

CITY COUNCIL STANDING COMMITTEE  
**Planning & Development**  
Wednesday, August 17, 2011 – 6:00 p.m.  
1<sup>st</sup> Fl. Council Committee Rm. – City Hall  
**-MINUTES-**

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

**Also Present:** Councilor Hardy; Councilor McGear; Fire Chief Phil Dench

**The meeting was called to order at 6:00 p.m. There was a quorum of the City Council. Items were taken out of order.**

**1. Continued Business:**

- A) SCP2010-012: Kondelin Road #16, GZO Sec. 5.13 PWSF & SCP2010-013: Rogers St. #127, GZO Sec. 5.13 PWSF – Updates from Fire Chief & David Spaulding, USAi.net (Cont'd from 05/04/11)

**David Spaulding**, president of USAi.net explained there have been issues that have impeded the process to complete the connectivity of the outlying fire stations and central station from a business and personal perspective. American Tower is working with his company and the City, but is moving cautiously with the band width frequency that is available. There is no frequency other than 900 MHz available or there is the newer more expensive band recently made available by the FCC, a 700 MHz band. It is 900 MHz and has been examining four different manufacturers gear to bring the maximum band width and reliability. They don't feel comfortable putting plastic pieces of equipment 300 ft. up on the towers feeling they would likely fail due to weather conditions which would degrade the plastic. They are going back to considering Motorola, and two others which are hard cased metalized and meant to be put in harsh environments. To bring this to the fire stations is nearing \$10,000 on their part before they begin to provide service and will invest more in order to make sure they bring an appropriate connection. They feel they can put something in 30 days in the air. **Councilor Ciolino** stated they are in violation of their Special Council Permit. They have not seen any progress on the project. The Committee is coming to the point where they're going to have to notify the City Council of that fact. They also had an email memo (on file) from the Building Inspector saying as much. They don't have everything that is working; and they've had six months to make something work. He had advised the Clerk's office in advance of the meeting that they would be working this to completion by the time of the meeting. **Mr. Spaulding** stated just because they see no physical work done they've been working on it. Engineering staff, discussions back and forth with American Tower have been taking place. He reminded the Councilors he was not allowed to put anything in the air until February. They need to know that what he is putting in the air it will work without failure. **Councilor Hardy** asked how much longer is needed to complete the job. **Mr. Spaulding** stated it is a two-day job to have the 'blessing' of American Tower. He received an email from his sales agent that afternoon; and that he could have it done in 30 days, given a quick thumbnail of his internal process for timing to finish the project for the City to be in compliance with the conditions of his Special Council permits. In her role as Council President, **Councilor Hardy** asked Mr. Spaulding if he could have the project done before the City Council meeting of September 27<sup>th</sup> which **Mr. Spaulding** confirmed his belief they could.

**Councilor Verga motioned and Councilor Whynott seconded to forward to the City Council, for their September 27, 2011 meeting, the matter of SCP2010-012: Kondelin Road #16, GZO Sec. 5.13 PWSF & SCP2010-013: Rogers St. #127, GZO Sec.5.13 PWSF to review as to whether USAi.net has met the conditions of their Special Council permits as granted or in violation of said conditions.**

**DISCUSSION:**

**Council President Hardy** stated that this is to ensure that they have a date set for the City Council to possibly reconsider whether he is in violation of the permits issued by the Council. While it will be on that agenda, she felt sure they would complete the project by then. **Chief Dench** asked for clarification of the relationship between USAi.net and American Tower; and what is transpiring. He assumed that back in April that the tower on Kondelin Road and Gorton's would be done and then they would be able to connect the Fire Stations at that time. **Mr.**

**Spaulding**, responding to questions from the Chief and the Committee explained that Gorton's and the City is "live". The City and the School Department use their band width through this microwave link. The initial goal was to have "all the ducks in a row" and have one massive installation because climbing is expensive; the initial climb was \$12,000 to put the inbound radio and the outbound ports into the City. The radios are \$25,000 apiece. He has a \$150,000 investment in bringing this band width to the City and the schools, and to Gorton's. At the Fire Station site they needed the towers there first. Tower manufacturers or tower leasing companies like American Tower, they own property with a piece of steel and know who is on there, at what height, what compass heading, the frequency being used to make sure they are coordinated even though this is an unlicensed spectrum. Antennas work in a vertical polarization. They've had to buy a \$1,000 antenna with a horizontal polarization. He will have the American Tower blessing in a couple days. He expects once he has the OK and orders the materials, which typically come in one week, and tests the radios; two weeks later from that they would be visiting to put up Bay View first and Magnolia second. **Chief Dench** asked to be advised when the OK comes through from American Tower, and when USAi.net starts their work. He would then inform the Council. He would like to see the stations to receive connectivity in the order of Bay View, West Gloucester, Central Station, and then Magnolia. **City Council President Hardy** stated they have the date set for the City Council agenda. As soon as a memo is received from the Chief and the Building Inspector acknowledging that in their estimation the conditions have been met, they will put that into the record versus making a determination that USAi.net is in breach of their Special Council Permits conditions. **Mr. Spaulding** noted that the radios they are putting up use a level of encryption that is secure enough for the Fire Department to use this link. With regard to the radios functionality, with four fire stations, there are eight possible locations they can feed of it. Should they come up with another key location for re-transmission, they would be able to help with that. Fuller School has a large dish there that 'feeds' the entire City. **Councilor Hardy** noted the Building Inspector commented that no building permits had been pulled and suggested he speak with Mr. Sanborn on that matter.

**MOTION: On motion by Councilor Whynott, seconded by Councilor Verga, the Planning & Development Committee voted 3 in favor, 0 opposed to forward to the City Council, for their September 27, 2011 meeting, the matter of SCP2010-012: Kondelin Road #16, GZO Sec. 5.13 PWSF & SCP2010-013: Rogers St. #127, GZO Sec.5.13 PWSF to review as to whether USAi.net has met the conditions of their Special Council permits as granted or in violation of said conditions.**

- B) Memorandum from Engineering Department re: proposed street naming for Pantry Way (Cont'd from 07/20/11)

**Councilor Ciolino** stated this needs further study by the Engineering Department. A brief discussion ensued amongst the Committee and the Councilors present as to the process of the naming of a street.

**This matter is continued to September 7, 2011.**

- C) Review of Road Race & Parade Permit Procedures (Cont'd from 08/03/11)

The Committee reviewed their final draft (on file) of the Special Event Permit Procedures Application tweaking it further for their final copy. **Chief Dench** reviewed with the Committee incidents that need to be reviewed for future consideration with regards to the Fishtown Horribles Parade for next year and also advised that the Sidewalk Bazaar and Downtown Block Parties have been run very well this year from his perspective.

**MOTION: On motion by Councilor Verga, seconded by Councilor Whynott the Planning & Development Committee voted 3 in favor, 0 opposed to forward the matter of the Special Events Form(s) for consideration regarding a fee to the City Council for referral to the Budget & Finance Committee.**

- D) SCP2011-005: Dory Road #11, GZO §5.22 Commercial Land-Based Wind Energy Conversion Facilities (Cont'd from 07/20/11)

**Councilor Ciolino** explained that the Committee had conducted a site visit at Dory Road, #11 on Saturday, August 13<sup>th</sup> for a helicopter test to view the height of the two proposed wind turbines for that site. **Councilor Hardy** noted she saw it from the perspective of Reservoir Road. As soon as the trees drop leaves, they will see the turbines from that perspective. The most significant observation was coming off of the A. Piatt Andrew Bridge towards Grant

Circle; not only was it visible but very distracting. **Councilor Whynott** was on Harrison Avenue with Councilor Ciolino and talked to neighbors who came out to look, stating they could barely see the helicopter. The neighbors whom they spoke with were not concerned and believed they need the energy and were very positive. **Councilor Ciolino** stated they could hear but not see the helicopter. They also went to Thatcher Road noting it will be visible from that perspective; however, many times the tip of the blade won't even be seen. **Councilor Verga** noted his brother saw it from rear Perkins Street and felt it was not too much of a distraction. **Councilor McGeary** went to Skyview Avenue. The helicopter could be seen but was unclear and thought you would be able to see the tip. The turbines won't make as much noise as the helicopter. **Councilor Whynott** noted the signage at Grant Circle that was very distracting, most of it not legally placed. **Councilor Ciolino** stated they might need to change the ordinance to scratch the balloon test. For such a height test, balloons attached to cranes would not have worked at all. **Councilor Whynott** understood if there were high winds it would not allow for the use of a balloon. Councilor Hardy recalled a test with high wind the balloon was knocked down. But the reason these sites are chosen is for their volume of wind. **Councilor Ciolino** stated the developer felt the balloon test was more expensive for two placements of the proposed turbines. The helicopter was actually less expensive. The Committee has gone to Ipswich to see, hear and feel the effects of their wind turbine there, similar to what is proposed in Gloucester. The third step will be the third-party review to check the information that came forward from the applicant. After that they should be ready to move the application forward to the Council.

**This matter is continued to September 7, 2011.**

E) 2011-032 (Verga/Hardy) Charter §9-7 Advisory question for November ballot re: Reuse Fuller School

**Councilor Ciolino** explained that a joint meeting of the City Council and the School Committee would take place on Wednesday, August 24<sup>th</sup> at 7:00 p.m. in Kyrouz Auditorium to discuss the matter of the possibility of the declaration of surplus for the Fuller School by the School Department.

**This matter is continued to September 7, 2011.**

## **2. Memorandum & Request for Proposals for Lease & Development of 65 Rogers Street (14-C2)**

**Councilor Ciolino** announced the Committee is in receipt of an email from Jim Duggan, CAO requesting to postpone this matter before them until the first meeting in September and hoped to have a joint meeting of P&D and B&F so that there is just one presentation.

**This matter is continued to September 7, 2011.**

**Councilor Whynott** noted that St. Peter's Fiesta was not allowed to have any machines that operate by money or give money as a prize. He observed such machines in use at the St. Peter's Fiesta this past June. A copy of the ordinance that pertains to it and a letter informing that Committee that such machines are illegal and that no cash prizes are allowed should go to the St. Peter's Fiesta Committee.

The Committee requested that the City Clerk compose such a letter and send it to the St. Peter's Fiesta Committee.

**A motion was made, seconded and voted unanimously to adjourn the meeting at 6:53 p.m.**

Respectfully submitted,

**Dana C. Jorgenson**  
Clerk of Committees

**DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.**