

CITY CLERK  
GLOUCESTER, MA  
2022 JUN 17 AM 9:59



GLOUCESTER CITY COUNCIL  
**Planning & Development Committee Meeting**  
Wednesday, June 22, 2022 – 5:30 p.m.  
**REMOTE MEETING**  
**REVISED AGENDA**

*(Items may be taken out of order at the discretion of the Committee)*

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. 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/85805680473>  
Join via Phone: 1-301-715-8592 or 1-312-626-6799  
Meeting ID: 858 0568 0473

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

1. SCP2022-004: Kondelin Road #24, Map 197, Lot 13, GZO Sec. 2.3.5(1) “Junk Yard” in the GI district
2. Special Event Application: Request for Street Closures re: Harbor Loop Summer Concert Series on Thursdays, July 21, 2022 thru September 8, 2022

**Matters to be continued**

1. CC#2022-015 (Grow): Amend GZO Sec. 5.11.3(1) Inclusionary Housing Requirements, Applicability, by removing “the creation of,” and 5.11.3(2) by removing “a net increase of.” And, Section 5.11.4(1) Basing Requirements by removing “the creation of” and in 5.11.4(2) removing “the creation of.” (Cont. from 6/8/22; TBC 8/3/22)

COMMITTEE  
Chair, Councilor Jason Grow  
Vice Chair, Councilor Val Gilman  
Councilor Tracy O’Neil

CC: Mayor Greg Verga; Jill Cahill; Joanne M. Senos; Suzanne Egan; Gregg Cademartori  
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.

CITY CLERK  
GLOUCESTER, MA

2022 JUN 16 PM 1:23



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## CITY OF GLOUCESTER 2022 CITY COUNCIL ORDER

<b>ORDER:</b>	<b>CC#2022-015</b>
<b>COUNCILLOR:</b>	<b>Jason Grow</b>

<b>DATE RECEIVED BY COUNCIL:</b> 05/10/2022
<b>REFERRED TO:</b> P&D & PB
<b>FOR COUNCIL VOTE:</b>

**ORDERED** that the Gloucester Zoning Ordinances be **AMENDED** as follows:

Amend GZO Section 5.11.3(1) Inclusionary Housing Requirements, Applicability, by removing “**the creation of**”, and 5.11.3(2) by removing “**a net increase of**”. And, Section 5.11.4(1) Basic Requirements by removing “**the creation of**” and in 5.11.4(2) removing “**the creation of**”.

**FURTHER ORDERED** that this matter be referred to the Planning & Development Standing Committee and the Planning Board for review and recommendation to the City Council.

Jason Grow  
Councilor at Large



CITY OF GLOUCESTER  
GLOUCESTER, MASSACHUSETTS 01930

CITY OF GLOUCESTER  
Special Council Permit - Application

CITY CLERK  
GLOUCESTER, MA  
2022 JUN -3 AM 10:09

August 2, 2022  
(Public hearing to be held no later than  
above date)

In conformance with the requirements of the Zoning Ordinance of the City of Gloucester, the undersigned hereby applies for a Special Council Permit (CC or CCS) in accordance with Section 1.8.3 of the Ordinance and other Sections as listed below:

Type of Permit (Give specific section of Zoning Ordinance)

City Council Special Permit pursuant to GZO § 2.3.5(1)

Applicant's Name: DLM Properties, LLC

Owner's  
Name:

**(if different from applicant)**

Location: 24 Kondelin Road Map # 197 Lot # 13  
**(Street Address)**

Zoning Classification: GI (General Industrial)

- Attached is a list of owners (with complete addresses) of land directly opposite on any public or private street or way, direct abutters, and abutters to the abutters of land within three hundred (300) feet of the property line, as they appear on the most recent City of Gloucester Assessor's Maps and Tax list.
- Attached is a listing of criteria set forth in Section 1.8.3 of the Zoning Ordinance, including any supportive material or comments the applicant may wish to include (i.e. ZBA decisions, Order of Conditions, etc.) if necessary.
- Attached are the necessary plans as set forth in Section 1.5.3, of the Zoning Ordinance, which at a minimum consist of an accurate plot plan (to scale) showing existing and/or proposed building or structures.

**City of Gloucester - Action**  
**Fee:** \$350.00  
 City Clerk (received): JMS 6/3/22  
 City Council (received): 6/14/22  
 Public Hearing (ordered): \_\_\_\_\_  
 Public Hearing (opened): \_\_\_\_\_  
 Public Hearing (closed): \_\_\_\_\_  
 Final Decision: \_\_\_\_\_  
 Disposition: \_\_\_\_\_  
 (Approved, Denied, Approved w/conditions)

**APPLICANT:**  
/s/ David Perrotti, Manager  
 Name (Signature)  
 c/o Seaside Legal Solutions, P.C.  
 PO Box 1172, Gloucester, MA 01931  
 Address  
 978-627-4500  
 Telephone

**Certified for completeness:**  
 Building Inspector: BO Date: 5/23/22  
 Planning Director: BML Date: 5/24/22

Section 1.8.3 (Use additional sheets, if necessary)

1. Social, Economic, or community need served by the proposal:  
Allows a crucial component of the local commercial and industrial communities to continue to serve local businesses and tradespeople in need of local on-site and/or off-site refuse disposal and recycling services in the same configuration in which it has operated for decades.
  
2. Traffic flow and safety:  
Kondelin Road is a large, wide, well-paved road that has been home to this operation for decades. There will be no impact to traffic flow and safety by continuing to allow the existing use to continue.
  
3. Adequacy of utilities and other public services:  
All necessary utilities and infrastructure is already in place; no changes needed or proposed.
  
4. Neighborhood character and social structure:  
Kondelin Road is the city's largest contiguous General Industrial-zoned area and is intended for and home to a number of various industrial uses.
  
5. Qualities of the natural environment:  
No changes to the site; no changes to the nearby natural environment.
  
6. Potential fiscal impact:  
Provides local businesses and multi-unit residential buildings with a local dumpster and refuse / recycling collection service; provides citizens and tradespeople with a local recycling center for certain materials ineligible for standard municipal collection.

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The applicant is advised that City staff is available to assist the applicant in preparing the Application, including the Inspector of Buildings and City Planner

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Application for Special Permit

The undersigned applicant hereby applies for a special permit under M.G.L., Ch. 40A, § 9 as follows.

1. Applicant (includes equitable owner or purchaser on a purchase and sales agreement):

Name: DLM Properties, LLC

Address: c/o Seaside Legal Solutions, P.C., PO Box 1172, Gloucester, MA 01931

Tel.# Days 978-627-4500 Evenings \_\_\_\_\_

\_\_\_\_\_ Check here if you are the purchaser on a purchase and sales agreement.

2. Owner, if other than applicant:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Tel.# Days \_\_\_\_\_ Evenings \_\_\_\_\_

3. Property:

Street address: 24 Kondelin Road

Assessor's Map: 197 Lot: 13

Registry of Deeds where deed, plan, or both records:

Southern Essex District Registry of Deeds

Deed recording: Book 36264 Page 597

Plan recording: Plan # 88 in Plan Book 291

Property is located in the GI (General Industrial) zoning district.

4. Nature of relief requested:

Special permit pursuant to Article/Section 2.3.5(1) of the Zoning Ordinance/By-Law

which authorizes City of Gloucester City Council to permit

junk yard uses in GI zoning districts

Detailed explanation of request:

In late 1990, the Applicant's predecessor in title received a building permit to construct a transfer station on what was then known as 24 Kondelin Road, which, at the time, was an approximately 270' x 355' lot also known as "Lot 21" in the Kondelin Road Industrial Park. In 1993, a prior owner purchased what was then known as 22 Kondelin Road, which was another approximately 270' x 355' lot (also known as "Lot 19" in the Kondelin Road Industrial Park) and abutted 24 Kondelin to the immediate northeast. A plan was then submitted to the City of Gloucester Planning Board in 1994, which was endorsed and recorded in the Southern Essex District Registry of Deeds (referenced above) that combined Lots 19 and 21 into a single lot that has been collectively known as 24 Kondelin Road in the 28 years since then. After combining the lots, the prior owner expanded its transfer station operations onto the newly-acquired land, which included constructing an office building, designated parking areas, and temporary dumpster storage. In 2018, the current owners received a zoning violation notice from the City of Gloucester Inspectional Services Department regarding dumpster storage along Kondelin Road and out-of-service trash trucks on site; as part of the remediation of these violations, it was discovered that there had never been any permit applied for or granted that explicitly or even tacitly allowed the 1994 expansion of the transfer station use onto the northeastern half of the property. The current owner began the process of obtaining the necessary permissions to formally allow the longstanding use of the property and received the necessary relief from the Zoning Board of Appeals in 2021 (which expired pursuant to a special condition and is being revived currently through a separate filing with the ZBA). As part of lengthy negotiations with the Building Inspector and the ZBA, my clients agreed--as a condition of receiving the ZBA relief--to seek a City Council Special Permit for the use of the entire property as a transfer station. Based on the Building Inspector's determination, the appropriate use category for the Applicant's transfer station is "Junk Yard" and found in GZO § 2.3.5(1). Although the Applicant hopes to come back to the Council in the near future seeking additional permitting for an expanded facility, this current request is simply to allow things to remain as they have since 1994. There are no changes to the facility proposed herein.

5. Evidence to support grant of special permit:

Because of reasons set forth below, the special permit requested will be in harmony with the intent and purpose of the Zoning Ordinance/By-Law:

Please refer to page 2 of this application in which the six factors of GZO § 1.8.3 are discussed.

Because of reasons set forth below, the special permit requested will meet the additional requirements of the Zoning Ordinance/By-Law as follows:

GZO § 1.2.1 specifically declares one of the purposes of the GZO is to "encourage the most appropriate of land throughout the city." The Applicant's business first came to Kondelin Road upon a direct request of the EDIC to the Applicant's predecessor in title and the Applicant remains just as committed today to fulfilling the necessary role of providing on-site and/or off-site refuse disposal and recycling services to local businesses, tradespeople, and residents from within Gloucester's largest area of land designated specifically for General Industrial use.

If someone other than owner or equitable owner (purchaser on a purchase and sales agreement) is the Applicant or will represent the Applicant, owner or equitable owner, must designate such representative below.

Name of Representative: Seaside Legal Solutions, P.C.

Address of Representative: PO Box 1172, Gloucester, MA 01931

Tel. # Days 978-627-4500 Evenings

Relationship of representative to owner or equitable owner:

Attorney for applicant

I hereby authorize Seaside Legal Solutions, P.C. to represent my interests before the Special Permit Granting Authority with respect to this Special Permit Application.

(Signed by owner/equitable owner) /s/ David Perrotti, Manager of DLM Properties, LLC

I hereby certify under the pains and penalties of perjury that the information contained in this Application is true and complete.

<u>/s/ David Perrotti, Manager</u>	<u>5/19/2022</u>	<u>_____</u>
Signature of Applicant	Date	

<u>_____</u>	<u>_____</u>	<u>_____</u>
Signature of Owner, if other than Applicant	Date	

<u>_____</u>	<u>_____</u>	<u>_____</u>
Signature of Equitable Owner who is filing application to satisfy condition of Purchase and Sales agreement	Date	





## City of Gloucester Abutters Report

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.

Abutters to Parcel: Map-Lot-Unit **197-13**

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 as required by the City's Zoning Board of Appeals or City Council and it reflects the abutters to the Parcel known as Map 197 Lot 13 as further shown on the attached map dated 5/12/2022.

ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
197-18 DLM PROPERTIES LLC	25 KONDELIN RD	197-18	DLM PROPERTIES LLC PO BOX 1340 MADISON, CT 06443
194-73 GLOUCESTER CITY OF	114R MAGNOLIA AV	194-73	GLOUCESTER CITY OF 9 DALE AV GLOUCESTER, MA 01930
197-10 CARPENTER JANE HILTZ TRUSTEE	23 KONDELIN RD	197-10	CARPENTER JANE HILTZ TRUSTEE 23 KONDELIN RD GLOUCESTER, MA 01930
197-12 28 HARVEST LLC	28 KONDELIN RD	197-12	28 HARVEST LLC 88 COMMERCIAL ST GLOUCESTER, MA 01930-5025
197-13 DLM PROPERTIES LLC	24 KONDELIN RD	197-13	DLM PROPERTIES LLC PO BOX 1340 MADISON, CT 06443
197-14 MAIN DECK PROPERTIES INC	27 KONDELIN RD	197-14	MAIN DECK PROPERTIES INC 27 KONDELIN RD UNIT 9 GLOUCESTER, MA 01930
197-17 AKERLEY E C	200R MAGNOLIA AV	197-17	AKERLEY E C 16 WALKER ST GLOUCESTER, MA 01930
198-42 AKERLEY E C AKERLEY N B TBYE	20 KONDELIN RD	198-42	AKERLEY E C AKERLEY N B TBYE 20 KONDELIN RD GLOUCESTER, MA 01930



## City of Gloucester Abutters Report

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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  
 Timothy W. Good, IV, MAA  
 GLOUCESTER BOARD OF ASSESSORS

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

5/12/2022



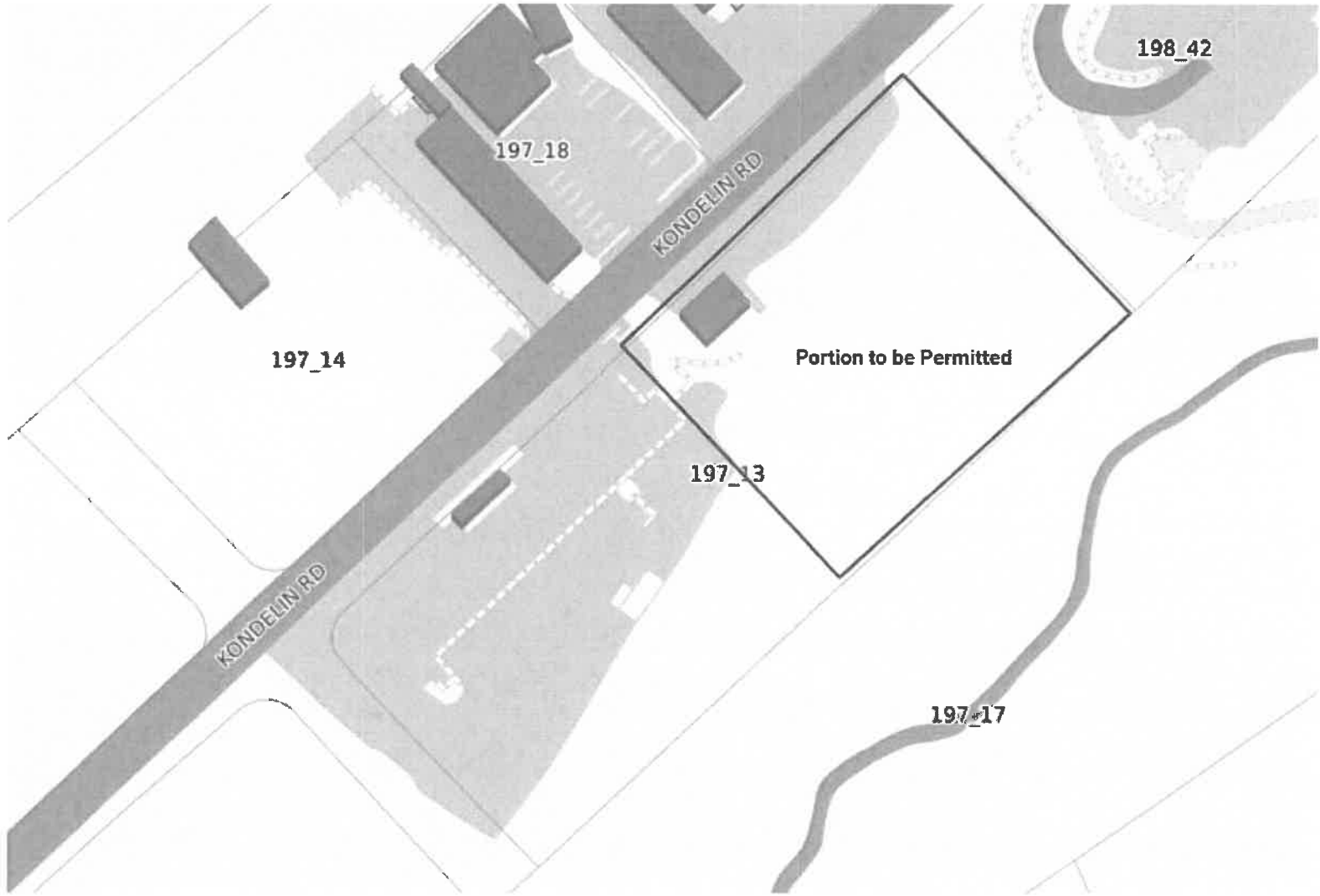
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ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS





MAP REF LOT 17  
1/2 ACRES  
200 WARDEN AVE

S 45°00'00" W  
762.85'

MAP REF LOT 18  
1/2 ACRES  
200 WARDEN AVE

S 45°00'00" W  
617.85'

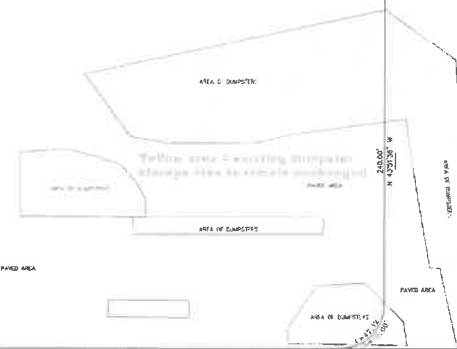
MAP REF LOT 19  
1/2 ACRES  
200 WARDEN AVE

Orange area = reduced dumpster storage  
area screened by parking



Blue area = 18' deep reserved for parking; all dumpsters  
at least 18' back from property line

KONDELIN



Green area = Plastic slats or similar inserted into existing  
chain-link fence for screening

ROAD

ZONING BOARD OF APPEALS PLAN  
24 KONDELIN ROAD  
GLOUCESTER  
PROPERTY OF  
DJM PROPERTIES, LLC  
SCALE 1" = 30' SEPTEMBER 10, 2019  
NORTH SHORE SURVEY CORPORATION  
14 BROWN STREET - SALEM, MA  
978-744-4000  
11 62  
#1835



# Special Event Permit Application

#EVNT-22-43

Applicant: Carol Pallazolla

Event Sponsored by City: Yes

## Harborloop Summer Concert Series

### General Details

Organizer: Carol Pallazolla

#### Contact Person

Name: Carol Pallazolla  
Phone: 978-879-7652  
Email: carolmusicerevents@yahoo.com

#### Contact Person "Day of Event"

Name: Carol Pallazolla  
Phone: 978-879-7652

#### Event Date(s)

Date	Start Time	End Time
07/21/2022	5	9
07/28/2022	5	9
08/04/2022	5	9
08/11/2022	5	9
08/18/2022	5	9
08/25/2022	5	9
09/01/2022	5	9
09/08/2022	5	9

#### Rain Date(s)

Date	Start Time	End Time
09/15/2022	5	9
09/22/2022	5	9
09/29/2022	5	9

Event Type: Concert  
Location: Harbor Loop

#### Requested Street Closures

#### Requested Motor Vehicle Detours

Primary Age Group: All ages  
Estimated # Workers/Staff: 2  
Estimated # Attendees: 150  
Event Advertised to Public: Yes (Social Media) (Newspaper) (Posters/Flyers)

Abutters Notified: No  
Neighborhood Groups Notified: No

### Vendor Details (1 Locations in Total)

Vendor Name	Contact Person	# Stations
Nana's Fried Dough	Billy Goulart	1

### Entertainment Details

The event will include all of the following: Live Music Amplified Sound

### Game Details (0 Games in Total)

Game Name	How Many?
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### Raffle Details (0 Raffles in Total)

Raffle Prize	How Many?
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### Tent Details (0 Tents in Total)

Tent Length	Tent Width	How Many?
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### Extra Receptacles

# Trash: # Recycling: To Be Paid For By:

### Portable Toilets

# Standard: # ADA: To Be Paid For By:

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**Portable Toilets**

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**# Standard:**                      **# ADA:**                      **To Be Paid For By:**

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**Requests for City Services**

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1 Recycling Receptacles