessful and so a helicopter became necessary. There were strong winds making the balloon test difficult. **Mr. Kleiman** had done balloon tests that were successful. **Councilor Ciolino** stated if they have a balloon that will be high and stable enough they would do that versus the helicopter. The applicant will need to

come back to the Committee with their plans and the day so that it may be posted. Further, they will need a copy of what the agreement with the City will be, and its duration, and will be a condition of the special permit. They need to see that before they deliberate. **Jonathan Klavens**, attorney for the applicant asked why that would be a condition as it relates to their application. **Councilor Ciolino** responded that their previous experience had been that promises are made, but not necessarily followed up with actual actions. What happens when they are gone; someone needs see what was promised. They need to see this so it is a part of the permanent record. He asked if it had been “hammered out” with the City. **Attorney Klavens** replied they have a Memorandum of Understanding (MOU) that is in place and signed and will be proceeding to negotiate a purchase agreement soon. **Councilor Ciolino** asked if there are facts and figures on it. **Attorney Klavens** stated the MOU spells out the terms and the deal and could be what they’re looking for. **Councilor Ciolino** requested an email with a copy of the MOU attached is to the City Clerk who would distribute it to the Committee, which he agreed to do. He expressed they would not move forward unless they get that and made a part of the terms of conditions of the Special Council Permit. That will be before it goes to City Council. **Attorney Klavens** clarified that they’re looking to make the transaction with the City a condition of the permit. **Councilor Ciolino** responded there has to be a contract, and the public has to know about it. The attorney agreed these are public documents already. Councilor Ciolino added it has to be attached. **Attorney Klavens** expressed his single hesitation from the perspective of the zoning ordinance they’re talking about the facts of visual impact and appropriate location as opposed to rationale for the project, which they thought was very important but was not sure it was a subject for zoning. **Councilor Ciolino** informed Attorney Klavens a Special Council Permit is discretionary permit by the City Council, not by right. If an applicant does not live up to the terms and conditions of the special permit, they are called back and the Council can “pull” the special permit. That is the control the City has over special permits. The next City Council will have it on the record which is important. **Councilor Whynott** added pulling a Council permit is not done arbitrarily; it must be done for a serious reason. **W. Hunter Emerson**, Equity Industrial Partners expressed his understanding that one could not be done without the other. **Attorney Klavens** reiterated their goal is a public/private partnership. **Councilor Ciolino** felt the Committee understood that and is trying to assist a company like Gloucester Engineering, a stakeholder in the City in this endeavor. They do have certain procedures, however, they must follow. **Councilor McGeary** asked about the deadlines the permit was under and what would have to be granted by what time for them (due to the federal program deadline of the end of December). **Mr. Kleiman** stated they were hopeful that something could be achieved by the end of September. They can’t slip much past that and make the deadlines for financing and filing with the government. **Councilor McGeary** expressed he felt this was a good project and benefits the City in many ways; and is a good deal for the City. This is a good spot and a good opportunity. **Councilor Ciolino** agreed as did **Councilor Verga** who felt this is was an appropriate industrial area for such a project.

**The P&D Committee would conduct a site visit to the Ipswich Turbine site at Town Farm Road, Ipswich on Tuesday, July 26<sup>th</sup> at 3:00 p.m.**

**The Committee by unanimous consent would inform the Mayor of the need for the Memorandum of Understanding with Equity Industrial Partners as well as the agreement and its duration.**

**There will be a Planning & Development Site Visit to the Gloucester Engineering property at 11 Dory Road which will be announced at a later date upon the applicant informing the Committee when arrangements are made for the balloon test/helicopter.**

**This matter is continued to August 3, 2011.**

**6. *Review and recommendation for the disposition of real property for the Magnolia School House (Blyman School)***

**Donna Compton** Purchasing Agent stated the Magnolia Historical Society (MHS) has a small museum in the Magnolia Library but wished to now lease the Blyman School with an eye to move their museum to that location. They don’t have much funding and are open to paying \$1 per year and do all the maintenance and pay for utilities. **Councilor Whynott** asked who determines what needs to be maintained. **Mr. Cole** said it would be similar language to what is in the American Legion lease. The MHS would take care of the basic day to day maintenance, a clogged toilet, a broken door handle, for instance. Any major repairs the City would have to take care of. **Ms. Compton** added they are willing to do this work with volunteers. **Jim Cooke**, 622 Western Avenue secretary of the Magnolia Historical Society spoke on their behalf as Lisa Ramos, MHS president was unable to attend. He stated

the building is out of use now, formerly a day care center. Since the day care center moved out the maintenance has been neglected. Realizing funding for maintaining the building by the City is very limited, the Historical Society feels this is an important building for the community with its unique architecture and so their interest is to stop the deterioration; stabilize the building; and do work at their expense. In the beginning the day to day minor maintenance would be left to them; and as time goes on they would take on more and more of the costs and take on larger projects to secure the building and bring it to use again, doing it in phases. Most important to them is to gain official stewardship of the building and stop any more deterioration of the building.

**Councilor McGeary entered the meeting at 6:29 p.m.**

**Mr. Cooke** noted MHS active member Betty Cannon has been spearheading their clean up effort of the exterior of Blyman School building. They have a tentative agreement to empty the building's contents from the previous tenant, with the City providing a dumpster; MHS volunteers will do the work. They'd like to have some sort of official stewardship of the building so they can do more. **Councilor Verga** explained he had asked the Council to refer this matter to the P&D Committee for review as well as B&F because the deterioration of the building has increased since 2004 (when the day care center left). He has spoken with Ms. Cannon at the site regarding the building's deterioration. They have done work from the soccer field up. He believed volunteers can do only so much and can't save the building if they can't get in there. He would be in support of this and hoped the Committee and the full Council would support the lease as well. **Mr. Cooke** mentioned, at **Councilor Verga's** behest, with Ms. Ramos as their president they have been able to raise some funds. He noted in the last year they had installed a small war memorial in Knowlton Park this year. They are renovating their museum within the Magnolia Library with a goal of creating storage which is badly needed and will finish that using it as their home for the foreseeable future; but are looking towards a future move into the schoolhouse if everything goes well. **Councilor Ciolino** heard that they have no funds to do this building and will apply for CPA Funds. **Mr. Cooke** stated they currently have an application in for the library museum. If they are able to get stewardship of the Blyman School, they would also apply looking to the CPC for funding, and other organizations as well. **Councilor Ciolino** expressed his concern that what they're doing is putting in a placeholder for the building; that it will sit empty until they raise money. They'll work on the building and do what they can. **Mr. Cooke** stated, "Yes". They'll stabilize the exterior; towards that they've had a building assessment done which identified some problems, but there is nothing major. After that they will assess what can and should be done for the eventual restoration for the interior, contingent on funding. **Councilor Ciolino** noted the commitment is for five years but what happens if a developer steps forward wishing to buy the property in the interim. He noted the MHS would have a property at \$1 per year but they might not have enough money to do what they want to do. **Mr. Cooke** understood that and that the lease could be broken if something of that nature transpired. He did not believe they were necessarily constrained by the five-year lease. **Councilor Ciolino** asked if there is no activity for a few years, how the City might end the lease. **Ms. Compton** stated there is a clause that could be placed in the lease. **Councilor Ciolino** expressed he would be more comfortable if there was a clause inserted that there has to be some movement forward; and if not that if it sits for a length of time, say six or nine months with no forward movement, then the City would look to break the lease. **Mr. Cooke** stated his understanding expressing the MHS would not want to overextend themselves financially. They are looking at this as a phased program. He stated they are struggling; but their needs have been small enough that they can handle them with their own fundraising. Their museum is free. They try to be open on the weekends (at the library) and hopefully more in the future. They're always available upon request. They do operate it but with no curator or staff; it is all volunteers. **Councilor Ciolino** acknowledged the rich history of Magnolia. **Mr. Cooke** noted the issue of an empty City building and that there is no money to do anything with it. He acknowledged Betty Cannon who has done a lot of this work. The MHS will do the work themselves. **Mr. Cademartori** noted should the RFP move forward that any improvements they do to the building have to go through a 30B process; which **Ms. Compton** added however, not if it is strictly donated. On inquiry from **Councilor Ciolino**, **Ms. Compton** noted the dollar lease was requested through the Mayor's office. **Mr. Cole** stated they were getting \$300 from the Legion, and they couldn't afford it; and they now just pay all the utilities. **Councilor Verga** pointed out the building has been empty for five years with no developer stepping forward. With any contract if both sides agree it can be broken. If someone wanted to buy the building he believed the Historical Society would not hold the City up. The MHS has demonstrated they care about it through their actions. **Mr. Cole** noted the MHS has done a phenomenal job cleaning up the outside of the building.

**MOTION: On motion by Councilor Verga, seconded by Councilor Whynott the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council that under GCO Sec. 2-3 (e) the Request for Proposals #11194, Magnolia School House Lease for 46 Magnolia Avenue as put forward by the Administration terms and conditions as presented.**

**By unanimous consent the Committee asked that the B&F Committee be informed of the request for an insertion of a clause regarding the ability to break the lease if there is no forward movement with the building being maintained and with its use.**

**A motion was made, seconded and voted unanimously to adjourn the meeting at 8:13 p.m.**

**Respectfully submitted,**

**Dana C. Jorgensson  
Clerk of Committees**

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:**

- **YuKan Sports LLC Road Race packet: All details of race route, Certificate of Insurance, Letter of endorsement; written race route and map of October 23, 2011 Marathon starting and ending in Rockport**
- **Power Point Presentation by applicant for SCP2011-005 Dory Road #11 – Gloucester Engineering Wind Energy Project**