



CITY CLERK  
GLOUCESTER, MA  
11 NOV 10 AM 11:41

## 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, November 16, 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

- A) SCP2011-009: Main Street #186, GZO Sec. 1.8.3 and Sec. 5.13.7.2 (Cont'd from 11/02/11)
- B) Cape Ann Chamber of Commerce request to hold one-day blues festival at Stage Fort Park on August 11, 2011 (Cont'd from 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  
Mike Hale/Mark Cole  
Fire Chief Phil Dench  
Police Chief Michael Lane

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.

SCP 2011-009



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

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 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 *cont # 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)

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

Telephone 401-276-2639

Certified for completeness:

Building Inspector: Date: 9/1/11

Planning Director: Date: 9/1/11

Section 1.8.3.2 - (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 Business Equities Improvement Trust

Address: 186 Main Street, Gloucester, MA

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

### 3. Property:

Street address: 186 Main Street, Gloucester, MA

Assessor's map: 8 Lot: 70

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

Deed recording: Book \_\_\_\_\_ Page \_\_\_\_\_

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

Property is location in the Central Business CB 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:

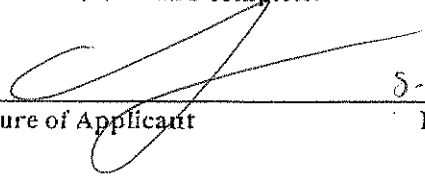
None

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.

  
\_\_\_\_\_  
Signature of Applicant

8-5-11  
\_\_\_\_\_  
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

**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**



SCHLICHTE & JOHNSTONE, P.C.

ATTORNEYS AT LAW

85 Middle Street  
Gloucester, MA 01930

CITY CLERK  
GLOUCESTER, MA

11 OCT 20 PM 12:45

CATHERINE A. SCHLICHTE  
PATRICIA S. JOHNSTONE



PHONE 978-283-1413  
FAX 978-283-4996  
www.schlichtelawoffice.com

November 18, 2011

TOPPED

Jackie Hardy, President  
Gloucester City Council  
c/o Clerk's Office  
9 Dale Avenue  
Gloucester, MA 01930

Re: Gloucester Blues Festival  
Application for One-Day License

Dear Councilor Hardy;

I am writing on behalf of the Cape Ann Chamber of Commerce. The Chamber would like to sponsor a one-day blues festival at Stage Fort Park on August 11, 2012 from 11AM to 7PM. Gloucester Blues Festival LLC will be the organizer of the event and will need a one-day license, pursuant to City Ordinance Sec. 3-16. The intent is to erect a stage near the volleyball courts with seating on the grassy area in front. Once a license issues the organizer would contract with 6 nationally known blues performers for the daylong event. In addition to the live performances the festival would have vendors selling a wide array of food, drinks and merchandise. We would like to have alcohol sales and would apply to the Gloucester Licensing Board for a one-day liquor license once the event is permitted. It is anticipated that 1200-1500 tickets would be sold for the event with most attendees ranging in age from 30-75. Should it prove a success we would hope to make this an annual event.

Parking would be at the Stage Fort Park lot. We anticipate the lot reaching full capacity so the City should realize significant parking revenues from the event. In order to accommodate pedestrian foot traffic from the parking lot to the seating and vendor areas the event organizer proposes closing Hough Avenue from just after the entrance into the parking lot to Western Avenue. This would impact the Cupboard, however, the organizer is offering to give that restaurant exclusivity on ice cream and seafood sales so that the lack of road access will not adversely affect him.

Page Two  
November 18, 2011  
Councilor Hardy

To control access to the event a temporary fence would be erected around the site with two points of entry. Additional trash and recycling receptacles would be provided by the event organizer as well as post event clean-up. The organizer would also provide portable toilets in numbers sufficient to handle the crowd.

While the event is still 10 months away it is essential that a permit issue as early as possible so that performers can be booked for the event. Bob Hastings met with Mike Hale and as you can see from the attached letter, he has approved the plans for the event. I am also attaching a letter from Dan Bookham, Executive Director of the Penobscot Bay Regional Chamber of Commerce which relates that region's experience with this event organizer and their annual Blues Festival.

It is my understanding that the permitting process begins with a hearing before the Planning and Development Committee. Would you therefore, kindly refer this matter to P&D at the earliest possible date for a hearing and review.

Thank you for your assistance with this matter.

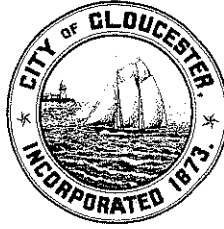
Sincerely,

A handwritten signature in black ink, appearing to read "Catherine A. Schlichte". The signature is fluid and cursive, with a long horizontal stroke at the end.

CATHERINE A. SCHLICHTTE

cc: Robert Hastings, CEO, Cape Ann Chamber  
Salvatore Frontiero, President, Cape Ann Chamber

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

October 18, 2011

Mr. Robert Hastings  
Cape Ann Chamber of Commerce  
33 Commercial Street  
Gloucester, MA 01930

Dear Bob:

The Department of Public Works is pleased to approve your plans which are detailed in your submitted narrative and are in compliance with all applicable rules and regulations of the City of Gloucester for the Gloucester Blues Festival scheduled for Saturday, August 11, 2012.

Please notify my office closer to the event date of any questions or issues that you may have regarding this event.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael B. Hale". The signature is stylized and written in a cursive-like font.

Michael B. Hale  
Director of Public Works

c: M. Cole

Property: Chamber Blues Festival

# PENOBSCOT BAY

## Regional Chamber of Commerce

P.O. Box 919, Camden, ME 04843  
One Park Drive, P.O. Box 508, Rockland, ME 04841

Bob Hastings  
CAPE ANN CHAMBER OF COMMERCE  
33 Commercial Street  
Gloucester, MA 01930

September 28, 2011

Dear Bob;

As per your request, I am very happy to share some information on the North Atlantic Blues Festival that Rockland is privileged to host each year in July.

Since its inception in 1994, the North Atlantic Blues Festival has gone from strength to strength, delighting music lovers and the business community alike with its ability to attract both outstanding performers and ever-larger crowds. Recognized in 2010 by no less an authority than the Mississippi Blues Commission (who installed one of only six "Blues Trail" markers outside of Mississippi in Rockland in honor of the festival and its founder, Paul Benjamin) the Festival has become a mainstay of Maine's summer event calendar and an economic boon for the entire region.

Demographically, the festival attracts a dream crowd. Each year the festival sees about 15-16,000 attendees with an average age of 45 to 50 and above average income. In 2011 the festival drew from 34 states and 4 countries. The national average daily expenditure by visitors to cultural events (exclusive of event admission and lodging) is on the order of \$70, and it should also be noted that visitors spend up to three times as much in total as local residents while attending cultural events. In short, quite beyond the wonderful cultural impact of the festival on Rockland and surrounding communities the impact on the bottom line of local businesses is also music to our ears!

The value we as a region place on the North Atlantic Blues Festival cannot be overstated: it is what I like to call a "Route One Room Filler". Indeed, it is the only cultural event to win the economic enhancement award from two separate chambers of commerce in neighboring communities! We are very fortunate to have Paul Benjamin, the festival, and the blues here in Rockland.

I wish you every success with your efforts to ensure that Gloucester gets the blues.

Sincerely,

Dan Bookham, Executive Director.