

CITY COUNCIL STANDING COMMITTEE
Planning & Development Committee
Wednesday, November 2, 2011 – 6:00 p.m.
1st Fl. Council Conference Room – City Hall
-MINUTES-

Present: Chair, Councilor Joseph Ciolino; Vice Chair, Councilor Robert Whynott; Councilor Greg Verga

Absent: None

Also Present: Councilor Hardy; Chief Michael Lane; Donna Compton

The meeting was called to order at 4:36 p.m. Items were taken out of order.

1. Continued Business

A) SCP2011-009: Main Street #186, GZO §1.8.3 and §5.13.7.2 (Cont'd from 10/19/11)

Attorney Edward Pare, representing AT&T Mobility LLC stated previously he had submitted the access plan to the Committee for the installation at 186 Main Street; and that the RF Report by the City consultant showing the installation meets with the FCC requirements which included the proposed modifications, was received in by the Committee the previous day. The report confirms what the applicant had provided. **Councilor Ciolino** expressed the Committee wish to schedule a site visit and that they would like to have the Building Inspector, and Fire Chief Dench accompany them. Council President Hardy would also join them. They determined a date of Thursday, November 10, 2011 at 9:45 a.m. meeting at the Pleasant Street entrance of the Browns Mall. **Attorney Pare** submitted a copy to the Committee of the adopted decision by the City Council attached to a memorandum from Suzanne Egan, City Solicitor dated January 23, 2009.

This matter is continued to November 16, 2011.

B) SCP2011-014: Dory Road #34, GZO §5.13.7.2 (PWSF Modifications) (Cont'd from 10/19/11)

Councilor Ciolino noted that the application New Cingular Wireless PCS, LLC by AT&T Mobility Corporation was received in by the City Clerk on September 2, 2011, and that all sign offs were in place, and the Affidavit of Notice to Abutters was received in appropriately as well.

Attorney Edward Pare, Brown Rudnick LLP, Boston, MA spoke to the application of AT&T regarding SCP2011-014: Dory Road #34, GZO §5.13.7.2 (PWSF Modifications). He explained that as with the other sites presented to the Committee previously (Washington Street #289, Kondelin Road #16), that this, too, is an upgrade to the facility for high speed service at a tower with six antennas, two in each sector. They're proposing to add three additional antennas to each sector. He showed the Committee photo simulations (submitted with the application). The installation of their equipment rack will be located in the existing equipment shelter at the base of the antenna. He expressed this is a slight modification. **Councilor Verga** felt that the six criteria under Sec. 1.5.3 of the GZO had been met with regard to a Special Council Permit. **Councilor Ciolino** discussed the matter of both this Special Council Permit, and the one previously with Attorney Pare as to when they would be heard by the Council in a public hearing, and **Attorney Pare** would advise the Council President of his client's decision in writing the following day.

MOTION: On motion by Councilor Verga, seconded by Councilor Whynott, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to grant New Cingular Wireless PCS, LLC by AT&T Mobility Corporation a Special Council Permit (SCP2011-014) for an existing Wireless Communications Facility pursuant to GZO Sections 5.13.7.2 and 1.8.3 to install three (3) new panel antennas (one antenna per sector), together with related amplifiers, cables, fiber and other associated antenna equipment including remote radio heads, surge arrestors and global positioning system antennas, for new network service upgrades with associated electronic equipment within AT&T's equipment shelter located at 34 Dory Road, Gloucester, MA (Assessors Map #262, Lot #25) , as shown on the site plan prepared by Bradford A. Mills, PE signed 9/21/11; AND FURTHER TO ADVERTISE FOR PUBLIC HEARING.

C) Review & recommendations for the disposition of real property at 6 Stanwood Street (Cont'd from 10/5/11)

Stanley Stone, 20 Andrews Street, President of the Cape Ann Amateur Radio Association (CAARA) stated they provide communication services at no cost to the City helping to back up and run communications for many events that take place in Gloucester from road races, to parades, etc. These are routine things they do to help the City; and also manage communications for the City's Emergency Operations Center (EOC) whenever it is activated. They've used the building at 6 Stanwood Street for almost 35 years as a communications center. As written in the current lease, they're responsible for all maintenance of the facility, with no support from the City for that. They've replaced heating systems; the roof was replaced several years ago. The last lease they received was changed from earlier terms which were 5 years at \$1 a year to a three year lease at \$1,000 a year. He expressed the club understands the financial situation of the City, but this does affect their organization and how they can maintain the building. The building is used as a communications center, for training and for meetings. They have been designated a special service club by the American Radio Relay League, of which there are only six designated in the eastern part of the State, out of 38 clubs, a very prestigious designation, which is because of their activity level. He expressed his feeling the building is critical to their activity. There is someone there almost every day. He understood the original RFP for lease was pulled because the Administration was considering the sale of the building. However, he had a discussion with the Administration and expressed the importance of the building to the club, and suggested that they discuss it over the next lease period to have time to work it out. He did not, in his opinion, see a pressing need to sell the building. He noted there had been some comments of the structural state of the building and agreed it did need some repair work. A member of theirs now will do some work to it who is a carpenter. They did mitigate rain damage by replacing the roof. **Donna Compton, Purchasing Agent** stated the RFP is the same as it was three years ago. There are no changes to it. On inquiry by **Councilor Ciolino, Ms. Compton** believed the arrangement with the club had been there for about 35 years or so; and that she had been with the City for the last 12 years. **Mr. Stone** noted CAARA had the second floor for some time and then took over the entire building some time later when another organization using the first floor ceased operation. He recounted the building had been a fire station and a community center as well. **Councilor Ciolino** asked where CAARA's revenue comes from. **Mr. Stone** stated it is from club dues, sale of equipment as well as bequests and donations. They started a scholarship fund, completely separate from their operating budget, to give out two scholarships annually at GHS, and run a monthly breakfast to support it also at GHS. This year they hope to award two scholarships at GHS and one to Rockport and one to Manchester/Essex. They wish to foster amateur radio, science and technology. **Councilor Verga** clarified this plan is to renew the lease for the same rate for the same amount of years. And over this lease period, they'll talk about what happens at the end of the lease. He felt the next Council may wish to reconsider this matter, but he would support the lease as it stood now. **Councilor Whynott** felt ham radio operators were very important not just to the City but nationwide and stated they want to do what they can to help the organization. **Council President Hardy** noted she is a licensed ham radio operator thanks to Mr. Stone and his organization. The Councilor pointed out she is one of the Councilors who believes the City is not a good landlord, and that she would like to see all the surplus property be evaluated and put out for RFP and let someone else take it over but with the restriction that it come back to the City if it wasn't continued to be used. Initially that was her stand on this matter, but after speaking with Mr. Stone and members of CAARA and the Administration, she now believed the best thing to do would be to that the lease should go forward and over that three years be in negotiations as to how the City and CAARA can help each as they have been helping the City for a long time. There will be a new Fire Chief, possibly a new Emergency Management Department, which all works together with CAARA and CERT; not to mention the work CAARA does with the Addison Gilbert Hospital. If communications went out at the Fire Department, the Police Department, etc., this organization would, with their network, would get the word out with whatever the City needed. She would support the continuation of the tenancy of CAARA at 6 Stanwood Street for a three year lease. **Councilor Verga** expressed his support of the P&D Committee continuing the lease terms for another three years. **Councilor Ciolino** endorsed the tenancy of CAARA and thought them to be a great organization wishing to see them continue at Stanwood Avenue.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Verga, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to approve the RFP #12069, Disposition of City-owned Land by Lease for Property Located at 6 Stanwood Street, Gloucester, MA as put forward by the Administration with the terms and conditions as presented.

Billy Rielly 60A Poplar Street and Jake Bartholomew, 22 Veteran's Way, with Mr. Rielly's mother, entered the meeting at 6:30 p.m. to observe the meeting for a school project. Chairman Ciolino asked the Clerk of Committees to send a copy of the minutes to the observers when they are released. In addition, the Committee

and Council President Hardy explained the proceedings to the young men and then finished the meeting by taking up the following matter.

- D) CC2011-044 (Verga) Amend GZO Sec. 1.5.3, Sec. 1.11 and 1.11.2(e) “Appendix A, Rule 25: Rules of Procedure: Special Permit procedures “Part I and Part II” (Cont’d from 10/19/11)

Councilor Verga, who brought forward the Council Order prompting the discussion to move forward an ordinance change on the Rules of Procedure: Special Permit Procedures “Part I and Part II” stated that this came as a result of picking up a Council packet that was 15” worth of paper. It made sense to put as much electronically as possible so as to reduce the volume of paper. He noted that the Planning Board held a public hearing on October 20, 2011 to consider these proposed zoning amendments to promote the submission of special permit application in digital form and reduce the required number of copies. The Board, who has been receiving digital applications for several years, recognizes that the technology for doing so is reliable and has become common practice. Therefore the Board voted unanimously (6 in favor, 0 opposed) to recommend to the City Council the adoption of the proposed amendments as drafted. This information came in the form of a memo from the Planning Board to the City Clerk dated October 26, 2011 (on file). While O&A made their recommendation for an increased number of copies, he asked the Committee to vote to recommend to the Council as per his order which is one full original and one copy and the rest is submitted electronically. The Councilor noted now these all start electronically anyway, and the reproduction cost is very high. The applicants will prefer the electronic submission versus all the copies now required. He thought this was a great way to save paper, save time and go green. **Council President Hardy** stated they will need to put money in the City Clerk’s budget for FY13 to come up to date to project the information that is digitally submitted for view by the Council in Kyrouz Auditorium and to read it also. When asked by the Committee, both **Mr. Rielly** and **Mr. Bartholomew** agreed that using electronics was a good way to go.

MOTION: On motion by Councilor Whynott seconded by Councilor Verga, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to AMEND pursuant to MGL c. 40A, §5 and Gloucester Zoning Ordinance Sec. 1.11 and Sec. 1.11.2(e) by DELETING in Sec. 1.5.3(a) references to “11 copies thereof”; and Sec. 1.5.3(b) “five (5) full size sets and eleven (11) 11” x17” sets” and Sec. 1.5.3 (c) “five (5) full size sets and eleven (11) 11” x 17” sets of”; and ADDING “one original and one copy thereof providing that the applicant also provides the application and all required submissions in digital form. Digital submission is strongly preferred, otherwise eleven (11) 11” x 17” (11x17 inches) and five (5) copies 2’ 3’ (2 feet x 3 feet) must be provided”; and by AMENDING Gloucester Zoning Ordinance “Appendix A – Rule 25: Rules of Procedure Special Permit Procedures” – Part I and Part II to be consistent with Sec. 1.5.3 as amended AND FURTHER TO ADVERTISE FOR PUBLIC HEARING.

2. Cape Ann Chamber of Commerce request to hold one-day blues festival at Stage Fort Park on August 11, 2011

Attorney Catherine Henry, representing the Chamber of Commerce explained to the Committee that the Chamber would like to sponsor a one-day blues festival at Stage Fort Park on August 11, 2012 from 11 a.m. to 7 p.m. She asked for a continuance, stating that they are not quite ready to go forward with all the details for the event for approval. She noted Mr. Hale, DPW Director, has no objection as to the park being used for this purpose and that a letter is on file to that effect. **Councilor Ciolino** stated some things for the organizers to consider for their planning and Council approval would be if propane is in use at the park it involves the Fire Department since they’ll be having food vendors. They’ll need a traffic plan; they need to pay attention to the noise ordinance. **Attorney Schlichte** stated they would speak to the neighbors who abut the park. **Council President Hardy** suggested a copy of the new Special Event Permit application form be forwarded to Attorney Schlichte. The form has approved by the City Council but no fee has been attached to the filing as yet. **Chief Lane** discussed with Attorney Henry what is required for the Licensing Commission regarding vendors. **Councilor Verga** discussed with Bob Hastings, former Chamber of Commerce Executive Director and now working on behalf of the Festival where the actual location would be within Stage Fort Park. Mr. Hastings produced a colored plot map of Stage Fort Park given to him by the DPW Director for planning purposes. It was not made a part of the record. He stated Cressy’s Beach would have to be closed for the day of the event but Half Moon Beach would remain open. **Attorney Schlichte** stated they would also close Hough Avenue from the parking lot to Western Avenue beyond the Cupboard. The asphalt will be kept open all the way for emergency access. They would have parking barriers. **Chief Lane** and **Councilor Verga** stated they must appropriate signage indicating the road closures and parking area(s), along with

police details for traffic direction. **Attorney Schlichte** noted they are estimating 1,200 to 1,500 tickets to be sold. They are also going to look into the use of the high school parking lot with a shuttle for overflow parking. **Council President Hardy** stated should this event be successful in 2012, looking forward they may wish to consider relocating their event to the new Newell Stadium once the renewal is completed. There would be no beach traffic or park goers to be concerned about. **Mr. Hastings** showed the Committee an eight page packet (submitted and on file) from the organization that has produced blues festivals nationwide for many years and that they are one of the premiere blues producers in the world. **Attorney Schlichte** stated these festivals fill hotels and motels and bring many, many people to the area. There will be six bands, crews, and concert goers. These are national acts, and they must book them soon. **Council President Hardy** inquired about sound control. **Attorney Schlichte** noted the festival is from 11 a.m. to 7 p.m. and that it is not anticipated to be a great issue. **Councilor Whycott** expressed that blues music is not as loud, for instance, as some rock bands would be. **Mr. Hastings** stated their demographic is 30 years old to 75 years old. These people tend to come early and stay an extra day. **Chief Lane** viewed the stage area (depicted in a colored photograph in the 8-page packet) and asked about sound deflection. **Mr. Hastings** noted the stage represented in the photograph is what the stage would be and that it did have two sides to it, but there was no "sound deflection". **Attorney Schlichte** stated Rockland was a good example of a similar situation and the blues festival is very successful there. They could get letters from that community saying how it worked for them. **Chief Lane** thought these were good demographics for the City. **Councilor Ciolino** asked about security. **Mr. Hastings** stated they'll have people on the beach, in the park and police details. They'll have a snow fence from the gazebo to the big rock. The idea is try to contain the crowd. The ticket is anticipated to be around \$30. **Attorney Schlichte** stated the City would receive all the proceeds from the parking. **Council President Hardy** felt the organizers should leave something positive behind after the concert at the park perhaps. **Councilor Whycott** felt that anyone or any organization that comes to Gloucester who makes money should leave something for the City. **Mr. Hastings** noted they anticipate about 25 vendors to be on site during the concert. The Chamber will sell T-Shirts and the like. They'll have major sponsors also. It will be broadcast on radio. On inquiry from **Council President Hardy**, **Attorney Schlichte** thought they would put out a call to local vendors which Mr. Hastings would assist in doing. **Councilor Ciolino** pointed out this would be a revenue stream for the City. He stated Attorney Schlichte would receive a copy of the application form and the Committee would like to have it filled out; to submit the letters of support and also have all the parties who need to sign off on the event to do so. They do not need Board of Health, Licensing Board, and Licensing Commission to move forward with the Council, but would like to have the parking issues worked out, police details and Fire Department sign offs. **Council President Hardy** noted the Dog Park will soon be a part of Stage Fort Park and reminded the organizers need to be mindful of that. **Mr. Hastings** didn't believe that would be an issue based on his involvement with that project. He expressed this event is new that needs to be nurtured to help make it happen. They want to see it happen and be good for the City. He urged the Councilors to go onto northatlanticbluesfestival.com to view information on a like concert venue organized by the same producers.

This matter is continued to November 16, 2011.

A motion was made, seconded and voted unanimously to adjourn the meeting at 5:50 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- Copy of adopted decision by the City Council attached to memorandum from Suzanne Egan, City Solicitor dated January 23, 2009 by Edward Pare, Esq., representative to applicant for SCP2011-009, Main Street #186
- 8 page packet from Bob Hastings and Attorney Catherine Schlichte regarding the proposed August 11, 2012 Blues Festival at Stage Fort Park