

**Planning & Development Standing Committee**  
**Wednesday, May 18, 2022 – 5:30 p.m.**  
**REMOTE MEETING**  
**-Minutes-**

**Present: Vice Chair, Councilor Val Gilman; Councilor Tracy O’Neil; Councilor Scott Memhard**

**Absent: Chair, Councilor Jason Grow**

**Other Councilors Present: Councilor Jeff Worthley**

**Also Present: CAO, Jill Cahill; Building Commissioner, Bill Sanborn; Clerk of Committees, Sherry Karvelas**

**Applicants: Elizabeth Cardarelli for PP2022-002**

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 O’Neil, Memhard (filling in for Councilor Grow), and herself), and City staff who were attending via Zoom.

**1. CC#2022-016 (Gilman): Amend GZO by inserting a new section 5.32 “Temporary Zoning Relief to Businesses Recovering from COVID-19 Pandemic”**

**Summary of Discussion:** **Councilor Gilman** clarified that this matter was being reviewed at tonight’s meeting but P&D would not be voting on the matter tonight. She explained that the Planning Board was taking up the matter as a public hearing on June 2<sup>nd</sup>, P&D would be reviewing their recommendation on June 8<sup>th</sup> and making a recommendation to City Council for the public hearing on June 14<sup>th</sup>.

**Building Commissioner Sanborn** explained the following:

- The process will be similar to what has been done in the past;
- Permitting will be done online through ViewPoint;
- An outside seating plan will be required that shows the paths around the seating, exits out and outside emergency lighting - the focus will be on public safety;
- The number of seats cannot exceed the number of seats approved in the occupancy permit – tables can be moved from inside to outside, but more tables cannot be added;
- Outside seating areas must be ADA handicap accessible, which may require a ramp from the curb to the seating area;

- If multiple restaurants group together and share parking spaces for outdoor dining, they would each submit applications and upload the same plan;
- Once City Council approves the zoning amendment, restaurants will be required to file an application with the Licensing Board for an extension of premises. Once the extension is approved, restaurants can apply online for their permits.

**CAO Cahill** explained that if everything goes through, the date that the city could have things up and running would be July 1<sup>st</sup>. The jersey barriers used for outdoor dining over the past two years won't be available until that date due to Fiesta.

**Councilor Gilman** explained that the purpose and duration of the council order was to provide temporary zoning relief to business recovering from the COVID-19 pandemic. She relayed that the Chamber of Commerce has facilitated meetings with the city, restaurateurs and Main Street retailers separately to discuss outdoor dining on Main Street and that the Chamber of Commerce reported (communication file) that restaurants are strongly in favor and retailers, with some exceptions, are opposed until the following concerns are addressed: 1). Use of fewer parking spaces, 2). Obligated parking spaces are used throughout the full day as much as possible – at least lunch and dinner, 3). Consideration for some compensation to the city for loss of parking revenue.

**Councilor Gilman** reported that she just received a communication (on file) from the following downtown retailers that expressed concerns similar to what the Chamber had addressed: Adam Farber, Mark Adrian Shoes; Patty Gates, Cape Ann Olive Oil; Susan and Don Boyé, Toodeloos!; Joe Ciolino, The Weathervane; Caroline Harvey and Lucas Cotterman, Dogtown Books; Barbara Koen, The Dress Code; Tom and Colleen Lance, The Brass Monkey; Peggy Russell, Pop Gallery; Arwen Severance, The Bookstore of Gloucester.

#### **Questions from the Public:**

**Adam Farber of Mark Adrian Shoes** asked if City Council would be addressing parking and signage issues downtown, would the City Council consider requirements for the spaces to be used more hours of the day, and what precedent was this zoning amendment setting for future years? **Councilor Gilman** said that the City Council would have to see the Planning Board's recommendations concerning the details of parking and signage, and that the zoning amendment would have an expiration date of December 31<sup>st</sup>, but City Council may decide to make the expiration date earlier than that. Going forward, the City Council can also amend the ordinance in a way that would be beneficial to all parties involved.

**Matt Cawley of Short & Main** asked if wood was still prohibited for the construction of outdoor dining spaces. **CAO Cahill** said she would get an answer from the Building Commissioner and follow up with Mr. Cawley.

**Olivia Perez-Odess of the Greater Cape Ann Chamber of Commerce** asked if the City Council or the Administration would consider the creation of a working group of retailers and restaurateurs and city staff members to develop an equitable plan for downtown. **CAO Cahill** said that the Administration would be interested in convening such a working group.

**Joey Ciarametaro of Good Morning Gloucester** asked how much of residents/taxpayers input does the city consider when deciding if this amendment goes forward. **Councilor Gilman** said that there will be a public hearing at the Planning Board and at City Council, which provides an opportunity for all residents to speak. **CAO Cahill** said that the Mayor wants to hear from the people. The polls conducted by Good Morning Gloucester and Gloucester Bites were helpful, and that residents should speak at the public hearings.

#### **Councilor Questions:**

**Councilor Worthley** asked if restaurants could apply in advance so that they are further along in the process if the amendment passes. **Councilor Gilman** said that the Licensing Board chair was being kept abreast of the changes and is willing to work with the city and businesses to make sure things go smoothly with that aspect of the process. **Councilor Worthley** asked if there were any alternatives to jersey barriers, or could additional jersey barriers be purchased before July 1<sup>st</sup>. **CAO Cahill** said that state regulations require an immovable barrier if seating is on the street where cars go by. The city is unable to obtain additional jersey barriers before July 1<sup>st</sup>.

**2. Public Hearing: PP2022-002: National Grid to install beginning at a point approximately 300 feet west of the centerline of the intersection of Biskie Head Point and continuing approximately 100 feet in a northwest direction. Installation of 100' +/- 2, 3" concrete encased PVC Conduit and all appurtenances from P #7719 continuing approximately 100' NW to DOT state owned heavy duty handhole (Cont. from 5/4/22)**

**Councilor Gilman** opened the public hearing and asked the applicant to speak.

**Summary of Discussion:** Elizabeth Cardarelli, Distribution Designer at National Grid, 44 River Street, Beverly MA, explained that the request for conduit was a state job by the DOT for a camera installation at Route 128. Due to the location, National Grid decided to go with underground conduit. The request is that the state install the conduits; the state will be obtaining the road opening permit and installation on behalf of National Grid. Once National Grid installs its wire, it will take over ownership and maintain it from then on. Ms. Cardarelli said that due to the location of the road opening, there might be concerns about timing from the abutters, and she will put the Clerk's Office in contact with the person at the DOT who will be handling it.

The **Clerk of Committees** confirmed that abutters were notified on May 2<sup>nd</sup> and read a communication from the DPW Director (on file):

Department of Public Works  
28 Poplar Street  
Gloucester, MA 01930



TEL (978)281-9785  
FAX(978)281-3896  
mhale@gloucester-ma.gov

CITY OF GLOUCESTER  
DEPARTMENT OF PUBLIC WORKS  
**MEMORANDUM**

Date: April 19, 2022

To: Councilor Jason Grow, Planning & Development Committee Chair  
Councilor Valarie Gilman, Vice Chair  
Councilor Tracy O'Neil, Member

From: Michael B. Hale, Director of Public Works

Re: Application (PP2022-002) Crafts Road

Councilors:

2022 MAY 16 PM 3:18  
CITY CLERK  
GLOUCESTER, MA

The Department of Public Works has reviewed the above-mentioned application by National Grid to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way named below:

Crafts Road – National Grid to install beginning at a point approximately 300 feet west of the centerline of the intersection of Biskie Head Point and continuing approximately 100 feet in a northwest direction. Installation of 100' +/- 2, 3" concrete encased PVC Conduit and all appurtenances from P#7719 continuing approximately 100' NW to DOT state owned heavy duty handhole.

In an attempt to maintain the quality of City roadways, the Department of Public Works requests the following be required of the applicant:

1. Notification to the Department of Public Works 72 hours in advance of the proposed work. A construction schedule will be prepared by the applicant for review and acceptance by the Department of Public Works.
2. Proposed excavation may only occur during accepted road opening and construction season, 15 March – 15 November.
3. In the absence of a detailed construction plan, the Department of Public Works requests: all proposed conduits and appurtenances shall be placed so as to cause minimum conflict with existing underground utility services.
4. All excavations must be secured at all times.
5. All excavated trenches shall be patched flush with the surrounding asphalt using hot mix asphalt binder at the end of each work day, to minimize pedestrian hazards. Asphalt shall be applied in two lifts of 2-inches, totaling 4-inches.
6. For the length of conduit in the sidewalk, restoration must be 2' before the conduit begins and 2' after the conduit ends and front to back of the sidewalk.
7. All final paving shall be done in consultation with the Department of Public Works and an agreed upon final paving plan executed by the applicant.

Should you have any questions regarding the conditions requested, please do not hesitate to contact my office.

**Councilor Questions:**

**Councilor Memhard** asked what the need was for this additional conduit. Ms. Cardarelli explained that the DOT is installing security cameras for the Route 128 stretch. **Councilor Gilman** asked Ms. Cardarelli to provide the Clerk of Committees with the DOT contact so that the abutting property owner can obtain more details about when the installation will be happening.

**MOTION: On a motion by Councilor Gilman, seconded by Councilor O’Neil, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed, to waive the reading of the conditions listed in the motion as they were included in the letter submitted by the Director of Public Works as read by the Clerk of Committees.**

**MOTION: On a motion by Councilor Gilman, seconded by Councilor O’Neil, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed, to permit National Grid to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures along and across the public way, and to install beginning at a point approximately 300 feet west of the centerline of the intersection of Biskie Head Point and continuing approximately 100 feet in a northwest direction. Installation of 100’ +/- 2, 3” concrete encased PVC Conduit and all appurtenances from P #7719 continuing approximately 100’ NW to DOT state owned heavy duty handhole – as shown on a plan included in the application dated February 28, 2022 – with the following conditions:**

1. Notification to the Department of Public Works 72 hours in advance of the proposed work. A construction schedule will be prepared by the applicant for review and acceptance by the Department of Public Works.
2. Proposed excavation may only occur during accepted road opening and construction season, 15 March – 15 November.
3. In the absence of a detailed construction plan, the Department of Public Works requests: all proposed conduits and appurtenances shall be placed so as to cause minimum conflict with existing underground utility services.
4. All excavations must be secured at all times.
5. All excavated trenches shall be patched flush with the surrounding asphalt using hot mix asphalt binder at the end of each work day, to minimize pedestrian hazards. Asphalt shall be applied in two lifts of 2-inches, totaling 4-inches.
6. For the length of conduit in the sidewalk, restoration must be 2’ before the conduit begins and 2’ after the conduit ends and front to back of the sidewalk.
7. All final paving shall be done in consultation with the Department of Public Works and an agreed upon final paving plan executed by the applicant.

3. *Special Event Permit Application: Request for street closures for the Fishtown Horribles Parade on July 3, 2022*

**Summary of Discussion:** The applicant was not in attendance, but as the application was fully vetted by the Special Events Advisory Committee, the P&D Committee was in agreement to move forward with the approval. **Councilor Gilman** reviewed the application (on file) and highlighted that Nicole Tucker was the contact person for the Fishtown Horribles Parade; the event is on July 3<sup>rd</sup>; the start time is 6:00 p.m. and the end time is 8:00 p.m. Street to be closed during the parade are: Leslie O. Johnson Road, Centennial Avenue, Western Avenue, Rogers Street, Manuel F. Lewis Street, East Main Street, Main Street, Prospect Street, Railroad Avenue, Washington Street, Emerson Avenue, Lincoln Avenue, Blynman Avenue.

**MOTION:** On a motion by Councilor Gilman, seconded by Councilor O'Neil, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed, to permit the Horribles Parade Committee to hold the Fishtown Horribles Parade on Sunday, July 3, 2022, and to close affected City roadways including Leslie O. Johnson Road, Centennial Avenue, Western Avenue, Rogers Street, Manuel F. Lewis Street, East Main Street, Main Street, Prospect Street, Railroad Avenue, Washington Street, Emerson Avenue, Lincoln Avenue, and Blynman Avenue from 6:00 p.m. to 9:00 p.m. with the following conditions:

**1. Certificate of Insurance:**

A Certificate of Insurance naming the City of Gloucester as an additional insured party is to be filed with the City Clerk's office on or before June 24, 2022.

**2. Road Closure Plan:**

Police Department and the Fire Department approvals of the plans for the Fishtown Horribles on July 3, 2022 have been received through the Special Events Advisory Committee. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Traffic and parking plan and police detail information by the Police Department to be filed with the Police Chief. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues may require City Council approval.

**3. Refuse and Comfort Stations:**

All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with handicapped accessible) are to be provided and maintained by the organizer, placed the evening before the event or early in the morning of the day of the event and be removed by 9:00 a.m., July 4, 2022.

**4. Emergency Services:**

All requirements of Gloucester Fire Department EMS must be met.

**5. Staffing:**

Event staff is to have cell phones and be identified by the public with distinct shirts. A list of event staff and their cell phone numbers is to be submitted to the Police, Fire and DPW Departments.

**6. Notification of Immediate Abutters and Businesses to Parade Route:**

Notice shall be made by the event organizer by hand or by mail no later than 7 (seven) days in advance of the event to function halls, motels and hotels, and other businesses along the parade route.

**7. Responsibility of the Fishtown Horribles Parade Committee:**

The applicant is also required to obtain any necessary approvals from the Health Department.

It is the sole responsibility of the Horribles Parade Committee to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation. Applicant is also required to comply with any requirements made by departments through the Special Events Advisory Committee.

**8. Vendors for the Event:**

- a. The Horribles Parade Committee must obtain Transient Vendor Licenses for non-food vendors from the City Clerk's Office at least one week prior to the event; and,
- b. The Horribles Parade Committee is to provide a vendor list to the City Clerk and the Chief of Police at least one week prior to the event.

**9. Please note that given the on-going national response to COVID-19, circumstances may require the Special Events Advisory Committee to modify your event and can include canceling your event.**

**MOTION: On a motion by Councilor O'Neil, seconded by Councilor Memhard, the Planning and Development Committee voted by ROLL CALL 3 in favor, 0 opposed, to adjourn the meeting at 7:44 p.m.**

**Submitted by: Grace E. Poirier, Assistant City Clerk**

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