

CITY CLERK  
GLOUCESTER, MA

11 OCT 13 AM 9:26



## GLOUCESTER CITY COUNCIL

9 Dale Avenue, Gloucester, MA 01930  
Office (978) 281-9720 Fax (978) 282-3051

### CITY COUNCIL STANDING COMMITTEE

#### Planning & Development Committee

Wednesday, October 19, 2011 – 6:00 p.m.

1<sup>st</sup> Fl. Council Conference Room – City Hall

#### AGENDA

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

1. *Continued Business – All continued from 10/05/11):*
  - A) SCP2011-009: Main Street #186, GZO §1.8.3 and §5.13.7.2 (To be cont'd to 11/02/11)
2. *Letter from Gloucester Rotary Club and Gloucester Rotary Club Foundation re: gift to City Stage Fort Park Playground 100<sup>th</sup> anniversary project*
3. *SCP2011-012: Pearce Island (Fernald Street #73) GZO §5.5.4 (Lowlands)*
4. *SCP2011-013: Dale Avenue #10, Amendment of City Council Special Permit granted on May 23, 1974 Pursuant to GZO §1.10.1 and 3.2.2 (a)*
5. *SCP2011-014: Dory Road #34, GZO §5.13.7.2 (PWSF Modifications) (To be cont'd to 11/02/11)*

#### COMMITTEE

Councilor Joseph Ciolino, Chair  
Councilor Robert Whynott, Vice Chair  
Councilor Greg Verga

Committee members – Please bring relevant documentation

Back-up and Supporting Documentation all on file at the City Clerk's Office, City Hall

CC: Mayor Kirk  
Jim Duggan  
Linda T. Lowe  
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 OF GLOUCESTER  
GLOUCESTER, MASSACHUSETTS - 01930

City of Gloucester  
Special Council Permit - Application

CITY CLERK  
GLOUCESTER, MA  
11 SEP -2 AM 10:35

11/05/11  
(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) Special permit for the modification of an existing Wireless Communications Facility pursuant to Sections 1.8.3 & 5.13.7.2

New Cingular Wireless PCS, LLC by AT&T Mobility Corporation, Its Manager

Applicant's Name: ("AT&T") c/o Edward D. Pare, Jr., Esq., Brown Rudnick LLP, 10 Memorial Boulevard, Providence, RI 02903

Owner's Name Gloucester Business Equities Improvement Trust  
(if different from applicant)

Location 186 Main Street Map # 8 Lot # 70  
(Street Address)

Zoning Classification: Central Business CB

- 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, ect.) if necessary.
- Attached are the necessary plans as set forth in Section of 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 CA# 30259

City Clerk (received): 9/2/11

City Council (received): 9/13/11

Public Hearing (ordered) \_\_\_\_\_

Public Hearing (opened) \_\_\_\_\_

Public Hearing (closed) \_\_\_\_\_

Final Decision \_\_\_\_\_

Disposition \_\_\_\_\_

(Approved, Denied, Approved w/conditions)

**Applicant:**

Name (Signature) [Signature]

Address Brown Rudnick LLP  
10 Memorial Boulevard, Prov. RI 02903

Telephone 401-276-2639

Certified for completeness:

Building Inspector: [Signature] Date: 9/1/11

Planning Director: [Signature] Date: 9/1/11

**Complete documentation for SCP2011-009**

**GZO §1.8.3 and §5.13.7.2**

**Washington Street #298**

**May be found in the City Council Agenda Packet of September 13, 2011**

**And**

**On file in the City Clerk's Office**



**ROTARY INTERNATIONAL**  
ROTARY CLUB OF GLOUCESTER FOUNDATION, INC.  
P.O. Box 1228, Gloucester, Massachusetts 01930

9/29/11

Gloucester City Council  
9 Dale Ave.  
Gloucester, Ma 01930  
Attn: City Council President Jackie Hardy

11 OCT 31 AM 11:04  
CITY CLERK  
GLOUCESTER, MA

Dear Councilor Hardy,

On behalf of the Gloucester Rotary Club and the Gloucester Rotary Club Foundation, it gives me great pleasure, after nine years of intensive work (see the attached detail description), to gift back to the City of Gloucester our Stage Fort Park playground 100<sup>th</sup> anniversary project. Our work, which started in 2002, began with our anniversary project vision of transforming a decaying playground into a state of the art handicap accessible venue for residents and visitors alike, to fully enjoy with their families. Since the mid 2000's, the City of Gloucester's Stage Fort Park playground has had the honor of being recognized in a number of publications as one of the Top10 playgrounds in northeast Massachusetts.

With the above donation, the Gloucester Rotary Club Foundation has made a total investment in the Stage Fort Park playground of over \$190,000.00. We as a club have been privileged to partner with the City of Gloucester by assuming a stewardship role over the playground for the past nine years, and hope to continue that relationship for years to come.

Gloucester Rotarians feel that this project has bridged numerous generations, which has helped bring our community together as one, to fully enjoy one of Gloucester's crown jewels.

The Gloucester Rotary Club's Stage Fort Park Playground Project is an investment in civic pride, community spirit, and ultimately a better Gloucester to live, work or visit.

Sincerely,

  
Steven P. Kaity  
Past President/Committee Chair

**Gloucester Rotary Club  
Stage Fort Park Expense Recap(1/1/02-6/30/10)**

9/12/2011

<u>Year</u>	<u>Description</u>	<u>Amount</u>	<u>Total</u>
1/1/2003 -6/30/2006	Cape Ann Design	Engineering and design	
		\$ 14,359.92	
		\$ 14,359.92	\$ 14,359.92
7/1/2005 -6/30/2009	Earthworks Construction,Inc.	Land prep. Playground Area Drainage Playground Area Leveling of ground to meet ADA standards Install Playground Area Surround Install access road Install footings for tables and benches Land prep. ADA Paths Land prep. Parking Area Land prep. ADA Paths Land prep. ADA Paths	
		\$ 82,003.28	\$ 82,003.28
7/1/2005 -6/30/2006	County Land Survey		
		\$ 930.00	\$ 930.00
7/1/2004 -6/30/2007	Steps Plus	Purchased and Installed 10- ADA Approved picnic tables	
		\$ 6,900.00	\$ 6,900.00
7/1/2004 -6/30/2007	MISC.		
		\$ 928.44	
		\$ 928.44	\$ 928.44
7/1/2005 -6/30/2008	Ultiplay	Purchased and Installed Swings & Climbing wall 400 cu. Yds. ADA approved engineered wood chips	
		\$ 23,845.92	\$ 23,845.92
7/1/2006 -6/30/2007	Creative Pipe, Inc.(w/freight)	Purchased and Installed 10-ADA Approved benches	
		\$ 9,638.88	\$ 9,638.88
7/1/2006 -6/30/2007	Wolf Hill Landscaping	Purchased and Installed Landscaping, trees, bushes	
		\$ 3,000.00	
		\$ 3,000.00	\$ 3,000.00
7/1/2006 -6/30/2008	Northeast Nursery	Purchased and Installed Landscaping, trees, bushes	
		\$ 12,420.24	
		\$ 12,420.24	\$ 12,420.24
7/1/2007 -6/30/2008	Mt. Pleasant Memorials	Purchased and Installed granite and plaque	
		\$ 5,481.00	
		\$ 5,481.00	\$ 5,481.00
7/1/2008 -6/30/2009	Bentley Warren Trucking	Purchased and Installed Loam for field	
		\$ 2,375.00	
Clark Hydro seeding		Hydro seeding field	
		\$ 1,300.00	
Dave Linsky		lock/pivot post(gate)	
		\$ 590.00	
		\$ 4,265.00	\$ 4,265.00
7/1/2002 -6/30/2010	In Kind Services	Donated professional services	
	Volunteer Hours	1500 hrs @ \$10.00 (conservative)	
		\$ 7,500.00	
		\$ 15,000.00	
		\$ 22,500.00	\$ 22,500.00
		<b>Grand Total</b>	<b>\$ 186,272.68</b>

The above does not include Playground Equipment(\$4480.00) donated and accepted in 2010



# CITY OF GLOUCESTER

GLOUCESTER, MASSACHUSETTS - 01930

SCP 2011-012

## City of Gloucester Special Council Permit - Application

CITY CLERK  
GLOUCESTER, MA  
17 SEP 28 PM 1:45

December 2, 2011

(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) LOW LAND Permit  
Section 5.5.4 of Gloucester Zoning Ordinance

Applicant's Name: DAVID WILLIAMS

Owner's Name \_\_\_\_\_  
(if different from applicant)

Location PEACE ISLAND (73 FERNALD ST) Map # 244 Lot # 2  
(Street Address)

Zoning Classification: R-20

- 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, ect.) if necessary.
- Attached are the necessary plans as set forth in Section of 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.

<b>City of Gloucester - Action</b>	
Fee:	<u>350</u>
City Clerk (received):	<u>9/28/2011 L.L.</u>
City Council (received):	<u>10/11/11</u>
Public Hearing (ordered)	_____
Public Hearing (opened)	_____
Public Hearing (closed)	_____
Final Decision	_____
Disposition	_____
(Approved, Denied, Approved w/conditions)	

Applicant: \_\_\_\_\_

Name (Signature) [Signature]

Address 73 FERNALD ST Gloucester MA

Telephone 978 282 0096

978 282 - 5761 Kathy Williams

Certified for completeness: \_\_\_\_\_  
Building Inspector: [Signature] Date: 9/20/11

Planning Director: [Signature] Date: 9/20/11

1. Social, Economic, or community needs served by the proposal:

There is only one seasonal house on the island and there is no community on the island, therefore I feel there would be no needs served by the proposal, socially or economically.

2. Traffic flow and safety:

There is boat traffic only in a 5mph no wake zone.

3. Adequacy of utilities and other public services:

There are no utilities or public services at the island. Water is brought out by boat. There is no trash removal or pick up by the city.

4. Neighborhood character and social structure:

one house on an island - mud flats at low tide - boat traffic

5. Qualities of the natural environment:

Tidal marsh - no impact on natural environment. Has been approved by Conservation Commission.

6. Potential fiscal impact:

Since there are no services provided other than fire boat & police, there would be very little fiscal impact.

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.

## Application For Special Permit

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

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

Name: DAVID WILLIAMS 73 FORMAL ST GLACOCK MA

Address: Project Site PEACES Island - Lot 2

Tel. #: Days \_\_\_\_\_ 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: \_\_\_\_\_

Assessor's map: 244 Lot: 2

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

Deed recording: Book 6702 Page 746

Plan recording: Plan # \_\_\_\_\_

Property is location in the R-20 zoning district.



4. Nature of relief requested:

Special permit pursuant to Article/Section M.G.C.A. 90A § 9 of the  
Zoning Ordinance/By-Law which authorizes Glocester Building Inspector to permit  
PEARCE ISLAND Gloucester MA

Detailed explanation of request:

Required by Building Inspector AN  
S.S.4 FLOOD PLAN ZONING ORDINANCE  
Im not filling or displacing COAST  
FLOOD STORAGE  
NO CHARGE TO STRUCTURE  
AN APPROVED Septic - Installed

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:

APPROVED by CONSERVATION Committee

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

STATE of MASS + CITY of GLOUCESTER REQUIRES  
MR TO HAVE A CHAPTER 91 LICENSE

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: \_\_\_\_\_

Address of Representative: \_\_\_\_\_

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

Relationship of representative to owner or equitable owner:  
\_\_\_\_\_

I hereby authorize \_\_\_\_\_ to represent my interests before the Special Permit Granting Authority with respect to this Special Permit Application.

(Signed by owner/equitable owner) \_\_\_\_\_

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

D. P. R. Will      9-8-11  
Signature of Applicant      Date

\_\_\_\_\_  
Signature of Owner, if other      Date  
than Applicant

\_\_\_\_\_  
Signature of Equitable Owner      Date  
Who is filing Application to  
satisfy condition of  
Purchase and sales agreement

All documentation relating to the Special Council

Permit SCP2011-012 - Pearce Island (73 Fernald St.)

is on file in the office of the City Clerk



# CITY OF GLOUCESTER

GLOUCESTER, MASSACHUSETTS - 01930

## City of Gloucester Special Council Permit - Application

CITY CLERK  
GLOUCESTER, MA  
OCT 11 10:03

Dec. 8, 2011

(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) AMENDMENT OF CITY COUNCIL SPECIAL PERMIT PURSUANT TO SECTIONS 1.10.1 AND 3.2.2.(a)

Applicant's Name: NEW CENTRAL GRAMMAR MANAGER, LLC

Owner's Name NEW CENTRAL GRAMMAR OWNER, LLC  
(if different from applicant)

Location 10 DALE AVENUE, GLOUCESTER Map # 14 Lot # 29  
(Street Address)

Zoning Classification: CCD

- 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, ect.) if necessary.
- Attached are the necessary plans as set forth in Section of 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.

<b>City of Gloucester - Action</b>	
Fee:	<u>350.<sup>00</sup></u>
City Clerk (received):	<u>10/4/2011</u>
City Council (received):	<u>10/11/11</u>
Public Hearing (ordered)	_____
Public Hearing (opened)	_____
Public Hearing (closed)	_____
Final Decision	_____
Disposition	_____
(Approved, Denied, Approved w/conditions)	

**Applicant:**  
[Signature]  
Name (Signature)

28 DALE AVENUE, GLOUCESTER, MA 01930  
Address

(978) 283-3234  
Telephone

Certified for completeness:  
 Building Inspector: [Signature] Date: 9/22/11  
 Planning Director: [Signature] Date: 9/22/11

Section 1.8.3 (Use additional sheets, if necessary)

1. Social, Economic, or community needs served by the proposal:

*There will be no change in the use of the property for multi-family elderly housing. Rather the proposed structures will enhance the efficiency, safety and ability of the property to serve as an important asset of the City's elderly housing inventory in the future.*

2. Traffic flow and safety:

*The two proposed structures to be erected within the Mason Street yard of the property will not interfere with traffic flow and safety.*

3. Adequacy of utilities and other public services:

*The auxiliary generator will provide emergency power for lighting and the elevator. The shed will enable the daily maintenance equipment to be readily accessible for use.*

4. Neighborhood character and social structure:

*The property will continue to be in harmony with the surrounding neighborhood, and any potential adverse effect of these structures will not outweigh their beneficial effects.*

5. Qualities of the natural environment:

*There will be no change in the quality of the natural environment.*

6. Potential fiscal impact:

*There will be no change in the fiscal impact of these improvements.*

## 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: **NEW CENTRAL GRAMMAR MANAGER, LLC, C/O MARC N. SANDLER**

Address: **28 DALE AVENUE, GLOUCESTER, MA 01930**

Tel. #: Days **(978) 283-3234**

Evenings **(978) 774-3598**

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

2. Owner, if other than applicant:

Name: **NEW CENTRAL GRAMMAR OWNER, LLC**

Address: **C/O THE COMMUNITY BUILDERS, INC., 95 BERKLEY STREET, SUITE 500,  
BOSTON, MA 02116**

Tel. #: Days **(857) 221-8651**

Evenings **N/A**

3. Property:

Street address: **10 DALE AVENUE, GLOUCESTER, MA 01930**

Assessor's map: **14** Lot: **29**

Registry of deeds where deed, plan, or both records: **Essex South District Registry of Deeds**

Deed recording: **Book 30398 Page 338**

Plan recording: **Plan Book 132, Plan 43**

Property is located in the **CIVIC CENTER (CCD)** zoning district.

4. Nature of relief requested:

*This is an application to amend a Special Permit previously granted by the Gloucester City Council to Gloucester Development Team & Associates on May 23, 1974, to convert the Central Grammar School Building at 10 Dale Avenue to eighty units of elderly housing, with eighty-seven bedrooms.*

*The Applicant requests amendment of the Special Permit to reduce the open space per dwelling unit for a multi-family dwelling, pursuant to 1.10.1 of the Zoning Ordinance, and increase the lot coverage from 38.8% to 39.3% pursuant to §3.2.2(a) of said Ordinance.*

Detailed explanation of request:

*The applicant requests an amendment to the Special Permit pursuant to §3.2.2(a) of the current Zoning Ordinance, so as to allow the placement of an auxiliary generator with a wire mesh enclosure in the Mason Street yard of the property, two feet, two inches from the Mason Street property line; and to allow the erection of a combination tool/garden shed with dimensions of 10 feet by 10 feet in the Mason Street yard of the property fourteen feet from the Mason Street property line. The location of the generator with its mesh enclosure and the garden shed, are shown on the applicant's plan attached hereto.*

*The placement of the two structures on the property will reduce the open space of each dwelling unit from 186 square feet to 182 square feet per dwelling unit for a total reduction of 1,068 square feet, and increase the minimum lot area per dwelling unit from 38.8% to 39.3%.*

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:

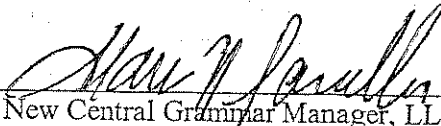
*The auxiliary generator will provide residents with emergency power for emergency lighting and the elevator in the event of an electrical outage. The tool/garden shed will enable grounds' maintenance to be carried out more efficiently.*

*This project, upon completion, will enhance the safety and efficiency of the housing development and help insure that it will continue to be in keeping with the neighborhood character and structural density.*

Because of reasons set forth below, the special permit requested will meet the additional requirements of the Zoning Ordinance/By-Law as follows: *As set forth in the answers to paragraphs 4 and 5.*



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

  
New Central Grammar Manager, LLC

9/20/2011  
Date

By Marc N. Sandler, President  
Gloucester Development Team, Inc., Member of  
New Central Grammar Owner, LLC (Owner)

**APPENDIX TO APPLICATION OF NEW CENTRAL GRAMMAR MANAGER, LLC.**

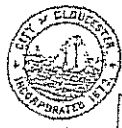
1. *Drawings*
  - a. *Photographs and Site Plan*
  - b. *Engineered Site Plan*
  - c. *Proposed Structures*
  - d. *Elevation with Proposed Structures*
2. *Special Permit Issued by the Gloucester City Council in 1974*
3. *1974 Deed from the City of Gloucester to Gloucester Development Team & Associates*
4. *1974 Plan of Land in Gloucester, Mass*
5. *Present Deed to New Central Grammar Owner, LLC*
6. *Decision of Gloucester Zoning Board of Appeals Granting Variance and Special Permits Relating to Project*

All documentation relating to the Special Council

Permit SCP2011-013 - Dale Ave. #70

is on file in the office of the City Clerk

SEP 20 11-014



CITY OF GLOUCESTER  
GLOUCESTER, MASSACHUSETTS - 01930

CITY CLERK  
GLOUCESTER, RI  
11 OCT 6 PM 2:00

City of Gloucester  
Special Council Permit - Application

12/10/11

(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) Special permit for the modification of an existing Wireless Communications Facility pursuant to Sections 1.8.3 and 5.13.7.2

Applicant's Name: New Cingular Wireless PCS, LLC by AT&T Mobility Corporation, Its Manager ("AT&T") c/o Edward D. Pare, Jr., Esq., Brown Rudnick LLP, 10 Memorial Boulevard, Providence, RI 02903

Owner's Name AT&T Mobility Gloucester Economic Dev. & Ind. Corp c/o AT&T Mobility  
(if different from applicant)

Location 34 Dory Road Map # 262 Lot # 25  
(Street Address)

Zoning Classification: Business Park BP

- 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, ect.) if necessary.
- Attached are the necessary plans as set forth in Section of 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: \$650 (+ 350)

City Clerk (received): 10/6/11 L.C.

City Council (received): 10/11/11

Public Hearing (ordered) \_\_\_\_\_

Public Hearing (opened) \_\_\_\_\_

Public Hearing (closed) \_\_\_\_\_

Final Decision \_\_\_\_\_

Disposition \_\_\_\_\_

(Approved, Denied, Approved w/conditions)

Applicant: [Signature]

Name (Signature) \_\_\_\_\_

Address Brown Rudnick LLP  
10 Memorial Blvd., Providence, RI 02903  
(401) 276-2639

Telephone \_\_\_\_\_

Certified for completeness:  
Building Inspector: [Signature] Date: 10/5/11

Planning Director: [Signature] Date: 10/5/11



CITY OF GLOUCESTER  
GLOUCESTER, MASSACHUSETTS - 01930

City of Gloucester  
Special Council Permit - Application

(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) Special permit for the modification of an existing Wireless Communications Facility pursuant to Sections 1.8.3 and 5.13.7.2

Applicant's Name: New Cingular Wireless PCS, LLC by AT&T Mobility Corporation, Its Manager ("AT&T") c/o Edward D. Pare, Jr., Esq., Brown Rudnick LLP, 10 Memorial Boulevard, Providence, RI 02903

Owner's Name AT&T MOBILITY Gloucester Economic Dev. & Ind. Corp. d/b AT&T Mobility  
(if different from applicant)

Location 34 Dory Road Map # 262 Lot # 25  
(Street Address)

Zoning Classification: Business Park BP

- 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, ect.) if necessary.
- Attached are the necessary plans as set forth in Section of 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: \_\_\_\_\_

City Clerk (received): \_\_\_\_\_

City Council (received): \_\_\_\_\_

Public Hearing (ordered): \_\_\_\_\_

Public Hearing (opened): \_\_\_\_\_

Public Hearing (closed): \_\_\_\_\_

Final Decision \_\_\_\_\_

Disposition \_\_\_\_\_

(Approved, Denied, Approved w/conditions)

Applicant: [Signature]

Name (Signature) \_\_\_\_\_

Address Brown Rudnick LLP, 10 Memorial Blvd., Providence, RI 02903  
(401) 276-2639

Telephone \_\_\_\_\_

Certified for completeness:  
Building Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

Planning Director: \_\_\_\_\_ Date: \_\_\_\_\_

Section 1.8.3 - (Use additional sheets, if necessary)

**1. Social, Economic, or community needs served by the proposal:**

See attached.

**2. Traffic flow and safety :**

See attached.

**3. Adequacy of utilities and other public services :**

See attached.

**4. Neighborhood character and social structure :**

See attached.

**5. Qualities of the natural environment :**

See attached.

**6. Potential fiscal impact:**

See attached.

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.

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: New Cingular Wireless PCS, LLC  
by AT&T Mobility Corporation, Its Manager ("AT&T")

Address: c/o Edward D. Pare, Jr., Esq., Brown Rudnick LLP  
10 Memorial Boulevard, Providence, RI 02903

Tel. #: Days (401) 276-2639 Evenings N/A

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

2. Owner, if other than applicant:

Name: Gloucester Economic Dev. & Ind. Corp. c/o AT&T Mobility

Address: Attn: NREATA 10000065  
5405 Windward Parkway, P.O. Box 1630, Alpharetta, GA 30009

Tel. #: Days (401) 276-2639 Evenings N/A

3. Property:

Street address: 34 Dory Road, Gloucester, MA

Assessor's map: 262 Lot: 25

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

Deed recording: Book C416 Page 0080

Plan recording: Plan #

Property is location in the Business Park BP zoning district.

**4. Nature of relief requested:**

Special permit pursuant to Article/Section<sup>s</sup> 5.13.72 and 1.8.3 of the  
Zoning Ordinance/By-Law which authorizes the City Council to permit  
the modification of an existing Wireless Communications Facility

**Detailed explanation of request:**

See attached.

**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:

See attached.

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

\_\_\_\_\_  
See attached.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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: Edward D. Pare, Jr., Esq.

Address of Representative: Brown Rudnick LLP, 10 Memorial Boulevard, Providence, RI 02903

Tel. #: Days 401-276-2639 Evenings N/A

Relationship of representative to owner or equitable owner:

None

I hereby authorize Edward D. Pare, Jr., Esq. to represent my interests before the Special Permit Granting Authority with respect to this Special Permit Application.

(Signed by owner/equitable owner) \_\_\_\_\_



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

E. J. [Signature]      9/24/11  
Signature of Applicant      Date

\_\_\_\_\_  
Signature of Owner, if other than Applicant      Date

\_\_\_\_\_  
Signature of Equitable Owner Who is filing Application to satisfy condition of Purchase and sales agreement      Date



## ATTACHMENTS

1. Application Form
2. Report of Radio Frequency Engineer
3. Radio Frequency Coverage Plot Map – Citywide
4. Photo Simulations
5. AT&T's FCC License
6. Letter of Authorization
7. Lease Agreement
8. Abutter's List
9. DPH Policy Memorandum
10. Equipment Specifications
11. Noise Letter
12. Zoning Map
13. Plans
14. Waiver Requests
15. MPE Study
- ~~16. Radius Map (300')~~

All documentation relating to the Special Council

Permit SCP2011-014 - *Dory Road #34*

is on file in the office of the City Clerk